

AN ACT

ENTITLED, An Act to provide for the definition of an advanced practice registered nurse, to remove certification as a function of the Board of Nursing in issuing a license to a certified registered nurse anesthetist, and to change the nurses' education loan assistance program to a scholarship program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 36-9-1 be amended to read as follows:

36-9-1. Terms as used in this chapter, unless the context otherwise requires, mean:

- (1) "Approved program," any educational program of study which meets the requirements established by this chapter and by the board for licensure or certification under this chapter;
- (2) "Board," the South Dakota Board of Nursing;
- (3) "Certified registered nurse anesthetist," any person authorized under this chapter to practice the nursing specialty of nurse anesthesia as defined in § 36-9-3.1;
- (4) "Clinical nurse specialist," any person authorized under this chapter to practice the nursing specialty of a clinical nurse specialist as defined in § 36-9-87;
- (5) "Collaboration," communication with a physician licensed under chapter 36-4, prior to care being provided, to set goals and objectives for the client to assure quality and appropriateness of services rendered.
- (6) "Employment," being employed as a nurse for at least one hundred forty hours in any one calendar year;
- (7) "Licensed," written authorization by the board to practice either as a registered nurse or a licensed practical nurse;
- (8) "Licensed practical nurse," any person duly authorized under this chapter to practice

practical nursing as defined in § 36-9-4;

- (9) "Nursing diagnosis," the identification of and discrimination between physical and psychological signs or symptoms essential to the effective execution and management of a nursing regimen;
- (10) "Public member," any person who is not licensed by the board, but is a user of the services regulated by the board;
- (11) "Registered nurse," any person authorized under this chapter to practice nursing as defined in § 36-9-3;
- (12) "Advanced practice registered nurse," or "APRN," any person licensed by the board in the role of a clinical nurse specialist or a certified registered nurse anesthetist.

For the purposes of this chapter, words used in the feminine gender include the masculine.

Section 2. That § 36-9-2 be amended to read as follows:

36-9-2. Any person practicing or offering to practice as:

- (1) A registered nurse;
- (2) A licensed practical nurse; or
- (3) An advanced practice registered nurse

in this state shall be required to submit evidence to the Board of Nursing that she is qualified to so practice, shall be licensed, and shall use the appropriate licensure title.

Section 3. That § 36-9-32.2 be amended to read as follows:

36-9-32.2. Upon application and payment of the required fee, the Board of Nursing may issue a temporary permit to practice as a registered nurse anesthetist to an applicant from another state holding a current license as a certified registered nurse anesthetist while awaiting licensure in this state. This permit shall bear an issuance date and a termination date and may not be valid for more than ninety days.

Section 4. That § 36-9-36 be amended to read as follows:

36-9-36. A person who holds a license to practice as a registered nurse in this state may use the title registered nurse and the abbreviation, RN. A person who holds a license to practice as a certified registered nurse anesthetist in this state may use the title, certified registered nurse anesthetist abbreviated, CRNA, and the title, advanced practice registered nurse abbreviated, APRN.

Section 5. That § 36-9-76 be amended to read as follows:

36-9-76. The South Dakota Board of Nursing may establish a nurses' education assistance scholarship program and adopt rules pursuant to chapter 1-26 to provide the criteria for applicant eligibility and program administration.

Section 6. That § 36-9-77 be amended to read as follows:

36-9-77. Funding for the nurses' education assistance scholarship program shall be established as follows:

- (1) By setting aside in a special account ten dollars of each registered nurse and licensed practical nurse biennial license renewal fee;
- (2) Donations and bequests from individuals wishing to further the intent of the nurses' education assistance scholarship program; and
- (3) Additional funds as may from time to time be designated by the board.

Section 7. That § 36-9-78 be amended to read as follows:

36-9-78. To qualify for the nurses' education assistance scholarship program the applicant shall meet the following criteria:

- (1) Be a citizen of the United States and a South Dakota resident for a minimum of one year immediately preceding the date of application;
- (2) Meet the criteria established by the South Dakota Board of Nursing;
- (3) Be accepted into a board approved nursing education program for licensed practical

nurses or registered nurses whether leading to initial licensure or degree enhancement;
and

- (4) Have or maintain a satisfactory grade for progression in the nursing education program as determined by the faculty of the institution.

Section 8. That § 36-9-79 be amended to read as follows:

36-9-79. The number and distribution of scholarships from the nurses' education assistance scholarship program shall be determined annually by the South Dakota Board of Nursing. However, the total scholarship amount shall be distributed for registered nurses' basic education and degree enhancement and licensed practical nurses' basic education proportionate to the number of licensees in each category on an annual basis.

Section 9. That § 36-9-80 be amended to read as follows:

36-9-80. Distributions from the nurses' education assistance scholarship program are subject to the following:

- (1) The amount of each scholarship shall be determined annually by the South Dakota Board of Nursing but may not exceed the sum of one thousand dollars per full academic year;
and
- (2) Funds from this scholarship program shall be disbursed on an annual basis and shall be disbursed to the institution which the applicant attends and not directly to the scholarship recipient. The institution may only credit nurses' education assistance scholarship program funds to the payment of tuition, books, fees, and other direct educational expenses. Room and board may not be considered a direct educational expense.

Section 10. That § 36-9-81 be repealed.

Section 11. That § 36-9-82 be repealed.

Section 12. That § 36-9-83 be repealed.

Section 13. That § 36-9-88 be amended to read as follows:

36-9-88. A person who holds a license to practice as a clinical nurse specialist in this state may use the title, clinical nurse specialist and the abbreviation, CNS, and the title, advanced practice registered nurse, and the abbreviation, APRN.

Section 14. That § 36-9A-1 be amended to read as follows:

36-9A-1. Terms as used in this chapter mean:

- (1) "Approved program," an educational program of study which meets the requirements established by this chapter and by the boards for licensure under this chapter;
- (2) "Boards," the South Dakota Board of Nursing and the South Dakota Board of Medical and Osteopathic Examiners;
- (3) "License," the written authorization by the boards required to practice the specialties of nurse practitioner or nurse midwife;
- (4) "Nurse midwife," a provider duly authorized under this chapter to practice the nursing specialty of nurse midwifery as defined in § 36-9A-13;
- (5) "Nurse practitioner," a provider duly authorized under this chapter to practice the specialty of nurse practitioner as defined in § 36-9A-12;
- (6) The feminine gender as used in this chapter shall also apply to the masculine and neuter;
- (7) "Collaboration," the act of communicating pertinent information or consulting with a physician licensed pursuant to chapter 36-4, with each provider contributing their respective expertise to optimize the overall care delivered to the patient;
- (8) "Advanced practice registered nurse," or "APRN," a person licensed by the boards in the role of a certified nurse practitioner or a certified nurse midwife.

Section 15. That § 36-9A-11 be amended to read as follows:

36-9A-11. A person licensed to practice as a nurse practitioner in this state may use the title,

APRN, and certified nurse practitioner abbreviated, CNP. A person licensed to practice as a nurse midwife in this state may use the title, APRN, and certified nurse midwife abbreviated, CNM.

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I certify that the attached Act
originated in the
SENATE as Bill No. 30

Secretary of the Senate
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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 30
File No. _____
Chapter No. _____

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Received at this Executive Office
this ____ day of _____ ,
20____ at _____ M.

By _____
for the Governor
=====

The attached Act is hereby
approved this _____ day of
_____, A.D., 20__

Governor

=====
STATE OF SOUTH DAKOTA,
ss.
Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State