

FIRST REGULAR SESSION

HOUSE BILL NO. 1089

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

1112H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 335.017 and 335.021, RSMo, and to enact in lieu thereof two new sections relating to nursing.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 335.017 and 335.021, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 335.017 and 335.021, to read as follows:

335.017. One of the selected acts which may be performed by persons licensed under the provisions of this chapter as licensed practical nurses is the administration of intravenous fluid treatment. The administration of intravenous fluid treatment may be performed only by licensed practical nurses who have been instructed and trained in such procedures ~~[in a course of instruction approved by the board]~~ **within their practical nursing program or have documented evidence of completion of a separate board approved IV therapy certification course, or who have documented evidence of IV therapy certification in another state or jurisdiction.** The board shall have the authority to adopt and revise rules and regulations which limit and define the scope of intravenous fluid treatment which may be performed by licensed practical nurses. Nothing herein shall be construed as prohibiting administration of intravenous fluid treatment by registered professional nurses. The board shall submit emergency rules to the secretary of state to implement the provisions of this section within thirty days of December 15, 1983, and the board shall act promptly on applications of organizations requesting approval of their course of instruction.

335.021. 1. "The Missouri State Board of Nursing" shall consist of nine members, five of whom must be registered professional nurses. ~~[Two members]~~ **One member** of the board ~~[must]~~ **shall be a licensed practical [nurses] nurse** and one member a voting public member.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 Two of the five registered professional nurses shall hold a graduate degree in nursing, and at least
5 one of the professional nurse members shall represent nursing practice **and at least one member**
6 **shall be an advanced practice registered nurse.** Any person, other than the public member,
7 appointed to the board as hereinafter provided shall be a citizen of the United States and a
8 resident of this state for a period of at least one year, a licensed nurse in this state, and shall have
9 been actively engaged in nursing for at least three years immediately preceding the appointment
10 or reappointment. Membership on the board shall include representatives with expertise in each
11 level of educational programs the graduates of which are eligible to apply for licensure such as
12 practical, diploma, associate degree, and baccalaureate.

13 2. The governor shall appoint members to the board by and with the advice and consent
14 of the senate when a vacancy thereon occurs either by the expiration of a term or otherwise;
15 provided, however, that any board member shall serve until his or her successor is appointed and
16 qualified. Every appointment except to fulfill an unexpired term shall be for a term of four years,
17 but no person shall be appointed to more than two consecutive terms.

18 3. At least ninety days before the expiration of a term of a board member, and as soon
19 as feasible after the occurrence of a vacancy on the board for reasons other than the expiration
20 of a term, a list of three licensed and qualified nurses shall be submitted to the director of the
21 division of professional registration. The list shall be submitted by the Missouri Nurses
22 Association if the vacancy is for a registered professional nurse, and by the Missouri State
23 Association of Licensed Practical Nurses if the vacancy is for a licensed practical nurse. The
24 governor may appoint a board member to fill the vacancy from the list submitted, or may appoint
25 some other qualified licensed nurse. This subsection shall not apply to public member vacancies.

26 4. The public member shall be at the time of his or her appointment a citizen of the
27 United States; a resident of this state for a period of one year and a registered voter; a person who
28 is not and never was a member of any profession licensed or regulated pursuant to this chapter
29 or the spouse of such person; and a person who does not have and never has had a material,
30 financial interest in either the providing of the professional services regulated by this chapter,
31 or an activity or organization directly related to any profession licensed or regulated pursuant to
32 this chapter. All members, including public members, shall be chosen from lists submitted by
33 the director of the division of professional registration. The duties of the public member shall
34 not include the determination of the technical requirements to be met for licensure or whether
35 any person meets such technical requirements or of the technical competence or technical
36 judgment of a licensee or a candidate for licensure.

✓