

# HB194 ENGROSSED



1 HB194  
2 U9973DG-2  
3 By Representative Lee  
4 RFD: Boards, Agencies and Commissions  
5 First Read: 05-Feb-25



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A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Joint Committee of the State Board of Medical Examiners and the Board of Nursing for Advanced Practice Nurses; to amend Sections 34-21-81 and 34-21-82, Code of Alabama 1975; to revise membership of the joint committee and the per diem provided to members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-21-81 and 34-21-82, Code of Alabama 1975, are amended to read as follows:

"§34-21-81

As used in this article, the following terms ~~shall~~ have the following meanings:

(1) ADVANCED PRACTICE NURSE. A registered nurse who has gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles and has been certified by the Board of Nursing to engage in the practice of advanced practice nursing. There shall be four categories of advanced practice nurses: Certified registered nurse practitioners (CRNP), certified nurse midwives (CNM), certified registered nurse anesthetists (CRNA), and clinical



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nurse specialists (CNS). Certified registered nurse practitioners and certified nurse midwives are subject to collaborative practice agreements with an Alabama physician. Certified registered nurse anesthetists and clinical nurse specialists are not subject to collaborative practice agreements with an Alabama physician and are not subject to the requirements of Sections 34-21-82, 34-21-83, and 34-21-85 to 34-21-92, inclusive, and are prohibited from engaging in any of the acts or functions of a certified registered nurse practitioner (CRNP) or a certified nurse midwife (CNM) as established by this article and rules adopted under this article.

(2) ADVANCED PRACTICE NURSING. The delivery of health care services by registered nurses who have gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles as certified registered nurse practitioners, certified nurse midwives, certified nurse anesthetists, and clinical nurse specialists:

a. Practice as a certified registered nurse practitioner (CRNP) means the performance of nursing skills by a registered nurse who has demonstrated by certification that he or she has advanced knowledge and skills in the delivery of nursing services within a health care system that provides for consultation, collaborative management, or referral as indicated by the health status of the client.

b. Practice as a certified nurse midwife (CNM) means the performance of nursing skills by a registered nurse who

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has demonstrated by certification that he or she has advanced knowledge and skills relative to the management of women's health care focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning, and gynecological needs of women, within a health care system that provides for consultation, collaborative management, or referral as indicated by the health status of the client.

c. Practice as a certified registered nurse anesthetist (CRNA) means the performance of or the assistance in any act involving the determination, preparation, administration, procedural ordering, or monitoring of any drug used to render an individual insensible to pain for surgical and other therapeutic or diagnostic procedures. The nurse anesthetist is qualified in accordance with Section 27-46-3 and is licensed by the Board of Nursing and functions under the direction of or in coordination with a physician licensed to practice medicine, a podiatrist, or a dentist, who is immediately available. Nothing in this paragraph shall be construed to restrict the authority of a health care facility to adopt policies relating to the provision of anesthesia and analgesia services.

d. Practice of clinical nurse specialist (CNS) nursing means the performance of nursing skills by a registered nurse who, through study and supervised practice at the graduate level and as evidenced by certification, has advanced knowledge and practice skills in a specialized area of practice, except that a clinical nurse specialist may not do any of the following:



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85           1. Perform delegated medical acts or engage in  
86 collaborative practice as described in this article.

87           2. Perform any of the functions of a certified  
88 registered nurse practitioner or a certified nurse midwife as  
89 described in this article and the rules adopted under this  
90 article, whether or not performed within a collaborative  
91 practice relationship.

92           3. Prescribe drugs of any type. A clinical nurse  
93 specialist may perform nursing services permitted under this  
94 subdivision as an independent contractor.

95           (3) BOARD OF MEDICAL EXAMINERS. The State Board of  
96 Medical Examiners established pursuant to Section 34-24-53.

97           (4) BOARD OF NURSING. The Board of Nursing established  
98 under Section 34-21-2.

99           (5) COLLABORATION. A formal relationship between one or  
100 more certified registered nurse practitioners and certified  
101 nurse midwives and a physician or physicians under which these  
102 nurses may engage in advanced practice nursing as evidenced by  
103 written protocols approved in accordance with the requirements  
104 of this article or exempted in accordance with requirements of  
105 this article. The term collaboration does not require direct,  
106 on-site supervision of the activities of a certified  
107 registered nurse practitioner or a certified nurse midwife by  
108 the collaborating physician. The term does require such  
109 professional oversight and direction as may be required by the  
110 rules of the State Board of Medical Examiners and the Board of  
111 Nursing.

112           (6) COORDINATION WITH. When an anesthesiologist is not



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physically present, the working relationship between a physician, a podiatrist, or a dentist and a certified registered nurse anesthetist licensed to practice in this state. Each contributes his or her respective expertise in the provision of patient care, which includes the discussion of patient treatment, diagnosis, and consultation.

(7) JOINT COMMITTEE OF THE STATE BOARD OF MEDICAL EXAMINERS AND THE BOARD OF NURSING FOR ADVANCED PRACTICE NURSES. The Joint Committee of the State Board of Medical Examiners and the Board of Nursing for Advanced Practice Nurses shall mean and shall be a committee composed of all of the following:

a. Two physicians licensed to practice medicine in ~~the State of Alabama~~ this state.

~~b. One registered nurse licensed to practice professional nursing in the State of Alabama.~~

~~eb.~~ One licensed physician engaged in a collaborative practice with a certified registered nurse practitioner or a certified nurse midwife in ~~the State of Alabama~~ this state.

~~ec.~~ One Two certified registered nurse ~~practitioner practitioners~~ engaged in ~~advanced practice~~ an active collaborative practice with a physician in ~~the State of Alabama~~ this state.

~~ed.~~ One certified nurse midwife engaged in ~~advanced practice~~ an active collaborative practice with a physician in ~~the State of Alabama~~ this state.

(8) LEGEND DRUG. Any drug, medicine, chemical, or poison bearing on the label the words, "Caution, Federal Law



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prohibits dispensing without prescription" or similar words indicating that the drug, medicine, chemical, or poison may be sold or dispensed only upon the prescription of a licensed practitioner, except that the term legend drug shall not include any drug, substance, or compound which is listed in Schedules I through V of the Alabama Uniform Controlled Substances Act.

(9) PHYSICIAN or COLLABORATING PHYSICIAN. A doctor of medicine or a doctor of osteopathy licensed to practice medicine in Alabama who agrees in writing to practice in collaboration with one or more certified registered nurse practitioners or certified nurse midwives in accordance with the rules adopted by the State Board of Medical Examiners and the Board of Nursing.

(10) PRESCRIBE or PRESCRIBING. The act of issuing a written prescription for a legend drug.

(11) PRESCRIPTION. An order for a legend drug which is written and signed by a practitioner authorized by law to prescribe and administer such drugs and which is intended to be filled, compounded, or dispensed by a pharmacist.

(12) PROCEDURAL ORDERING. The ordering of the anesthesia plan, including the ordering of medications and tests before, during, or after analgesia or anesthesia in accordance with the anesthesia plan.

(13) PROTOCOL. A document approved in accordance with Section 34-21-87 establishing the permissible functions and activities to be performed by certified registered nurse practitioners and certified nurse midwives and signed by



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collaborating physicians and any nurse practitioners or nurse midwives practicing with those physicians."

"§34-21-82

(a) (1) The physician members of the joint committee shall be appointed by the State Board of Medical Examiners~~and shall serve three-year terms as set out below.~~

(2) The ~~registered nurse~~ certified registered nurse practitioner members of the joint committee shall be appointed by the Board of Nursing ~~and shall serve three-year terms as set out below.:~~

a. One seat shall be filled from a list of no fewer than two names submitted by the Nurse Practitioner Alliance of Alabama, or its successor organization. The initial member appointed shall serve a term commencing on October 1, 2025, and ending on September 30, 2028.

b. One seat shall be filled from a list of no fewer than two names submitted by the Alabama State Nurses Association, or its successor organization. The initial member appointed shall serve a term commencing on October 1, 2025, and ending on September 30, 2027.

(3) The certified nurse midwife member of the joint committee shall be appointed by the Board of Nursing from a list of no fewer than two names submitted by the Alabama affiliate of the American College of Nurse-Midwives. The initial member appointed shall serve a term commencing on October 1, 2026, and ending on September 30, 2029.

(4) Following initial terms, all members shall serve three-year terms. No member shall serve more than two full





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197 terms, either consecutively or separately.

198 ~~(b) (1) In order to stagger the terms of office, the~~  
199 ~~Board of Nursing and the State Board of Medical Examiners will~~  
200 ~~each appoint to the initial joint committee one member for a~~  
201 ~~term of one year, one member for a term of two years, and one~~  
202 ~~member for a term of three years. Should~~

203 (b) If a vacancy occur occurs on the committee, a  
204 successor ~~will~~ shall be appointed by the respective appointing  
205 authority in subsection (a) to serve the unexpired term.

206 (c) The committee shall select one of its members to  
207 serve as chairperson chair for a one-year term, ~~,-~~

208 ~~(2) The office of chairperson shall~~  
209 ~~alternate~~ alternating between a physician member of the  
210 committee and a nurse member of the committee.

211 ~~(3)~~ (d) The committee shall meet annually, or more  
212 frequently if requested by the State Board of Medical  
213 Examiners or the Board of Nursing. Members of the committee  
214 shall receive a per diem at a daily rate of \$100 per  
215 determined by the respective appointing authority. The daily  
216 rate shall apply to any day or any portion thereof that such a  
217 committee member shall be in attendance at an official meeting  
218 or function of the committee and in addition shall receive  
219 reimbursement for subsistence and travel in accordance with  
220 state law for each day actively engaged in the duties of their  
221 offices. The State Board of Medical Examiners shall pay the  
222 per diem and expenses of the physician members and the Board  
223 of Nursing shall pay the per diem and expenses of the nurse  
224 members, ~~each appoints to the joint committee and both boards~~



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225 shall furnish necessary clerical and administrative support  
226 for operation of the committee."

227 Section 2. This act shall become effective on October  
228 1, 2025.



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### House of Representatives

232 Read for the first time and referred .....05-Feb-25  
233 to the House of Representatives  
234 committee on Boards, Agencies and  
235 Commissions  
236  
237 Read for the second time and placed .....27-Feb-25  
238 on the calendar:  
239 1 amendment  
240  
241 Read for the third time and passed .....04-Mar-25  
242 as amended  
243 Yeas 97  
244 Nays 0  
245 Abstains 0  
246  
247  
248 John Treadwell  
249 Clerk  
250