

1 SB103
2 155431-1
3 By Senator Bussman
4 RFD: Health
5 First Read: 14-JAN-14
6 PFD: 01/10/2014

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8 SYNOPSIS: Under existing law, there is no provision
9 for reimbursement by insurers to registered nurse
10 first assistants who perform surgical first
11 assistant services.

12 This bill would provide for legislative
13 intent.

14 This bill would provide for reimbursement by
15 insurers to registered nurse first assistants who
16 perform surgical first assistant services.

17 This bill would provide for related matters.

18 This bill would repeal conflicting laws.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 Relating to nursing; to provide for legislative
25 intent; to provide for reimbursement by insurers for the first
26 assistant at surgery services rendered by registered nurse

1 first assistants; to provide for related matters; and to
2 repeal conflicting laws.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) This section shall be known and may
5 be cited as the "Registered Nurse First Assistant Consumer
6 Act."

7 (b) The Legislature declares that the intent of this
8 act is to:

9 (1) Encourage the continued use of registered nurse
10 first assistants who meet the qualifications of this section
11 to provide quality, cost-effective surgical first assistant at
12 surgery services to health care recipients in the state.

13 (2) Establish policies within managed health care
14 agencies, workers' compensation carriers, and all private
15 insurance companies to provide for equitable reimbursement for
16 the first assistant at surgery services rendered by registered
17 nurse first assistants.

18 (c) As used in this section, the following terms
19 shall have the following meanings:

20 (1) HEALTH BENEFIT POLICY. An individual or group
21 plan, policy, or contract for health care services issued,
22 delivered, issued for delivery, or renewed in this state,
23 including, but not limited to, those policies, plans, or
24 contracts executed by the State of Alabama on behalf of state
25 employees by a health care corporation, health maintenance
26 organization, preferred provider organization, accident and
27 sickness insurer, fraternal benefit society, hospital service

1 corporation, medical service corporation, workers'
2 compensation insurance carrier, or other insurer or similar
3 entity.

4 (2) INSURER. An accident and sickness insurer,
5 managed care company that provides health care coverage to its
6 subscribers, non-profit health services corporation, fraternal
7 benefit society, hospital service corporation, workers'
8 compensation insurance carrier, medical service corporation,
9 health care corporation, health maintenance organization,
10 managed care plan other than a dental plan, or any similar
11 entity authorized to issue contracts under this title, but
12 shall exclude any state program funded under Title XIX of the
13 federal Social Security Act, 42 U.S.C.A. Section 1396, et
14 seq., and any other publicly funded state health care program.

15 (3) OPERATING ROOM NURSING. A practice of registered
16 professional nursing in which the registered nurse provides
17 preoperative, intraoperative, and postoperative nursing care
18 to surgical patients.

19 (4) RECOGNIZED EDUCATIONAL CURRICULUM PROGRAM. A
20 program that:

21 a. Addresses all content of the Association of
22 Perioperative Registered Nurses Standards for RN First
23 Assistant Education Programs.

24 b. Includes indicated didactic and clinical
25 internship as required by the curriculum.

26 (5) REGISTERED NURSE FIRST ASSISTANT. A person who:

1 a. Is licensed as a registered professional nurse in
2 the State of Alabama.

3 b. Is certified in operating room nursing.

4 c. Has successfully completed a registered nurse
5 first assistant education program that meets the criteria of
6 the Association of Perioperative Registered Nurses Standards
7 for the RN First Assistant Education Programs.

8 d. Was functioning as a registered nurse first
9 assistant as of January 1, 1993.

10 (d) Notwithstanding any provisions in policies or
11 contracts which might be construed to the contrary, whenever
12 any health benefit policy which is issued, executed, or
13 renewed in this state on or after July 1, 2014, provides that
14 any of its benefits are payable to a surgical first assistant
15 for services rendered, the insurer shall be required to
16 provide reimbursement for first assistant at surgery services
17 rendered by a registered nurse first assistant, provided such
18 services are within the scope of the registered nurse first
19 assistant's professional license.

20 Section 2. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.