

2008 Legislative Services Update

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Alabama	Scope of Practice	Pending	SB	302	States that a pharmacist must provide notification to the patient, or patient's representative, before interchanging one manufacturer of an anti-epileptic drug for another manufacturer of an anti-epileptic drug. The prescribing physician of the medication must also be consulted at the time of the interchange.
Alabama	Scope of Practice	Pending	SB	240	Establishes a Board of Midwifery to license midwives and establishes the lawful scope of midwifery practice.
Alabama	Extending Health Care Services to Underserved Patient Populations	Pending	SB	212	Includes within the basic liability coverage provided by the State of Alabama retired physicians while they are voluntarily serving at free health care clinics.
Alabama	Scope of Practice	Pending	HB	314	Establishes a Board of Midwifery to license midwives and establishes the lawful scope of midwifery practice.
Alabama	Physician Practice	Pending	SB	117	Exempts physicians treating patients in emergency areas of hospitals from the reporting requirements for dispensing controlled substances if the amount is a limited amount.
Alabama	Medical Board Organization & Authority	Pending	SB	233	Requires applicants for medical licensure to have passed all three steps of the USMLE examination within seven years and to not have attempted to pass all three steps a combined total of more than ten times. Each applicant for licensure is required to submit a complete set of fingerprints and submit to a state and national criminal history background check.
Alabama	Medical Board Organization & Authority	Pending	SB	200	Authorizes the Board of Medical Examiners to establish and implement procedures to be followed in disciplining the license of a physician assistant relating to the physical or mental capacity of practicing with reasonable skill and safety to patients.
Alabama	Scope of Practice	Pending	HB	565	Amends the definition of athletic training.
Alabama	Scope of Practice	Pending	SB	375	Provides for chiropractic coverage under individual or group insurance organizations.
Alabama	Scope of Practice	Substituted	HB	472	Provides for chiropractic coverage under individual or group insurance organizations.
Alabama	Scope of Practice	Pending	SB	457	Amends the definition of athletic training.
Alabama	Physician Practice	Pending	HB	490	Grants health care providers, institutions, and payers the authority to refuse to perform or to participate in health care services that violate their consciences.

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Alabama	Medical Board Organization & Authority	Substituted	HB	420	Requires applicants for a license to practice as an assistant to a physician to undergo a criminal history background check and to meet specified requirements. Amends procedures to be followed by the Board of Medical Examiners in disciplining the license of an assistant to a physician.
Alabama	Extending Health Care Services to Underserved Patient Populations	Pending	HB	831	Includes within the basic liability coverage provided by the State of Alabama retired physicians while they are voluntarily serving at free health care clinics.
Alabama	Medical Board Organization & Authority	Pending	HB	370	Requires applicants for medical licensure to have passed all three steps of the USMLE examination within seven years and to not have attempted to pass all three steps a combined total of more than ten times. Each applicant for licensure is required to submit a complete set of fingerprints and submit to a state and national criminal history background check.
Florida	Pain Management/Prescription Monitoring	Substituted	SB	1540	Exempts from public-records requirements information and records reported to any agency that has access to or operates the privacy-protected website containing patients' medication histories.
Florida	Miscellaneous	Substituted	SB	1998	Enacts the Florida eHealth Initiative Act to promote and coordinate the establishment of a secure, privacy-protected, and interconnected statewide health information exchange. Defines an electronic medical record as a record of a person's medical treatment created by a licensed health care provider and stored in an interoperable and accessible digital format. Creates the Electronic Medical Records System Adoption Loan Program for the purpose of providing a one-time, no-interest loan to eligible physicians for the initial costs of implementing an electronic medical records system. Creates the Health Information Exchange Advisory Council.
Florida	Pain Management/Prescription Monitoring	Pending	HB	1011	Requires the Department of Health to design and establish an electronic system to monitor the prescribing and dispensing of controlled substances listed in Schedules II-IV by health care practitioners. A practitioner or pharmacist who dispenses a controlled substance must submit the information required in a written or electronic or other format approved by rule of the department. A violation of this section by any person has committed a misdemeanor.
Florida	Scope of Practice	Pending	HB	515	Redefines the term practitioner to include an advanced registered nurse practitioner and authorizes such a practitioner to prescribe controlled substances under a protocol with a licensed physician.
Florida	Miscellaneous	Pending	SB	1372	States that a hospital may transmit relevant medical records of a patient in the emergency department who needs to be transferred to another hospital emergency department in advance of the arrival of the patient at the receiving hospital in order to expedite care and treatment.
Florida	Medical Errors/Patient Safety	Pending	HB	851	Requires the Agency for Health Care Administration to publish and disseminate information concerning violations of federal regulations, complaints made to regulatory agencies, and nurse staffing levels and turnover rates.
Florida	Physician Practice	Pending	HB	523	Provides immunity from civil liability damages to health care providers providing emergency care or medical consultation services to a patient.

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Florida	Medical Errors/Patient Safety	Substituted	SB	1488	Requires health care providers or health care facilities to furnish a person with a reasonable estimate of charges for the provision of any medical services in language that is comprehensible to an ordinary layperson.
Florida	Pain Management/Prescription Monitoring	Substituted	SB	1550	Requires the Agency for Health Care Administration to, by June 30, 2009, contract with a vendor to design and operate a secure, privacy-protected website that provides a health care practitioner, pharmacy, or pharmacist access to comprehensive patient medication history. A health care practitioner authorized to access the website may use the website only to obtain medication history for a current patient for prescribing purposes with the written permission of the patient. A violation of this section by a health care practitioner constitutes grounds for disciplinary action.
Florida	Scope of Practice	Pending	SB	972	Amends the definition of the term practitioner to include an advanced practice registered nurse and allows such practitioners providing care within a medically underserved area or to a medically underserved population to prescribe Schedule II-V controlled substances under a protocol established with a licensed medical or osteopathic physician.
Florida	Physician Practice	Pending	SB	844	States that any health care provider, including one who is not an employee of a hospital, providing emergency care or medical consultation services to a patient who has an emergency medical condition, shall not be held liable for any civil damages as a result of such medical care, treatment or consultation unless such damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of another.
Florida	Physician Practice	Substituted	SB	780	States that licensed practitioners and facilities that provide care to a rape survivor shall have the duty to provide each female rape survivor with medically and factually accurate, clear, and concise information concerning emergency contraception, including its indications and contraindications and the risks associated with its use; inform each female rape survivor of her medical option to receive emergency contraception; and if emergency contraception is requested, the health care practitioner shall immediately provide the female rape survivor with the complete regimen of emergency contraception.
Florida	Physician Practice	Pending	HB	523	States that any health care provider, including one who is not an employee of a hospital, providing emergency care or medical consultation services to a patient who has an emergency medical condition, shall not be held liable for any civil damages as a result of such medical care, treatment or consultation unless such damages result from providing, or failing to provide, medical care or treatment under circumstances demonstrating a reckless disregard for the consequences so as to affect the life or health of another.
Florida	Miscellaneous	Pending	HB	509	Prohibits, after January 1, 2009, a medical or osteopathic physician from holding themselves out as being board-certified emergency physicians unless they meet specified requirements.

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Florida	Medical Malpractice	Pending	SB	1420	States each licensed health facility is responsible for ensuring that each doctor of medicine or osteopathic medicine who is on the facility staff or who has been granted clinical privileges at the facility complies with the financial responsibility requirements applicable to such licensed professional at all times while the licensed professional is a member of the staff or has clinical privileges at the facility.
Florida	Scope of Practice	Pending	HB	673	States that a pharmacist may not dispense a drug for immunosuppressive therapy following an organ transplant other than the specifically prescribed drug unless the pharmacist obtains written or oral authorization to do so from the prescribing practitioner.
Florida	Miscellaneous	Substituted	HB	685	States that any United States citizen or resident who travels to Cuba to receive medical or osteopathic training or a medical or osteopathic degree is prohibited from undertaking his or her residency in Florida, from being licensed to practice in Florida, and from practicing in any capacity in Florida.
Florida	Scope of Practice	Pending	HB	695	Requires clinical laboratories to accept human specimens submitted by advanced registered nurse practitioners.
Florida	Miscellaneous	Pending	SB	1184	Prohibits, after January 1, 2009, a medical or osteopathic physician from holding themselves out as being board-certified emergency physicians unless they meet specified requirements.
Florida	Scope of Practice	Pending	SB	1278	Amends the definition of practice of physical therapy.
Florida	Medical Errors/Patient Safety	Failed	SB	1186	Requires the Agency for Health Care Administration to publish and disseminate information concerning violations of federal regulations, complaints made to regulatory agencies, and nurse staffing levels and turnover rates.
Florida	Physician Practice	Pending	HB	385	States that licensed practitioners and facilities that provide care to a rape survivor shall have the duty to provide each female rape survivor with medically and factually accurate, clear, and concise information concerning emergency birth control, including its indications and contraindications and the risks associated with its use; inform each female rape survivor of her medical option to receive emergency birth control; and if emergency birth control is requested, the health care practitioner shall immediately provide the female rape survivor with the complete regimen of emergency birth control.
Florida	Scope of Practice	Pending	HB	989	Allows a physician assistant to prescribe antipsychotics and parenteral preparations.
Florida	Scope of Practice	Substituted	HB	607	Amends the definitions of orthosis, orthotics, pedorthics, and prosthetics.
Florida	Scope of Practice	Pending	HB	811	States that a pharmacist may not interchange an anti-epileptic drug or formulation of an anti-epileptic drug, brand or generic, for the treatment of seizures or epilepsy without prior notification and the signed informed consent of such interchange from the prescribing physician and patient or patient's representative.

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Florida	Emergency Preparedness	Pending	HB	839	States that any emergency health care providers are considered agents of the state and shall indemnify the state for any judgments, settlement costs, or other liabilities incurred, only up to the specified liability limits.
Florida	Emergency Preparedness	Pending	SB	1640	States that any emergency health care providers are considered agents of the state and shall indemnify the state for any judgments, settlement costs, or other liabilities incurred, only up to the specified liability limits.
Florida	Scope of Practice	Pending	SB	1106	Allows a physician assistant to prescribe antipsychotics and parenteral preparations.
Florida	Miscellaneous	Substituted	HB	637	Enacts the Florida eHealth Initiative Act to promote and coordinate the establishment of a secure, privacy-protected, and interconnected statewide health information exchange. Defines an electronic medical record as a record of a person's medical treatment created by a licensed health care provider and stored in an interoperable and accessible digital format. Creates the Electronic Medical Records System Adoption Loan Program for the purpose of providing a one-time, no-interest loan to eligible physicians for the initial costs of implementing an electronic medical records system. Creates the Health Information Exchange Advisory Council.
Florida	Medical Errors/Patient Safety	Substituted	SB	1338	Enacts the Safe Staffing for Quality Care Act to require health facilities to ensure they provide sufficient, appropriately qualified nursing staff in order to meet the individualized care needs of the patients.
Florida	Medical Malpractice	Pending	SB	2694	States an insurer may not issue legal defense coverage for the purpose of providing legal defense services in conjunction with a claim for medical negligence or medical malpractice unless such coverage is issued to a licensed medical or osteopathic physician who has in effect at the time such coverage is issued financial responsibility in accordance with a stipulated method in the per-claim amount applicable to such physician.
Florida	Scope of Practice	Pending	SB	2588	Authorizes a pharmacist to dispense and deliver a reasonable quantity of a compounded drug to a practitioner for office use by a practitioner in certain circumstances.
Florida	Scope of Practice	Substituted	SB	1696	Amends the definitions of orthosis, orthotics, pedorthics, and prosthetics.
Florida	Pain Management/Prescription Monitoring	Substituted	SB	2724	Requires the Department of Health, by June 30, 2009, to design and establish an electronic system to monitor the prescribing of controlled substances listed in Schedules II-IV by health care practitioners and the dispensing of such controlled substances to an individual by a pharmacy.

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Florida	Medical Malpractice	Pending	HB	1443	Requires each licensed facility to be responsible for ensuring that each physician who is on the facility or staff or who has been granted clinical privileges at the facility complies with the financial responsibility requirements applicable to such physician at all times while he or she is a member of the staff or has clinical privileges in effect at the facility. Further, an insurer may not issue legal defense coverage for the purpose of providing legal defense services in conjunction with a claim for medical negligence or medical malpractice unless such coverage is issued to a licensed medical or osteopathic physician who has complied with the financial responsibility requirements with one of the stipulated methods.
Florida	Extending Health Care Services to Underserved Patient Populations	Substituted	HB	7081	Enacts the Cover Florida Health Care Access Program Act to expand availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services, provides inpatient hospital, urgent, and emergency care services, and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts. Also creates the Health Choices Program to increase access to affordable, quality health care by establishing a competitive market for purchasing health insurance and health services.
Florida	Medical Board Organization & Authority	Failed	SB	2646	Requires that disciplinary actions at a licensed health care facility be reported to the Division of Medical Quality Assurance rather than to the Division of Health Quality Assurance. Removes the requirement that the agency or appropriate regulatory board make records available to a health care professional against whom probable cause has been found. Authorizes the disclosure of patient medical records without consent to the Department of Health for its investigation, prosecution, and appeal of disciplinary proceedings.
Florida	Miscellaneous	Substituted	SB	1648	Provides conditions under which an HIV test on a blood sample of an individual who has not given consent may be performed.
Florida	Pain Management/Prescription Monitoring	Pending	HB	1243	Exempts from public-records requirements information and records reported to any agency that has access to or operates the privacy-protected website containing patients' medication histories.
Florida	Miscellaneous	Substituted	HB	1035	Provides conditions under which an HIV test on a blood sample of an individual who has not given consent may be performed.
Florida	Miscellaneous	Substituted	SB	2866	States that any United States citizen or resident who travels to Cuba to receive medical or osteopathic training or a medical or osteopathic degree is prohibited from undertaking his or her residency in Florida, from being licensed to practice in Florida, and from practicing in any capacity in Florida.
Florida	Miscellaneous	Pending	HB	1239	States the state shall use a funding methodology that provides a consistent base level of state support on a per-student basis at all colleges of medicine at state universities regardless of which public institution the student attends in order to provide appropriate and equitable funding for medical student education.

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Florida	Scope of Practice	Pending	SB	2242	States a pharmacist may not dispense a drug for immunosuppressive therapy following transplant which is not the specific formulation or which is not manufactured by the specific manufacturer as prescribed by the prescribing practitioner. A pharmacist may substitute a drug product that is generically equivalent to the drug prescribed for immunosuppressive therapy following transplant only if, before making the substitution, the pharmacist obtains written or oral authorization from the prescribing practitioner.
Florida	Medical Errors/Patient Safety	Pending	HB	1533	Enacts the Safe Staffing for Quality Care Act to require health facilities to ensure they provide sufficient, appropriately qualified nursing staff in order to meet the individualized care needs of the patients.
Florida	Miscellaneous	Substituted	SB	2598	States the Department of Health may contract with a consultant to provide treatment services for students of allopathic and osteopathic medicine who are alleged to be impaired.
Florida	Extending Health Care Services to Underserved Patient Populations	Pending	HCC	18	Enacts the Cover Florida Health Access Program Act to expand the availability of health care options for uninsured state residents by developing an affordable health care product to be offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts. Also creates the Health Choices Program to increase access to affordable, quality health care by establishing a competitive market for purchasing health insurance and health services.
Florida	Miscellaneous	Substituted	SB	2756	States it is unlawful to traffic in contraband prescription drugs, sale or purchase contraband prescription drugs resulting in great bodily harm or death, and other crimes related to prescription drugs.
Florida	Scope of Practice	Pending	HB	1019	Amends the definition of practice of physical therapy.
Florida	Extending Health Care Services to Underserved Patient Populations	Engrossed	SB	2534	Establishes the Cover Florida Health Care Access Program to expand the availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services, provides inpatient hospital, urgent, and emergency care services, and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts.
Florida	Scope of Practice	Pending	HB	1129	Authorizes a pharmacist to dispense and deliver a reasonable quantity of a compounded drug to a practitioner for office use by a practitioner in certain circumstances.
Florida	Physician Practice	Pending	SB	2400	Requires a physician or a person who is working in conjunction with the physician who is to perform an abortion to perform an ultrasound of the fetus to determine the probable gestational age of the fetus.
Georgia	Medical Errors/Patient Safety	Failed	HB	61	Requires individual hospitals and ambulatory centers to collect data on hospital acquired infection rates for certain categories of procedures, and for hospitals and ambulatory centers to submit quarterly reports to the Department of Human Resources.

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Georgia	Scope of Practice	Enrolled	HB	961	Authorizes a licensed doctor of medicine, licensed doctor of osteopathic medicine, licensed doctor of podiatric medicine, licensed optometrist, or licensed chiropractor to make determinations of disability for purposes of special parking permits and license plates for persons with disabilities.
Georgia	Outpatient/Office-Based Surgery	Failed	SB	66	Requires all facilities in which abortions are performed to have functional ultrasound or sonogram equipment on site or shall provide information regarding medical facilities that provide ultrasound or sonogram services. An ultrasound or sonogram examination of each unborn child shall be performed prior to the abortion being performed. It is a misdemeanor to fail intentionally or refuse to offer a pregnant female desiring an abortion an opportunity to view the ultrasound or sonogram image of her unborn child prior to performing the abortion.
Georgia	Medical Errors/Patient Safety	Failed	SB	150	Creates a website for the purpose of providing consumers information on the cost and quality of health care in Georgia. Requires health care providers to provide patients with a copy of their medical records at least once per year at no cost, either electronically or print.
Georgia	Continuing Medical Education (CME)	Failed	HB	943	States that the initial requirements and continuing competency requirements for licensure of physicians and physicians' assistants, among other health professionals, shall include the completion of a course in cultural competency at least once every two years. The respective professional licensing boards shall design such a course to address the problem of disparities in medical treatment decisions based on race, ethnicity, and gender.
Georgia	Medical Board Organization & Authority	Failed	HB	492	Adds a public and a physician member, to make a total of fifteen members, to the Composite Board of Medical Examiners and allows all members to vote on all issues. Previously, only physician members could vote on issues relating to practical and scientific examination of physicians. Renames the Composite Board of Medical Examiners the Composite Medical Board.
Georgia	Miscellaneous	Pending	HB	732	Allows Board investigators to be eligible for the state's Peace Officers' Annuity and Benefit Fund.
Georgia	Medical Board Organization & Authority	Failed	SB	313	Authorizes the Composite State Board of Medical Examiners to enter into a contract with a nonprofit corporation to conduct impaired physicians programs.

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Georgia	Pain Management/Prescription Monitoring	Failed	HR	663	Creates the House Study Committee on Pain Management to be composed of three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives and eight additional members, also appointed by the Speaker, as follows: three physicians, one of whom specializes in hospice care; two pharmacists, one of whom specializes in the care of patients in long-term care facilities; one representative of law enforcement knowledgeable in Schedule II medications; one nurse; and one layperson. the committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any actions or legislation which the committee deems necessary or appropriate. The committee shall review, at a minimum: (1) Scientific and medical reviews of controlled substances classified as Schedule II; (2) Modern pain management knowledge; (3) Modern pain management techniques for the treatment of pain, including the use of Schedule II controlled substances; (4) The adverse impact on patient recovery caused by the undertreatment of pain; (5) The identity and quantity of patients who do not receive adequate pain control treatment and consequences and costs of undertreatment; (6) The development of guidelines to establish parameters for the investigation of a prescriber or dispenser of Schedule II controlled substances for the treatment of pain; and (7) The development of guidelines to educate prescribers, dispensers, patients, law enforcement, and the public about pain management and regulatory issues.
Georgia	Physician Practice	Failed	SB	93	Requires an operating physician to be physically available to a patient for postoperative care in the community in which the eye surgery was performed for at least 48 hours after the surgery is completed. This responsibility may be delegated to another physician or optometrist only by entering into a co-management agreement.
Georgia	Miscellaneous	Failed	SB	346	States that medical care professionals who provide services at free health clinics may receive compensation for their services from the free health clinic without affecting their immunity from liability under certain circumstances.
Georgia	Medical Board Organization & Authority	Enrolled	HB	1222	Requires health care licensing boards to issue special licenses to qualifying health care practitioners if certain conditions are met. Previously, health care licensing boards were not required to issue such licenses.
Georgia	Scope of Practice	Failed	HB	1323	Requires any facility providing cosmetic laser services to have an agreement with a consulting physician who shall examine each patient prior to any cosmetic laser service being performed. Further, rules relating to supervisory requirements for facilities providing cosmetic laser services are clarified. The advisory committee representing the licensed cosmetic laser practitioners shall include at least one person licensed to practice medicine.
Georgia	Physician Practice	Failed	HB	1177	Requires that on and after July 1, 2008, newborn hearing screening shall be conducted on all newborn infants born in hospitals in the state. Previously, such screening was not mandatory.

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Georgia	Medical Board Organization & Authority	Failed	HB	108	Enacts the Patient Right to Participate Act to require the Composite Board of Medical Examiners to provide prior notice of a disciplinary hearing to each patient whose care by the licensee is the subject of the proceedings. The hearing shall be open to participation by each patient or his or her authorized representative. Patient participation shall include an opportunity for each patient to provide oral or written testimony. The licensee shall be provided with the name of each patient who is given notice of the hearing.
Georgia	Scope of Practice	Failed	HB	1042	States that a pharmacist shall not engage in drug product selection or substitution of any pharmaceutical or biological entity that is prescribed for immunosuppressive therapy for a patient that has received an organ or tissue transplant without first obtaining the consent of the patient and of the prescribing physician.
Georgia	Extending Health Care Services to Underserved Patient Populations	Failed	SR	66	Creates the Senate Study Committee on the Shortage of Doctors and Nurses in Georgia to study the conditions, needs, issues, and problems of the shortage and to recommend actions or legislation.
Georgia	Extending Health Care Services to Underserved Patient Populations	Failed	HB	1229	Allows a physician taxpayer who provides uncompensated medical services through a free health clinic to be allowed a credit against their taxes in the amount of \$25 per hour in time in providing such services.
Georgia	Scope of Practice	Failed	HB	397	Amends the definition of the practice of psychology to include the administering, ordering, and prescribing of drugs by a psychologist certified to prescribe for the diagnosis, care, and treatment of mental or nervous disorders or illnesses.
Georgia	Medical Errors/Patient Safety	Failed	SB	404	Establishes the Health Marketplace Act to serve as an Internet portal for access to health care products and shall also include specific measurement tools for consumers to use in comparing individual health care products, including brief summaries of deductibles, copayment requirements, covered providers, benefits, premiums, financial soundness ratings and coverage limits.
Georgia	Scope of Practice	Failed	SB	498	Requires any facility providing cosmetic laser services to have an agreement with a consulting physician who shall examine each patient prior to any cosmetic laser service being performed. Further, rules relating to supervisory requirements for facilities providing cosmetic laser services are clarified. The advisory committee representing the licensed cosmetic laser practitioners shall include at least one person licensed to practice medicine.
Georgia	Medical Board Organization & Authority	Failed	HR	129	Urges the Composite State Board of Medical Examiners to adopt new rules in a manner so that any new rules will conform strictly to the language contained in Code Section 43-34-26.3 in order to reflect the legislative intent of the general assembly. This section authorized advanced practice registered nurses to execute written drug orders under rules adopted by the Board.
Georgia	Medical Board Organization & Authority	Enrolled	HB	1055	Authorizes a designee of the division director of the professional licensing boards to sign and attest orders and processes.

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Georgia	Medical Board Organization & Authority	Passed	EO	434	Appoints Richard L. Weil, M.D., as a member of the Composite State Board of Medical Examiners.
Georgia	Extending Health Care Services to Underserved Patient Populations	Failed	HR	1557	Encourages physicians to take steps to ensure transparency when physicians or other health practitioners receive financial compensation for clinical decisions. Offers support for efforts to improve and publicize information on both public and private health care and prescription drug programs that can help improve access for patients in need, with these efforts to include foreign language education and outreach programs, if necessary, to facilitate enrollment in these programs. Encourages the appropriate state agencies and boards to examine the status of quality health care, including prescription medicines, by African Americans in the state.
Georgia	Medical Board Organization & Authority	Passed	EO	436	Appoints Alexander S. Gross, M.D., as a member of the Composite State Board of Medical Examiners.
Georgia	Medical Board Organization & Authority	Passed	EO	435	Appoints Marion O. Lee, Jr., M.D., as a member of the Composite State Board of Medical Examiners.
Kentucky	Extending Health Care Services to Underserved Patient Populations	Failed	HB	747	Defines outpatient health care center and states that a health care facility licensed as such may add up to sixty acute care beds and shall not be required to obtain a certificate of need if certain conditions are met.
Kentucky	Medical Errors/Patient Safety	Failed	HB	602	States that if a health care facility or service fails to respond, investigate, or take action, if appropriate, in a timely manner upon report of an agent or employee of the facility or service, the agent or employee may submit the report to the Office of Inspector General in the Cabinet for Health and Family Services. Provides for monetary penalties for a health care facility or service that violates the requirements of this section.
Kentucky	Scope of Practice	Failed	HB	454	Establishes the Board of Prosthetics, Orthotics and Pedorthics, sets the scope of practice for such practitioners, and requires such practitioners to be licensed or certified.
Kentucky	Miscellaneous	Failed	SB	4	Amends the definition of partial-birth abortion states that no physician shall knowingly perform such a procedure and thereby kill a human fetus. Exceptions are made in cases where it is necessary to save the life of a mother. The father, in certain circumstances, may in a civil action obtain appropriate relief.
Kentucky	Scope of Practice	Failed	HB	688	Defines the practice of professional art therapy and requires such practitioners to be licensed instead of certified. Renames the Board of Certification for Professional Art Therapists the Board of Licensure for Professional Art Therapists.
Kentucky	Scope of Practice	Passed	HB	388	Allows an advanced registered nurse practitioner to make a statement that an applicant for a license plate has a disability meeting certain conditions. Previously, such a statement had to be made by a physician.

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Kentucky	Scope of Practice	Failed	SB	29	Establishes the Board of Prosthetics, Orthotics, and Pedorthics to license and certify such practitioners and define such practices. Such care or services may be provided only if the care or services are provided pursuant to an order from a licensed health care practitioner or licensed physician if the care or services are eligible for reimbursement from Medicare, Medicaid, or health insurance.
Kentucky	Extending Health Care Services to Underserved Patient Populations	Failed	SB	237	Defines outpatient health care center and states that a health care facility licensed as such may add up to sixty acute care beds and shall not be required to obtain a certificate of need if certain conditions are met.
Kentucky	Physician Practice	Failed	HB	175	Requires a person licensed to practice medicine or osteopathy at any place in the state to provide services to individuals transported by an ambulance to a physician's office prior to services being provided to other patients waiting or those who have an appointment. States that the board may deny an application or reregistration for a license, place a license on probation, suspend a license, limit or restrict a license, or revoke a license upon proof the licensee has been fined on two previous occasions for violations of this act. Any person licensed to practice medicine or osteopathy who knowingly violates this act shall be fined \$5,000 for the first violation, \$10,000 for the second violation, and \$15,000 for each violation thereafter.
Kentucky	Scope of Practice	Passed	HB	458	Amends requirements relating to supervising physician requirements for physician assistants.
Kentucky	Scope of Practice	Failed	HB	148	Requires all health benefit plans to adopt current, reasonable, and fair reimbursement schedules and to reimburse chiropractors at no less than the 2005 Workers' Compensation Medical Fee Schedule for Physicians for medically necessary services and procedures if the services and procedures are covered under the health benefit plan, the services and procedures are reimbursed when performed by a chiropractor or any other health care provider, and the chiropractor who renders the services and procedures is duly qualified to perform such services and procedures.
Kentucky	Scope of Practice	Failed	HB	146	Defines the practice of orthotics, pedorthics, and prosthetics and requires such practitioners, prior to administering the first treatment, must ensure that the patient has secured a written referral for treatment from a physician or podiatrist; ensure that the patient has undergone a medical diagnostic examination or has had the results of a recently performed medical diagnostic examination reviewed by a physician or podiatrist; and keep a copy of the referral and medical diagnostic examination in the patient's file. Requires all such practitioners of these professions to be licensed within two years of the effective date of this legislation.
Kentucky	Scope of Practice	Failed	HB	133	Establishes the Board of Prosthetics, Orthotics, and Pedorthics to license and certify such practitioners and define such practices. Such care or services may be provided only if the care or services are provided pursuant to an order from a licensed health care practitioner or licensed physician if the care or services are eligible for reimbursement from Medicare, Medicaid, or health insurance.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Kentucky	Medical Malpractice	Failed	HB	8	States that in any civil action brought by an alleged victim of an unanticipated outcome of medical care, any and all statements, affirmations, gestures, or conduct expressing apology, sympathy, commiseration, condolence, compassion, or a general sense of benevolence that are made by a health care provider or an employee of a health care provider to the alleged victim, a relative or representative of the alleged victim and that relate to the discomfort, pain, suffering, injury, or death of the alleged victim shall be inadmissible as evidence of an admission of liability or as evidence of an admission against interest. In a civil action alleging professional negligence against a health care provider, the plaintiff shall file as part of the complaint an affidavit of at least one qualified expert witness which must specify at least one negligent act or omission claimed to exist and the factual basis for each claim based on the available evidence at the time of the filing of the affidavit.
Kentucky	Medical Malpractice	Failed	HB	709	Proposes amendments to the Constitution of Kentucky relating to medical malpractice.
Kentucky	Miscellaneous	Enrolled	HB	201	Requires the person responsible for the implementation of the individual care plan to ensure that each individual that has direct care responsibility for a resident admitted to an ICF/MR be informed of the specific care needs of the resident, including but not limited to the need for supervision. Failure to do so shall subject the individual who has direct care responsibility to immediate dismissal from employment and may subject the physician to civil liability and criminal action for failing to provide adequate care for a resident.
Kentucky	Scope of Practice	Failed	HB	194	Requires health benefit plans to reimburse chiropractors at the same rate as for medical doctors for services provided which are within the lawful scope of practice of a chiropractor, without requiring any special documentation.
Kentucky	Physician Practice	Failed	HB	522	States that a person licensed to practice medicine or osteopathy at any place shall provide services to individuals transported by an ambulance to a physician's office prior to services being provided to other patients waiting or those who have an appointment. This section shall not prohibit a physician from completing a history, physical, and assessment and providing treatment for a patient if that exam is already in progress at the time of the arrival of the patient by ambulance. Includes as unprofessional conduct for a physician being fined on two previous occasions for violating this provision.
Kentucky	Miscellaneous	Passed	HB	36	States that a funeral director shall not be held responsible for the failure of a physician, dentist, chiropractor, or coroner to complete or correct the entry for which he or she is responsible.
Kentucky	Scope of Practice	Failed	HB	668	Defines the term surgical technology and establishes the parameters for a person to practice surgical technology in a health facility.
Kentucky	Scope of Practice	Failed	HB	490	Amends the definition of the practice of psychology.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Kentucky	Miscellaneous	Failed	SB	45	States that a person is guilty of assault in the third degree when the actor recklessly, with a deadly weapon or dangerous instrument, or intentionally causes or attempts to cause physical injury to a licensed health care professional acting within the scope and course of the professional's job-related duties.
Kentucky	Scope of Practice	Failed	HB	541	Authorizes a pharmacist to dispense up to a thirty day supply of maintenance medication in emergency situations, when previously such supply was limited to seventy-two hours. Also defines enhanced pharmacy-related primary care and authorizes certified pharmacists to provide such care.
Kentucky	Scope of Practice	Failed	HB	521	Authorizes a physician assistant to prescribe Schedule II through V controlled substances as delegated by the supervising physician.
Kentucky	Medical Board Organization & Authority	Failed	SB	170	Revises the membership of the Board of Medical Licensure. The Board shall consist of the Commissioner of the Department for Public Health; the deans of the University of Kentucky College of Medicine, the University of Louisville College of Medicine, and the Pikeville College School of Osteopathic Medicine; twelve members appointed by the Governor, including one licensed osteopathic physician, and three licensed medical physicians including one African-American physician, one physician with a specialty in interventional pain management, and one physician who graduated from an international medical school; six members from a list of names provided by the Medical Association; and six citizens who are representatives of a recognized statewide consumer advocacy organization. Previously, the Board consisted of the Commissioner, the deans from the University of Kentucky and Pikeville, the vice-dean for clinical affairs at Louisville, one licensed osteopathic physician and seven licensed medical physicians, and three consumer members. The KMA or the Kentucky Osteopathic Association previously submitted the physician names. Requires the Board to elect a secretary and treasurer, in addition to the president and vice president. Further, the Board is required to promulgate administrative regulations to recognize the American Board of Interventional Pain Physicians as qualified to certify physicians in the practice of interventional pain management.
North Carolina	Miscellaneous	Failed	SB	1226	Enables retired health care professionals to return to employment with local health departments without losing retirement benefits.
South Carolina	Emergency Preparedness	Amended	HB	3852	States that the Department of Health and Environmental Control, in coordination with the appropriate licensing authority and others, may accept the volunteer services of in-state and out-of-state health care providers, to appoint such providers as emergency support function volunteers, and to prescribe the duties as may be reasonable and necessary for emergency response.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
South Carolina	Resident Licensure/Minimum Standards for Postgraduate Training	Amended	HB	3912	The bill amends the time requirements for licensure to practice medicine by providing for those physicians who have graduated from a school outside the United States or Canada and has been licensed for five years, rather than ten years, in another state, the physician is only required to document one year of postgraduate residency training. Relating to expert witnesses in malpractice actions, states that rather than the Board of Medical Examiners licensing a physician as an expert witness, a physician who testifies in a proceeding in North Carolina is deemed to have submitted to the jurisdiction of the board. Requires that maintenance of specialty certification include 150 hours of Category I continuing medical education in the 3 years preceding the date of the application and that these hours must be approved by the American Medical Association or American Osteopathic Association or other national organization approved by the board. Also states that 75% of these hours must be related to the applicant's area of specialty. States that a physician providing medical necessity review services for a health insurer or health maintenance organization is deemed to have submitted to the jurisdiction of the Board, and allows a complaint to be filed against a physician performing medical necessity review services who has willfully and knowingly denied claims with no rational basis. States that if a physician makes a medical error or knows about or witnesses a medical error committed by another physician that results in great bodily injury or death, the physician shall report the medical error to the Board.
South Carolina	Medical Malpractice	Pending	HB	5024	Extends the protection against monetary liability to include the medical staff of an ambulatory surgical facility instead of just a licensed hospital.
South Carolina	Resident Licensure/Minimum Standards for Postgraduate Training	Pending	SB	693	The bill amends the time requirements for licensure to practice medicine by providing for those physicians who have graduated from a school outside the United States or Canada and has been licensed for five years, rather than ten years, in another state, the physician is only required to document one year of post graduate residency training. Also, rather than the Board of Medical Examiners licensing a physician as an expert witness, a physician who testifies in a proceeding in North Carolina is deemed to have submitted to the jurisdiction of the board. Further requires the maintenance of specialty certification to include 150 hours of Category I continuing medical education in the 3 years preceding the date of the application and that these hours must be approved by the American Medical Association or American Osteopathic Association or other national organization approved by the board. Also states that 75% of these hours must be related to the applicant's area of specialty.
South Carolina	Miscellaneous	Pending	HB	3283	States that a health care provider has the right not to participate, and no health care provider may be required to participate, in a health care service that violates his or her conscience.
South Carolina	Extending Health Care Services to Underserved Patient Populations	Pending	SB	19	States that a person providing health care services in this State is not required to obtain an additional license or certificate other than that which is required by law to practice as such a health care provider, if the health care provider: is a charitable health care provider; or does not practice more than sixty days in this State within any ninety day period

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
South Carolina	Physician Practice	Pending	SB	1240	Requires the Department of Health and Environmental Control in coordination with the Department of Education, to establish guidelines for conducting a dental screening for each student upon entering five year old kindergarten or upon subsequent entry into the public school system. Authorized providers of dental screening include physicians.
South Carolina	Extending Health Care Services to Underserved Patient Populations	Pending	HB	4885	Establishes procedures for the provision of voluntary health care services and states that a person who provides health care voluntarily and without compensation, to a sponsoring organization, or to a patient of a clinic that is organized in whole or in part for the delivery of health care services without charge, is not liable for civil damages for any act or omission resulting from rendering these services, unless the act or omission was the result of the person's gross negligence or willful misconduct.
South Carolina	Miscellaneous	Pending	HB	3378	Amends the definition of the practice of medicine. Removes rendering a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient or the actual rendering of treatment to a patient by a physician located outside the State as a result of transmission of individual patient data by electronic or other means, and the rendering of a determination of medical necessity or a decision affecting the diagnosis and/or treatment of a patient, or testifying as a physician in an administrative, civil, or criminal proceeding by expressing an expert medical opinion.
South Carolina	Physician Practice	Pending	HB	3414	Requires health care practitioners to write prescriptions in a manner that is legible and in terms that can be understood by the patient or the patient's caregiver. A health care practitioner who does not comply with this section is subject to a fine of \$100 to be imposed by the practitioner's licensing board for each noncomplying prescription written by the practitioner.
South Carolina	Medical Malpractice	Pending	HB	5020	Authorizes the South Carolina Medical Malpractice Liability Joint Underwriting Association to increase the limits of liability on policies of insurance not to exceed one million dollars for each claimant under one policy and three million dollars for all claimants under one policy in one year.
South Carolina	Miscellaneous	Pending	SB	599	Deletes provisions relating to an out-of-state physician rendering a medical opinion concerning the diagnosis or treatment of a patient or rendering a ritual treatment of a patient in this state by transmission of patient data to the out-of-state physician and to delete provisions relating to rendering a determination of medical necessity or a decision affecting the diagnosis or treatment of a patient.
South Carolina	Scope of Practice	Pending	HB	3892	Amends the Code of Laws of South Carolina by establishing requirements for a pharmacist licensed to administer vaccines, including training requirements, policies and procedures for administering vaccines. Also requires that a pharmacist who administers vaccines complete a minimum of two immunization-related continuing education credits.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
South Carolina	Medical Board Organization & Authority	Pending	SB	170	Provides that the identity of a person filing a complaint with the Board of Medical Examiners against a physician must remain anonymous unless the Medical Disciplinary Commission finds the complaint is without merit and the physician petitions the Administrative Law Court for disclosure of the identity.
Tennessee	Miscellaneous	Pending	HB	3621	States that independent health care providers and associated medical facilities may jointly negotiate with a health care insurer and engage in related joint activity regarding non-fee-related matters which can affect patient care.
Tennessee	Scope of Practice	Pending	SB	3938	States that except for those psychotropic medications prescribed by psychiatrists, any patient receiving more than one prescription of any psychotropic medication for more than six weeks in duration from a non-psychiatrist prescriber must also undergo either a comprehensive psychological examination for diagnostic purposes or a course of short-term psychological treatment in order to continue to receive the psychotropic medication from the non-psychiatrist prescriber.
Tennessee	Physician Profiling/Credentialing	Pending	SB	1655	Enacts the Health Care Consumer Right-To-Know Act of 2007 to require the Board of Medical Examiners to collect and disseminate physician profile information to the public on or before May 1, 2008. Information to be included in the profile includes: a description of any criminal convictions for felonies and serious misdemeanors within the most recent ten years, a description of any charges to which a physician pleads nolo contendere or where sufficient facts of guilt were found and the matter was continued without a finding by a court of competent jurisdiction, a description of any final board disciplinary actions within the most recent ten years in TN or other states, a description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character within the most recent ten years, all medical malpractice court judgments and arbitration awards in which a payment is made in the most recent ten years, names of medical school and dates of graduation, graduate medical education, specialty board certification, number of years in practice, names of the hospitals where the licensee has privileges, appointments to medical school faculties and indication as to whether the licensee has a responsibility for graduate medical education in the most recent ten years, information regarding publications in peer-reviewed medical literature within the most recent ten years, information regarding professional or community service activities and awards, the location of the licensee's primary practice setting, the identification of any translating services that may be available at that location, and an indication of whether the licensee participates in the TennCare or Medicaid programs.
Tennessee	Outpatient/Office-Based Surgery	Amended	SB	1209	States that the Board of Medical Examiners has the duty and responsibility to regulate the practice of office-based surgery, including the promulgation of rules and regulations necessary to promote patient health and safety in such practices.
Tennessee	Medical Board Organization & Authority	Pending	SB	2530	Establishes sunset for the Board of Osteopathic Examination as June 30, 2012.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Medical Board Organization & Authority	Pending	HB	2712	Establishes sunset for the Board of Osteopathic Examination as June 30, 2012.
Tennessee	Complementary and Alternative Medicine	Pending	HB	1176	Establishes the Board of Naturopathic Medical Examiners to license naturopathic physicians. Defines naturopathic medicine and natural health care services.
Tennessee	Complementary and Alternative Medicine	Pending	SB	236	Establishes the Board of Naturopathic Medical Examiners to license naturopathic physicians. Defines naturopathic medicine and natural health care services.
Tennessee	Medical Errors/Patient Safety	Pending	HB	1334	Establishes the Sorry Works! Pilot Program to require participating hospitals and physicians to promptly disclose and identify, acknowledge and apologize for mistakes in patient care and promptly offer fair settlements.
Tennessee	Medical Errors/Patient Safety	Pending	SB	1347	Establishes the Sorry Works! Pilot Program to require participating hospitals and physicians to promptly disclose and identify, acknowledge and apologize for mistakes in patient care and promptly offer fair settlements.
Tennessee	Outpatient/Office-Based Surgery	Pending	SB	865	States that the Board of Medical Examiners has the duty and responsibility to regulate the practice of office-based surgery, including the promulgation of rules and regulations necessary to promote patient health and safety in such practices. Further, the failure of a physician performing office-based surgery to abide by this section may be grounds for disciplinary action.
Tennessee	Outpatient/Office-Based Surgery	Pending	HB	271	States that the Board of Medical Examiners has the duty and responsibility to regulate the practice of office-based surgery, including the promulgation of rules and regulations necessary to promote patient health and safety in such practices. Further, the failure of a physician performing office-based surgery to abide by this section may be grounds for disciplinary action.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Physician Profiling/Credentialing	Failed	HB	1177	Enacts the Health Care Consumer Right-To-Know Act of 2007 to require the Board of Medical Examiners to collect and disseminate physician profile information to the public on or before May 1, 2008. Information to be included in the profile includes: a description of any criminal convictions for felonies and serious misdemeanors within the most recent ten years, a description of any charges to which a physician pleads nolo contendere or where sufficient facts of guilt were found and the matter was continued without a finding by a court of competent jurisdiction, a description of any final board disciplinary actions within the most recent ten years in TN or other states, a description of revocation or involuntary restriction of hospital privileges for reasons related to competence or character within the most recent ten years, all medical malpractice court judgments and arbitration awards in which a payment is made in the most recent ten years, names of medical school and dates of graduation, graduate medical education, specialty board certification, number of years in practice, names of the hospitals where the licensee has privileges, appointments to medical school faculties and indication as to whether the licensee has a responsibility for graduate medical education in the most recent ten years, information regarding publications in peer-reviewed medical literature within the most recent ten years, information regarding professional or community service activities and awards, the location of the licensee's primary practice setting, the identification of any translating services that may be available at that location, and an indication of whether the licensee participates in the TennCare or Medicaid programs.
Tennessee	Pain Management/Prescription Monitoring	Pending	HB	821	Establishes a prescription monitoring program and for the Board of Pharmacy to develop an official TN prescription form.
Tennessee	Pain Management/Prescription Monitoring	Pending	SB	297	Establishes a prescription monitoring program and for the Board of Pharmacy to develop an official TN prescription form.
Tennessee	Medical Malpractice	Pending	HB	1993	Establishes expert witness qualifications for medical malpractice cases. An expert witness must be licensed to practice in TN, or a contiguous bordering state, in a profession or specialty that would make the person's testimony relevant to the issues in the case and must have practiced in one of these states during the year preceding the date that the alleged injury or wrongful act occurred. Also establishes that damages awarded for noneconomic losses shall not exceed \$250,000.
Tennessee	Medical Malpractice	Amended	SB	2001	Establishes expert witness qualifications for medical malpractice cases. An expert witness must be licensed to practice in TN, or a contiguous bordering state, in a profession or specialty that would make the person's testimony relevant to the issues in the case and must have practiced in one of these states during the year preceding the date that the alleged injury or wrongful act occurred. Also establishes that damages awarded for noneconomic losses shall not exceed \$250,000.
Tennessee	Physician Profiling/Credentialing	Pending	HB	667	Amends the physician profile disclosure requirements for disclosure of malpractice awards by physicians. Any malpractice award below \$50,000 does not need to be reported. The previous requirement was that any malpractice award below \$75,000 did not need to be reported.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Physician Profiling/Credentialing	Pending	SB	526	Amends the physician profile disclosure requirements for disclosure of malpractice awards by physicians. Any malpractice award below \$50,000 does not need to be reported. The previous requirement was that any malpractice award below \$75,000 did not need to be reported.
Tennessee	Miscellaneous	Pending	SB	3127	States that when a pharmacist fills a prescription for an elder person, the pharmacist shall indicate on the prescription label the condition for which the prescription drug is prescribed at the request of either the elder person or the physician of the elder person.
Tennessee	Scope of Practice	Amended	SB	3122	States that in a federally qualified health center, a registered nurse or certified pharmacy technician is allowed to dispense prescription drugs without the direct, on-premises supervision of a pharmacist when the pharmacist provides supervision of the dispensing by means of telepharmacy/telemedicine online computer technology.
Tennessee	Physician Practice	Pending	SB	3113	States that informed consent must be obtained from a patient before any elective cosmetic or plastic surgery medical intervention is conducted.
Tennessee	Physician Practice	Pending	SB	3856	Requires every newborn infant to be screened for hearing loss in order to prevent the consequences of unidentified hearing loss unless the parent or parents of the child object on the grounds that the test would conflict with the parent or parents' religious tenets or practices.
Tennessee	Scope of Practice	Pending	HB	2831	Establishes that a federally qualified health center or a community mental health center may exceed the clinical supervision requirements of physicians who supervise certified nurse practitioners.
Tennessee	Scope of Practice	Pending	SB	2937	Establishes that a federally qualified health center or a community mental health center may exceed the clinical supervision requirements of physicians who supervise certified nurse practitioners.
Tennessee	Scope of Practice	Pending	HB	3380	Provides for chiropractic coverage under health insurance plans.
Tennessee	Scope of Practice	Pending	HB	1607	Provides prescriptive authority for psychologists certified by the Board of Psychology. Includes within the practice of psychologist the authority to prescribe and dispense drugs or other treatment procedures.
Tennessee	Scope of Practice	Pending	HB	3651	States that a pharmacist, pharmacy intern or pharmacy technician shall provide notification to the patient or identified others, before interchanging one manufacturer of an immunosuppressive drug for another drug in instances where said patient's immunosuppressive therapy is currently being controlled on a specific drug, strength, dosage form, and dosing regimen from a specific manufacturer. The prescriber of said medication shall be notified prior to the interchange.
Tennessee	Miscellaneous	Amended	SB	3214	States that before a pharmacist or a pharmacy may dispense or deliver a controlled substance as a prescription drug to a person, the pharmacist or pharmacy shall obtain identification from the person presenting themselves to take possession of the prescription and consult a database maintained by the pharmacy of persons in the household who are authorized to pick up a prescription and confirm that the person is authorized to pick up the prescription.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Scope of Practice	Amended	HB	3677	Defines nurse anesthetist.
Tennessee	Scope of Practice	Amended	SB	3892	Defines nurse anesthetist.
Tennessee	Scope of Practice	Pending	HB	3842	States that except for those psychotropic medications prescribed by psychiatrists, any patient receiving more than one prescription of any psychotropic medication for more than six weeks in duration from a non-psychiatrist prescriber must also undergo either a comprehensive psychological examination for diagnostic purposes or a course of short-term psychological treatment in order to continue to receive the psychotropic medication from the non-psychiatrist prescriber.
Tennessee	Physician Practice	Pending	HB	2924	States that informed consent must be obtained from a patient before any elective cosmetic or plastic surgery medical intervention is conducted.
Tennessee	Scope of Practice	Pending	SB	3920	States that any rules that purport to regulate the supervision of physician assistants or nurse practitioners by physicians, except those that address the roles and responsibilities of the supervising physicians, shall be jointly adopted by the Board of Medical Examiners and the Committee on Physician Assistants or Board of Nursing.
Tennessee	Scope of Practice	Pending	SB	3837	Provides for chiropractic coverage under health insurance plans.
Tennessee	Scope of Practice	Pending	SB	3872	States that any typed or computer-generated prescription order for a drug issued by a nurse practitioner must be legible so that it is comprehensible by the pharmacist who fills the prescription order.
Tennessee	Scope of Practice	Pending	SB	3875	States nurse practitioners are authorized to operate as a county coroner pursuant to certain situations.
Tennessee	Physician Practice	Pending	HB	3791	Requires every newborn infant to be screened for hearing loss in order to prevent the consequences of unidentified hearing loss unless the parent or parents of the child object on the grounds that the test would conflict with the parent or parents' religious tenets or practices.
Tennessee	Physician Practice	Pending	HB	4105	States that it is the duty of any physician, nurse or midwife who assists and is in charge at the birth of any infant, or has the care of the infant after birth, to treat the eyes of the infant with a prophylaxis to prevent ophthalmia neonatorum or infections leading to blindness.
Tennessee	Physician Practice	Pending	SB	4149	States that it is the duty of any physician, nurse or midwife who assists and is in charge at the birth of any infant, or has the care of the infant after birth, to treat the eyes of the infant with a prophylaxis to prevent ophthalmia neonatorum or infections leading to blindness.
Tennessee	Miscellaneous	Pending	SB	4051	Allows advanced practice nurses and physicians, excluding radiologists, pathologists and anesthesiologists, to be members or holders of financial rights in professional limited liability companies.
Tennessee	Miscellaneous	Passed	HB	3963	Allows advanced practice nurses and physicians, excluding radiologists, pathologists and anesthesiologists, to be members or holders of financial rights in professional limited liability companies.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Scope of Practice	Pending	HB	3843	Authorizes a psychologist to provide an impairment rating for an injured worker.
Tennessee	Scope of Practice	Pending	SB	3890	Authorizes a psychologist to provide an impairment rating for an injured worker.
Tennessee	Scope of Practice	Pending	HB	3985	States nurse practitioners are authorized to operate as a county coroner pursuant to certain situations.
Tennessee	Scope of Practice	Pending	HB	4011	States that in a federally qualified health center, a registered nurse or certified pharmacy technician is allowed to dispense prescription drugs without the direct, on-premises supervision of a pharmacist when the pharmacist provides supervision of the dispensing by means of telepharmacy/telemedicine online computer technology.
Tennessee	Scope of Practice	Pending	HB	3847	States that any rules that purport to regulate the supervision of physician assistants or nurse practitioners by physicians, except those that address the roles and responsibilities of the supervising physicians, shall be jointly adopted by the Board of Medical Examiners and the Committee on Physician Assistants or Board of Nursing.
Tennessee	Complementary and Alternative Medicine	Pending	SB	3622	States that a licensed physician shall not be found guilty of unprofessional conduct solely on the basis of employing a health care method of integrative or complementary medicine, unless it can be demonstrated that such method has a safety risk for the patient that is unreasonably greater than the conventional treatment for the patient's medical condition. Establishes guidelines for the Board of Medical Examiners to follow when making a determination of whether a physician's conduct violates acceptable standards with regard to providing complementary and integrative medical treatment.
Tennessee	Scope of Practice	Pending	HB	4017	States that any typed or computer-generated prescription order for a drug issued by a nurse practitioner must be legible so that it is comprehensible by the pharmacist who fills the prescription order.
Tennessee	Miscellaneous	Pending	HB	3206	States that before a pharmacist or a pharmacy may dispense or deliver a controlled substance as a prescription drug to a person, the pharmacist or pharmacy shall obtain identification from the person presenting themselves to take possession of the prescription and consult a database maintained by the pharmacy of persons in the household who are authorized to pick up a prescription and confirm that the person is authorized to pick up the prescription.
Tennessee	Miscellaneous	Amended	SB	3746	Requires the Board of Pharmacy to designate an official Tennessee prescription form, which shall be serialized and tamper-resistant. A practitioner authorized to write a prescription shall issue all written prescriptions upon an official prescription form.
Tennessee	Miscellaneous	Pending	HB	3110	Requires the Board of Pharmacy to designate an official Tennessee prescription form, which shall be serialized and tamper-resistant. A practitioner authorized to write a prescription shall issue all written prescriptions upon an official prescription form.
Tennessee	Medical Errors/Patient Safety	Pending	SB	2831	Establishes criteria for designation as a patient safety organization.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Outpatient/Office-Based Surgery	Pending	SB	3484	Defines Level II office-based surgery and states that any physician who proposes to perform such surgery must submit to the Board, on an application form developed and provided by the Board, the procedures to be performed.
Tennessee	Medical Errors/Patient Safety	Failed	HB	2996	Establishes criteria for designation as a patient safety organization.
Tennessee	Miscellaneous	Pending	SB	3430	States that independent health care providers and associated medical facilities may jointly negotiate with a health care insurer and engage in related joint activity regarding non-fee-related matters which can affect patient care.
Tennessee	Miscellaneous	Amended	HB	3298	States that when a pharmacist fills a prescription for an elder person, the pharmacist shall indicate on the prescription label the condition for which the prescription drug is prescribed at the request of either the elder person or the physician of the elder person.
Tennessee	Complementary and Alternative Medicine	Pending	HB	3424	States that a licensed physician shall not be found guilty of unprofessional conduct solely on the basis of employing a health care method of integrative or complementary medicine, unless it can be demonstrated that such method has a safety risk for the patient that is unreasonably greater than the conventional treatment for the patient's medical condition. Establishes guidelines for the Board of Medical Examiners to follow when making a determination of whether a physician's conduct violates acceptable standards with regard to providing complementary and integrative medical treatment.
Tennessee	Medical Malpractice	Pending	HB	3053	Limits noneconomic damages in a health care liability action in which liability is admitted or established to \$250,000 against all health care practitioners who are defendants.
Tennessee	Extending Health Care Services to Underserved Patient Populations	Pending	SB	3847	Requires the Board of Medical Examiners, in conjunction with the Department of Health, to study the provision of primary care including the accessibility of primary care to all citizens in Tennessee. The study should recommend appropriate statutory and regulatory changes to assist in the provision of primary care and to encourage the provision of care to the uninsured and medically indigent.
Tennessee	Outpatient/Office-Based Surgery	Failed	SB	3371	Defines Level II office-based surgery and states that any physician who proposes to perform such surgery must submit to the Board, on an application form developed and provided by the Board, the procedures to be performed.
Tennessee	Outpatient/Office-Based Surgery	Pending	HB	3633	Defines Level II office-based surgery and states that any physician who proposes to perform such surgery must submit to the Board, on an application form developed and provided by the Board, the procedures to be performed.
Tennessee	Outpatient/Office-Based Surgery	Failed	HB	3372	Defines Level II office-based surgery and states that any physician who proposes to perform such surgery must submit to the Board, on an application form developed and provided by the Board, the procedures to be performed.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Tennessee	Scope of Practice	Pending	SB	661	Provides prescriptive authority for psychologists certified by the Board of Psychology. Includes within the practice of psychologist the authority to prescribe and dispense drugs or other treatment procedures.
Tennessee	Miscellaneous	Pending	SB	1602	States when a physician, hospital, and other healthcare provider may disclose a patient's medical records, conditions, care and treatment and mental impressions and opinions.
Tennessee	Scope of Practice	Pending	HB	1633	Removes the terms anesthesiologist and radiologist from the definition of the practice of medicine.
Tennessee	Miscellaneous	Pending	HB	635	States when a physician, hospital, and other healthcare provider may disclose a patient's medical records, conditions, care and treatment and mental impressions and opinions.
Tennessee	Extending Health Care Services to Underserved Patient Populations	Pending	HB	3494	Requires the Board of Medical Examiners, in conjunction with the Department of Health, to study the provision of primary care including the accessibility of primary care to all citizens in Tennessee. The study should recommend appropriate statutory and regulatory changes to assist in the provision of primary care and to encourage the provision of care to the uninsured and medically indigent.
Tennessee	Medical Malpractice	Pending	SB	3248	States that in any action or proceeding brought by an alleged recipient of an unanticipated outcome of health care, their relative, or their representative, any and all statements, affirmations, writings, gestures, or conduct expressing apology, fault, sympathy, commiseration, regret, condolence, compassion, error, or a general sense of benevolence which are made by a health care provider or an employee of the health care provider to the alleged recipient, their relative, or their representative and which relate to the discomfort, pain, suffering, injury or death of the alleged recipient shall be inadmissible as evidence of an admission of liability or as evidence of an admission against interest, or for any other purpose, including impeachment.
Tennessee	Medical Malpractice	Pending	HB	3390	States that in any action or proceeding brought by an alleged recipient of an unanticipated outcome of health care, their relative, or their representative, any and all statements, affirmations, writings, gestures, or conduct expressing apology, fault, sympathy, commiseration, regret, condolence, compassion, error, or a general sense of benevolence which are made by a health care provider or an employee of the health care provider to the alleged recipient, their relative, or their representative and which relate to the discomfort, pain, suffering, injury or death of the alleged recipient shall be inadmissible as evidence of an admission of liability or as evidence of an admission against interest, or for any other purpose, including impeachment.
Tennessee	Medical Malpractice	Pending	SB	2929	Limits noneconomic damages in a health care liability action in which liability is admitted or established to \$250,000 against all health care practitioners who are defendants.
Tennessee	Scope of Practice	Pending	SB	1252	Removes the terms anesthesiologist and radiologist from the definition of the practice of medicine.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Virginia	Miscellaneous	Failed	HB	129	States that no person shall knowingly represent themselves as being a physician in signage or advertising unless such person has received a degree as medical doctor or doctor of osteopathy.
Virginia	Physician Practice	Passed	HB	560	States the treating physician at the facility of temporary detention, and examiner if not physically present at the hearing, to be available whenever possible for questioning during the hearing through a two-way electronic video and audio or telephonic communication system.
Virginia	Physician Practice	Passed	SB	72	Repeals the requirement that a patient sign a consent form before the treatment of a breast tumor.
Virginia	Medical Malpractice	Failed	HB	1282	Establishes the Medical Malpractice Settlement Offer and Recovery Act to provide guidance for settlement offers in malpractice cases.
Virginia	Physician Practice	Passed	HB	1100	Requires a medical care provider to inform a patient prior to performing a test to determine infection with HIV. A medical care provider shall inform the patient that the test is planned, provide information about the test, and advise the patient that he has the right to decline the test. If a patient declines the test, the medical care provider shall note that fact in the patient's medical file. Further, as a routine component of prenatal care, a practitioner shall inform every pregnant woman who is his patient that HIV screening is recommended for all pregnant patients and that she will receive a HIV test as part of the routine panel of prenatal tests unless she declines.
Virginia	Physician Practice	Passed	HB	248	Permits any licensed physician, licensed health care provider, or licensed health facility to disclose to an emergency medical services provider or emergency medical services physician the medical records of a sick or injured person to whom such emergency personnel is providing or has rendered emergency medical care. Defines the terms emergency medical services physician and emergency medical service provider.
Virginia	Emergency Preparedness	Passed	HB	403	Provides that in the absence of gross negligence or willful misconduct, any health care provider who responds to a disaster shall not be liable for any injury or wrongful death of any person arising from the delivery or withholding of health care when a state or local emergency has been or is subsequently declared in response to such disaster and the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the level or manner of care that otherwise would have been required in the absence of the emergency and which resulted in the injury or wrongful death at issue.
Virginia	Physician Practice	Failed	HB	422	States that any person who knowingly performs an abortion except to prevent the death of the pregnant woman when no determination of viability has been made after a fetus has been determined to be viable, is guilty of a Class 4 felony. Determination of fetal viability shall be made by two physicians prior to the performance of any abortion on the basis of their best clinical judgment.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Virginia	Miscellaneous	Passed	HB	576	Requires any health care provider or other provider rendering services to a minor who is the subject of proceedings to disclose to a magistrate, juvenile intake officer, the court, the minor's attorney, an evaluator, the community services board or behavioral health authority performing an evaluation, preadmission screening, or monitoring duties, or a law-enforcement officer, any and all information of the individual's necessary and appropriate to enable each of them to perform their duties. These health care providers and other service providers shall disclose to one another such records and information as necessary to provide care and treatment to the individual and to monitor that care and treatment.
Virginia	Scope of Practice	Passed	SB	693	Amends requirements related to the supervision of physician assistants.
Virginia	Complementary and Alternative Medicine	Pending	HB	784	Defines the practice of naturopathy or naturopathic medicine and requires such practitioners to be licensed by the Advisory Board of Naturopathy under conjunction with the Board of Medicine.
Virginia	Physician Practice	Adopted	HJR	79	Requests the Governor and the Secretary of Health and Human Services to implement a policy barring physicians or other health care practitioners from prescribing an alternative brand of medication because of financial incentives offered to the physician or other health care practitioner without first disclosing the incentives offered to the patient or patient's parent, legal guardian, or other authorized representative.
Virginia	Scope of Practice	Passed	SB	134	Defines occupational therapy assistant.
Virginia	Medical Board Organization & Authority	Failed	SJR	47	Directs the Joint Legislative Audit and Review Commission to conduct a follow-up review of the effectiveness of the Board of Medicine in regulating the practice of medicine.
Virginia	Miscellaneous	Failed	SJR	128	Directs the Joint Commission on Health Care to study the feasibility, advisability, and necessity of considering the competence of licensed health care professionals who are not granted deemed states as a condition of license renewal.
Virginia	Physician Profiling/Credentialing	Passed	SB	495	States that certain physician license categories are exempt from providing information to the physician profile system. These include restricted volunteer licenses, temporary or limited licenses to certain graduates of foreign medical schools, temporary licenses to interns and residents in hospitals and other organizations, and any person holding an inactive license to practice medicine or podiatry.
Virginia	Emergency Preparedness	Passed	SB	657	Provides that in the absence of gross negligence or willful misconduct, any health care provider who responds to a disaster shall not be liable for any injury or wrongful death of any person arising from the delivery or withholding of health care when a state or local emergency has been or is subsequently declared in response to such disaster and the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the level or manner of care that otherwise would have been required in the absence of the emergency and which resulted in the injury or wrongful death at issue.

<i>State</i>	<i>Issue</i>	<i>Status</i>	<i>LegType</i>	<i>Bill Number</i>	<i>Bill Summary</i>
Virginia	Medical Board Organization & Authority	Passed	SB	218	States the Director of Health Professions or his designee shall have the power to subpoena witnesses and to request and obtain patient records, business records, papers, and physical or other evidence in the course of any investigation or to issue subpoenas requiring the production of such evidence. Language authorizing such practices was amended.
Virginia	Physician Practice	Failed	HB	1543	Requires a physician to file a report, in writing or by electronic means, with the Department of Health regarding each patient who comes under the physician's professional care and requires medical treatment or suffers death that the attending physician has a reasonable basis to believe is the result of an elective outpatient surgical procedure.
Virginia	Medical Malpractice	Passed	HB	616	Extends the two-year limitations for malpractice against a health care provider for a period of one year from the date the disease or illness is communicated to the patient in cases arising out of the negligent failure to diagnose disease or illness or the negligent failure to communicate such diagnosis to the patient.