

The Daily Bulletin: 2017-02-13

PUBLIC/HOUSE BILLS

H 87 (2017-2018) [ESSA PLAN SUBMISSION](#). Filed Feb 13 2017, *AN ACT TO PROHIBIT THE STATE BOARD OF EDUCATION AND THE DEPARTMENT OF PUBLIC INSTRUCTION FROM SUBMITTING THE STATE PLAN REQUIRED BY THE EVERY STUDENT SUCCEEDS ACT UNTIL THE LATEST POSSIBLE DATE ESTABLISHED BY THE U.S. DEPARTMENT OF EDUCATION FOR SUBMISSION*.

As title indicates.

Intro. by Elmore, K. Hall, Hurley.

UNCODIFIED

[View summary](#)

**Education, Elementary and Secondary Education,
Government, State Agencies, Department of Public
Instruction, State Board of Education**

H 88 (2017-2018) [MODERNIZE NURSING PRACTICE ACT](#). Filed Feb 13 2017, *AN ACT UPDATING AND MODERNIZING THE NURSING PRACTICE ACT*.

Enacts new GS 90-171.36B to prohibit an advanced practice registered nurse (APRN) from practicing as such without a license. Defines *advanced practice registered nurse or APRN* as an individual licensed by the The North Carolina Board of Nursing (Board) as an advanced practice registered nurse within one of the following four roles: (1) nurse practitioner or NP, (2) certified nurse midwife or CNM, (3) clinical nurse specialist or CNS, or (4) certified registered nurse anesthetist or CRNA. Sets out six requirements for licensure, including: holding a current North Carolina registered nurse license, having completed a graduate level APRN program accredited by a nursing or nursing-related accrediting body that is recognized by the United States Secretary of Education or the Council for Higher Education Accreditation as acceptable to the Board, and being certified by a national certifying body recognized by the Board in the APRN role and population focus appropriate to educational preparation. Enacts GS 90-171.36C, which specifies conditions under which the Board must issue an APRN license to an applicant who does not meet the education or certification requirements. Enacts GS 90-171.36D, which specifies the process for APRN license renewal and reinstatement.

Amends the definitions of terms used in the Nursing Practice Act. Adds definitions for *advanced assessment, advanced practice registered nurse, nurse anesthesia activities, population focus, practice of nursing as an advanced practice registered nurse or APRN, practice of nursing as a certified nurse midwife or CNM, practice of nursing as a certified registered nurse anesthetist or CRNA, practice of nursing as a clinical nurse specialist or CNS, and practice of nursing as a nurse practitioner or NP*. Amends the components listed that define the practice of nursing by a registered nurse to include collaborating with other health care providers in determining the appropriate health care for a patient (previously, limited to not prescribing a medical treatment regimen or making a medical diagnosis, except under the supervision of a licensed physician). Makes clarifying, organizational, and technical changes.

Amends GS 90-18(c) to establish that the practice of nursing by a certified registered anesthetist does not constitute practicing medicine or surgery. Amends GS 90-29(b) to establish that a certified registered anesthetist administering anesthetic in collaboration with a licensed dentist or physician pursuant to GS 90-171.20(6d) does not constitute practicing dentistry.

Amends GS 90-171.21, concerning the Board, as follows. Adds that every registered nurse with an active advanced practice registered nurse license is eligible to vote in the election of the advanced practice registered nurse Board member. Amends the process for handling vacancies. Amends Board membership to require that one member be an APRN. Amends the criteria for Board membership to add requirements related to conduct. No longer requires the public member to be appointed by the

Governor and prohibits the member from being a licensed nurse or a licensed health care professional or employed by a health care institution, health care insurer, or health care professional school. Sets out the criteria to be met by the advanced practice registered nurse member. Provides that changes to GS 90-171.21 apply to members newly appointed to the Board after the effective date of the act.

Amends the powers of the Board in GS 90-171.23 to include duties related to APRNs. Requires that the executive officer also hold an active North Carolina license. No longer requires request in order to grant or deny approval of continuing education programs. Includes the power to grant prescribing, ordering, dispensing, and furnishing authority to holders of the advanced practice registered nurse license (deletes duties related to the appointment and maintenance of a subcommittee working to develop rules governing the performance of medical acts by registered nurses). Clarifies the duty of establishing programs for monitoring the treatment, recovery, and the safe practice of nurses experiencing substance use disorders, mental health disorders, or physical conditions impacting the ability to deliver safe care. Gives the Board the power to order or subpoena any patient records, documents, or other material concerning any matter to be heard before or inquired into by the Board. Makes additional clarifying and conforming changes.

Amends GS 90-171.24 to require that the executive director hold an active North Carolina registered nurse license and meet specified criteria. Provides that the director also serves as the Administrator of the Nurse Licensure Compact.

Amends GS 90-171.27 to set out fees for application for licensure, license renewal, and reinstatement of lapsed licenses for APRNs.

Enacts new GS 90-171.29A to allow the Board to require an applicant or licensee to submit to a mental examination or to a physical examination to determine competence.

Amends GS 90-171.30 to no longer require that the Board administer the licensing exam at least twice a year.

Amends GS 90-171.33 to delete the the provision allowing the Board to issue a nonrenewable temporary license to persons applying for licensure until the implementation of the computer adaptive licensure exam.

Amends GS 90-171.36 to provide that if within five years of being placed on inactive status, a person was to change his or her status to active, the person must submit an application and license reinstatement fee.

Amends GS 90-171.36A to no longer allow for the issuance of a special license in recognition of a nurse's retired status.

Amends GS 90-171.37 to provide that the Board has the power to place on probation with or without conditions, impose limitations and conditions on, accept voluntary surrender, publicly reprimand, issue public letters of concern, require satisfactory completion of treatment programs or remedial or educational training, refuse to issue a certificate of renewal, fine, deny, suspend, or revoke a license or privilege to practice nursing in this state, issued by the Board to any person who has been found by the Board to have committed any of the specified acts, or for any of the specified reasons. Amends and adds to the prohibited acts. Allows the Board to limit, restrict, deny, suspend, or revoke prescriptive or dispensing authority of any APRN who holds prescriptive authority who has been found by the Board to have committed any of the specified acts concerning drugs. Adds that a felony conviction results in the automatic revocation of a license issued by the Board, unless the Board orders otherwise or receives a request for a hearing from the person within 60 days of receiving notice from the Board, after the conviction, of the provisions of this subsection. Provides that the Board and its members and staff are not to be held liable in any civil or criminal proceeding for exercising, in good faith, the powers and duties authorized by law.

Enacts new GS 90-171.37B concerning the Board's duties related to public records. Enacts new GS 90-171.37C concerning service of notice required under GS Chapter 90.

Amends GS 90-171.40 to require the Board to review all nursing programs in the state at least every 10 (was, 8) years.

Amends GS 90-171.42 to no longer require a request before the Board grants approval to continuing education programs.

Enacts new GS 90-171.49 to allow the Board to waive the requirements of the Act to permit providing emergency health services to the public during states of emergency.

Repeals GS 90-171.28, Nurses Registered Under Previous Law, and Article 10A of GS Chapter 90, Practice of Midwifery.

Makes additional conforming and clarifying changes.

Effective January 1, 2018.

Intro. by Dobson, Lambeth, Stevens, Adcock.

GS 90

[View summary](#)

Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers

H 89 (2017-2018) **HOUSING AUTHORITY TRANSFERS**. Filed Feb 13 2017, *AN ACT TO ALLOW MUNICIPALITIES TO TRANSFER THE POWERS, DUTIES, AND RESPONSIBILITIES OF A PUBLIC HOUSING AUTHORITY TO A REGIONAL COUNCIL OF GOVERNMENT*.

Amends GS 157-4.1, which sets out alternatives municipalities may utilize instead of a housing authority. Allows a city council to designate a redevelopment commission created under the provisions of GS Chapter 160A (was, GS Chapter 160), or a regional council of government created pursuant to Part 2 of Article 20 of GS Chapter 160A to exercise the powers, duties, and responsibilities of a housing authority, or the city council may exercise those powers, duties, and responsibilities itself (previously, a regional council of government was not an authorized alternative). Changes the parameters of a resolution whereby a city council abolishes a housing authority to have such abolition be effective on a day set in the resolution that will allow sufficient time to wind down the operations of the housing authority (was, on a day not less than 90 days after the adoption of the resolution). Further, allows a municipality that has abolished a housing authority pursuant to subsection (b) to utilize alternatives provided in subsection (a), as amended by this act, by designating an existing redevelopment commission created pursuant to GS Article 22 of GS Chapter 160A, or a regional council of government created pursuant to Part 2 of Article 20 of GS Chapter 160 to exercise the powers, duties, and responsibilities, of a housing authority. Clarifies that notwithstanding GS 157-5 and GS 157-8, the term of office for all housing authority commissioners must expire. Authorizes a city council, upon passage of a resolution abolishing the housing authority, to appoint an interim director to work with the housing authority to facilitate any transfer to the city, redevelopment commission, or a regional council of government. Provides that the interim director is to serve in that capacity until the transfer is complete, and has the powers and duties granted to an executive director pursuant to GS 157-5(e) along with the rules, regulations, and policies of the housing authority. Makes conforming and technical changes.

Amends GS 160A-475, which sets out the powers that a charter may confer on a regional council of government, to add the power to carry out the powers, duties, and responsibilities granted pursuant to GS Chapter 157. Additionally allows a regional council of government to construct or purchase buildings, or acquire title to real property, in order to exercise the powers, duties, and responsibilities granted to the regional council pursuant to GS Chapter 157. Clarifies that no regional council may exercise the power of eminent domain.

Intro. by Adams.

GS 157, GS 160A

[View summary](#)

Development, Land Use and Housing, Property and Housing, Government, Local Government

PUBLIC/SENATE BILLS

S 73 (2017-2018) **MODERNIZE NURSING PRACTICE ACT**. Filed Feb 13 2017, *AN ACT UPDATING AND MODERNIZING THE NURSING PRACTICE ACT*.

Identical to H 88, filed 2/13/17.

Enacts new GS 90-171.36B to prohibit an advanced practice registered nurse (APRN) from practicing as such without a license. Defines *advanced practice registered nurse or APRN* as an individual licensed by the The North Carolina Board of Nursing (Board) as an advanced practice registered nurse within one of the following four roles: (1) nurse practitioner or NP, (2) certified nurse midwife or CNM, (3) clinical nurse specialist or CNS, or (4) certified registered nurse anesthetist or CRNA. Sets out six requirements for licensure, including: holding a current North Carolina registered nurse license, having completed a graduate level

APRN program accredited by a nursing or nursing-related accrediting body that is recognized by the United States Secretary of Education or the Council for Higher Education Accreditation as acceptable to the Board, and being certified by a national certifying body recognized by the Board in the APRN role and population focus appropriate to educational preparation. Enacts GS 90-171.36C, which specifies conditions under which the Board must issue an APRN license to an applicant who does not meet the education or certification requirements. Enacts GS 90-171.36D, which specifies the process for APRN license renewal and reinstatement.

Amends the definitions of terms used in the Nursing Practice Act. Adds definitions for *advanced assessment*, *advanced practice registered nurse*, *nurse anesthesia activities*, *population focus*, *practice of nursing as an advanced practice registered nurse or APRN*, *practice of nursing as a certified nurse midwife or CNM*, *practice of nursing as a certified registered nurse anesthetist or CRNA*, *practice of nursing as a clinical nurse specialist or CNS*, and *practice of nursing as a nurse practitioner or NP*. Amends the components listed that define the practice of nursing by a registered nurse to include collaborating with other health care providers in determining the appropriate health care for a patient (previously, limited to not prescribing a medical treatment regimen or making a medical diagnosis, except under the supervision of a licensed physician). Makes clarifying, organizational, and technical changes.

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Amends the powers of the Board in GS 90-171.23 to include duties related to APRNs. Requires that the executive officer also hold an active North Carolina license. No longer requires request in order to grant or deny approval of continuing education programs. Includes the power to grant prescribing, ordering, dispensing, and furnishing authority to holders of the advanced practice registered nurse license (deletes duties related to the appointment and maintenance of a subcommittee working to develop rules governing the performance of medical acts by registered nurses). Clarifies the duty of establishing programs for monitoring the treatment, recovery, and the safe practice of nurses experiencing substance use disorders, mental health disorders, or physical conditions impacting the ability to deliver safe care. Gives the Board the power to order or subpoena any patient records, documents, or other material concerning any matter to be heard before or inquired into by the Board. Makes additional clarifying and conforming changes.

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Repeals GS 90-171.28, Nurses Registered Under Previous Law, and Article 10A of GS Chapter 90, Practice of Midwifery.

Makes additional conforming and clarifying changes.

Effective January 1, 2018.

Intro. by Hise, Pate, Krawiec.

[GS 90](#)

[View summary](#)

[Business and Commerce, Occupational Licensing, Health and Human Services, Health, Health Care Facilities and Providers](#)

LOCAL/SENATE BILLS

S 71 (2017-2018) [17TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 13 2017, *AN ACT RELATING TO THE 17TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by Barringer.

[Wake](#)

[View summary](#)

S 72 (2017-2018) [15TH SENATORIAL DISTRICT LOCAL ACT-1](#). Filed Feb 13 2017, *AN ACT RELATING TO THE 15TH SENATORIAL DISTRICT*.

Blank bill.

Intro. by Alexander.

[Wake](#)

[View summary](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 7: LRC/STRENGTHEN SAVINGS RESERVE.

House: Withdrawn From Cal

House: Placed On Cal For 02/15/2017

H 39: AMEND APPOINTMENTS/UNC BD OF GOVERNORS.

Senate: Withdrawn From Com

Senate: Re-ref to Education/Higher Education. If fav, re-ref to Rules and Operations of the Senate

H 73: PROHIBIT DRIVING WITH ANIMAL IN LAP.

House: Serial Referral To Insurance Added

H 75: HONOR PAUL LUEBKE, FORMER MEMBER.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 76: INCREASE FIRE & RESCUE PENSION BENEFIT.

House: Passed 1st Reading

House: Ref to the Com on Pensions and Retirement, if favorable, Appropriations

H 78: HB2 REPEAL/EQUALITY FOR ALL.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 80: BONA FIDE OWNERSHIP OF TIMBER PARCELS.

House: Passed 1st Reading

House: Ref To Com On Judiciary III

H 81: STI/REGIONAL & DIVISION WEIGHTING.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 82: EQUALITY FOR ALL/REPEAL HB2.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 83: ENSURE BUDGET TRANSPARENCY.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 84: DRIVERS LICENSE/HEARING IMPAIRED DESIGNATION.

House: Passed 1st Reading

House: Ref to the Com on Transportation, if favorable, Judiciary III

H 85: FUNDS FOR EDUCATIONAL TRAINING CENTERS.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 86: AMEND BANKING COMMISSION MEMBERSHIP.

House: Passed 1st Reading
House: RefTo Com On Banking

H 87: ESSA PLAN SUBMISSION.

House: Filed

H 88: MODERNIZE NURSING PRACTICE ACT.

House: Filed

H 89: HOUSING AUTHORITY TRANSFERS.

House: Filed

S 65: BRIGHT FUTURES ACT.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 66: REQUIRE SAFETY HELMETS/UNDER 21.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 68: STUDENT ATTENDANCE/PAGE PROGRAM RECOGNITION.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 69: LOCAL GOV'T COMM/FINANCE OFFICER TRAINING.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 70: RLSC STUDY SALES TAX EXEMPTION: NONPROFITS.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 73: MODERNIZE NURSING PRACTICE ACT.

Senate: Filed

LOCAL BILLS

H 77: SCHOOL CALENDAR FLEX./JOHNSTON COUNTY.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

H 79: SCHOOL CALENDAR FLEX./GASTON COUNTY SCHOOLS.

House: Passed 1st Reading
House: RefTo Com On Education - K-12

S 67: 48TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Passed 1st Reading
Senate: RefTo Com On Rules and Operations of the Senate

S 71: 17TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

S 72: 15TH SENATORIAL DISTRICT LOCAL ACT-1.

Senate: Filed

