

1 SB114
2 205269-5
3 By Senator McClendon
4 RFD: Healthcare
5 First Read: 04-FEB-20

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to health; to further provide for the
12 patient's ability to select a certified registered nurse
13 practitioner, a certified nurse midwife, or an assistant to a
14 physician, as his or her designated health care provider; and
15 to amend Section 34-21-87, Code of Alabama 1975, to remove the
16 requirement that the joint committee recommend a ratio of
17 physicians to certified registered nurse practitioners and
18 certified nurse midwives in model practice protocols.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) A patient shall have the ability to
21 select a certified registered nurse practitioner, certified
22 nurse midwife, or assistant to a physician as his or her
23 designated health care provider when the care to be provided
24 is within the scope of practice of the collaboration agreement
25 between the collaborating physician and the certified
26 registered nurse practitioner, the certified nurse midwife, or
27 the assistant to the physician. The provisions of this

1 subsection shall not affect or limit the autonomy or authority
2 of a collaborating physician.

3 (b) Except as otherwise provided in Section
4 34-21-87, Code of Alabama 1975, no licensed Alabama physician
5 shall collaborate with more than nine certified registered
6 nurse practitioners, certified nurse midwives, or assistants
7 to physicians, or the full-time equivalent thereof.

8 (c) This section shall not be construed to expand
9 the scope of practice for any certified registered nurse
10 practitioner, certified nurse midwife, or assistant to a
11 physician.

12 Section 2. Section 34-21-87, Code of Alabama 1975,
13 is amended to read as follows:

14 "§34-21-87.

15 "Notwithstanding any other provisions of this
16 article, the joint committee shall recommend model practice
17 protocols to be used by certified registered nurse
18 practitioners and certified nurse midwives and a formulary of
19 legend drugs that may be prescribed by these advanced practice
20 nurses, subject to approval by both the State Board of Medical
21 Examiners and the Board of Nursing. The joint committee ~~shall~~
22 ~~also~~ may not recommend rules and regulations to establish the
23 ratio of physicians to certified registered nurse
24 practitioners and certified nurse midwives, ~~provided, however,~~
25 ~~that the rules and regulations shall not limit the ratio to~~
26 ~~less than two nurse practitioners or midwives to one physician~~
27 ~~or one certified registered nurse practitioner and one~~

1 ~~certified nurse midwife to one physician and shall provide for~~
2 ~~exceptions. No licensed physician shall collaborate with more~~
3 ~~than nine certified registered nurse practitioners, certified~~
4 ~~nurse midwives, or assistants to physicians, or the full-time~~
5 ~~equivalent thereof, unless an exception, based upon good cause~~
6 ~~shown, has been recommended by the joint committee and~~
7 ~~approved by both the State Board of Medical Examiners and the~~
8 ~~Board of Nursing. This section shall not apply to an assistant~~
9 ~~to a physician licensed pursuant to examination or~~
10 ~~certification by the National Commission for Certification of~~
11 ~~Anesthesiologist Assistant, as provided in Section 34-24-297.~~
12 The joint committee shall ~~also~~ recommend rules ~~and regulations~~
13 that establish the manner in which a collaborating physician
14 may designate a covering physician when temporarily
15 unavailable as the collaborating physician."

16 Section 3. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Healthcare..... 04-FEB-20

Read for the second time and placed on the calen-
dar with 1 substitute and..... 20-FEB-20

Read for the third time and passed as amended 05-MAR-20

Yeas 32
Nays 0

Patrick Harris,
Secretary.