

SB25 INTRODUCED



1 SB25
2 X1897EE-1
3 By Senator Weaver
4 RFD: Healthcare
5 First Read: 06-Feb-24
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SYNOPSIS:

Under existing law, the Board of Nursing is responsible for the licensing and regulation of the nursing profession in the state.

This bill would authorize the board, by rule, to clarify standards for the scope of practice for certified nursing support technicians and to issue permits to eligible applicants.

This bill would provide further for the nature and type of disciplinary actions the board may impose.

This bill would also make nonsubstantive, technical revisions to update existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Nursing, to amend Sections 34-21-2 and 34-21-25, Code of Alabama 1975, to authorize the board, by rule, to provide standards for the scope of practice for certified nursing support technicians and to issue permits to eligible applicants; to provide further for the nature and type of disciplinary actions the board may impose; and to make



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29 nonsubstantive, technical revisions to update existing code
30 language to current style.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Sections 34-21-2 and 34-21-25 of the Code of
33 Alabama 1975, are amended to read as follows:

34 "§34-21-2

35 (a) There is created the Board of Nursing, which shall
36 be composed of 13 members to be appointed and have the duties
37 and powers enumerated in this section. The Governor shall
38 coordinate his or her appointments to assure that the
39 membership of the board ~~shall be~~ is inclusive and ~~reflect~~
40 reflects the racial, gender, geographic, ~~urban/rural~~ urban,
41 rural, and economic diversity of the state. ~~In order to insure~~
42 ~~continuity of administration, the nine board members provided~~
43 ~~for by Section 3 of Act 427, Regular Session 1975, shall~~
44 ~~continue to serve to the completion of the term for which they~~
45 ~~are serving. The Governor, within 60 days of January 1, 1984,~~
46 ~~shall appoint a tenth member who shall be a licensed practical~~
47 ~~nurse for a term of four years from a list of nominees~~
48 ~~furnished him or her by the Alabama Federation of Licensed~~
49 ~~Practical Nurses, Incorporated, or its successor organization.~~
50 As the terms of all board members expire, their successors
51 shall be appointed for terms of four years each. Vacancies in
52 unexpired terms shall be filled in the same manner as original
53 appointments are made. No member shall be appointed to more
54 than two consecutive terms of four years each. ~~Eight~~ Six
55 members of the board shall be licensed professional nurses,
56 and two members of the board shall be licensed professional



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57 nurses who are approved to engage in advanced practice nursing
58 in the state, four members of the board shall be licensed
59 practical nurses, and one member of the board shall be a
60 consumer.

61 (b) (1) The Governor shall appoint the eight members of
62 the board who are licensed professional nurses, including two
63 who are approved to engage in advanced practice nursing in the
64 state, from a list of nominees who are selected by the Board
65 of Nursing Nomination Committee and furnished to the Governor
66 by the Alabama State Nurses Association, or its successor
67 organization, and the list, when furnished, shall contain at
68 least twice the number of nominees as there are appointments
69 to be made or vacancies to be filled. The Alabama State Nurses
70 Association, or its successor organization, on or before
71 December 1 of each year, or at such other ~~times~~ time as
72 necessary, shall furnish the Governor with a list of licensed
73 professional nurses qualified for appointment to the board. In
74 the nominating and appointing process, due care shall be taken
75 to ensure the maintenance of qualified representation from the
76 fields of nursing education, nursing administration, clinical
77 nursing, and advanced practice nursing.

78 (2) The Governor shall appoint two of the four members
79 of the board who are ~~to be~~ licensed practical nurses from a
80 list of nominees furnished him or her by the Board of
81 Directors of the Licensed Practical Nurses Association of
82 Alabama, or its successor organization, and the list, when
83 furnished, shall contain at least twice the number of nominees
84 for the vacancies to be filled. The Board of Directors of the



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85 Licensed Practical Nurses Association of Alabama, or its
86 successor organization, on or before December 1 of each year
87 in which the term of office of a board member or a nominee of
88 the Board of Directors of the Licensed Practical Nurses
89 Association of Alabama shall expire, or at such other time as
90 necessary, shall furnish the Governor with the list of
91 licensed practical nurses qualified for appointment to the
92 board.

93 (3) The Governor shall appoint two of the four members
94 ~~on~~ of the board who are ~~to be~~ licensed practical nurses from a
95 list of nominees furnished him or her by the Board of
96 Directors of the Alabama Federation of Licensed Practical
97 Nurses, Incorporated, or its successor organization, and the
98 list, when furnished, shall contain at least twice the number
99 of nominees for the vacancies to be filled. The Board of
100 Directors of the Alabama Federation of Licensed Practical
101 Nurses, Incorporated, or its successor organization, on or
102 before December 1 of each year in which the term of office of
103 ~~the a~~ board member filled by the nominee of the ~~board of~~
104 ~~directors~~ Board of Directors of the Alabama Federation of
105 Licensed Practical Nurses, Incorporated, or its successor
106 organization, shall expire, or at such other ~~times~~ time as
107 necessary, shall furnish the Governor with a list of licensed
108 practical nurses qualified for appointment to the board.

109 (c) The Governor may remove any member from the board
110 for neglect of duty of the board, incompetency, or
111 unprofessional or dishonorable conduct.

112 (d) Each person appointed to the board as a licensed



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113 professional nurse shall be a citizen of the United States, a
114 resident of ~~the State of Alabama~~ this state, and have all of
115 ~~these~~ the following additional qualifications:

116 (1) Be a graduate of a state-approved educational
117 program for the preparation of practitioners of professional
118 nursing.

119 (2) Be a currently licensed professional nurse in
120 ~~Alabama~~ this state.

121 (3) Have a minimum of five years' successful nursing
122 experience in an administrative, teaching, clinical capacity,
123 or advanced practice.

124 (4) Be actively engaged in professional nursing in this
125 state immediately preceding and during appointment.

126 (e) Each person appointed to the board as a licensed
127 practical nurse shall be a citizen of the United States, a
128 resident of the State of Alabama, and have all of ~~these~~ the
129 following additional qualifications:

130 (1) Hold a diploma from an accredited high school or
131 its equivalent.

132 (2) Be a graduate of a state-approved vocational
133 educational program for the preparation of practitioners of
134 licensed practical nursing.

135 (3) Be a currently licensed practical nurse in ~~Alabama~~
136 this state.

137 (4) Have a minimum of five years' successful nursing
138 experience.

139 (5) Be actively engaged in licensed practical nursing
140 in this state immediately preceding and during appointment.



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141 (f) ~~There shall be one~~ The consumer member of the board
142 ~~who is a consumer and who is~~ may not be a member of any of the
143 health care professions. The consumer member shall be
144 appointed by the Governor ~~effective January 1, 1998,~~ and shall
145 serve for a term of four years. His or her successor shall be
146 appointed in a like manner at the expiration of each term or
147 upon a vacancy for the remainder of an unexpired term of
148 office. The consumer member of the board ~~shall have,~~ presently
149 or formerly, shall have no direct financial interest in any
150 health care facility, profession, agency, or insurer, or be,
151 or have been, a health care worker.

152 ~~(g) There shall be two advanced practice nurse~~
153 ~~positions to be filled effective January 1, 1998, in the same~~
154 ~~manner as all other professional nurse positions. One advanced~~
155 ~~practice nurse position shall be served for an initial~~
156 ~~five-year term and successors shall serve four-year terms. The~~
157 ~~remaining member appointed to an advance practice nurse~~
158 ~~position shall serve an initial four-year term and successors~~
159 ~~shall serve four-year terms.~~

160 ~~(h)~~ (g) All members of the board shall enjoy immunity
161 from individual civil liability while acting within the scope
162 of their duties as board members.

163 ~~(i) The board shall have the following powers and~~
164 ~~perform the following duties: It~~ (h) The board shall meet at
165 least once a year and ~~shall,~~ at its organizational meeting and
166 at its annual meetings thereafter, shall elect from its
167 members a president, a vice president, and a secretary. ~~It~~ The
168 board may hold ~~such~~ other and additional meetings during any



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169 year as ~~it~~ the board deems necessary for the transaction of
170 business. A majority of the board, including one officer,
171 shall constitute a quorum at any meeting.

172 ~~(j)~~ (i) The board may do any of the following:

173 (1) Adopt and, ~~from time to time~~, revise ~~such~~ rules,
174 not inconsistent with the law, as may be necessary to carry
175 out this chapter.

176 (2) Prescribe standards and approve curricula for
177 nursing educational programs preparing ~~persons~~ individuals for
178 ~~licensure~~ licensing under this chapter.

179 (3) Provide for surveys and evaluations of ~~such~~
180 programs at ~~such~~ times as ~~it~~ the board may deem necessary.

181 (4) Approve ~~such~~ nursing educational programs ~~as meet~~
182 that satisfy the requirements of this chapter and the board.
183 Nothing in this chapter shall be construed to diminish the
184 power of the State Board of Education or any other
185 constitutionally or legislatively established state ~~agencies~~
186 agency to govern the schools under their respective
187 jurisdictions.

188 (5) Deny or withdraw approval from educational programs
189 for failure to ~~meet~~ satisfy prescribed standards. Withdrawal
190 of approval shall be effected only after a hearing in
191 accordance with board rules.

192 (6) Examine, license, and renew the licenses of ~~duly~~
193 qualified applicants and require employers to submit listings
194 of personnel covered by this chapter to the board upon request
195 including, but not limited to, personnel practicing nursing in
196 Alabama under a multistate license, a single state license, or



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197 a multistate ~~licensure~~ licensing privilege. The board may
198 issue qualified applicants either a single state license or a
199 multistate license.

200 (7) Adopt and, from time to time, revise rules
201 providing standards including, but not limited to, scope of
202 practice for student nurse apprenticeships and the issuance of
203 student nurse apprentice permits by the board to eligible
204 students.

205 (8) Adopt and, ~~from time to time,~~ revise rules
206 providing standards including, but not limited to, scope of
207 practice for certified medication assistants and the issuance
208 of certified medication assistant permits by the board to
209 eligible applicants. For purposes of this chapter, a certified
210 medication assistant is ~~an unlicensed assistive personnel~~ an
211 individual who has successfully completed a board-approved
212 curriculum for assistance with medications, or a comparable
213 program in another state, ~~and~~ who holds a valid certification
214 as a medication assistant and who has been issued a permit
215 pursuant to this chapter. Practice by a certified medication
216 assistant is limited to employment in health care or
217 educational facilities that are licensed, certified, or
218 operated by this state.

219 (9) Adopt and revise rules providing standards
220 including, but not limited to, scope of practice for certified
221 nursing support technicians and the issuance of permits by the
222 board to eligible applicants. For purposes of this chapter, a
223 certified nursing support technician is an individual who has
224 successfully completed a board-approved curriculum for



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225 performing supportive nursing services, or a comparable
226 program in another state, and who has passed a board-approved
227 examination and has been issued a permit pursuant to this
228 chapter. Supportive nursing services do not require the
229 exercise of nursing judgment. A nursing support technician
230 performs supportive nursing services under the supervision of
231 a licensed nurse.

232 ~~(9)~~ (10) Conduct investigations, hearings, and
233 proceedings concerning alleged violations of this ~~section~~
234 chapter or of the rules of the board.

235 ~~(10)~~ ~~Have the power to issue~~ (11) Issue subpoenas,
236 compel the attendance of witnesses, and administer oaths to
237 ~~persons~~ individuals giving testimony at hearings.

238 ~~(11)~~ (12) Cause the prosecution of ~~all persons~~ any
239 individual violating this chapter and incur ~~such~~ necessary
240 expenses therefor.

241 ~~(12)~~ (13) Keep a public record of all of its
242 proceedings.

243 ~~(13)~~ (14) Keep a register of all licensees.

244 ~~(14)~~ (15) Make an annual report to the Governor.

245 ~~(15)~~ (16) Appoint and employ a qualified ~~person~~
246 individual, not subject to the state Merit System, ~~who shall~~
247 ~~not be nor~~ a member of the board, to serve as the executive
248 officer and administrator and commissioner of the Enhanced
249 Nurse Licensure Compact for Alabama.

250 ~~(16)~~ (17) Define the duties and fix the compensation of
251 the executive officer and administrator and commissioner of
252 the Enhanced Nurse Licensure Compact for Alabama, with the



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253 approval of the Governor and the State Personnel Board as
254 provided in Section 36-6-6.

255 ~~(17)~~ (18) Employ ~~such other persons~~ other individuals as
256 may be necessary to carry on the work of the board and provide
257 for appropriate bonding of employees. Regular employees of the
258 board shall be employed subject to the state Merit System in
259 effect ~~on January 1, 1966, or~~ at the time of employment.

260 ~~(18)~~ (19) Employ consultants, specialists, counsel, or
261 other specially qualified ~~persons~~ individuals under contract
262 or on a part-time basis to assist ~~it~~ the board in
263 administering this chapter and without regard to the state
264 Merit System ~~in effect on or after January 1, 1966,~~ and pay
265 for the services of ~~such persons~~ those individuals.

266 ~~(19)~~ (20) Accept gifts and grants upon terms and
267 conditions imposed by it through official resolutions.

268 ~~(20)~~ (21) Perform ~~such~~ other duties, not inconsistent
269 with law, as required by this chapter to foster and improve
270 nursing ~~and,~~ the regulation ~~thereof~~ of the practice of
271 nursing, and the public health of this state.

272 ~~(21)~~ (22) Expend funds of the board in exercising ~~its~~
273 board powers and duties and in administering this chapter.

274 ~~(22)~~ (23) Determine and collect reasonable fees.

275 ~~(23)~~ (24) Adopt standards for registered and practical
276 nursing practice and for continued competency of licensees.

277 ~~(24)~~ (25) Join organizations that develop and regulate
278 the national nursing ~~licensure~~ licensing examinations and
279 promote the improvement of the legal standards of the practice
280 of nursing for the protection of the public health, safety,



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281 and welfare.

282 ~~(k)~~ (j) The executive officer employed by the board
283 shall be a citizen of the United States, ~~a person~~ an
284 individual of the highest integrity, and possess ~~these~~ all of
285 the following additional qualifications:

286 (1) Be a licensed professional nurse in Alabama or
287 eligible for ~~licensure~~, be licensing.

288 (2) Be a graduate of a professional nursing program
289 approved by the state in which the program was completed, ~~r~~
290 ~~hold~~.

291 (3) Hold a master's degree, ~~and have~~.

292 (4) Have had a varied experience in nursing, including
293 at least five years' experience in an administrative or
294 teaching capacity.

295 ~~(l)~~ (k) The executive officer shall be bonded for the
296 faithful performance of the duties of the office in the sum of
297 not less than five thousand dollars (\$5,000), and the premium
298 of the bond shall be paid out of the funds of the board.

299 ~~(m)~~ (l) Each member of the board shall receive the same
300 per diem and travel allowance as is paid by law to state
301 employees for each day's attendance at the board meetings
302 incurred in the discharge of his or her duties as a board
303 member in addition to any daily compensation or allowance, if
304 any, as may be provided by the board, in ~~such~~ any amount as
305 may be determined by the board. Any member of the board
306 engaged in duties under the direction of the board shall
307 receive the per diem and travel expenses and daily
308 compensation or allowance authorized by the board.



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309 ~~(n)~~ (m) Nothing in this chapter shall limit the rights
310 of affected parties to appeal decisions of the board with
311 regard to rules adopted pursuant to this chapter.

312 ~~(o)~~ (n) Participation by the state in the compact
313 provided in Article 7 shall be subject to review and
314 evaluation by the Sunset Committee pursuant to Chapter 20 of
315 Title 41, with the first review occurring in 2024. The Sunset
316 Committee shall determine whether continued participation in
317 the compact is in the best interests of the board or the
318 licensees of the board. The Sunset Committee shall also review
319 and evaluate participation in the compact within one year
320 after the occurrence of any of the following:

321 (1) The annual assessment charged the board for
322 participation in the compact exceeds one-half of one percent
323 of the gross revenue of the board for the fiscal year
324 immediately preceding the levying of the annual assessment.

325 (2) The state, the board, or members or employees of
326 the state or board are named defendants in a suit brought in
327 any court of law or equity by the Interstate Commission of
328 Nurse Licensure Compact Administrators pursuant to Article 7.

329 (3) The passage of a resolution by either house of the
330 Legislature requesting review pursuant to ~~subsection (d) of~~
331 Section 41-20-3 (d)."

332 "§34-21-25

333 (a) For disciplinary purposes, the board may adopt,
334 levy, and collect administrative fines not to exceed one
335 thousand dollars (\$1,000) per violation and may institute any
336 legal proceedings necessary to effect compliance with this



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337 chapter against ~~its licensees~~ the holder of any license,
338 permit, certificate, or approval issued by the board or the
339 holder of a multistate privilege to practice nursing in this
340 state.

341 (b) (1) The board may also deny, revoke, ~~or~~ place on
342 probation with conditions for continued practice, suspend,
343 require the evaluation of, impose continuing education
344 requirements upon, or otherwise discipline any applicant for
345 or holder of any license, permit, certificate, or approval
346 issued by ~~it or otherwise discipline a licensee,~~ the board or
347 holder of a multistate privilege to practice in ~~Alabama~~ this
348 state, upon proof of any of the following regarding the
349 ~~licensee~~ applicant for or holder of any license, permit,
350 certificate, approval, or multistate privilege to practice in
351 this state:

352 a. Is guilty of fraud or deceit in procuring or
353 attempting to procure a license.

354 b. Has been convicted of a felony.

355 c. Is guilty of a crime involving moral turpitude or of
356 gross immorality that would tend to bring reproach upon the
357 nursing profession.

358 d. Is unfit or incompetent due to the use of alcohol,
359 or is addicted to the use of habit-forming drugs to ~~such~~ an
360 extent as to render him or her unsafe or unreliable as a
361 licensee.

362 e. Is unable to practice nursing with reasonable skill
363 and safety to patients by reason of illness, inebriation,
364 excessive use of drugs, narcotics, alcohol, chemicals, or any



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365 other substance, or as a result of any mental or physical
366 condition.

367 f. Has been convicted of any violation of a federal or
368 state law relating to controlled substances.

369 g. Is guilty of unprofessional conduct of a character
370 likely to deceive, defraud, or injure the public in matters
371 pertaining to health.

372 h. Has willfully or repeatedly violated this article,
373 as defined by board rules.

374 i. Has been sentenced to a period of continuous
375 incarceration serving a penal sentence for the commission of a
376 misdemeanor or felony. The disciplinary action shall remain in
377 effect until the board acts upon the application of the
378 licensee for reinstatement of the license.

379 (2) The board may refrain from or delay taking
380 disciplinary action under this subsection if a licensee ~~can~~
381 may be voluntarily treated or rehabilitated pursuant to
382 subsection (j).

383 (c) Whenever a written complaint is made to the board
384 that ~~a person~~ an individual has committed any of the acts or
385 has come within any of the provisions enumerated in subsection
386 (b), the board shall investigate the complaint and may bring
387 an action in its own name to hear and determine the complaint.
388 The hearing shall be held in Montgomery County. The ~~person~~
389 individual whose qualification is under consideration shall
390 have not less than 20 days' written notice of the time and
391 place of the initial hearing, and the notice shall be
392 accompanied by a copy of the complaint. The notice may be



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393 served upon the accused ~~person~~ individual by any sheriff of
394 ~~the State of Alabama~~ this state. If the accused ~~person~~
395 individual is out of the state, evades service, or cannot be
396 served in person, then service may be made by mailing, by
397 registered or certified mail, the notice and a copy of the
398 complaint to the accused ~~person~~ individual at his or her last
399 known ~~post-office~~ mailing address in this state, and the
400 return shall show that service has been made in this manner.

401 (d) At the hearing, the complainant, the ~~person~~
402 individual whose qualification is under consideration, and any
403 other ~~person~~ individual permitted by the board, may introduce
404 all oral or written testimony, or both, as the board deems
405 relevant to the issues involved, and may be heard in person or
406 by counsel, or both. The board may permit the complaint to be
407 amended, but no amendment shall be permitted which is not
408 germane to the charge or charges sought to be amended or which
409 materially alters the nature of any offense charged. The board
410 may determine all questions as to the sufficiency of the
411 complaint, procedure, and admissibility and weight of
412 evidence. If the ~~person~~ individual whose qualification is
413 under consideration is absent, the hearing may proceed in his
414 or her absence.

415 (e) Any accused ~~person~~ individual, complainant, or
416 other party and the board may subpoena witnesses or pertinent
417 records for the hearing, and those subpoenas may be served by
418 any sheriff of ~~the State of Alabama~~ this state. Witnesses may
419 be sworn by the president of the board or by the ~~person~~
420 individual discharging the duties of the president. Witnesses



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421 testifying at a hearing shall upon discharge as a witness be
422 paid by the party requesting the subpoena an amount not to
423 exceed the per diem expense allowed to ~~Alabama~~ state employees
424 for in-state travel and the actual cost of transportation to
425 and from the place of the hearing, not to exceed the mileage
426 rate allowed to ~~Alabama~~ state employees for in-state travel.

427 (f) Evidence may also be taken by deposition, and the
428 law and practice as to depositions in circuit courts shall be
429 followed in all reasonable respects.

430 (g) If the accused ~~person~~ individual is found guilty of
431 the charges, the board may refuse to issue a license, may
432 revoke or suspend a license, or may otherwise discipline a
433 licensee. A revoked license may be considered for
434 reinstatement after one year in accordance with board rules.

435 (h) Any ~~person~~ individual whose license is ordered
436 suspended or revoked may appeal to the circuit court or a
437 court of like jurisdiction of Montgomery County, from any
438 order of the board under this section, within 30 days from the
439 date of the decision of the board. The trial of appeals shall
440 be conducted in like manner, as nearly as may be, as provided
441 for in the Alabama Administrative Procedure Act.

442 (i) Any organization, registered nurse, licensed
443 practical nurse, or other ~~person~~ individual who in good faith
444 reports information to the board alleging that any ~~person~~
445 individual licensed or applying for a license to practice
446 nursing may be guilty of the acts, offenses, or conditions set
447 out in Section 34-21-7 or subsection (b), shall not be liable
448 to any ~~person~~ individual for any statement or opinion made in



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449 that report.

450 (j) ~~Not later than October 1, 1994, the~~ The board shall
451 establish a voluntary Disciplinary Alternative Program to
452 promote early identification, intervention, treatment, and
453 rehabilitation of any licensed nurse whose competence is found
454 to be impaired or compromised because of the use or abuse of
455 drugs, alcohol, controlled substances, chemicals, or other
456 substances or as a result of a physical or mental condition
457 rendering the ~~person~~ licensee unable to meet the standards of
458 the nursing profession. The intent of the program is to
459 provide a voluntary alternative to traditional disciplinary
460 actions.

461 (1) When a registered nurse or licensed practical nurse
462 voluntarily seeks treatment for use or abuse of drugs,
463 controlled substances, alcohol, chemicals, or other
464 substances, or has a physical or mental condition that would
465 render the individual unable to meet the standards of the
466 nursing profession, the board may refrain from taking
467 disciplinary action under subsection (b) if ~~it~~ the board
468 determines that the licensee ~~can~~ may be treated or
469 rehabilitated effectively and that there is no danger to the
470 public. Upon voluntarily seeking treatment, the licensee is
471 subject to the requirements of the Disciplinary Alternative
472 Program established by the board.

473 (2) The board may establish, develop, adopt, and revise
474 rules, and may adjust the license renewal fee as necessary to
475 implement this subsection.

476 (3) The board may appoint an Advisory Council for the



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477 Disciplinary Alternative Program pursuant to Section 34-21-3.

478 (4) The board may contract with specially qualified
479 ~~persons~~ individuals or corporations, or both, to assist ~~it~~ the
480 board in administering the Disciplinary Alternative Program.

481 (5) The board shall establish by rule criteria for
482 eligibility to participate in the Disciplinary Alternative
483 Program and requirements for successful participation in and
484 completion of the program.

485 (6) Subject to Section 34-21-125, all records of a
486 licensee who successfully completes the Disciplinary
487 Alternative Program shall be confidential, not subject to
488 public disclosure, and not available for court subpoena or for
489 discovery proceedings. The records of a licensee who fails to
490 comply with the program agreement or who leaves the state
491 prior to the successful completion of the program are not
492 confidential. Information regarding the participation of a
493 licensee in the Disciplinary Alternative Program reported to
494 the coordinated licensure information system pursuant to
495 Section 34-21-125 shall be made available solely to other
496 state boards of nursing and shall not be disclosed to the
497 public by the coordinated licensure information system. Upon
498 successful completion of the Disciplinary Alternative Program,
499 all information regarding participation of the licensee in the
500 Disciplinary Alternative Program shall be expunged from the
501 coordinated licensure information system.

502 (7) Nonpublic or confidential data submitted to the
503 coordinated licensure information system by the board may not
504 be distributed to any nonparty state, organization, ~~person~~



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505 individual, or entity, or any foreign government or an agent,
506 entity, or representative of a foreign government, without the
507 express written approval of the board.

508 (8) On request and payment of a certified verification
509 fee, the board shall provide a registered nurse or licensed
510 practical nurse licensed by this state with a copy of any
511 information regarding the nurse maintained by the coordinated
512 licensure information system under Article 7.

513 (9) The board is not obligated to provide information
514 that is not otherwise available to the board or information
515 that is not available to the ~~nurse~~ licensee under the laws of
516 the state contributing the information to the coordinated
517 licensure information system or that has been designated as
518 available only to other boards of nursing by the state
519 contributing the information to the coordinated licensure
520 information system.

521 (10) Nothing in this subsection shall limit the
522 authority of the board to discipline an impaired ~~individual~~
523 licensee subject to its jurisdiction.

524 (k) The board may adopt rules imposing a
525 nondisciplinary administrative penalty for designated
526 violations of this chapter."

527 Section 2. This act shall become effective on October
528 1, 2024.