

Citation: 2011 MO REG TEXT 240311 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.400 (Letter of Intent Process) streamlining and clarifying the review process. Provides that the letter of intent may be submitted by mail, fax or email. Removes provision providing validity period for a letter of intent for non-applicability reviews. Clarifies process for LTC bed expansion or replacement. Includes assisted living facility within the description of LTC bed expansion requiring a CON application. Incorporates forms by reference and provides the new address for the Certificate of Need Program office.

19 MO ADC 60-50.500 - Certificates of Need

Citation: 2011 MO REG TEXT 240318 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.500 (Additional Information), to expand electronic submission opportunities, and make minor technical changes.

19 MO ADC 60-50.470 - Certificates of Need

Citation: 2011 MO REG TEXT 240317 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.470 (Criteria and Standards for Financial Feasibility), updating the Certificate of Need Program mailing and web addresses. Incorporates by reference the following forms cited in the rule: Service-Specific Revenues and Expenses (Form MO 580-1865) and RS Means Cost Data Percentile Limit Total New Construction Project Costs (Form MO 580-1866).

19 MO ADC 60-50.420 - Certificate of Need Review

Citation: 2011 MO REG TEXT 240313 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.420 (Review Process) streamlining and clarifying the review process and expanding electronic submission opportunities.

19 MO ADC 60-50.430 - Certificates of Need - Hospitals; Applications

Citation: 2011 MO REG TEXT 240314 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.430 (Application Package) allowing the application package to be prepared in an electronic file in pdf format. Incorporates forms by reference. Updates and clarifies the proposal description requirements. Adds new subsection (6) clarifying public notice specifications. Adds new subsection (7) providing additional factors to be considered by the committee. Also provides the new address for the Certificate of Need Program office.

19 MO ADC 60-50.410 - Certificates of Need - Hospitals; Application; Letters of Intent

Citation: 2011 MO REG TEXT 240312 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.410 (Letter of Intent Package) incorporating forms by reference and clarifying the use of electronic signatures. Also provides the new address for the Certificate of Need Program office.

19 MO ADC 60-50.440 - Certificates of Need

Citation: 2011 MO REG TEXT 240315 (NS)
Enacted: N/A
Effective: 5/30/2011
Description: Amends 19 MO ADC 60-50.440 (Criteria and Standards for Equipment and New Hospitals), updating certain items used in the population-based need formula calculations and revising certain questions asked regarding replacement equipment and construction of a new hospital.

Montana

MT ADC 37.87.1206 - Hospital Accreditation; Medicare/Medicaid; Services/Agreements

Citation: 2011 MT REG TEXT 251821 (NS)
Enacted: N/A
Effective: 6/24/2011
Description: Amends MT ADC 37.87.1206 (Psychiatric Residential Treatment Facility Services, Participation Requirements) requiring each PRTF to complete periodic surveys about the treatment programs and special SED populations they serve.

MT ADC 24.174.501 et al. - Pharmacists Licensing

Citation: 2011 MT REG TEXT 251818 (NS)
Enacted: N/A
Effective: 6/24/2011
Description: Amends MT ADC 24.174.501 (Examination for Licensure as a Registered Pharmacist) allowing the board to waive the English testing requirements for foreign pharmacy graduates if the board determines the applicant is able to communicate in the English language. Amends MT ADC 24.174.503 (Administration of Vaccines by Pharmacists) updating the requirements for vaccines to be administered by pharmacists. Amends MT ADC 24.174.602 (Internship Requirements) removing outdated language regarding intern supervision. Amends MT ADC 24.174.2104 (Registered Pharmacist Continuing Education – Requirements) allowing licensees to meet the CE requirement without having to take any group CEU. Also clarifies that only new pharmacist graduates are exempt from the CE requirement for the first renewal period. Amends MT ADC 24.174.2106 (Registered Pharmacist Continuing Education - Approved Programs) specifying that CE approval must be requested on board-approved forms.

2011 MT H.B. 377 - Nursing Definitions

Citation: 2011 MT H.B. 377 (NS)

Enacted: 5/12/2011
Effective: 10/1/2011
Description: Amends MT ST 37-8-102 (Definitions), adding and revising definitions for "Medication aide I" and "Medication aide II".

2011 MT S.B. 423 - Montana Marijuana Act; Telemedicine

Citation: 2011 MT S.B. 423 (NS)
Enacted: 5/13/2011
Effective: 7/1/2011
Description: Adopts an uncodified section (Prohibitions on physician affiliation with providers and marijuana-infused products providers -- sanctions) as part of the Montana Marijuana Act, providing that a physician who provides written certifications may not accept or solicit anything of value from a provider or offer a discount or any other thing of value to a person to use a particular provider. Amends MT ST 37-1-316 (Unprofessional conduct), providing that it is unprofessional conduct to obtain the information required for the written certification and accompanying statements needed for the Montana Marijuana Act registry identification card by only using electronic means, including teleconferencing. Amends MT ST 37-3-343 (Practice of telemedicine prohibited without license -- scope of practice limitations -- violations and penalty), providing that a physician may not use a telemedicine license for the written certification and accompanying statements needed for the Montana Marijuana Act registry identification card. MT ST 37-3-347 (Reasons for denial of license -- alternative route to licensed practice), providing that an application for a telemedicine license will be denied if the applicant plans to use telemedicine to obtain the information required to apply for the Montana Marijuana Act registry identification card.

2011 MT H.B. 518 - Mental Health Advanced Directives for Treatment

Citation: 2011 MT H.B. 518 (NS)
Enacted: 5/6/2011
Effective: 10/1/2011
Description: Adopts uncodified sections within Title 53, chapter 21 (Social Services and Institutions, Mentally Ill), allowing people suffering from mental illness to prepare a mental health care advance directive during periods of mental capacity for use during periods of mental incapacity.

2011 MT H.B. 627 - Parental Notice of Abortion Act of 2011

Citation: 2011 MT H.B. 627 (NS)
Enacted: 5/2/2011
Effective: 5/2/2011
Description: Adopts a referendum to revise parental notice of abortion upon a minor. Requires that a minor seeking an abortion to provide 48 hours' notice to her parent or guardian. Provides certain exceptions and a procedure for judicial waiver of the notice. Note: The referendum will be submitted to the qualified electors of Montana at a general election to be held in November 2012. If approved, the sections are to be codified within Title 50 (Health and Safety), chapter 20 (Abortion) effective January 1, 2013.

2011 MT H.B. 416 - Physician Quality Assurance

Citation: 2011 MT H.B. 416 (NS)
Enacted: 4/28/2011
Effective: 4/28/2011
Description: Adopts uncodified sections within Title 37, chapter 2 (General Provisions Relating to Health Care Practitioners), providing for quality assurance activities by medical practice groups and the confidentiality of these activities.

2011 MT H.B. 83 - Pharmacy Definitions

Citation: 2011 MT H.B. 83 (NS)
Enacted: 4/21/2011
Effective: 7/1/2011
Description: Amends MT ST 37-7-101 (Definitions), adding definitions for "Controlled substance" and "Registry".

MT ADC 24.101.413 - Athletic Trainers Licensing

Citation: 2011 MT REG TEXT 248723 (NS)
Enacted: N/A
Effective: 4/15/2011
Description: Amends MT ADC 24.101.413 (Renewal Dates and Requirements), updating the renewal date for Athletic Trainers from Triennially to Annually on August 31. Current health care content is unaffected.

2011 MT H.B. 25 - Medical Assistance Program

Citation: 2011 MT H.B. 25 (NS)
Enacted: 4/7/2011
Effective: 10/1/2011
Description: Amends MT ST 37-3-401 (Report of incompetence or unprofessional conduct), clarifying certain language related to the medical assistance program. Amends MT ST 37-4-311 (Rehabilitation), clarifying that the board shall establish a rehabilitation or medical assistance program.

2011 MT S.B. 189 - Pharmacists; Definitions

Citation: 2011 MT S.B. 189 (NS)
Enacted: 4/1/2011
Effective: 10/1/2011
Description: Amends MT ST 37-7-101 (Definitions) revising the term "Administer" by adding an exception that will allow a pharmacist to administer immunization against the influenza virus to individuals who are 12 years of age or older.

2011 MT H.B. 94 - Uniform Professional Licensing and Regulation Procedures

Citation: 2011 MT H.B. 94 (NS)

Enacted: 4/1/2011
Effective: 10/1/2011
Description: Amends MT ST 37-1-304 (Licensure of out-of-state applicants -- reciprocity) and MT ST 37-1-305 (Temporary practice permits), providing that an applicant may affirm that they have requested verification from the states in which they are licensed, that their license is current and not subject to pending charges or disciplinary action. The board may summarily suspend the license if the applicant falsely affirmed this requested verification. Amends MT ST 37-3-310 (Notice of change of address or name -- applicants -- licensees), to allow electronic notification of an address or name change. Amends MT ST 37-4-101 (Definitions), adding a definition for "Deep sedation", updating the definition for "General anesthesia", and deleting the definitions for "Conscious sedation" and "General anesthetic" Amends MT ST 37-4-511 (Limitations regarding deep sedation or general anesthesia) updating the title from "Limitations on administration of general anesthetics and practices involving general anesthesia", and updating the procedures for deep sedation or general anesthesia in the practice of dentistry or oral surgery.

Nebraska

2011 NE L.B. 675 - Misdemeanor Penalties

Citation: 2011 NE L.B. 675 (NS)
Enacted: 5/26/2011
Effective: 1/1/2012
Description: Amends NE ST § 28-106 (Misdemeanors; classification of penalties; sentences; where served) increasing the fines provided under subsection (1) for Class W misdemeanors. Current Healthcare Navigator content is unaffected by amendment.

2011 NE L.B. 690 (NS) - Informed Consent; Abortions; Minors

Citation: 2011 NE L.B. 690 (NS)
Enacted: 5/26/2011
Effective: 8/26/2011
Description: Amends NE ST § 38-2021 (Unprofessional conduct, defined) providing that performing an abortion upon a minor without having satisfied the new uncodified sections of this Act will constitute unprofessional conduct. Amends NE ST § 71-6902 (Performance of abortion; notice required) providing, that except in the case of a medical emergency, an abortion may not be performed on a pregnant woman less than 18 years of age without notarized written consent from the woman and her parent or guardian. Adopts in Section 5 of this Act, a new uncodified section authorizing a physician to obtain notarized written consent for an abortion from a grandparent if the pregnant woman signs a statement that she is a victim of abuse by her parent(s) or guardian. Amends NE ST § 71-6903 (Abortion; authorized by court; when; procedures; confidentiality; guardian ad litem) providing that the provisions of this Act apply to residents and non-residents. Amends the judicial bypass provision by inserting clear and convincing evidence as the standard of proof to show that the woman is both sufficiently mature and well-informed to decide whether to have the abortion if the pregnant woman elects not to obtain parental consent. Amends NE ST § 71-6906 (Performance of abortion; notice not required; when) providing consent is not required if a medical emergency exists or has been waived under NE ST § 71-6903 (Abortion; authorized by court; when; procedures; confidentiality; guardian ad litem). Amends NE ST § 71-6907 (Violation by physician; penalty; civil action; immunity) providing that any physician who knowingly and intentionally or with

Citation: 2011 NV S.B. 339 (NS)

Enacted: 6/10/2011

Effective: 1/1/2011

Description: Adopts uncodified sections requiring certain medical facilities to provide to their patients information relating to facility-acquired infections and to also post the information in public areas of the facility. Requires patients to be informed of a diagnosis of an infection as soon as practicable but not later than 5 days after the diagnosis is confirmed. Requires the medical facility to ensure that its health care providers establish protocols for providing the infection diagnosis information, including whether the infection was acquired at the medical facility and of the apparent source of the infection. Requires certain medical facilities to designate an infection control officer to carry out certain duties relating to the prevention and control of infections. Amends NV ST 439.800 (Definitions), to include cross references to these new sections. Amends NV ST 439.843 (Annual summaries of reports of sentinel events; compilation by Health Division; confidentiality) requiring the Department to post each patient safety plan on its Internet website. Amends NV ST 439.865 (Patient safety plan: Development; approval; notice; compliance), providing that the patient safety plan must include an infection control program and the facility must adopt an infection control policy. The guidelines for the policy are specified. The patient safety plan also must be reviewed and updated annually. Amends NV ST 439.875 (Patient safety committee: Establishment; composition; meetings; duties; proceedings and records are privileged), providing that the patient safety committee must include the infection control officer of the medical facility and review the measures to prevent and control infections at the facility.

2011 NV S.B. 36 - Dental Hygienists Examination

Citation: 2011 NV S.B. 36 (NS)

Enacted: 6/13/2011

Effective: 6/13/2011

Description: Amends NV ST 631.300 (Dental hygienists: Examination; issuance of certificate of registration), providing that a dental hygiene applicant must pass a clinical examination approved by the Board and the American Board of Dental Examiners or present evidence that they have passed such a clinical examination within the past 5 years.

2011 NV S.B. 419 - Safe Injection Practices

Citation: 2011 NV S.B. 419 (NS)

Enacted: 6/13/2011

Effective: 10/1/2011

Description: Adopts uncodified sections requiring certain facilities and professions to attest that they have knowledge of and are in compliance with the Centers for Disease Control and Prevention guidelines concerning safe injection practices. The issuance or renewal of their professional licenses are conditional on these attestations. The professions include physicians, perfusionists, nurses and pharmacists.

2011 NV S.B. 43 - Health Care Records

Citation: 2011 NV S.B. 43 (NS)

Enacted: 6/13/2011

Effective: 6/13/2011

Description: Adopts uncodified sections in Chapter 439 providing the standards to ensure the security and confidentiality of electronic health records. Amends NV ST 629.051 (Health care records: Retention), providing that the health care records that are created, authenticated and stored in a computer system must meet these new requirements.

2011 NV S.B. 58 - Grounds for Disciplinary Action

Citation: 2011 NV S.B. 58 (NS)

Enacted: 6/1/2011

Effective: 10/1/2011

Description: Amends NV ST 631.3475 (Malpractice; professional incompetence; disciplinary action in another state; substandard care; administration of controlled substance or dangerous drug; inebriety or addiction; gross immorality; conviction of certain crimes; certain operation of medical facility), NV ST 632.320 (Grounds for denial, revocation or suspension of license or certificate or other disciplinary action), NV ST 633.511 (Grounds for initiating disciplinary action), NV ST 639.210 (Grounds for suspension or revocation of certificate, license, registration or permit or denial of application) and NV ST 652.220 (Grounds for denial, suspension or revocation of license), to include as a violation, an employer's knowingly making a false statement or representation or concealment of a material fact regarding the eligibility of a person claiming industrial insurance benefits.

2011 NV S.B. 273 - Osteopathic Medicine

Citation: 2011 NV S.B. 273 (NS)

Enacted: 6/3/2011

Effective: 10/1/2011

Description: Adopts new uncodified sections in NV ST Title 54, Chapter 633 (Osteopathic Medicine) authorizing an osteopathic physician to engage in telemedicine if the osteopathic physician is properly licensed and meets specified criteria. Amends NV ST 633.071 ("Malpractice" defined), NV ST 633.471 (Prerequisites; notice to licensee; evidence of continuing medical education; exemption from fee), NV ST 633.491 (Retired licensees; inactive status; procedure to restore active status), NV ST 633.527 (Osteopathic physician required to report certain information concerning malpractice and sanctions imposed against osteopathic physician; administrative penalties for failure to report; reports deemed public records), NV ST 633.528 (Board required to conduct investigation after receiving certain reports concerning malpractice), NV ST 633.529 (Board authorized to order certain examinations of osteopathic physician after receiving certain reports concerning malpractice), NV ST 633.531 (Mandatory or optional filing of complaint; retention of complaints), NV ST 633.533 (General requirements for filing complaint; medical facilities and societies required to report certain information concerning privileges and disciplinary action; administrative penalties for failure to report; clerk of court required to report certain information concerning court actions), NV ST 633.561 (Mental or physical examination), NV ST 633.571 (Examination of medical competency), NV ST 633.581 (Summary suspension of license: Issuance of order; hearing; limitation on time for completing examination), NV ST 633.591 (Summary suspension of license: Stay by court of Board's order prohibited; exception), NV ST 633.601 (Injunctive relief), NV ST 633.651 (Required disciplinary action for violations; private reprimands prohibited; orders imposing discipline deemed public records), NV ST 633.671 (Judicial review), NV ST 633.681 (Reinstatement of license to practice osteopathic medicine), NV ST 633.691 (Immunity from civil action; Board prohibited from taking certain action against osteopathic physician for

disclosing violations to governmental entity or cooperating in related investigation, hearing or inquiry), NV ST 633.701 (Limitation or termination of licensee's privileges or criminal prosecution not precluded by disciplinary action; immunity from civil liability) and NV ST 633.721 (Sufficiency of allegations in criminal complaint charging unlawful practice) to include physician assistants. Amends NV ST 633.131 ("Unprofessional conduct" defined) to include physician assistants. Also adds that providing false, misleading or deceptive information to the Board in connection with an investigation conducted by the Board is considered unprofessional conduct. Amends NV ST 633.305 (Applications: Filing; action by Board) authorizing the Board to reject an application if the Board has cause to believe that information submitted with the application by the applicant is false, misleading, deceptive or fraudulent. Amends NV ST 633.311 (Qualifications of applicants) revising a requirement for licensure by the Board. Amends NV ST 633.351 (Right of appeal of unsuccessful applicant) reducing the amount of time an applicant may appeal from 6 months down to 30 days after the date on which the order rejecting the application is issued by the Board. Amends NV ST 633.391 (Temporary licenses) authorizing an osteopathic physician to apply for another temporary license after the expiration of one such license. Amends NV ST 633.400 (License by endorsement for person with license from District of Columbia or any state or territory of United States) making a technical correction. Amends NV ST 633.481 (Revocation of license to practice osteopathic medicine on expiration of notice of failure to renew; waiver of requirements for continuing education; restoration of license) shortening certain procedural deadlines with respect to the renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant. Amends NV ST 633.501 (Fees) authorizing the Board to prorate the initial license fee for a new license to practice as an osteopathic physician and physician assistant. Amends NV ST 633.511 (Grounds for initiating disciplinary action) and NV ST 633.651 (Required disciplinary action for violations; private reprimands prohibited; orders imposing discipline deemed public records) expanding the scope of the authority of the Board to discipline a physician assistant. Amends NV ST 633.711 (Injunctive relief against person practicing without license to practice osteopathic medicine) authorizing the Board to seek injunctive relief against a physician assistant for certain conduct. Amends NV ST 633.741 (Unlawful acts; penalty) providing that a person who practices as a physician assistant without a valid license or uses the identity of another person to do so is guilty of a category D felony.

2011 NV A.B. 289 - Dietitians and Nutritionists; Licensing

Citation: 2011 NV A.B. 289 (NS)

Enacted: 6/5/2011

Effective: 6/5/2011

Description: Adopts a new Chapter in NV ST Title 54 (Professions, Occupations and Businesses) providing for the licensure of dietitians by the State Board of Health. The new sections regulate the activities of persons who engage in the practice of dietetics and set forth the licensure requirements and the duties and scope of practice. The new provisions also authorize the Board to issue provisional and temporary licenses and provide for disciplinary proceedings. Further provides that, except for the suspension of a license, disciplinary action may not be initiated, investigated or imposed pursuant to this act before July 1, 2013. Also requires the Board to grant a license to engage in the practice of dietetics to a person who does not meet the qualifications for licensure but who was engaged in the practice of dietetics in this State before 2012 and meets the specified requirements. Amends NV ST 442.003 (Definitions) and NV ST 629.031 ("Provider of health care" defined) including licensed dietitians in the definition of "provider of health care."

2011 NV S.B. 117 - Physician Licensing

Citation: 2011 NV S.B. 117 (NS)
Enacted: 6/1/2011
Effective: 10/1/2011
Description: Amends NV ST 630.160 (Requirements for license to practice medicine; action by Board if Board receives information concerning applicant that differs from information previously received by Board), allowing a resident who is enrolled in a progressive postgraduate training program in the United States or Canada to be considered for a license to practice medicine after completing 24 months of the program and committing in writing to complete the program. Amends NV ST 630.171 (Applicant to furnish certificate of completion of progressive postgraduate training), requiring proof of satisfactory completion of the progressive postgraduate training program specified in NV ST 630.160 (Requirements for license to practice medicine) within 60 days after its completion.

2011 NV A.B. 545 - Population Basis Changes

Citation: 2011 NV A.B. 545 (NS)
Enacted: 6/4/2011
Effective: 7/1/2011
Description: Amends NV ST 450B.1975 (Endorsement to administer immunizations, dispense medication and respond to public health needs) changing the population basis from 400,000 to 700,000.

2011 NV S.B. 209 - Sentinel Event Reporting

Citation: 2011 NV S.B. 209 (NS)
Enacted: 6/1/2011
Effective: 7/1/2011
Description: Amends NV ST 439.840 (Reports of sentinel events: Duties of Health Division; confidentiality), requiring the Health Division to make available on its website certain sentinel event reports.

2011 NV S.B. 190 - Music Therapist Licensing

Citation: 2011 NV S.B. 190 (NS)
Enacted: 6/3/2011
Effective: 1/1/2012
Description: Amends NV ST 629.031 ('Provider of health care' defined), including music therapist in the definition of a "Provider of health care." Amends NV ST 632.472 (Persons required to report on conduct of licensees or holders of certificates; voluntary reports; immunity from civil liability), including music therapist in the list of persons required to report violations of the Nursing Chapter. For the purpose of issuing licenses, these sections are effective upon passage and approval. For all other purposes, these sections are effective 1/1/2012.

2011 NV S.B. 337 - Uniform Anatomical Gift Act

Citation: 2011 NV S.B. 337 (NS)
Enacted: 6/2/2011
Effective: 10/1/2011

Description: Amends NV ST 451.571 (Persons who may receive anatomical gift; purpose of anatomical gift) providing that certain anatomical gifts pass to a family member of the donor who is a medically suitable recipient for the gift and a resident of Nevada.

2011 NV S.B. 411 - Certified Medication Aides

Citation: 2011 NV S.B. 411 (NS)

Enacted: 6/4/2011

Effective: 10/1/2011

Description: Amends NV ST 630.293 (Physician prohibited from retaliating or discriminating against certain persons for reporting or participating in investigation or proceeding relating to sentinel event or conduct of physician or other persons or refusing to engage in unlawful conduct; restriction of right prohibited) and NV ST 630.296 (Legal remedy for certain retaliation or discrimination: Filing of action; damages; interest; equitable relief; rebuttable presumption in certain circumstances; civil penalty; limitation of action), expanding the applicability of certain provisions to include medication aides - certified.

2011 NV S.B. 420 - Long-Term Care Facility Licensing

Citation: 2011 NV S.B. 420 (NS)

Enacted: 6/3/2011

Effective: 7/1/2011

Description: Adopts a new uncodified section to Chapter 449 (Medical and Other Related Facilities), requiring intermediate care, skilled nursing and residential group facilities to adopt a written policy establishing the length of time it will hold a bed for a patient who must be temporarily transferred to another facility for medical reasons. The policy must also provide that the patient will be allowed to return to the first available bed if they do not return within the established time. The facility must provide the patients a copy of this policy. Amends NV ST 449.070 (Facilities exempt from 449.001 to 449.240, inclusive), NV ST 449.080 (License: Issuance; validity; transferability), NV ST 449.091 (Provisional License), NV ST 449.160 (Grounds for denial, suspension or revocation of license; revocation of license in connection with certain nuisance activity; log of complaints; information concerning complaint, investigation and disciplinary action to be provided to facility for the care of adults during the day; written report of complaints and disciplinary actions), NV ST 449.163 (Administrative sanctions: Imposition by Health Division; disposition of money collected), NV ST 449.220 (Action to enjoin violations), NV ST 449.230 (Entry and inspection of building and premises) and NV ST 654.190 (Authorized disciplinary action; grounds for disciplinary action; notice of hearing; orders imposing discipline deemed public records) to include references to the newly adopted section. Amends NV ST 449.095 (Operator of residential facility for groups: Posting of license and rates for services), requiring intermediate care, skilled nursing and residential group facilities to post certain contact information in a conspicuous location in the facility.

2011 NV A.B. 146 - Technical Corrections

Citation: 2011 NV A.B. 146 (NS)

Enacted: 5/27/2011

Effective: 7/1/2011

Description: Amends NV ST 639.230 (Licenses: Operation without license prohibited; conditions and limitations on issuance of license; duties upon change of partners or corporate officers; addi-

tional requirement for renewal; grounds for suspension or revocation; certain Canadian pharmacies not prohibited from providing prescription drugs through mail order service) and NV ST 639.2328 (Pharmacy located outside Nevada: Licensing; requirements; notice of licensing of Canadian pharmacy; recommendation that licensed Canadian pharmacy be included on website), updating cross references.

2011 NV A.B. 533 - Technical Corrections

Citation: 2011 NV A.B. 533 (NS)

Enacted: 5/29/2011

Effective: 7/1/2011

Description: Amends NV ST 449.730 (Patient to be informed of rights upon admission to facility or home for individual care; required disclosures and notices), updating a cross reference.

2011 NV A.B. 280 - Patient Safety Checklists

Citation: 2011 NV A.B. 280 (NS)

Enacted: 5/29/2011

Effective: 7/1/2011

Description: Adopts an uncodified section to Chapter 439 (Administration of Public Health), requiring patient safety committees to adopt patient safety checklists. Amends NV ST 439.800 (Definitions), NV ST 439.860 (Inadmissibility of certain information in administrative or legal proceeding), NV ST 439.865 (Patient safety plan: Development; approval; notice; compliance), NV ST 439.875 (Patient safety committee: Establishment; composition; meetings; duties; proceedings and records are privileged), NV ST 439.880 (Immunity from criminal and civil liability) and NV ST 439.885 (Violation by medical facility: Administrative sanction prohibited when voluntarily reported), to include cross references to the newly adopted section regarding safety checklists and require the checklists be included in the medical facility's patient safety plan.

2011 NV A.B. 535 - Referral of Persons to Group Residential Facilities

Citation: 2011 NV A.B. 535 (NS)

Enacted: 5/29/2011

Effective: 7/1/2011

Description: Adopts an uncodified section to Chapter 449 (Medical and Other Related Facilities), prohibiting the referral of patients to unlicensed group residential facilities or to group residential facilities which are not appropriate for the condition of the person being referred and provides penalties for violations. Amends NV ST 449.030 (License required to operate or maintain facility or to operate program of hospice care), NV ST 449.0305 (Businesses that provide referrals to residential facilities for groups: License required; standards and regulations; provision of referrals; prohibited acts; civil penalties) and NV ST 654.190 (Authorized disciplinary action; grounds for disciplinary action; notice of hearing; orders imposing discipline deemed public records), to include references to the newly adopted section.

2011 NV S.B. 131 - Perinatal Services

Citation: 2011 NV S.B. 131 (NS)

Enacted: 5/24/2011

Effective: 5/24/2011

Description: Amends NV ST 442.003 (Definitions), adding a definition for "Laboratory". Amends NV ST 442.008 (Examination of infants: Regulations; duties of physician, midwife, nurse, obstetric center or hospital; exemption), requiring the Health Division to provide for the services of a laboratory to perform the infant tests.

2011 NV S.B. 44 - Technical Correction

Citation: 2011 NV S.B. 44 (NS)

Enacted: 5/24/2011

Effective: 1/1/2012

Description: Amends NV ST 433.484 (Rights concerning care, treatment and training), revising the term used to refer to persons who receive services from "client" to "consumer".

2011 NV A.B. 50 - Hospice and Nursing Home Facility Licensing

Citation: 2011 NV A.B. 50 (NS)

Enacted: 5/24/2011

Effective: 1/1/2012

Description: Adopts a new uncodified section and amends NV ST 449.050 (Fees; exemption), NV ST 449.070 (Facilities exempt from 449.001 to 449.240, inclusive), NV ST 449.160 (Grounds for denial, suspension or revocation of license; revocation of license in connection with certain nuisance activity; log of complaints; information concerning complaint, investigation and disciplinary action to be provided to facility for the care of adults during the day; written report of complaints and disciplinary actions), NV ST 449.163 (Administrative sanctions: Imposition by Health Division; disposition of money collected), NV ST 449.210 (Penalties for unlicensed operation: Medical facility or facility for dependent; residential facility for groups), NV ST 449.220 (Action to enjoin violations), NV ST 449.705 (Facility or home to forward medical records upon certain transfers of patient), NV ST 449.710 (Specific rights: Information concerning facility; treatment; billing; visitation), NV ST 449.715 (Specific rights: Designation of persons authorized to visit patient in facility), NV ST 449.720 (Specific rights: Care; refusal of treatment and experimentation; privacy; notice of appointments and need for care; confidentiality of information concerning patient), NV ST 449.730 (Patient to be informed of rights upon admission to facility or home for individual care; required disclosures and notices) and NV ST 654.190 (Authorized disciplinary action; grounds for disciplinary action; notice of hearing; orders imposing discipline deemed public records), revising the provisions for certain extended care facilities. Allows the Health Division to collect the actual costs incurred to enforce the provisions governing licensure and operation of the facilities. The amendments authorize the Health Division to require the transfer of patients from a medical facility or facility for the dependent, at the expense of the facility, if the facility has exceeded its approved occupancy. Homes for individual residential care must meet all licensing and operating requirements applicable to facilities for the dependent.

2011 NV A.B. 537 - Unprofessional Conduct

Citation: 2011 NV A.B. 537 (NS)

Enacted: 5/18/2011

Effective: 10/1/2011

Description: Amends NV ST 630.306 (Inability to practice medicine; deceptive conduct; violation of statute

or regulation governing practice of medicine; unlawful distribution of controlled substance; injection of silicone; practice beyond scope of license; practicing experimental medicine without consent of patient; lack of skill or diligence; filing of false report; habitual intoxication; failure to report disciplinary action in another jurisdiction), NV ST 631.3475 (Malpractice; professional incompetence; disciplinary action in another state; substandard care; administration of controlled substance or dangerous drug; inebriety or addiction; gross immorality; conviction of certain crimes), NV ST 632.320 (Grounds for denial, revocation or suspension of license or certificate or other disciplinary action) and NV ST 633.511 (Grounds for initiating disciplinary action), prohibiting certain health care practitioners from knowingly procuring or administering certain drugs that are not approved by the United States Food and Drug Administration.

2011 NV A.B. 296 - Nursing Home Administrators Licensing

Citation: 2011 NV A.B. 296 (NS)
Enacted: 5/13/2011
Effective: 5/13/2011
Description: Amends NV ST 654.190 (Authorized disciplinary action; grounds for disciplinary action; notice of hearing; subpoenas; orders imposing discipline deemed public records; jurisdiction of Board), requiring that before the imposition of certain administrative sanctions, a nursing facility administrator be afforded an opportunity for a hearing.

2011 NV A.B. 55 - Dentists and Allied Personnel Licensing

Citation: 2011 NV A.B. 55 (NS)
Enacted: 5/10/2011
Effective: 5/10/2011
Description: Amends NV ST 631.271 (Limited license to practice dentistry or dental hygiene), updating the requirements for the issuance of a limited license for dentistry or dental hygiene. Amends NV ST 631.300 (Dental hygienists: Examination; issuance of certificate of registration), requiring applicants to pass a clinical examination approved by the American Board of Dental Examiners. Amends NV ST 631.345 (Fees), adding fees for administering a clinical examination in dentistry and dental hygiene.

NewHampshire

NH ADC MED 301.01 et al. - Physician Licensing

Citation: 2011 NH REG TEXT 226671 (NS)
Enacted: N/A
Effective: 4/12/2011
Description: Amends NH ADC MED 301.01 (Definitions), adding and updating several definitions. Amends NH ADC MED 301.02 (Application Process), providing that failing to remedy application deficiencies within 52 weeks will result in dismissal of the application. Amends NH ADC MED 301.03 (Application for an Unrestricted Permanent License), updating the title from "Application for Licensure." Requires the applicant to provide their social security number and disclose if they have not been actively engaged in the practice of clinical medicine within the past 12 months. Amends NH ADC MED 302.01 (Educational Requirements), providing that applicants from medical schools located outside the United States or Canada shall maintain the academic standard recognized by the United Nations World Health Organ-

ization. Amends NH ADC MED 303.01 (Examination Requirements), providing that the board shall waive the examination requirement for any applicant who is board certified. Amends NH ADC MED 303.02 (Candidates for USMLE Step 3), including institutions for postgraduate training, by candidates for USMLE Step 3, that are accredited by the Royal College of Physicians and Surgeons of Canada. Amends NH ADC MED 305.01 (Locum Tenens Licenses), updating the title from "Courtesy License" and changing the references to Courtesy License throughout the regulation. Requiring applicants for locum tenens licensure to provide addresses and telephone numbers of the applicant's prior 3-year practice locations. Also clarifies that the applicant's current license must covers the dates in which they are practicing in New Hampshire. Amends NH ADC MED 305.02 (Special Camp and Visiting Professor License), updating the title from "Special License" and providing the requirements for visiting professors. Amends NH ADC MED 305.03 (Administrative License), updating the title from "Resident Training License" and providing the requirements for an administrative license. Amends NH ADC MED 401.03 (Renewal Application), requiring the applicant to provide their social security number and providing for a fee if a renewal application form is returned to the board by the post office due to a wrong address. Amends NH ADC MED 402.01 (Continuing Medical Education), requiring 100 hours CME every 2 years, with 40 hours in Category I, and no more than 60 hours in Category II and updating other CME requirements. Amends NH ADC MED 402.02 (Reporting Requirements), providing that licensees will be provided a biennial CME report form prior to December 31st of the final year of their cycle. The form must be completed and returned on or before February 28th of the physician's renewal year. Failure to receive this form does not relieve licensees of the obligation to comply with these rules. The New Hampshire Medical Society will audit and report to the Board the failure to fulfill the CME requirements. Unless excused by the board for good cause, the board will pursue disciplinary action against licensees who fail to comply. Amends NH ADC Med 402.03 (Waiver of CME Deadlines), providing up to a 6-month extension to complete the CME requirements, if a CME waiver is approved by the board. Amends NH ADC MED 403.03 (Notice of Action), updating the title from "Noncompliance" and requiring board notification within 30 days of any notice of complaint, legal action, asserted claim for medical injury, or disciplinary action. Also requires board notification of any misdemeanor or felony criminal convictions within 30 days of the trial court disposition of the case.

New Jersey

NJ ADC 13:35-13.1 et al. - Professional Licensing

Citation: 2011 NJ REG TEXT 229065 (NS)

Enacted: N/A

Effective: 5/3/2011

Description: Amends NJ ADC 13:35-1.2 (Fifth Pathway), NJ ADC 13:35-3.11 (Standards for licensure of physicians graduated from medical schools not approved by American national accrediting agencies), NJ ADC 13:35-3.11A (Standards for licensure of physicians graduated from medical schools approved by recognized national accrediting agencies), NJ ADC 13:35-3.12 (Standards for licensure of physicians with post-secondary educational deficiencies) and NJ ADC 13:35-6.4 (Delegation of administration of subcutaneous and intramuscular injections to certified medical assistants) updating the listing of approval organizations for medical schools and accrediting organizations. Amends NJ ADC 13:35-3.13 (Criminal history record information), NJ ADC 13:35-6.19 (Duty to report changes in status), NJ ADC 13:35-11.4 (Duties of the Impairment Review Committee) and NJ ADC 13:35-11.6 (Colleague referrals) updating cross references and making technical changes. Amends NJ ADC 13:35-4A.6 (Standards for performing surgery and special procedures in an office; privileges necessary; pre-procedure

counseling; patient records; recovery and discharge), providing that a history and physical examination must be performed within 30 days preceding the proposed surgery instead of 14 days. Amends NJ ADC 13:35-4A.7 (Standards for administering or supervising the administration of anesthesia services in an office; pre-anesthesia counseling; patient monitoring; recovery; patient record; discharge of patient), changing the term "overstay area" to "overnight stay area." Amends NJ ADC 13:35-6.14 (Delegation of physical modalities to a licensed health care provider or an unlicensed physician aide), expanding the definition of "Licensed health care provider" to include an individual who holds a current, valid license as an occupational therapist. Amends NJ ADC 13:35-6.15 (Continuing medical education), providing for other proof of delivery methods for requests sent to the Board office. Amends NJ ADC 13:35-6.17 (Professional fees and investments, prohibition of kickbacks), providing that a licensee may offer to and provide to a patient, at fair market value, medical goods and devices such as hearing aids, eyeglasses, contact lenses, prosthetic devices, orthotics, etc. Amends NJ ADC 13:35-6.20 (Physician delegation of tasks to radiologic technologists and nuclear medicine technologists), updating the list of tasks a technologist may perform. Note: These amendments are effective June 6, 2011. Readopts NJ ADC 13:35-3.1 (Licensing examination; physicians), NJ ADC 13:35-3.2 (Endorsement; physicians), NJ ADC 13:35-3.6 (Bioanalytical laboratory director license, plenary or specialty, granted to physicians), NJ ADC 13:35-3.7 (Limited exemption from licensure; physicians), NJ ADC 13:35-3.14 (Biennial license renewal; license suspension; reinstatement of suspended license; inactive status; return from inactive status), NJ ADC 13:35-6.7 (Minimum standards for the performance of new or novel procedures in the office setting), NJ ADC 13:35-7.5A (Limitations on prescribing, administering or dispensing of drugs for the treatment of obesity), NJ ADC 13:35-13.1 (Purpose and scope), NJ ADC 13:35-13.10 (Temporary license; supervision), NJ ADC 13:35-13.12 (Change of license status: inactive to active), NJ ADC 13:35-13.13 (Reinstatement of suspended license), NJ ADC 13:35-13.14 (Duty to report change in status), NJ ADC 13:35-13.15 (Suspension, revocation or refusal to renew license), NJ ADC 13:35-13.16 (Continuing education), NJ ADC 13:35-13.2 (Definitions), NJ ADC 13:35-13.4 (Notification of change of address and record), NJ ADC 13:35-13.5 (Licensure under grandfathering), NJ ADC 13:35-13.6 (Licensing requirements for perfusionist), NJ ADC 13:35-13.7 (Grace period for practicing without licensure pending application), NJ ADC 13:35-13.8 (Licensure by reciprocity) and NJ ADC 13:35-13.9 (License required for designation as perfusionist) without any changes. Note: The readoptions without changes are effective May 3, 2011.

2010 NJ S.B. 2458 - Patient Rights

Citation: 2010 NJ S.B. 2458 (NS)

Enacted: 4/20/2011

Effective: 5/20/2011

Description: Adopts uncodified section within Title 26 (Health and Vital Statistics), requiring assisted living facilities and comprehensive personal care homes to distribute a statement of resident rights to each resident, and post it in a conspicuous, public place. Requires providers to inform each resident, the resident's family member, or the resident's legally appointed guardian of the resident's rights, provide explanations if needed, and ensure they sign a copy of statement of rights.

NJ ADC 8:85-1.17 et. al - Long-Term Care Services

Citation: 2011 NJ REG TEXT 233351 (NS)

Enacted: N/A

Effective: 3/24/2011

Description: Reviews NJ ADC 8:85-1.17 (Residents rights) and readopts with no changes. The readoption is effective March 24, 2011. Amends NJ ADC 8:85-1.2 (Definitions), adding and revising several definitions. The amendment is effective April 18, 2011.

NJ ADC 8:18-1.2 et al. - Newborn Biochemical Screening

Citation: 2011 NJ REG TEXT 241794 (NS)

Enacted: N/A

Effective: 3/8/2011

Description: Readopts the following rules without changes: NJ ADC 8:18-1.2 (Definitions), NJ ADC 8:18-1.4 (Responsibilities of the chief executive officer), NJ ADC 8:18-1.5 (Responsibilities of the birth attendant), NJ ADC 8:18-1.6 (Responsibilities of the responsible physician), NJ ADC 8:18-1.9 (Responsibilities of the testing laboratory), NJ ADC 8:18-1.12 (Exemption from testing) and NJ ADC 8:18-1.14 (Provision of notice of availability of supplemental newborn screening; Acknowledgement; retention). Amends NJ ADC 8:18-1.3 (Diseases and conditions tested) adding new subsection (f) to identify the 33 additional conditions for which the testing laboratory has been conducting screening since May 2009. Note: This section is effective April 4, 2011.

2010 NJ S.B. 817 - Hospital Infection Control and Disease Prevention; Reporting

Citation: 2010 NJ S.B. 817 (NS)

Enacted: 4/6/2011

Effective: 4/6/2011

Description: Amends NJ ST 26:2H-12.41 (Quarterly reports by general hospitals; form and contents) removing the provision prohibiting the transmission of data with identifying information about patients.

NJ ADC 8:34-1.2 et. al - Nursing Home Administrator Licensing

Citation: 2011 NJ REG TEXT 223116 (NS)

Enacted: N/A

Effective: 4/4/2011

Description: Amends and recodifies NJ ADC 8:34-1.6 (General definitions) as NJ ADC 8:34-1.2 (Definitions) adding, deleting and amending terms. Amends NJ ADC 8:34-3.1 (Requirements for license by examination) increasing the minimum age of eligibility to apply for a license as a nursing home administrator from 18 to 21. Removes the cross-reference to NJ ADC 8:34-4.4 and removes references to "administrators in training" (AITs) or "assistant administrators" and adds in their place, references to "administrative interns" for consistency. Amends NJ ADC 8:34-3.2 (Application procedure) providing that the application to be completed is located in Appendix A, which is incorporated by reference into the rule. Also provides in subsection (10) that the applicant is to sign the application. Amends NJ ADC 8:34-4.1 (Administrative experience requirement) removing references to "administrators in training" and replacing with "administrative interns". Also adds that the Board is to approve an organizational chart, along with the job description for an applicant for an administrative intern training program. Amends NJ ADC 8:34-4.4 (Equivalency of internship requirement) eliminating the option of a six-month full-time internship provision for an applicant who possesses a Master's degree and who has not completed an approved internship through the Master's program. Amends NJ

ADC 8:34-5.2 (Examination schedule), NJ ADC 8:34-5.6 (Records of examination) and NJ ADC 8:34-5.7 (Re-examination) making technical and clarifying changes and replacing the terms "administrators in training" (AITs) or "assistant administrators" with "administrative interns." Amends NJ ADC 8:34-6.1 (Granting of license) deleting the requirement at subsection (b) that an applicant that does not comply with the provisions of this chapter shall not be issued a license. Recodifies existing subsection (c) as subsection (b) and deletes outdated date. Amends NJ ADC 8:34-6.2 (Renewal of license) replacing "Board" with "Department" as the license issuing entity in subsection (b). Requires the completion of 60 hours of continuing education instead of 40 hours. Revises subsection (d)(4) providing that an applicant licensed for less than seven months need not complete any continuing education credits prior to renewal. Amends NJ ADC 8:34-6.3 (Use of the title "Licensed Nursing Home Administrator") and NJ ADC 8:34-6.9 (Inactive status) making clarifying changes. Amends NJ ADC 8:34-6.5 (Duplicate license) replacing "Board" with "Department" as the license issuing entity. Amends NJ ADC 8:34-6.6 (Change of name, address and/or employment) changing title from "Change of name." Requires administrators to notify the Board in writing within 15 calendar days of any change in the administrator's name, home address or place of employment. Amends NJ ADC 8:34-6.7 (Change of notification requirements) deleting subsections (a) and (b) as the requirements to notify the Board of any change in the administrator's home address or place of employment have been transferred to NJ ADC 8:34-6.6 (Change of name, address and/or employment). Amends NJ ADC 8:34-6.8 (License by equivalency) providing that the application to be completed, signed and notarized is located in Appendix A, incorporated by reference. Also provides that individuals seeking licensure by equivalency who does not meet the requirements may be issued a license if the individual has worked at least two years, instead of one, within three years, instead of two, in an out-of-State nursing home. Amends NJ ADC 8:34-7.2 (License renewal continuing education credit requirement) requiring administrators to attest, by signature on a renewal application, as to the completion of the continuing education requirement, and would establish penalties for the falsification of any information on a renewal application. Additionally, requires 4 of the CEU hours to be in professional ethics. Amends NJ ADC 8:34-7.3 (Sources of continuing education credit hours) establishing a list of continuing education providers from which the Board will accept continuing education credits. Also provides one CEU hour for each hour of class presentation time, when teaching a course, seminar, workshop or program for the first time. Repeals NJ ADC 8:34-7.4 (Program approval). Renumbers subsequent sections pursuant to repeal. Amends and recodifies NJ ADC 8:34-7.5 as NJ ADC 8:34-7.4 (Record of continuing education credits) making clarifying changes. Amends and recodifies NJ ADC 8:34-7.6 as NJ ADC 8:34-7.5 (Extension of time) making clarifying changes. Amends and recodifies NJ ADC 8:34-7.7 as NJ ADC 8:34-7.6 (Waiver of continuing education credits) making clarifying changes and providing that a waiver of continuing education requirements is limited to only one licensure period. Repeals existing NJ ADC Subchapter 8, Suspension, Revocation, Sanctions and Hearings, and adopts new NJ ADC Subchapter 8, Administrative Practice Violations and Due Process. New sections include: NJ ADC 8:34-8.1 (Scope), NJ ADC 8:34-8.2 (Administrative practice violations) and NJ ADC 8:34-8.3 (Due process). Amends NJ ADC 8:34-9.1 (Fees and charges) deleting all fees relating to continuing education approvals. Increases fees for duplicate licenses and increases the penalty for failing to report changes in name, home address, or place of employment when serving as the administrator of record.? Adopts NJ ADC 8:34 APP. A (Application for Nursing Home Administrator License).? Readopts the following rules without changes: NJ ADC 8:34-5.1 (Examination requirements), NJ ADC 8:34-5.3 (Examination fee), NJ ADC 8:34-5.4 (Subjects for examination), NJ ADC 8:34-5.5 (Grading of examinations), NJ ADC 8:34-5.8 (Ineligibility), NJ ADC 8:34-6.4 (Display of license) and NJ ADC 8:34-8.4 (Restoration and reinstatement of licenses). NOTE: Readopted rules are effective March 2, 2011.

NJ ADC 8:43G-6.3 - Hospital Anesthesia Services

Citation: 2011 NJ REG TEXT 233349 (NS)
Enacted: N/A
Effective: 2/22/2011
Description: Notice of Administrative Correction amends NJ ADC 8:43G-6.3 (Anesthesia staff: qualifications for administering anesthesia), clarifying that advance practice nurses without specialization in anesthesia will continue to be authorized to perform minor regional blocks.

NJ ADC 13:45G-1.2 et seq. - Consumer Complaints

Citation: 2011 NJ REG TEXT 241813 (NS)
Enacted: N/A
Effective: 3/21/2011
Description: Adopts a new Chapter 45g regarding the disposition of consumer complaints. Whenever a board, the Director of the Division of Consumer Affairs through the Attorney General, or the Attorney General receives a consumer complaint, a final disposition must be rendered within 120 days. The 120-day period may be tolled for certain events. Adopted rules include NJ ADC 13:45G-1.2 (Scope), NJ ADC 13:45G-1.3 (Definitions), NJ ADC 13:45G-1.4 (Time period for disposition of consumer complaints) and NJ ADC 13:45G-1.5 (Perfecting a consumer complaint).

NewMexico**2011 NM S.B. 101 - Confidentiality of Records of Review Organization**

Citation: 2011 NM S.B. 101 (NS)
Enacted: 4/7/2011
Effective: 6/17/2011
Description: Amends NM ST § 41-9-5 (Confidentiality of Records of Review Organization), providing that the New Mexico medical board may subpoena information presented during a review proceeding. The information must remain confidential. The New Mexico medical board may not issue subpoenas requesting person testify regarding what transpired at a review meeting or their opinions formed as a result of the meeting.

2011 NM H.B. 187 - Dentists and Allied Personnel Licensing

Citation: 2011 NM H.B. 187 (NS)
Enacted: 4/7/2011
Effective: 6/17/2011
Description: Amends NM ST § 61-5a-3 (Definitions), NM ST § 61-5a-4 (Scope of Practice), NM ST § 61-5a-5 (License Required--Exemptions), NM ST § 61-5a-6 (Certification of Dental Assistants, Expanded-Function Dental Auxiliaries and Community Dental Health Coordinators), NM ST § 61-5a-12 (Dentists--Requirements For Licensure--Specialty License), NM ST § 61-5a-16 (License and Certificate Renewals) and NM ST § 61-5a-20 (Fees), and adopts two new sections Expanded-Function Dental Auxiliary--Certification and Public-Service Licensure. The amendments incorporate the rules for community dental health coordinator and expanded-function dental auxiliary. These are new classifications for dental assistants, dental hygienists or other trained personnel who may work under supervision of a dentist. The prac-

tice of dental hygiene is clarified, including the administering of anesthetic requirements. Also, provides for a temporary public-service license to practice dentistry or dental hygiene for an applicant who is licensed to practice dentistry or dental hygiene in another state or who is a dental resident in New Mexico.

2011 NM H.B. 107 - Naprapathic Practice Board

Citation: 2011 NM H.B. 107 (NS)
Enacted: 4/2/2011
Effective: 7/1/2011
Description: Amends NM ST § 61-6-6 (Definitions), including naprapath in the definition of "licensee".

New York

14 NY ADC 828.11 et al. - Substance Abuse Treatment

Citation: 2011 NY REG TEXT 258705 (NS)
Enacted: N/A
Effective: 5/11/2011
Description: Continues emergency rule revising Title 14 (Department of Mental Hygiene) Part 828 (Opioid Treatment Program) in order to make rules more reflective of current opioid treatment services and advances in toxicology testing and pharmacology. Revises rules bringing them in alignment with Federal regulations. Amendments do not affect current health care content. Note: This rule expires August 8, 2011.

10 NY ADC 59.2 - Technical Standards for Alcohol Testing

Citation: 2011 NY REG TEXT 256330 (NS)
Enacted: N/A
Effective: 4/18/2011
Description: Amends by emergency regulation, 10 NY ADC 59.2 (Techniques and methods for determining blood and urine alcohol), updating the technical standards for blood and urine alcohol testing.

2011 NY S.B. 2809 - Laboratory Licensing; Adverse Event Reporting

Citation: 2011 NY S.B. 2809 (NS)
Enacted: 3/31/2011
Effective: 4/1/2011
Description: Amends NY PUB HEALTH § 571 (Definitions), updating the definition for "Reference system". Amends NY PUB HEALTH § 575 (Issuance of permits), providing that permit application will be in a manner and format prescribed by the department, and all fees and outstanding penalties must be paid before a permit will be issued. Also provides that a category on a permit shall become void by a change in the director for that category. Amends NY PUB HEALTH § 576 (Duties and powers of the department), updating section 4(c) requiring each clinical laboratory and blood bank to report their gross annual receipts for all activities performed. Amends NY PUB HEALTH § 577 (Enforcement), providing for disciplinary action if the certificate holder, owner or director, or one their employees is found to be in noncompliance and fails to address such findings as required by the department. Amends NY PUB HEALTH § 2805-1 (Adverse event reporting), updating the title from Incident reporting and

clarifying that "hospital" means any general hospital or diagnostic and treatment center. Authorizing the commissioner to consult with experts regarding adding, modifying or eliminating one or more adverse events by regulation consistent with national consensus standards. Providing the department shall analyze event reports, identify successful methods to correct the failures, communicate to facilities the department's conclusions and recommendations for corrective action. NOTE: The amendment to NY PUB HEALTH § 2805-1 is effective September 28, 2011.

10 NY ADC 69-1.2 - Perinatal Services; Diseases and Conditions Tested

Citation: 2011 NY REG TEXT 253805 (NS)
Enacted: N/A
Effective: 3/16/2011
Description: Amends 10 NY ADC 69-1.2 (Diseases and conditions tested) continuing previous emergency rule. Adds one inherited disorder of the immune system to the scope of newborn screening services, severe combined immunodeficiency (SCID). The emergency rule will expire June 13, 2011.

NorthCarolina

2011 NC S.B. 384 - Americans with Disabilities Act

Citation: 2011 NC S.B. 384 (NS)
Enacted: 5/26/2011
Effective: 5/26/2011
Description: Amends NC ST § 168A-4 (Reasonable accommodation duties), including covered governmental entities in the list of entities to be apprised of a reasonable accommodation request.

21 NC ADC 16M.0101 - Dentist Licensing Fees

Citation: 2011 NC REG TEXT 244453 (NS)
Enacted: N/A
Effective: 5/1/2011
Description: Amends 21 NC ADC 16M.0101 (Dentists), increasing the fee for renewal of general dentistry license to \$289.00.

10A NC ADC 41A.0101 - Reportable Diseases and Conditions

Citation: 2011 NC REG TEXT 237339 (NS)
Enacted: N/A
Effective: 4/1/2011
Description: Amends 10A NC ADC 41A.0101 (Reportable Diseases and Conditions), to require the reporting of all deaths caused by influenza virus infection.

21 NC ADC 32B.0601 et al. - Physician Licensing

Citation: 2011 NC REG TEXT 241218 (NS)
Enacted: N/A

Effective: 3/1/2011

Description: Amends 21 NC ADC 32B.1301 (Definitions), adding definitions for Area of Practice, Core Competencies, Intensity of Practice, Mentoring Physician, Reentry Plan, Reentry Agreement and Reentry Period. Amends 21 NC ADC 32B.1303 (Application for Physician License), requiring the submitted photograph to be attested by a notary as a true likeness of the applicant. Includes the American Osteopathic Association (AOA) and Committee for the Accreditation of Canadian Medical Schools (CACMS) as approving organizations for medical or osteopathic schools. Also revises the requirements for submitting a FCVS profile. These amendments are effective October 1, 2011. Adopts 21 NC ADC 32B.1370 (Reentry to Active Practice), providing the procedures for a physician or physician assistant who has not actively practiced to reenter active practice. Adopts 21 NC ADC 32B.1501 (Scope of Practice Under Medical School Faculty License), providing a physician holding a Medical School Faculty License may practice only within the confines of the medical school or its affiliates. Adopts 21 NC ADC 32B.1502 (Application for Medical School Faculty License), providing the procedures for obtaining a Medical School Faculty License. Repeals 21 NC ADC 32B.0601 (Application and Limitation), 21 NC ADC 32B.0602 (Certification of Graduation), 21 NC ADC 32B.0801 (Definition Of Practice), 21 NC ADC 32B.0802 (Eligibility Requirements), 21 NC ADC 32B.0803 (Application), 21 NC ADC 32B.0804 (Fee), 21 NC ADC 32B.0805 (Certified Photograph and Certificate Of Graduation), 21 NC ADC 32B.0806 (Verification of Medical Licensure), 21 NC ADC 32B.0807 (Letters of Recommendation) and 21 NC ADC 32B.0808 (Personal Interview) as part of the reorganization of the licensing rules.

NorthDakota

2011 ND H.B. 1092 - Nursing License

Citation: 2011 ND H.B. 1092 (NS)

Enacted: 5/9/2011

Effective: 8/1/2011

Description: Amends ND ST 43-12.1-04 (Persons exempt from provisions of chapter), clarifying that a student practicing nursing as a part of an in-state board-approved nursing education program is exempt from the Nurse Practice Act.

2011 ND H.B. 1041 - Nurse Aide Registry

Citation: 2011 ND H.B. 1041 (NS)

Enacted: 4/28/2011

Effective: 8/1/2011

Description: Amends ND ST 43-12.1-02 (Definitions), updating the definition for "Unlicensed assistive person". Amends ND ST 43-12.1-04 (Persons exempt from provisions of chapter), providing the Nurse Practices Act does not apply to individuals registered on the state department of health nurse aide registry. Amends ND ST 43-12.1-16 (Delegation of medication administration), providing that a licensed nurse may delegate medication administration to individuals registered on the state department of health nurse aide registry. Adopts ND ST 43-12.1-16.1 (Supervision and delegation of nursing interventions) providing that a nurse may supervise and delegate nursing interventions to individuals registered on the state department of health nurse aide registry.

2011 ND H.B. 1174 - Medical Records

Citation: 2011 ND H.B. 1174 (NS)
Enacted: 4/27/2011
Effective: 8/1/2011
Description: Amends ND ST 23-12-14 (Copies of medical records and medical bills.), updating the title from Copies of medical records, and requiring health care providers to also provide medical bills when receiving a signed authorization from the patient. Also permits the records or bills to be submitted in an electronic, digital, or other computerized format at a charge of \$30 for the first 25 pages and 25 cents for each additional page.

2011 ND S.B. 2067 - Newborn Testing

Citation: 2011 ND S.B. 2067 (NS)
Enacted: 4/26/2011
Effective: 8/1/2011
Description: Amends ND ST 25-17-00.1 (Definitions), including "genetic disease" along with "Metabolic disease" as diseases designated by the state health council for which early identification and timely intervention will lead to a significant reduction in mortality, morbidity, and associated disabilities. Amends ND ST 25-17-04 (Testing and reporting requirements), requiring the parents be provided with written information regarding the nature of the proposed testing. Also provides that the testing requirements do not apply if the parents of a newborn child object to the testing.

2011 ND S.B. 2271 - Physician Licensing

Citation: 2011 ND S.B. 2271 (NS)
Enacted: 4/26/2011
Effective: 8/1/2011
Description: Amends ND ST 43-17-41 (Duty of physicians and others to report injury - Penalty), to include a naturopath in the list of individuals with a duty to report injury. Amends ND ST 43-17-02 (Persons exempt from the provisions of chapter), exempting a duly licensed naturopath from the provisions of the Physicians and Surgeons chapter.

2011 ND S.B. 2199 - Respiratory Therapists Licensing

Citation: 2011 ND S.B. 2199 (NS)
Enacted: 4/25/2011
Effective: 8/1/2011
Description: Amends ND ST 12-60-24 (Criminal history record checks) and adopts a new section to chapter 43-42 of the North Dakota Century Code, providing for criminal history record checks for respiratory therapists.

2011 ND S.B. 2035 - Pharmacist Licensing

Citation: 2011 ND S.B. 2035 (NS)
Enacted: 4/25/2011
Effective: 8/1/2011
Description: Amends ND ST 43-15-01 (Definitions), updating the definition of "Administration" as relates

to pharmacist administration of immunizations and vaccinations to minors.

2011 ND H.B. 1325 - Nursing Home Facility Licensing

Citation: 2011 ND H.B. 1325 (NS)

Enacted: 4/20/2011

Effective: 8/1/2011

Description: Amends ND ST 23-16-01.1 (Moratorium on expansion of long-term care bed capacity), updating the time period when nursing facility beds may not be added to the state's licensed bed capacity. The new time period is August 1, 2011 to July 31, 2013. Provides new time limits for delicensing, relicensing, converting of bed capacity and transferring of beds by a nursing facility.

2011 ND H.B. 1040 - Nursing Home Facility Licensing

Citation: 2011 ND H.B. 1040 (NS)

Enacted: 4/19/2011

Effective: 8/1/2011

Description: Amends ND ST 23-16-01.1 (Moratorium on expansion of long-term care bed capacity), updating the time period when nursing facility beds may not be added to the state's licensed bed capacity. The new time period is August 1, 2011 to July 31, 2013.

2011 ND H.B. 1039 - Professional Review; Confidential Information

Citation: 2011 ND H.B. 1039 (NS)

Enacted: 4/18/2011

Effective: 8/1/2011

Description: Amends ND ST 23-34-02 (Peer review records--Confidentiality) correcting the name of the "North Dakota healthcare association" and replacing it with "North Dakota hospital association."

2011 ND H.B. 1297 - Informed Consent; Abortions

Citation: 2011 ND H.B. 1297 (NS)

Enacted: 4/18/2011

Effective: 8/1/2011

Description: Amends ND ST 14-02.1-03 (Consent to abortion - Notification requirements) updating terminology and clarifying language. Amends ND ST 14-02.1-03.1 (Parental consent or judicial authorization for abortion of unmarried minor--Statement of intent) providing a court may change the venue of proceedings under this section to another county only upon finding that a transfer is required in the best interests of the minor. Also clarifies that required findings made by the judge or referee must be made by clear and convincing evidence.

2011 ND H.B. 1222 - International Medical School Graduates

Citation: 2011 ND H.B. 1222 (NS)

Enacted: 4/11/2011

Effective: 8/1/2011

Description: Amends ND ST 43-17-18 (License requirements), changing the requirements for graduates of international medical schools to "30 months" of postgraduate training in a program located in the United States and to the "last eighteen months" of postgraduate training for professional experience and training that is substantially equivalent.

ND ADC 20-01-02-01 et al. - Dentists and Allied Personnel Licensing

Citation: 2011 ND REG TEXT 232552 (NS)

Enacted: N/A

Effective: 1/1/2011

Description: Amends ND ADC 20-01-02-01 (Definitions), ND ADC 20-02-01-01 (Advertising), ND ADC 20-02-01-02 (Office emergency), ND ADC 20-02-01-03 (Nitrous oxide), ND ADC 20-02-01-04 (Temporary license to practice dentistry), ND ADC 20-02-01-04.2 (Volunteer license to practice dentistry), ND ADC 20-02-01-04.3 (Inactive status - License reinstatement), ND ADC 20-02-01-05 (Permit for anesthesia use), ND ADC 20-02-01-06 (Continuing dental education for dentists), ND ADC 20-02-01-09 (Retention of records), ND ADC 20-03-01-01 (Duties), ND ADC 20-03-01-02 (Prohibited services), ND ADC 20-04-01-01 (Duties), ND ADC 20-04-01-02 (Prohibited services) and ND ADC 20-05-01-01 (Fees). Adopts ND ADC 20-02-01-03.1 (Additional requirements for licensure by examination), ND ADC 20-02-01-03.2 (Additional requirements for licensure by credential review), ND ADC 20-02-01-03.3 (Additional requirements for applications), ND ADC 20-02-01-03.4 (Clinical competency examination retakes), ND ADC 20-03-01-05 (Registration of registered and qualified dental assistants), ND ADC 20-03-01-06 (Continuing dental education for qualified and registered dental assistants), ND ADC 20-04-01-04 (Additional requirements for licensure by examination), ND ADC 20-04-01-05 (Additional requirements for licensure by credential review), ND ADC 20-04-01-06 (Additional requirements for applications), ND ADC 20-04-01-07 (Inactive status - License reinstatement) and ND ADC 20-04-01-08 (Continuing dental education for dental hygienists). Repeals ND ADC 20-03-01-03 (Annual registration of dental assistants performing expanded duties) and ND ADC 20-03-01-04 (Criteria for dental assistants placing sealants). These changes update the general practice and licensing requirements for dentists, dental assistants and dental hygienists.

ND ADC 54-01-03-01 et al. - Registered Nurses Licensing

Citation: 2011 ND REG TEXT 231601 (NS)

Enacted: N/A

Effective: 4/1/2011

Description: Amends ND ADC 54-01-03-01 (Definitions), adding definitions for "Emergency suspension" and "Letter of concern". Removes definition for "Temporary suspension." Amends ND ADC 54-02-06-01 (Application and fee for license by endorsement), providing the board with discretion to determine if the applicant has demonstrated continued competency. Amends ND ADC 54-02-07-01.1 (Grounds for discipline), adding a positive drug test and the failure to report as required by ND ADC 54-02-07-03.1 (Reporting violations) to list of acts that are grounds for discipline. Amends ND ADC 54-02-07-03.1 (Reporting violations), adding a self-reporting requirement for any criminal, malpractice, administrative, civil, or disciplinary action in another jurisdiction or any other action for any conduct that may affect patient safety or otherwise relates adversely to the practice of nursing. Amends ND ADC 54-02-07-04.1 (Evidence and evaluation of treatment), providing that if there is failure to submit to an evaluation within 30 days of the request, the board may suspend the individual's license or registration. Amends ND ADC 54-02-07-05.2 (Emergency suspension), changing the title from

"Temporary Suspension" and clarifying that the emergency suspension applies to a licensee, registrant, applicant, or any other individual with authority to practice nursing under any privilege. Amends ND ADC 54-02-07-05.4 (Cease and desist order), clarifying that a cease and desist order applies to a licensee, registrant, applicant, or any other individual with authority to practice nursing under any privilege. Amends ND ADC 54-02-07-06 (Board decision), providing that an encumbered license or registration shall include the following statement: "License or registration is encumbered. Please contact the board of nursing." Amends ND ADC 54-02-10-02 (Definitions), adding a definition for "Multistate disciplinary case". Amends ND ADC 54-02-10-02.2 (Limitations on multistate licensure privilege - Discipline), updating the title from "Limitations on multistate licensure privilege" and providing that an individual who had a license surrendered, revoked, or suspended, or had an application inspection denied for cause, in a prior state, may be issued a single state license in a new primary state of residence until such time as the individual would be eligible for an unrestricted license by the prior state.

ND ADC 33-06-01-01 - Disease Prevention; Reportable Conditions

Citation: 2011 ND REG TEXT 214343 (NS)
Enacted: N/A
Effective: 1/1/2011
Description: Amends ND ADC 33-06-01-01 (Reportable conditions), updating the list of reportable conditions.

Ohio

OH ADC 5122-14-01 et al. - Psychiatric Services

Citation: 2011 OH REG TEXT 253086 (NS)
Enacted: N/A
Effective: 7/1/2011
Description: Amends OH ADC 5122-14-01 (Definitions), updating several definitions. Amends OH ADC 5122-14-02 (Accreditation), providing that inpatient psychiatric service providers must be accredited under a hospital accreditation program by either the Joint Commission (TJC), Healthcare Facilities Accreditation Program (HFAP) or DNV Healthcare Inc (DNV). Amends OH ADC 5122-14-03 (Licensure procedure), updating requirements. Amends OH ADC 5122-14-04 (Classification of licenses), providing an inpatient psychiatric service provider applying for its first license, and who has preliminary, accreditation will be issued an interim license until it obtains full accreditation from either TJC, HFAP, or DNV. Amends OH ADC 5122-14-05 (Termination of license), clarifying that the notice of the department's intent to deny or revoke a license must be provided to the inpatient psychiatric service provider. Amends OH ADC 5122-14-06 (Waivers and variances), providing that the request for a waiver or variance must clearly state the licensure rule of the waiver/variance request. Amends OH ADC 5122-14-07 (Display of license), providing that the license must be displayed in a conspicuous place which is readily accessible to the patients and the public. Amends OH ADC 5122-14-12 (Program, specialty services and discharge planning requirements) updating the title from "Program, specialty services and aftercare requirements" and updating requirements. Amends OH ADC 5122-14-13 (Medical records, documentation and confidentiality), providing that for patients with a guardian, all consent forms need to be signed and dated by the guardian. If the guardian is unable to provide written consent, the provider may obtain and document verbal consent under certain conditions.

2011 OH H.B. 93 - Physician; Dentist; RN; Disciplinary Action

Citation: 2011 OH H.B. 93 (NS)

Enacted: 5/20/2011

Effective: 5/20/2011

Description: Amends OH ST § 4715.30 (Grounds for disciplinary action; alternatives; automatic suspension) including failure to comply with certain drug database requirements as a reason for disciplinary action. Amends OH ST § 4723.28 (Denial, revocation, suspension, or restriction of certificate or license; fines; mental or physical examinations; investigations; criminal records check), providing the board may disclose information to government entities investigating a licensed health care professional, including a registered nurse. The government entities may not divulge the information to any other person or government entity except for the purpose of a government investigation, a prosecution, or an adjudication by a court or government entity. Amends OH ST § 4731.22 (Grounds for refusal to grant and revocation of certificate; hearing and investigation; report; medical examinations; automatic suspension; quality intervention program (later effective date)), clarifying that certain actions taken by agencies responsible for authorizing, certifying, or regulating an individual to practice a health care occupation or provide health care services in this state are grounds for disciplinary actions.

OH ADC 3701-83-01 et al. - Ambulatory Surgical Center Licensing

Citation: 2011 OH REG TEXT 249614 (NS)

Enacted: N/A

Effective: 4/24/2011

Description: Amends OH ADC 3701-83-01 (General definitions), OH ADC 3701-83-03 (General provisions and prohibitions), OH ADC 3701-83-04 (License application and renewal procedures), OH ADC 3701-83-05 (Issuance, renewal, and denial of licenses), OH ADC 3701-83-06 (Inspections), OH ADC 3701-83-08 (General personnel and staffing requirements), OH ADC 3701-83-09 (General service standards), OH ADC 3701-83-11 (General medical records requirements), OH ADC 3701-83-12 (General quality assessment and performance improvement), OH ADC 3701-83-13 (Complaints), OH ADC 3701-83-15 (Definitions - ambulatory surgical facilities), OH ADC 3701-83-16 (Governing body - ambulatory surgical facilities), OH ADC 3701-83-18 (Personnel and staffing requirements - ambulatory surgical facilities) and OH ADC 3701-83-19 (Service standards), updating the rules and requirements for ambulatory surgical facilities and certain freestanding health care facilities.

OH ADC 4765-1-01 et al. - EMTS Licensing

Citation: 2011 OH REG TEXT 247764 (NS)

Enacted: N/A

Effective: 4/1/2011

Description: Amends OH ADC 4765-1-01 (Definitions), revising the definitions for "Hospital", "Regional physician advisory board" and "Reinstatement". Amends OH ADC 4765-8-02 (Application for certificate to practice), providing that a fee may be imposed for an application for a certificate to practice via reciprocity. Amends OH ADC 4765-8-03 (Notification to board of change of personal information), requiring notification to the division to a change in an email address. Amends OH ADC 4765-8-15 (Certification by reciprocity), requiring an application fee of \$75 for a certification by reciprocity. Amends OH ADC 4765-8-16 (Application fees for certification) providing that the board may charge a fee for an application for reciprocity of a certificate to practice. Amends OH ADC 4765-8-17 (Voluntary surrender or change in level of

certificate to practice), providing that a new certificate to practice shall be issued in accordance with the certification cycles set forth in OH ADC 4765-8-06 (EMS certificate to practice and EMS certificate to teach cycles and continuing education requirements). Adopts OH ADC 4765-8-18 (Reinstatement of a certificate to practice), providing the requirements to reinstate a certificate to practice Amends OH ADC 4765-10-02 (Investigations), providing no board member participating in an investigation at the local level or involved in a case locally, shall participate in any investigation or adjudication of the same case by the board Amends OH ADC 4765-9-01 (Professional standards of conduct), providing a certificate holder shall not have inappropriate sexual contact with a patient nor consume alcohol or be under the influence of alcohol while on duty as a first responder or EMT. Amends OH ADC 4765-10-02 (Investigations) providing that a member of the board who participates in an investigation at the local level or is involved in a case locally, may not participate in any investigation or adjudication of the same case by the board.

Oklahoma

OK ADC 317:30-3-2.1 - Program Integrity Audits

Citation: 2011 OK REG TEXT 244484 (NS)
Enacted: N/A
Effective: 6/25/2011
Description: Amends OK ADC 317:30-3-2.1 (Program Integrity Audits/Reviews) giving providers the option of requesting OHCA to perform a full-scope audit or utilize an extrapolation method to determine overpayments, if during a review a sample indicates an error rate greater than 10 percent of paid claims. If the full-scope audit produces an error rate less than the initial error rate, OHCA will bear the cost of the full-scope audit. However, if it produces an error rate equal to or greater than that of the initial audit, the provider will be responsible for the cost of the full-scope audit and repayment of the identified overpayment resulting from the review method chosen.

OK ADC 435:10-4-5 - Physicians Licensing; Foreign Education

Citation: 2011 OK REG TEXT 244495 (NS)
Enacted: N/A
Effective: 6/25/2011
Description: Amends OK ADC 435:10-4-5 (Additional requirements for foreign applicants) removing the provision that requires the applicant's foreign medical school's education program to be equivalent to the education and training offered by the University of Oklahoma School of Medicine.

OK ADC 317:2-1-2 - False Claims; Administrative Appeals

Citation: 2011 OK REG TEXT 247819 (NS)
Enacted: N/A
Effective: 6/25/2011
Description: Amends OK ADC 317:2-1-2 (Appeals) updating the list of appeals over which the administrative law judge has jurisdiction.

OK ADC 310:675-9-9.1 - Nursing Home Services; Medication/Pharmacy

Citation: 2011 OK REG TEXT 245992 (NS)
Enacted: N/A
Effective: 6/25/2011
Description: Amends OK ADC 310:675-9-9.1 (Medication services) removing the requirement for medication storage areas to be in a location that is convenient to the nursing station. Additionally removes the provision that requires medication areas to have a work counter. Updates the procedures and terms for the destruction of medication prescribed to residents who have died and medications which have been discontinued. Also updates the emergency pharmacy requirements.

2011 OK H.B. 1282 - Nursing Home Administrators

Citation: 2011 OK H.B. 1282 (NS)
Enacted: 5/10/2011
Effective: 11/1/2011
Description: Amends OK ST T. 63 § 330.51 (Definitions) updating the definition for "Long-term care administrator." Adds definitions for "Nursing facility administrator," "Assisted living facility administrator," "Residential care facility administrator," "Adult day care center administrator," "Assisted living center," "Continuum of care facility," "Home," "Residential care home," "Adult day care center," and "Center." Deletes the definition for "Administrator" and "Owner." Amends OK ST T. 63 § 330.53 (Qualifications for license) providing for issuance of a license or certificate to serve as long-term care administrators. Allows persons currently licensed or lawfully serving as an administrator in their defined facility type to continue to serve in their current capacity under their current terms of authorization. Amends OK ST T. 63 § 330.54 (License fees-Expiration date) providing for license or certification renewal upon meeting the renewal requirements and payment of annual fee. Amends OK ST T. 63 § 330.57 (Qualifications of administrator) authorizing the Board to promulgate rules to determine the qualifications for licensure or certification for the long-term care administrator types. Amends OK ST T. 63 § 330.59 (Service as administrator without license prohibited) providing it is unlawful to serve in the capacity of a long-term care administrator unless the person is licensed or certified.

2011 OK H.B. 1275 - Registered Nurses; Licensing

Citation: 2011 OK H.B. 1275 (NS)
Enacted: 4/25/2011
Effective: 11/1/2011
Description: Amends OK ST T. 59 § 567.3a (Definitions) updating terminology and definitions. Amends OK ST T. 59 § 567.5 (Registered nurses, licensing--Applications--Qualifications--Examinations--Licensure without examination--Use of titles and abbreviations--Violations) requiring an applicant to be a minimum age of 18 to practice as a registered nurse. Amends OK ST T. 59 § 567.7 (Renewal or reinstatement of license--Temporary retirement from practice--Fees) authorizing the renewal of a license or certificate providing the application is complete and qualifying criteria is met. Provides for license suspension if a check submitted as payment of a fee is not honored by the financial institution. Provides for reinstatement if payment is made. Amends OK ST T. 59 § 567.11 (Exceptions to application of act) providing exceptions for nurses with licenses in another state under certain circumstances. Amends OK ST T. 59 § 567.17 (Peer assistance program) requiring a person who enters the peer assistance program voluntarily or otherwise to be responsible for all costs associated with participation in the program. Allows conditions to be

placed on a nurse's license when participating in the peer assistance program. Adopts OK ST T. 59 § 567.18 requiring criminal background checks. Adopts OK ST T. 59 § 567.19 permitting the Executive Director to rescind or withdraw a license instantly if issued to a person not entitled to be licensed.

2011 OK S.B. 574 - Dentists and Allied Personnel; Licensing; Penalties

Citation: 2011 OK S.B. 574 (NS)
Enacted: 5/18/2011
Effective: 5/18/2011
Description: Amends OK ST T. 59 § 328.27 (Faculty permits) requiring faculty permit holders to show proof of passing an appropriate clinical board examination recognized by the Board of Dentistry. Amends OK ST T. 59 § 328.32 (Dentists-Grounds for penalties) providing that failing to cooperate during an investigation or providing false information, verbally or in writing, to the Board constitutes grounds for penalties by Board. Amends OK ST T. 59 § 328.36a (Laboratory prescriptions) modifying requirements of laboratory prescriptions issued by a dentist. Amends OK ST T. 59 § 328.44a (Penalties-Judicial Review) authorizing the board to collect probation monitoring fees and investigation costs.

2011 OK S.B. 919 - Pharmacists; Discipline; Unprofessional Conduct

Citation: 2011 OK S.B. 919 (NS)
Enacted: 5/13/2011
Effective: 11/1/2011
Description: Amends OK ST T. 59 § 353.24 (Unlawful acts) expanding unlawful conduct to include possessing, selling, bartering or giving away any quantity of certain dangerous drugs when obtained by prescription bearing forged, fictitious or altered information. Provides penalties for violations.

2011 OK H.B. 1826 - Disease Prevention; Pregnant Women; HIV Testing

Citation: 2011 OK H.B. 1826 (NS)
Enacted: 4/20/2011
Effective: 4/20/2011
Description: Adopts OK ST T. 63 § 1-515.1 requiring HIV testing for pregnant women at the time of delivery if there was no prenatal care.

2011 OK H.B. 1397 - Informed Consent; Hospital Infection Control and Disease Prevention; Nursing Home Facility Licensing

Citation: 2011 OK H.B. 1397 (NS)
Enacted: 4/25/2011
Effective: 11/1/2011
Description: Amends OK ST T. 63 § 1-502.2 (Certain information to be confidential-Circumstances under which release permissible-Written consent defined-Multidisciplinary advisory committee on HIV/HBV-infected health care workers-Wrongful disclosure of certain information) excluding information obtained pursuant to the requirements of OK ST T. 63 § 1-501 through OK ST T. 63 § 1-532.1 from being required under Oklahoma Open Records Act. Also provides for the

release of specified information whether within the state or throughout the United States. Removes notice requirement for certain releases. Amends OK ST T. 63 § 1-527 (Reports of venereal disease) and OK ST T. 63 § 1-532.1 (Minor's consent to examination and treatment for venereal disease) updating terminology. Amends OK ST T. 63 § 1-1905 (Application fee-Form and display of license-Renewal-Transfer of ownership or operation of facility-Conditional license-Liability of transferor-Unannounced inspections) providing that licenses may be issued for more than twelve months in order to permit an equitable distribution of license expiration dates to all months of the year.

2011 OK H.B. 1504 - Home Health Licensing

Citation: 2011 OK H.B. 1504 (NS)

Enacted: 4/25/2011

Effective: 11/1/2011

Description: Amends OK ST T. 63 § 1-1963 (State Department of Health--Powers and duties--Rules and regulations for investigation and hearing of complaints) authorizing the State Health Department to issue or renew a license to home care agencies that are accredited by the Accreditation Commission for Health Care.

OK ADC 310:510-1-1 et al. - Care of Eyes for Newborn Children

Citation: 2011 OK REG TEXT 241665 (NS)

Enacted: N/A

Effective: 6/11/2011

Description: Repeals OK ADC 310:510-1-1 (Purpose), OK ADC 310:510-3-1 (Approved antiseptics) and OK ADC 310:510-5-1 (Recommendations). These regulations are repealed as the statutes now require any physician, midwife, or other attendant to ensure treatment of the eyes of a newborn infant with a prophylactic ophthalmic agent as recommended by the Centers for Disease Control and Prevention.

OK ADC 310:662-1-2 et al. - Home Health Licensing

Citation: 2011 OK REG TEXT 241666 (NS)

Enacted: N/A

Effective: 6/11/2011

Description: Amends OK ADC 310:662-1-2 (Definitions) adding definitions for "Standby assistance" and "Supportive home assistant". Amends OK ADC 310:662-3-4 (Organization), requiring home care agencies to implement an influenza control program consistent with Centers for Disease Control and Prevention guidelines.

OK ADC 340:75-13-81 - Advance Directives and End of Life Decisions

Citation: 2011 OK REG TEXT 247869 (NS)

Enacted: N/A

Effective: 7/1/2011

Description: Amends OK ADC 340:75-13-81 (Withdrawal of life support, withholding or withdrawal of hydration and nutrition, resuscitation efforts, and organ donation) clarifying the process for organ donation during the life of a child in OKDHS custody.

OK ADC 485:10-1-2 et al. - RN Licensing

Citation: 2011 OK REG TEXT 242875 (NS)
Enacted: N/A
Effective: 7/1/2011
Description: Amends OK ADC 485:10-1-2 (Definitions), adding definitions for "Academic credit hours" and "Continuing education contact hours". Amends OK ADC 485:10-7-3 (Renewal of [RN] license), effective on January 1, 2014, requiring licensees to meet one of the following requirements for the prior 2 years: employed for at least 520 hours in a position requiring a nursing license, completed at least 24 contact hours of continuing education, certified in a nursing specialty area, completed a Board-approved refresher course, or completed at least 6 academic semester credit hours of nursing coursework at the licensee's current level of licensure or higher.

Oregon**2011 OR H.B. 2013 - Dentists and Allied Personnel; Supervision**

Citation: 2011 OR H.B. 2013 (NS)
Enacted: 6/16/2011
Effective: 6/16/2011
Description: Amends OR ST § 676.613 (Injunctions) removing references to repealed sections. Amends OR ST § 679.500 (Lip tattoos; administration of local anesthesia; rules) clarifying that a dentist may administer local anesthesia for the purposes of permanent lip color or hair removal from the lip area when such procedures are performed by a person licensed to perform tattooing or electrolysis under OR ST §§ 690.350 to 690.430.

2011 OR H.B. 2107 - Declaration for Mental Health Treatment

Citation: 2011 OR H.B. 2107 (NS)
Enacted: 6/9/2011
Effective: 1/1/2012
Description: Amends OR ST § 127.720 (When physician or provider may disregard declaration) permitting a physician or provider to disregard a declaration for mental health treatment if the principal is committed to state hospital or facility in certain circumstances.

2011 OR H.B. 2721 - Applicability of Criminal Mistreatment Statutes

Citation: 2011 OR H.B. 2721 (NS)
Enacted: 6/9/2011
Effective: 6/9/2011
Description: Amends OR ST § 163.206 (163.206. ORS 163.200 and 163.205; application), providing for an exception from the criminal mistreatment statutes for a person who provides a dependent person who is at least 18 with spiritual treatment.

2011 OR H.B. 2652 - Advance Directives

Citation: 2011 OR H.B. 2652 (NS)

Enacted: 6/1/2011
Effective: 6/1/2011
Description: Amends OR ST § 127.635 (Withdrawal of life-sustaining procedures) providing certain conditions where a person who is the principal's parent or former guardian may not withhold or withdraw life-sustaining procedures and OR ST § 127.727 (Persons prohibited from serving as attorney-in-fact) providing certain conditions where a person who is the principal's parent, guardian or former guardian may not serve as attorney-in-fact.

2011 OR H.B. 2908 - Pelvic Exams; Informed Consent

Citation: 2011 OR H.B. 2908 (NS)
Enacted: 6/1/2011
Effective: 1/1/2012
Description: Adopts an uncodified section prohibiting pelvic examinations on an anesthetized or unconscious woman unless the woman, or a person authorized to make health care decisions for the woman, has given informed consent to the examination, a court orders the examination or it is necessary for diagnostic purposes.

OR ADC 847-065-0015 et seq. - Health Professionals Services Program

Citation: 2011 OR REG TEXT 251648 (NS)
Enacted: N/A
Effective: 4/25/2011
Description: Amends OR ADC 847-065-0015 (Definitions) updating the definitions for "Federal regulations", "Independent third-party evaluator", "Licensee", "Mental disorder", "Monitoring entity", "Substance abuse", "Successful completion" and "Treatment". Deletes the definition for "Individual service record", "Non-treatment compliance monitoring" and "Peer". Adds a definition for "Positive toxicology test result". Amends OR ADC 847-065-0020 (Participation in Health Professionals Services Program) replacing the program name, HPSP, with the term "vendor". Amends OR ADC 847-065-0025 (Eligibility for Participation in Health Professionals Services Program) providing that the vendor is to perform safe practice investigations for self-referred licensees. Amends OR ADC 847-065-0030 (Procedure for Board Referrals), OR ADC 847-065-0035 (Procedure for Self-Referred Licensees), OR ADC 847-065-0060 (Completion Requirements) making clarifying language changes, grammatical corrections and other non-substantive changes. Amends OR ADC 847-065-0040 (Disqualification Criteria) providing that "evidence" of sexual misconduct can be a criteria for disqualification rather than a diagnosis requiring treatment. Amends OR ADC 847-065-0045 (Approval of Independent Third-Party Evaluators) adding that the Board reserves the right to disapprove an independent third-party evaluator for any reason. Also removes the requirement that the Board maintain a list of independent third-party evaluators available to licensees upon request. Amends OR ADC 847-065-0050 (Approval of Treatment Providers) providing that a treatment provider may not have a personal or professional relationship with a licensee. Amends OR ADC 847-065-0055 (Licensee Responsibilities) requiring a licensee to report any changes in license status. Also replaces the specific program name, HPSP, with the term "vendor" throughout. Amends OR ADC 847-065-0065 (Substantial Non-Compliance Criteria) requiring the monitoring entity to report substantial non-compliance with a diversion agreement to the Board within one business day of receiving a report from the vendor. Allows the Board to request the licensee's complete record in order to investigate a report of substantial non-compliance if a valid release of information is in place. Also, replaces the specific program name, HPSP, with

the term "vendor" throughout. Adopts OR ADC 847-065-0070 (Licensees with Primary Residence or Work Site Outside of Oregon) adding a requirement to enroll in HPSP for licensees with primary residence or work site outside of Oregon.

2011 OR H.B. 2375 - Advance Directives

Citation: 2011 OR H.B. 2375 (NS)

Enacted: 5/27/2011

Effective: 1/1/2012

Description: Amends OR ST § 127.540 (Health care representative limitations on authority), removing the provision that prohibited an appointed health care representative to make a health care decision with respect to the admission or retention in a health care facility for care or treatment of mental illness. Amends OR ST § 127.560 (Effect of provisions on civil and criminal liability of health care representative and provider), updating cross-references.

OR ADC 818-021-0017 et al. - Dentists and Allied Personnel Licensing

Citation: 2011 OR REG TEXT 260212 (NS)

Enacted: N/A

Effective: 6/1/2011

Description: Amends OR ADC 818-021-0017 (Application to Practice as a Specialist) allowing any Board approved examination to qualify for a Specialty License. Amends OR ADC 818-026-0060 (Moderate Sedation Permit) allowing for an additional course to meet the life support requirements. Amends OR ADC 818-026-0065 (Deep Sedation) requiring that an electrocardiograph monitor (ECG) be required when Deep Sedation is administered and the patient's heart rhythm shall be recorded. Amends OR ADC 818-026-0070 (General Anesthesia Permit) requiring an electrocardiograph monitor (ECG) and continuous monitoring of a patient's heart rhythm when General Anesthesia is administered. These temporary rules are effective June 1, 2011 through November 27, 2011.

OR ADC 847-008-0070 - Continuing Medical Competency

Citation: 2011 OR REG TEXT 251647 (NS)

Enacted: N/A

Effective: 4/25/2011

Description: Amends OR ADC 847-008-0070 (Continuing Medical Competency (Education)) clarifying the ongoing educational requirements for all licensees, the method of audit, and the discipline to which a licensee will be subject if he or she fails to complete the required number of educational hours in a registration renewal period.

OR ADC 847-035-0030 - EMTS Licensing

Citation: 2011 OR REG TEXT 173601 (NS)

Enacted: N/A

Effective: 4/25/2011

Description: Amends OR ADC 847-035-0030 (Scope of Practice) allowing EMT-Paramedics to access indwelling catheters and implanted central IV ports for fluid and medical administration.

2011 OR H.B. 2395 - Designation of Particular Profession

Citation: 2011 OR H.B. 2395 (NS)
Enacted: 5/20/2011
Effective: 5/20/2011
Description: Amends OR ST § 676.110 (Practitioner designation of particular business or profession), providing that if an individual uses the title "doctor" in connection with a health care profession, they must designate the health care profession they earned their doctoral degree, on all written or printed matter, advertising, billboards, signs or professional notices used in connection with the health care profession.

2011 OR H.B. 2852 - Revised Uniform Anatomical Gift Act

Citation: 2011 OR H.B. 2852 (NS)
Enacted: 5/16/2011
Effective: 1/1/2012
Description: Amends OR ST § 97.959 (Amending or revoking an anatomical gift), clarifying that an anatomical gift may be amended or revoked and providing how an agent or guardian of a donor may amend or revoke. Amends OR ST § 97.963 (Revocation of anatomical gift; effect), to include other persons that may make an anatomical gift of the donor's body or body part.

2011 OR S.B. 104 - Home Health Licensing

Citation: 2011 OR S.B. 104 (NS)
Enacted: 5/19/2011
Effective: 1/1/2012
Description: Amends OR ST § 443.005 (Definitions) removing definitions for "Authority" and "Referral agency." Updates the definition of "Caregiver registry." Amends OR ST § 443.019 (On-site inspection requirement), OR ST § 443.035 (Fees; renewal dates; disposition of funds) and OR ST § 443.045 (Denial of license applications; license suspension and revocations) removing references to "referral agency."

2011 OR H.B. 2054 - Health Care Facility Licensing

Citation: 2011 OR H.B. 2054 (NS)
Enacted: 5/16/2011
Effective: 5/16/2011
Description: Amends OR ST § 441.025 (License; issuance; annual renewal; posting), providing the Health Authority shall not annually renew a license if a health care facility's license has been suspended or revoked or the State Fire Marshal, a deputy or an approved authority has issued a certificate of noncompliance. Also provides the Department of Human Services shall not annually renew a long term care facility's license, if the license has been suspended or revoked, the facility is found not to be in substantial compliance after the on-site inspection or the State Fire Marshal, a deputy or an approved authority has issued a certificate of noncompliance. OR ST § 441.060 (Inspections; alterations, additions, or new construction; approval of plans and specifications), clarifying that the on-site inspections are for facilities licensed under OR ST § 441.025 (License; issuance; annual renewal; posting) subsection (1). The facilities referred to in subsection (1) are health care facilities other than a long term care facility.

2011 OR S.B. 95 (NS) - Patient Safety Reporting Program

Citation: 2011 OR S.B. 95 (NS)
Enacted: 5/16/2011
Effective: 5/16/2011
Description: Amends OR ST 442.837 (Oregon Patient Safety Reporting Program), providing that the commission must collaborate with providers of ambulatory health care to develop initiatives to promote patient safety. Amends OR ST 677.082 (Person licensed by Board of Medical Examiners, expression of regret or apology does not constitute an admission of liability in civil action), providing that an expression of regret or apology by a person licensed by the Oregon Medical Board or a health care institution, health care facility or other entity that employs the person or grants the person privileges does not constitute an admission of liability.

OR ADC 847-035-0030 - EMTS Licensing

Citation: 2011 OR REG TEXT 173601 (NS)
Enacted: N/A
Effective: 4/8/2011
Description: Amends OR ADC 847-035-0030 (Scope of Practice), providing the emergency care procedures the First Responder and EMT may perform at each level of certification. Clarifies which airway devices a First Responder with a supervising physician may use to maintain an open airway. Deletes the provisions which permit the administration of immunizations for seasonal and pandemic influenza vaccinations and the distribution of medications at the direction of the Oregon State Public Health Officer. Allows EMT-Ps to access indwelling catheters and implanted central IV ports for fluid and medical administration and to initiate ECG monitoring.

OR ADC 331-010-0050 et al. - Authorization Holders Military Leave

Citation: 2011 OR REG TEXT 256759 (NS)
Enacted: N/A
Effective: 3/17/2011
Description: Adopts by temporary regulation OR ADC 331-010-0050 (Authorization Holders; Military Leave), waiving fees for licensees in active military status, and evaluating their continuing education requirements on a case by case basis. Also provides they must notify the agency in writing within 60 days of being honorably discharged to be restored to their former status. Amends by temporary regulation OR ADC 331-020-0040 (Complaint Processing and Investigation), clarifying what constitutes an appearance before the agency.

OR ADC 331-010-0050 - Respiratory Therapists Licensing

Citation: 2011 OR REG TEXT 254141 (NS)
Enacted: N/A
Effective: 3/1/2011
Description: Adopts OR ADC 331-010-0050 (Authorization Holders; Military Leave) waiving the renewal, fees and continuing education requirements for practitioners in active military service. Also provides protocols for restoration of former authorization status after being honorably discharged. This temporary regulation is effective March 1, 2011, to August 28, 2011.

2011 OR S.B. 353 - Hospital and Nursing Home Facility Licensing; Penalties

Citation: 2011 OR S.B. 353 (NS)
Enacted: 3/24/2011
Effective: 1/1/2012
Description: Amends OR ST § 441.710 (Imposition of civil penalties) correcting a citation in subsection (2).

South Carolina

2011 SC S.B. 232 - Certificates of Need

Citation: 2011 SC S.B. 232 (NS)
Enacted: 6/15/2011
Effective: 6/15/2011
Description: Amends SC ST § 44-7-130 (Definitions), updating the definition of "Health care facility" to include narcotic treatment programs.

2011 SC S.B. 494 - Supervision of an Intern or Resident

Citation: 2011 SC S.B. 494 (NS)
Enacted: 6/7/2011
Effective: 6/7/2011
Description: Adopts SC ST § 40-15-265, authorizing an intern or resident in an oral surgery training program at an accredited institution to treat conditions required by the training program under the supervision of a licensed physician or licensed dentist.

2011 SC S.B. 687 - Updating Terminology

Citation: 2011 SC S.B. 687 (NS)
Enacted: 6/7/2011
Effective: 6/7/2011
Description: Amends SC ST § 44-7-260 (Requirements for licensure) and SC ST § 44-7-320 (Denial, revocation, or suspension of license; penalties) changing the term "mentally retarded" to "persons with intellectual disability."

2011 SC H.B. 3012 - Criminal Record Check for Direct Caregivers

Citation: 2011 SC H.B. 3012 (NS)
Enacted: 5/11/2011
Effective: 5/11/2011
Description: Amends SC ST § 44-7-2910 (Criminal record check for direct caregivers; definitions) to include an in-home care provider as a "Direct care entity".

South Dakota

2011 SD H.B. 1217 - Informed Consent; Abortions

Citation: 2011 SD H.B. 1217 (NS)
Enacted: 3/22/2011

Effective: 7/1/2011

Description: Note: Corrected Effective Date. Amends SD ST Title 34, Chapter 34-23A (Performance of Abortions) adding several new sections that require additional steps in order to provide informed consent for abortions. The new sections require examination of the patient by the doctor performing the abortion, a 72 hour waiting period and a visit to a Pregnancy Help Center.

Tennessee

2011 TN H.B. 829 - Hospitals; Verbal Orders

Citation: 2011 TN H.B. 829 (NS)

Enacted: 5/23/2011

Effective: 7/1/2011

Description: Adopts TN ST § 68-11-313 providing that hospitals licensed under state law must require all verbal orders be authenticated by a physician or responsible individual who has the authority to issue verbal orders in accordance with hospital policies or medical staff bylaws. Requires authentication, of a verbal order within 48 hours after the time the order is made unless a read-back and verify process is used. If the read-back and verify process is followed, the verbal order shall be authenticated no later than 14 days after the date of the verbal order.

2011 TN H.B. 1279 - Disease Prevention; Emergency Personnel and First Responders

Citation: 2011 TN H.B. 1279 (NS)

Enacted: 5/23/2011

Effective: 7/1/2011

Description: Amends TN ST § 68-10-116 (Exposure of law enforcement officers to blood of arrested persons; blood tests) adding firefighters, emergency medical technician-paramedics, and emergency medical technicians to the list of persons who may request a blood test of an arrested individual to check for the presence of hepatitis B virus or HIV/AIDS virus, if while in the course of duty, the person has been exposed to the arrestee's blood or bodily fluids.

2011 TN H.B. 1591 - Licensing; Physicians

Citation: 2011 TN H.B. 1591 (NS)

Enacted: 5/23/2011

Effective: 5/23/2011

Description: Amends TN ST § 63-6-204 (Practice of medicine; employing entities; definitions) specifying that for physicians employed independently of a bona fide practice purchase, employing entities may not restrict the employed physician's right to practice medicine upon the termination or conclusion of the employment relationship, except as allowed under present law regarding covenants not to compete signed by healthcare providers.

2011 TN H.B. 1354 - Dentists and Allied Personnel Licensing

Citation: 2011 TN H.B. 1354 (NS)

Enacted: 4/29/2011

Effective: 4/29/2011

Description: Amends TN ST § 63-5-108 (Practice of dentistry), providing that a dental hygienist is an individual who has graduated from a dental hygiene program accredited by the American Dental Association's Commission on Dental Accreditation. Adds removal of stain and polishing natural and restored surfaces of teeth to the list of activities considered the practice of dental hygiene. Includes administering nitrous oxide and local anesthesia as activities that may be performed only under direct supervision.

2011 TN S.B. 1533 - Terminology Corrections

Citation: 2011 TN S.B. 1533 (NS)

Enacted: 5/5/2011

Effective: 5/5/2011

Description: Amends TN ST § 63-7-102 (Application of chapter), deleting "persons with mental retardation" and replacing with "people with intellectual disabilities". Amends TN ST § 68-11-705 (Mentally deficient and mentally ill persons), deleting "mentally ill and mentally retarded persons" and replacing with "persons with mental illness or intellectual disability". Amends TN ST § 68-11-1602 (Definitions), deleting "menial retardation institutional habilitation facility" and replacing with "intellectual disability institutional habilitation facility".

2011 TN S.B. 505 - Display of License

Citation: 2011 TN S.B. 505 (NS)

Enacted: 4/14/2011

Effective: 1/1/2012

Description: Amends TN ST § 63-1-109 (Certificate of registration; display) expanding the list of professions required to display a copy of their license in their office. Requires the information to be prominently displayed on the practitioner's Internet Web site. Requires the practitioner to communicate their specific licensure by wearing a photo id name tag with their name and type of license or provide the information in writing at the patient's initial office visit. The exceptions to these requirements are also listed and a violation is considered unprofessional conduct.

2011 TN S.B. 850 - Facility Licensing; Definitions

Citation: 2011 TN S.B. 850 (NS)

Enacted: 4/6/2011

Effective: 7/1/2011

Description: Amends TN ST § 68-11-201 (Definitions) deleting the language "elderly or disabled adults" and replacing it with "adults who are elderly or have a disability." Repeals and reenacts a new definition for "Adult care home provider." Amends TN ST § 68-11-1602 (Definitions) updating outdated terminology related to individuals with disabilities including deleting "crippled, convalescent, or infirm, or mentally retarded" and replacing it with "convalescent, infirm, or has an intellectual or physical disability."

2011 TN S.B. 538 - Hospital Perinatal Services

Citation: 2011 TN S.B. 538 (NS)

Enacted: 4/11/2011

Effective: 7/1/2011

Description: Adopts TN ST § 68-5-110, requiring hospitals to provide parents of newborns educational information on Pertussis disease and the availability of a vaccine.

2011 TN S.B. 484 - Professional Review

Citation: 2011 TN S.B. 484 (NS)

Enacted: 4/12/2011

Effective: 4/12/2011

Description: Repeals TN ST § 63-6-219 (Tennessee Peer Review Law; medical review groups; immunity) and adopts TN ST § 68-11-272 and TN ST § 63-1-150 as the Tennessee Patient Safety and Quality Improvement Act of 2011. Protects a healthcare organization's quality improvement committee records from discovery, subpoena or admission into evidence in any judicial or administrative proceeding.

Texas

2011 TX H.B. 118 - Preservation of Records

Citation: 2011 TX H.B. 118 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX HEALTH & S § 241.103 (Preservation of Records), providing that a hospital must provide written notice to patients of their record retention time periods.

2011 TX H.B. 1380 - Physician Licensing

Citation: 2011 TX H.B. 1380 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX OCC § 155.003 (General Eligibility Requirements), TX OCC § 155.004 (Additional Eligibility Requirements for Graduates of Certain Foreign Medical Schools) and TX OCC § 155.005 (Eligibility Requirements of Foreign Medical School Students in Fifth Pathway Program), providing that an applicant must have successfully completed 2 years of graduate medical training approved by the board in the United States or Canada.

2011 TX H.B. 1402 - Consequences of Criminal Conviction

Citation: 2011 TX H.B. 1402 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX OCC § 53.002 (Applicability of Chapter), clarifying that TX OCC Chapter 53 (Consequences of Criminal Conviction) does not apply to law enforcement officer license holders and applicants. Note: Healthcare Navigator content is not affected by this amendment.

2011 TX S.B. 263 - Physicians Licensing; Disciplinary Actions

Citation: 2011 TX S.B. 263 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX OCC § 164.057 (Required Suspension or Revocation of License for Certain Offenses) requiring the board to revoke the license of a physician placed on deferred adjudication community supervision for certain offenses relating to the sexual assault of a child, aggravated sexual assault of a child, or indecency with a child. Adopts TX OCC § 164.0595 (Temporary Suspension or Restriction of License For Certain Arrests) authorizes a disciplinary panel to suspend the license of a person arrested for certain offenses relating to the sexual assault of a child, aggravated sexual assault of a child, continuous sexual abuse of a young child or children, or indecency with a child. Amends TX OCC § 164.102 (Persons Ineligible for Probation) expanding the list of felony convictions for which the board is prohibited from granting probation to a person whose license has been canceled, revoked, or suspended because of such a felony conviction to include a felony conviction for certain offenses relating to the sexual assault of a child, aggravated sexual assault of a child, continuous sexual abuse of a young child or children, or indecency with a child.

2011 TX S.B. 223 - Facility Licensing

Citation: 2011 TX S.B. 223 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX HEALTH & S § 142.001 (Definitions), adding definitions for "Department", "Executive commissioner" and "Home and community support services agency administrator". Amends TX HEALTH & S § 142.0025 (Temporary License), clarifying that a temporary license is effective as provided by rules adopted by the executive commissioner. Amends TX HEALTH & S § 142.009 (Surveys; Consumer Complaints), providing that the applicant or licensee must provide the department representative conducting a survey with a reasonable and safe workspace at the premises. Also the department may not renew, with certain exceptions, an initial home and community support services agency license unless the department has conducted an initial on-site survey of the agency. Adopts TX HEALTH & S § 142.0104 (Change in Application Information), providing the requirements for changes in application information after the application is submitted. Amends TX HEALTH & S § 142.011 (Denial, Suspension, or Revocation of License), providing that a license application or license may be suspended or revoked if the person engages in conduct that violates TX OCC § 102.001 (Soliciting Patients; Offense). Amends TX HEALTH & S § 242.032 (License or Renewal Application), providing that the department may consider and evaluate the compliance history of the applicant and certain other persons for any period during which the applicant or other person operates an institution in Texas or in another state or jurisdiction. Amends TX HEALTH & S § 242.0615 (Exclusion), providing that an exclusion of a person must extend for a period of at least two years and may extend throughout the person's lifetime. Amends TX HEALTH & S § 250.001 (Definitions), TX HEALTH & S § 250.002 (Information Obtained by Facility, Regulatory Agency, or Private Agency), TX HEALTH & S § 250.003 (Verification of Employability; Discharge), TX HEALTH & S § 250.004 (Criminal History Record of Employees), TX HEALTH & S § 250.007 (Records Privileged) and TX HEALTH & S § 250.009 (Civil Liability) adding definitions for "Financial management services agency" and "Individual employer" and updating the statutes to provide for these newly defined entities. Amends TX HUM RES § 32.039 (Damages and Penalties), providing that it is a violation to fail to maintain documentation supporting a claim for payment or to engage in any other conduct that a department rule has defined as a violation of the medical assistance program. A person who commits these types of violations is liable to the department for either the amount paid in response to the claim for payment or the payment of an administrative penalty in an amount not

to exceed \$500 for each violation. Note: This bill is similar to 2011 TX H.B. 1720 (NS).

2011 TX H.B. 1720 - Facility Licensing

Citation: 2011 TX H.B. 1720 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX HEALTH & S § 142.001 (Definitions), adding definitions for "Department", "Executive commissioner" and "Home and community support services agency administrator". Amends TX HEALTH & S § 142.0025 (Temporary License), clarifying that a temporary license is effective as provided by rules adopted by the executive commissioner. Amends TX HEALTH & S § 142.009 (Surveys; Consumer Complaints), providing that the applicant or licensee must provide the department representative conducting a survey with a reasonable and safe workspace at the premises. Also the department may not renew, with certain exceptions, an initial home and community support services agency license unless the department has conducted an initial on-site survey of the agency. Adopts TX HEALTH & S § 142.0104 (Change in Application Information), providing the requirements for changes in application information after the application is submitted. Amends TX HEALTH & S § 142.011 (Denial, Suspension, or Revocation of License), providing that a license application or license may be suspended or revoked if the person engages in conduct that violates TX OCC § 102.001 (Soliciting Patients; Offense). Amends TX HEALTH & S § 242.032 (License or Renewal Application), providing that the department may consider and evaluate the compliance history of the applicant and certain other persons for any period during which the applicant or other person operates an institution in Texas or in another state or jurisdiction. Amends TX HEALTH & S § 242.0615 (Exclusion), providing that an exclusion of a person must extend for a period of at least two years and may extend throughout the person's lifetime. Amends TX HEALTH & S § 250.001 (Definitions), TX HEALTH & S § 250.002 (Information Obtained by Facility, Regulatory Agency, or Private Agency), TX HEALTH & S § 250.003 (Verification of Employability; Discharge), TX HEALTH & S § 250.004 (Criminal History Record of Employees), TX HEALTH & S § 250.007 (Records Privileged) and TX HEALTH & S § 250.009 (Civil Liability) adding definitions for "Financial management services agency" and "Individual employer" and updating the statutes to provide for these newly defined entities. Amends TX HUM RES § 32.039 (Damages and Penalties), providing that it is a violation to fail to maintain documentation supporting a claim for payment or to engage in any other conduct that a department rule has defined as a violation of the medical assistance program. A person who commits these types of violations is liable to the department for either the amount paid in response to the claim for payment or the payment of an administrative penalty in an amount not to exceed \$500 for each violation.

2011 TX H.B. 2609 - Convictions Barring Employment

Citation: 2011 TX H.B. 2609 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX HEALTH & S § 250.006 (Convictions Barring Employment) adding offenses under TX PENAL § 36.06 (Obstruction or Retaliation) and TX PENAL § 42.092 (Cruelty to Nonlivestock Animals) to the list of offenses that disqualify a person from employment in certain facilities serving the elderly or persons with disabilities.

2011 TX H.B. 2975 - Continuing Education for Physicians and Nurses

Citation: 2011 TX H.B. 2975 (NS) 2011 TX S.B. 1360 (NS)
Enacted: 6/17/2011
Effective: 9/1/2011
Description: Adopts TX OCC § 156.059 (Continuing Education in Tick-Borne Diseases) and TX OCC § 301.304 (Continuing Education in Tick-Borne Diseases), encouraging continuing education for physicians and nurses regarding the treatment of tick-borne diseases.

2011 TX H.B. 411 - Perinatal Services

Citation: 2011 TX H.B. 411 (NS)
Enacted: 6/17/2011
Effective: 6/17/2011
Description: Amends TX HEALTH & S § 33.0111 (Disclosure Statement And Consent), TX HEALTH & S § 33.0112 (Destruction of Genetic Material), TX HEALTH & S § 33.017 (Confidentiality), TX HEALTH & S § 47.001 (Definitions), TX HEALTH & S § 47.003 (Newborn Hearing Screening, Tracking, and Intervention Program), TX HEALTH & S § 47.004 (Certification of Screening Programs), TX HEALTH & S § 47.005 (Information Concerning Screening Results and Follow-up Care) and TX HEALTH & S § 47.007 (Information Management, Reporting, and Tracking System) and adopts TX HEALTH & S § 47.0031 (Follow-Up Screening) updating the newborn screening requirements. Note: The amendments to TX HEALTH & S § 33.0111 (Disclosure Statement And Consent), TX HEALTH & S § 33.0112 (Destruction of Genetic Material) and TX HEALTH & S § 33.017 (Confidentiality) are effective June 1, 2012.

2011 TX H.B. 577 - Do Not Resuscitate Orders

Citation: 2011 TX H.B. 577 (NS)
Enacted: 6/17/2011
Effective: 6/17/2011
Description: Amends TX HEALTH & S § 166.102 (Physician's DNR Order May be Honored by Health Care Personnel Other Than Emergency Medical Services Personnel), clarifying that when emergency medical services personnel respond to a call they need only to honor a properly executed or issued out-of-hospital DNR order or prescribed DNR identification device and do not need to honor another written directive including those in the form prescribed by TX HEALTH & S § 166.033 (Form of Written Directive).

2011 TX S.B. 229 - Perinatal Services

Citation: 2011 TX S.B. 229 (NS)
Enacted: 6/17/2011
Effective: 9/1/2011
Description: Amends TX HEALTH & S § 47.001 (Definitions), updating the definition of a "Birthing facility" to include a children's hospital and a facility that provides obstetrical services. Amends TX HEALTH & S § 47.007 (Information Management, Reporting, and Tracking System), providing the requirements for a qualified hearing screening provider, audiologist, intervention specialist, educator, or other person who receives a referral from the newborn hearing program and updating the information required to be reported.

2011 TX S.B. 1438 - Pharmacist Licensing

Citation: 2011 TX S.B. 1438 (NS)
Enacted: 6/17/2011
Effective: 6/17/2011
Description: Amends TX OCC § 564.001 (Reports), changing "person" to "an individual or entity."
Amends TX OCC § 564.002 (Confidentiality), specifying certain records that are considered confidential. Amends TX OCC § 564.003 (Disclosure of Certain Information), clarifying when the board may disclose confidential information. Amends TX OCC § 564.004 (Immunity), updating a cross reference. Amends TX OCC § 565.052 (Submission to Mental or Physical Examination), providing that the examination must be within 60 days of the order and clarifying certain listed entities. Amends TX OCC § 565.059 (Temporary Suspension or Restriction of License) updating the title from Temporary Suspension of License or Registration and providing for restriction of license in addition to suspension. Also provides the time that disciplinary panel may temporarily suspend or restrict a license and the time for the board to initiate disciplinary action.

2011 TX S.B. 189 - Physician Licensing

Citation: 2011 TX S.B. 189 (NS)
Enacted: 6/17/2011
Effective: 9/1/2011
Description: Adopts TX OCC § 155.0045 (Additional Eligibility Requirement for Certain Aliens), providing additional licensing requirements for applicants who are not United States citizens or aliens lawfully admitted for permanent residence in the United States.

2011 TX S.B. 193 - Registered Nurses Licensing

Citation: 2011 TX S.B. 193 (NS)
Enacted: 6/17/2011
Effective: 9/1/2011
Description: Amends TX OCC § 301.207 (Confidentiality of Information Provided for Licensure), updating the title from "Confidentiality of Health Information Provided for Licensure" and specifying certain additional information from the licensing process that is confidential. Amends TX OCC § 301.261 (Inactive Status), permitting certain titles for a nurse whose license is on inactive status and who was in good standing on the date the license became inactive. Amends TX OCC § 301.352 (Protection for Refusal to Engage in Certain Conduct), making technical changes for clarification. Amends TX OCC § 301.4521 (Physical and Psychological Evaluation), providing that the results of an evaluation may be disclosed to a peer assistance program. Amends TX OCC § 301.455 (Temporary License Suspension or Restriction), providing that a preliminary probable cause hearing will be held within 17 days after the date of the temporary suspension or restriction. Amends TX OCC § 301.4551 (Temporary License Suspension for Drug or Alcohol Use), providing that the proof to suspend a license is proof that probable cause of a continuing and imminent threat to the public welfare exists.

2011 TX S.B. 192 - Registered Nurses Licensing

Citation: 2011 TX S.B. 192 (NS)
Enacted: 6/17/2011
Effective: 9/1/2011

Description: Amends TX OCC § 301.352 (Protection for Refusal to Engage in Certain Conduct), TX OCC § 301.402 (Mandatory Report by Nurse), TX OCC § 301.4025 (Optional Report by Nurse) and TX OCC § 301.412 (Reporting Immunity), clarifying that the report must be made in good faith and including a person who advises a nurse of their rights as a protected person. Also provides that the person is immune from civil and criminal liability that, in the absence of the immunity, might result from making the report or giving the advice. Amends TX OCC § 301.413 (Retaliatory Action), updating the circumstances where a person may file a counterclaim and expands the protection from retaliation to a person who advises a nurse of certain rights. Provides for up to a \$25,000 administrative penalty for retaliatory action. Amends TX OCC § 303.001 (Definitions), updating the definition of "Peer review". Amends TX OCC § 303.005 (Request for Peer Review Committee Determination) making technical changes.

2011 TX H.B. 680 - Physician Complaints

Citation: 2011 TX H.B. 680 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX OCC § 154.051 (Complaint Initiation), providing that complaint involving care provided more than seven years before the date of the complaint will not be considered unless the care was provided to a minor. Also provides the times for complaints involving minors and that a previously investigated complaint may be considered to determine whether there is a pattern of violations. Adopts TX OCC § 154.0535 (Requirements for Certain Complaints), providing that a complaint filed by an insurance agent, insurer, pharmaceutical company, or third-party administrator against a physician must include their name and address and the board shall provide the physician with this information within 15 days unless it would jeopardize an investigation. Amends TX OCC § 154.057 (Conduct of Investigation; Use of Investigators as Peace Officers), increasing the time to complete a preliminary investigation of a complaint by the board from 30 to 45 days. Amends TX OCC § 164.002 (Board Disposition of Complaints, Contested Cases, and Other Matters) including cross references to newly adopted TX OCC § 164.0015 (Remedial Plan). Amends TX OCC § 164.003 (Informal Proceedings), increasing certain notice times and providing the board can record the informal settlement conference proceedings if requested by the physician under review. Amends TX OCC § 164.007 (Administrative Hearings; Confidentiality Issues), updating the board responsibilities for findings of fact and conclusion of law issued by an administrative law judge.

2011 TX S.B. 227 - Physician Complaints

Citation: 2011 TX S.B. 227 (NS)

Enacted: 6/17/2011

Effective: 9/1/2011

Description: Amends TX OCC § 164.002 (Board Disposition of Complaints, Contested Cases, and Other Matters) including cross references to newly adopted TX OCC § 164.0015 (Remedial Plan).

2011 TX H.B. 15 - Abortion Consent

Citation: 2011 TX H.B. 15 (NS)

Enacted: 5/19/2011

Effective: 9/1/2011

Description: Amends TX HEALTH & S 171.012 (Voluntary and Informed Consent) updating the consent

requirements for an abortion. Provides pregnant women the option to see a sonogram, to listen to the fetal heartbeat and to hear a detailed description of the fetus. A form must be signed by the patient stating that she was given these options. Adopts TX HEALTH & S 171.014 (Exception for Medical Emergency), providing a physician may perform an abortion without obtaining informed consent in a medical emergency. The physician must include a statement in the patient's medical records certifying the nature of the medical emergency and certify the specific medical condition to the Department of State Health Services within 30 days.

25 TX ADC § 200.1 et seq. - Infection Reporting System

Citation: 2011 TX REG TEXT 239215 (NS)
Enacted: N/A
Effective: 5/4/2011
Description: Adopts 25 TX ADC § 200.1 (Definitions), 25 TX ADC § 200.2 (General Reporting Guidelines for Healthcare-Associated Infection Data), 25 TX ADC § 200.3 (How to Report), 25 TX ADC § 200.4 (Which Events to Report), 25 TX ADC § 200.5 (Data to Report), 25 TX ADC § 200.6 (When to Initiate Reporting), 25 TX ADC § 200.7 (Schedule for HAI Reporting), 25 TX ADC § 200.8 (Verification of Healthcare-associated Infection Data and Correction of Errors), 25 TX ADC § 200.9 (Data Summary Display) and 25 TX ADC § 200.10 (Data Validation) to establish the Texas Healthcare-Associated Infection Reporting System. Requires hospitals and ambulatory surgical centers to report certain infections.

22 TX ADC § 196.1 et al. - Physician Licensing

Citation: 2011 TX REG TEXT 250997 (NS)
Enacted: N/A
Effective: 5/5/2011
Description: Amends 22 TX ADC § 196.1 (Relinquishment of License), providing that a licensee may request the cancelation of a license. Repeals 22 TX ADC § 196.3 (Surrender Associated with Impairment). Licensees may no longer surrender their license due to an impairment through a confidential rehabilitation order.

22 TX ADC § 164.2 et al. - Physician Advertising

Citation: 2011 TX REG TEXT 250993 (NS)
Enacted: N/A
Effective: 5/5/2011
Description: Amends 22 TX ADC § 164.2 (Definitions) adding definitions for "applicants," "application," "board," and "certifying board." Amends 22 TX ADC § 164.4 (Board Certification) establishing the process for applicants to have certifying boards approved by the Medical Board for purposes of advertising. Amends 22 TX ADC § 164.6 (Required Disclosures on Websites) providing that this section only applies to licensees who bill for services provided via the Internet.

22 TX ADC § 166.7 - Physicians Licensing: Report of Impairment

Citation: 2011 TX REG TEXT 250994 (NS)
Enacted: N/A
Effective: 5/5/2011

Description: Adopts 22 TX ADC § 166.7 (Report of Impairment on Registration Form) providing that if a licensee has an impairment that affects a licensee's ability to actively practice medicine, the licensee shall be given the opportunity to place the license on retired status, convert the license to an administrative medicine license, cancel the license, or be referred to the Texas Physician Health Program.

22 TX ADC § 175.1 et seq. - Physicians Licensing Fees

Citation: 2011 TX REG TEXT 250995 (NS)
Enacted: N/A
Effective: 5/5/2011
Description: Amends 22 TX ADC § 175.1 (Application Fees) and 22 TX ADC § 175.2 (Registration and Renewal Fees) establishing the fees for the application of a certifying board evaluation and the application for certifying board evaluation renewals at \$200 each.

22 TX ADC § 187.70 et seq. - Physicians: License Suspension

Citation: 2011 TX REG TEXT 250996 (NS)
Enacted: N/A
Effective: 5/5/2011
Description: Amends 22 TX ADC § 187.70 (Purposes and Construction) providing that the Board may suspend the license of a physician who has been found guilty of certain drug-related felonies by a trier of fact. Amends 22 TX ADC § 187.71 (Hearing before a Panel of Board Representatives) providing that the Board may conduct a hearing for the purpose of determining whether to suspend the license of a physician who has been found guilty of certain drug-related felonies by a trier of fact. Amends 22 TX ADC § 187.72 (Decision of the Panel) providing that if a disciplinary panel of the board elects to suspend the license of a physician, the order shall be considered administratively final for purposes of appeal. In addition, if a panel recommends the automatic suspension of a license, the panel shall also either offer an order with terms on how the suspension may be probated or the physician's license should be revoked.

22 TX ADC 213.33 - Registered Nurses Licensing Penalties

Citation: 2011 TX REG TEXT 250998 (NS)
Enacted: N/A
Effective: 4/18/2011
Description: Amends 22 TX ADC 213.33 (Factors Considered for Imposition of Penalties/Sanctions), providing the Board may revoke a license for the failure to appear at a hearing.

25 TX ADC § 405.281 et seq. - HIV Prevention and Testing

Citation: 2011 TX REG TEXT 246652 (NS)
Enacted: N/A
Effective: 4/10/2011
Description: Repeals 25 TX ADC § 405.281 (Purpose) to 25 TX ADC § 405.297 (Distribution), concerning Human Immunodeficiency Virus (HIV) prevention and testing. The rules are no longer necessary because the requirements are covered sufficiently in other statutes, other rules, federal law, and departmental policy.

22 TX ADC § 217.4 - International Nurse Applicants English Proficiency

Citation: 2011 TX REG TEXT 249771 (NS)
Enacted: N/A
Effective: 4/4/2011
Description: Amends 22 TX ADC § 217.4 (Requirements for Initial Licensure by Examination for Nurses Who Graduate from Nursing Education Programs Outside of United States' Jurisdiction), providing an exemption from the English proficiency test if the Board determines a substantial portion of the applicant's nursing program of study was conducted in English.

Utah**UT ADC R156-15 - Nursing Home Administrators**

Citation: 2011 UT REG TEXT 254895 (NS)
Enacted: N/A
Effective: 5/26/2011
Description: Amends UT ADC R156-15 (Health Facility Administrator Act Rule), Subsection R156-15-102 (Definitions) correcting a rule citation in the definition of "Distance learning." Also updates the definition of "General administration" providing that a licensed health facility administrator may not exceed responsibility for more than one facility. Amends Subsection R156-15-308 (License by Endorsement), clarifying that an applicant applying for licensure by endorsement must also meet the examination requirement as stated in Subsection R156-15-302d (Qualifications for Licensure--Examination Requirements). Amends Subsection R156-15-309 (Continuing Education), adding that continuing professional education under the sponsorship of or approved by the licensing agency of Utah or another state may qualify as continuing education.

UT ADC R410-14 - Administrative Appeals

Citation: 2011 UT REG TEXT 240126 (NS)
Enacted: N/A
Effective: 4/25/2011
Description: Amends UT ADC R410-14 (Administrative Hearing Procedures) to update and clarify administrative hearing procedures for the Division of Medicaid and Health Financing.

UT ADC R432-101 - Hospital Infection Control

Citation: 2011 UT REG TEXT 247382 (NS)
Enacted: N/A
Effective: 4/11/2011
Description: Amends UT ADC R432-101 (Specialty Hospital - Psychiatric), updating the requirements at R432-101-12 (Infection Control) for testing the employees of Psychiatric Hospitals for tuberculosis.

UT ADC R432-150 - Nursing Care Facility Services

Citation: 2011 UT REG TEXT 247383 (NS)

Enacted: N/A
Effective: 4/11/2011
Description: Amends UT ADC R432-150 (Nursing Care Facility) updating the requirements at R432-150-10 (Staff and Personnel) for testing the employees of Nursing Care Facilities for tuberculosis. Also makes a minor technical correction at R432-150-12 (Resident Rights).

UT ADC R432-700 - Home Health Licensing

Citation: 2011 UT REG TEXT 247385 (NS)
Enacted: N/A
Effective: 4/11/2011
Description: Amends UT ADC R432-700 (Home Health Agency Rule) making a minor technical correction at R432-700-4 (Definitions) and updating the requirements for testing the employees of Home Health Agencies for tuberculosis at R432-700-11 (Health Surveillance).

2011 UT H.B. 230 - Updating Outdated Terms

Citation: 2011 UT H.B. 230 (NS)
Enacted: 3/29/2011
Effective: 5/10/2011
Description: Amends UT ST § 26-10-6 (Testing of newborn infants), UT ST § 26-21-9.5 (Criminal background check and Licensing Information System check), UT ST § 58-15-2 (Definitions), UT ST § 58-17b-503 (Exception to unprofessional conduct), UT ST § 58-17b-701 (Mentally incompetent or incapacitated pharmacist -- Division action and procedures), UT ST § 58-31b-102 (Definitions), UT ST § 58-31b-401 (Grounds for denial of licensure or certification and disciplinary proceedings), UT ST § 58-67-601 (Mentally incompetent or incapacitated physician), UT ST § 58-69-601 (Mentally incompetent or incapacitated dentist or dental hygienist) and UT ST § 62A-6-101 (Definitions), replacing outdated terms relating to persons with a disability.

UT ADC R156-67 - Medical Practice Act

Citation: 2011 UT REG TEXT 253735 (NS)
Enacted: N/A
Effective: 3/14/2011
Description: Continues UT ADC R156-67 (Utah Medical Practice Act Rule), providing new effective date of March 14, 2011, pursuant to 5-year review.

UT ADC R156-69 - Dentist and Dental Hygienist Practice Act

Citation: 2011 UT REG TEXT 253736 (NS)
Enacted: N/A
Effective: 3/10/2011
Description: Continues UT ADC R156-69 (Utah Dentist and Dental Hygienist Practice Act Rule), providing new effective date of March 10, 2011, pursuant to 5-year review.

2011 UT H.B. 243 - Occupational and Professional Licensing

Citation: 2011 UT H.B. 243 (NS)
Enacted: 3/29/2011
Effective: 5/10/2011
Description: Amends UT ST § 58-1-401 (Grounds for denial of license -- Disciplinary proceedings -- Time 139 limitations -- Sanctions), providing an administrative penalty for violating the unlawful conduct provisions. Amends UT ST § 58-1-404 (Diversion -- Procedure), updating a cross-reference. Amends UT ST § 58-1-502 (Unlawful conduct -- Penalties), providing the procedures for disciplinary actions and fines for violating UT ST § 58-1-501 (Unlawful and unprofessional conduct) Amends UT ST § 58-31b-302 (Qualifications for licensure or certification -- Criminal background checks), modifying the qualifications for licensure as an advanced practice registered nurse. Adopts UT ST § 58-1-301.7 (Change of information), requiring an applicant, licensee, or certificate holder to notify the division within 10 business days of any change of a mailing address.

2011 UT H.B. 163 - Revisor's Bill

Citation: 2011 UT H.B. 163 (NS)
Enacted: 3/28/2011
Effective: 5/10/2011
Description: Amends UT ST § 58-31b-503 (Penalties and administrative actions for unlawful conduct and unprofessional conduct) and UT ST § 58-57-7 (Exemptions from licensure) making minor technical corrections and clarifying wording changes.

2011 UT H.B. 213 - Technical Corrections

Citation: 2011 UT H.B. 213 (NS)
Enacted: 3/25/2011
Effective: 5/10/2011
Description: Amends UT ST § 26-6-18 (Venereal disease -- Consent of minor to treatment), UT ST § 26-8a-253 (Statewide trauma registry and quality assurance program), UT ST § 26-8a-406 (Ground ambulance and paramedic licenses -- Parties), UT ST § 26-8a-408 (Criteria for determining public convenience and necessity), UT ST § 26-8a-413 (License renewals), UT ST § 26-20-3 (False statement or representation relating to medical benefits), UT ST § 26-20-6 (Conspiracy to defraud prohibited), UT ST § 26-20-9.5 (Civil penalties), UT ST § 26-21-9 (Application for license -- Information required -- Public records), UT ST § 26-21-9.5 (Criminal background check and Licensing Information System check), UT ST § 26-28-105 (Manner of making anatomical gift before donor's death), UT ST § 26-28-106 (Amending or revoking anatomical gift before donor's death), UT ST § 26-28-107 (Refusal to make anatomical gift -- Effect of refusal), UT ST § 26-28-111 (Persons that may receive anatomical gift -- Purpose of anatomical gift), UT ST § 26-28-114 (Rights and duties of procurement organization and others), UT ST § 26-28-121 (Effect of anatomical gift on advance health care directive) and UT ST § 26-34-2 (Definition of death -- Determination of death), making minor technical changes.

2011 UT H.B. 384 - Exceptions to Licensure for Veterans and Active Duty Spouses

Citation: 2011 UT H.B. 384 (NS)
Enacted: 3/22/2011

Effective: 5/10/2011

Description: Amends UT ST § 26-8a-106 (Waiver of rules), providing a waiver of education, licensing, or certification requirements for veterans under certain circumstances. Amends UT ST § 58-1-307 (Exemptions from licensure), providing the conditions for exempting the spouse of an individual, on active duty and stationed in Utah, from licensure.

2011 UT S.B. 129 - Licensing of Physician-Educators

Citation: 2011 UT S.B. 129 (NS)

Enacted: 3/22/2011

Effective: 5/10/2011

Description: Adopts UT ST § 58-67-302.7 (Licensing of physician-educators), providing the conditions for a temporary license for a foreign-educated physician invited to serve as a faculty member at a Utah medical school. Also provides the requirements for these individuals to apply for a permanent license. Amends UT ST § 58-67-303 (Term of license -- Expiration -- Renewal), including an exception for the 2 year renewal cycle as provided in UT ST § 58-67-302.7 (Licensing of physician-educators). Amends UT ST § 58-67-502 (Unprofessional conduct), providing that unprofessional conduct includes making a material misrepresentation regarding the qualifications for licensure under Section 58-67-302.7 (Licensing of physician-educators).

2011 UT S.B. 186 - Medical Practice Act and the Utah Osteopathic Medical Practice Act

Citation: 2011 UT S.B. 186 (NS)

Enacted: 3/22/2011

Effective: 5/10/2011

Description: Amends UT ST § 58-1-502 (Unlawful conduct--Penalty) defining conduct considered to be "unlawful" and "unprofessional". Amends UT ST § 58-67-102 (Definitions) revising definitions for Administrative penalty and Practice of medicine. Amends UT ST § 58-67-302 (Qualifications for licensure) clarifying and updating requirements for licensure and licensure by endorsement for physicians and surgeons. Amends UT ST § 58-67-302.5 (Licensing of graduates of foreign medical schools), UT ST § 58-67-304 (License renewal requirements), UT ST § 58-67-403 (Revocation of license -- Nondisciplinary), UT ST § 58-68-304 (License renewal requirements) and UT ST 58-68-403 (Revocation of license – Nondisciplinary) updating cross references. Amends UT ST § 58-67-305 (Exemptions from licensure) and UT ST § 58-68-305 (Exemptions from licensure) adding an exemption from licensure for individuals invited by a school, association, society, or other body approved by the division to conduct a clinic or demonstration of the practice of medicine in which patients are treated if specified requirements are met. Amends UT ST § 58-67-401 (Grounds for denial of license -- Disciplinary proceedings) providing the grounds for division action are set forth in UT ST §58-1-401 (Grounds for denial of license--Disciplinary proceedings--Time limitations--Sanctions) and UT ST § 58-67-503 (Penalties for unlawful and unprofessional conduct). Removes list of specific actions. Repeals and reenacts UT ST § 58-67-402 (Authority to assess penalty) and UT ST § 58-68-402 (Authority to assess penalties) providing the division may collaborate with the board to assess the penalties set forth in UT ST § 58-67-503 (Penalties for unlawful and unprofessional conduct). Amends UT ST § 58-67-503 (Penalties and administrative actions for unlawful and unprofessional conduct) and UT ST § 58-68-503 (Penalties and administrative actions for unlawful and unprofessional conduct) clarifying and updating the administrative actions and penalties for unprofessional or unlawful conduct. Amends UT ST § 58-68-102 (Definitions) revising definitions for Board and Practice of osteopathic medicine. Amends UT ST § 58-68-302 (Qualifications for licensure) clarifying and updating requirements for li-

censure and licensure by endorsement for osteopathic physicians and surgeons. Amends UT ST § 58-68-401 (Grounds for denial of license -- Disciplinary proceedings) providing that the grounds for division action are set forth in UT ST §58-1-401 (Grounds for denial of license--Disciplinary proceedings--Time limitations--Sanctions) and UT ST § 58-68-503 (Penalties for unlawful and unprofessional conduct). Removes list of specific actions.

2011 UT S.B. 134 - Health Care Provider Advertisements

Citation: 2011 UT S.B. 134 (NS)
Enacted: 3/21/2011
Effective: 5/10/2011
Description: Adopts UT ST § 58-1-501.6 (Health care provider advertisements and disclosure -- Unprofessional conduct), providing the disclosure requirements for health care provider advertisements and makes it unprofessional conduct to violate the requirements.

2011 UT H.B. 13 - Consent of Minor to Immunizations

Citation: 2011 UT H.B. 13 (NS)
Enacted: 3/22/2011
Effective: 5/10/2011
Description: Adopts UT ST § 26-10-9 (Immunizations -- Consent of minor to treatment), allowing a minor who is a parent, or who is pregnant, to consent to immunizations in certain circumstances.

2011 UT H.B. 171 - Abortion Clinic Licensing

Citation: 2011 UT H.B. 171 (NS)
Enacted: 3/22/2010
Effective: 7/1/2011
Description: Amends UT ST § 26-21-2 (Definitions), updating the definition of "Abortion clinic" and "Health care facility" and adding definitions for "Type I abortion clinic" and "Type II abortion clinic". Amends UT ST § 26-21-7 (Exempt facilities), clarifying that an abortion clinic is not an exempt facility. Amends UT ST § 26-21-8 (License required -- Not assignable or transferable -- Posting -- Expiration and renewal -- Time for compliance by operating facilities), providing an abortion clinic may be licensed for a period of 12 months. Amends UT ST § 58-67-304 (License renewal requirements) and UT ST § 58-68-304 (License renewal requirements), requiring the physician renewal applications to include the definition of elective abortions and the question, "Do you perform elective abortions in Utah in a location other than a hospital?". The amendment also provides the division's responsibilities for an affirmative physician answer to this question.

Vermont

2011 VT H.B. 369 - Physician Licensing

Citation: 2011 VT H.B. 369 (NS)
Enacted: 6/2/2011
Effective: 6/2/2011
Description: Amends VT ST T. 26 § 1311 (Definitions), VT ST T. 26 § 1313 (Exemptions), VT ST T. 26 § 1314 (Illegal practice), VT ST T. 26 § 1317 (Unprofessional conduct to be reported to board),

VT ST T. 26 § 1318 (Accessibility and confidentiality of disciplinary matters), VT ST T. 26 § 1354 (Unprofessional conduct), VT ST T. 26 § 1355 (Complaints; hearing committee), VT ST T. 26 § 1357 (Time and notice of hearing), VT ST T. 26 § 1359 (Report of hearing), VT ST T. 26 § 1360 (Hearing before board), VT ST T. 26 § 1361 (Decision and order), VT ST T. 26 § 1365 (Notice of conviction of crime; interim suspension of license), VT ST T. 26 § 1391 (Qualifications for Medical Licensure), VT ST T. 26 § 1393 (Examinations), VT ST T. 26 § 1395 (License without examination), VT ST T. 26 § 1396 (Requirements for admission to practice), VT ST T. 26 § 1398 (Refusal or revocation of licenses), VT ST T. 26 § 1400 (Renewal of License; Continuing Medical Education) and VT ST T. 26 § 1401a (Fees) and adopts VT ST T. 26 § 1735a (Supervision and Scope of Practice), updating the rules for physician licensure and supervision of physician assistants. Note: The amendments to VT ST T. 26 § 1396(7) and VT ST T. 26 § 1400(c) that provide an applicant or licensee must have practiced medicine within the last three years or comply with the requirements for updating knowledge and skills as defined by board rules will take effect 60 days after the adoption of the maintenance of licensure rule for physicians. The state board of medical practice shall adopt maintenance of licensure rules by September 1, 2012.

2011 VT H.B. 420 - Professional Licensing

Citation: 2011 VT H.B. 420 (NS)

Enacted: 6/1/2011

Effective: 6/1/2011

Description: Amends VT ST T. 3 § 129a (Unprofessional conduct), including as unprofessional conduct knowingly providing professional supervision or serving as a preceptor to a person who has not been licensed or registered as required by the laws of that person's profession. Amends VT ST T. 26 § 1572 (Definitions), updating the definition of "Advanced practice registered nurse" to include "APRN." Amends VT ST T. 26 § 1582 (Regulatory authority; Unprofessional conduct), updating the title from Regulatory authority and expanding the list of conduct that is considered unprofessional. Amends VT ST T. 26 § 1584 (Prohibitions; offenses), prohibiting the employment of unlicensed nursing assistants.

2011 VT H.B. 201 - Advance Directives

Citation: 2011 VT H.B. 201 (NS)

Enacted: 6/1/2011

Effective: 6/1/2011

Description: Amends VT ST T. 26 § 1400 (Renewal of License; Continuing Medical Education) updating licensure renewal requirements including requiring a minimum of ten hours of continuing medical education for licensees applying for renewal of an active license to practice medicine. Further requires evidence of professional competence in the areas of hospice and palliative care treatment options. Also provides for an extension of up to 90 days for licensed physicians upon returning from activation or deployment from the uniformed services of the United States providing specified conditions are met. NOTE: This section is effective 60 days after the adoption of the maintenance of licensure rule for physicians. Amends VT ST T. 18 § 9701 (Definitions) updating definitions for "Do-not-resuscitate order" or "DNR order", "DNR identification", "Health care provider". Amends VT ST T. 18 § 9708 (Authority and Obligations of Health Care Providers, Health Care Facilities, and Residential Care Facilities Regarding Do-Not-Resuscitate Orders and Clinician Orders for Life Sustaining Treatment) requiring the use of a standard form for DNR or COLST orders. Provides requirements for Clinician Orders for Life Sustaining Treatment (COLST). Amends VT ST T. 18 § 9709 (Obl-

gations of health care providers, health care facilities, residential care facilities, and health insurers regarding protocols and nondiscrimination) to include the use of Clinician Orders for Life Sustaining Treatment. Amends VT ST T. 18 § 9713 (Immunity) to include the use of a DNA or COLST order. Updates language throughout.

2011 VT H.B. 202 - Certificates of Need - Hospitals

Citation: 2011 VT H.B. 202 (NS)
Enacted: 5/26/2011
Effective: 7/1/2011
Description: Amends VT ST T. 18 § 9402 (Definitions), VT ST T. 18 § 9405b (Hospital community reports), VT ST T. 18 § 9440 (Procedures) and VT ST T. 18 § 9440a (Applications, information, and testimony; oath required) removing the definition for and references to the "Public oversight commission".

2011 VT H.B. 138 - Nursing Home Administrator Licensing Fees

Citation: 2011 VT H.B. 138 (NS)
Enacted: 5/18/2011
Effective: 7/1/2011
Description: Amends VT ST T. 18 § 2058 (License fees), decreasing the Nursing Home Administrator licensing fees to \$100 for the application and \$200 for the biennial renewal.

VT ADC 12-5-17:1 et al. - EMTS

Citation: 2011 VT REG TEXT 248343 (NS)
Enacted: N/A
Effective: 3/1/2011
Description: Amends VT ADC 12-5-17:1 (Definitions), VT ADC 12-5-17:6 (Personnel Requirements and Certification), VT ADC 12-5-17:8 (Emergency Medical Treatment Procedures), VT ADC 12-5-17:9 (Conducting State EMS Certification Examinations), VT ADC 12-5-17:10 (Recognition of Licenses and Certification from Other States), VT ADC 12-5-17:11 (Standards and Procedures for Refusing, Revoking or Suspending Licenses and Certifications) and VT ADC 12-5-17:12 (Standards for Waiving EMS Rules), to be consistent with the changes made to 18 VT ST § 906 (Emergency medical services division; responsibilities).

Virginia

18 VA ADC 90-20-30 - Registered Nurses Fees

Citation: 2011 VA REG TEXT 260489 (NS)
Enacted: N/A
Effective: 7/6/2011
Description: Amends 18 VA ADC 90-20-30 (Fees), increasing the licensing fees for registered nurses.

2010 VA S.B. 1116 - Laboratory Reports

Citation: 2010 VA S.B. 1116 (NS)
Enacted: 4/6/2011

Effective: 7/1/2011
Description: Amends VA ST § 54.1-2409.4 (Authority to receive laboratory results directly), providing that with the prior authorization of the patient, a laboratory may provide a copy of the report of the results directly to the insurance carrier, health maintenance organization, or self-insured plan that provides health insurance or similar coverage to the patient.

2010 VA H.B. 1958 - EMTALA

Citation: 2010 VA H.B. 1958 (NS)
Enacted: 4/29/2011
Effective: 7/1/2011
Description: Amends VA ST § 38.2-4312.3 (Patient access to emergency services), providing that this section will not apply in any instance which is inconsistent or in conflict with Article 6 of Chapter 34 (Federal Market Reforms).

18 VA ADC 60-20-195 - Dental Radiation Certification

Citation: 2011 VA REG TEXT 254786 (NS)
Enacted: N/A
Effective: 5/11/2011
Description: Amends 18 VA ADC 60-20-195 (Radiation certification), eliminating completing a course and passing an examination by the Board of Dentistry as an option for radiation certification.

2010 VA H.B. 2076 - Medical Records

Citation: 2010 VA H.B. 2076 (NS) 2010 VA S.B. 1477 (NS)
Enacted: 4/6/2011
Effective: 7/1/2012
Description: Amends VA ST § 2.2-3010 (Definitions), updating the definition for "Appropriate authority" to include the newly created Office of the State Inspector General. Amends VA ST § 32.1-127.1:03 (Health records privacy), providing that the Office of the State Inspector General may disclose records under certain circumstances.

2010 VA H.B. 2255 - Disclosure of Health Records

Citation: 2010 VA H.B. 2255 (NS) 2010 VA S.B. 1029 (NS)
Enacted: 4/6/2011
Effective: 7/1/2011
Description: Amends VA ST § 32.1-127.1:03 (Health records privacy), providing that a health care provider dispensing a controlled substance may disclose information obtained from the Prescription Monitoring Program and contained in a patient's health care record to another health care provider when the disclosure is related to the patient's care or treatment. Also clarifies that a person who prescribes or dispenses a controlled substance may disclose information obtained from the Prescription Monitoring Program to someone else who is prescribing or dispensing a controlled substance to the recipient. This bill is identical to VA SB 1029.

2010 VA H.B. 2229 - Physicians; Legal Issues; Competency Assessments

Citation: 2010 VA H.B. 2229 (NS)
Enacted: 4/6/2011
Effective: 7/1/2011
Description: Amends VA ST § 54.1-2912.3 (Competency assessments of certain practitioners) changing the requirement for assessing physicians who have had three medical malpractice judgments or settlements in a 10-year period so that it only affects actively practicing physicians. Also changes the amount required to trigger the assessment from \$10,000 to \$75,000 and allows the Board of Medicine to post the number of assessments done on its website, rather than through a report to the General Assembly.

2010 VA S.B. 1245 - Registered Nurses; Provisional Licenses

Citation: 2010 VA S.B. 1245 (NS)
Enacted: 3/26/2011
Effective: 7/1/2011
Description: Adopts VA ST § 54.1-3017.1 (Registered nurse provisional license) allowing the board to issue a provisional license to an applicant for licensure as a registered nurse who has met the educational and examination requirements for licensure.

2010 VA S.B. 828 - Physicians; Respiratory Therapists; Exemption from Licensure

Citation: 2010 VA S.B. 828 (NS) 2010 VA H.B. 2253 (NS)
Enacted: 3/26/2011
Effective: 7/1/2011
Description: Amends VA ST § 54.1-2901 (Exceptions and exemptions generally) providing an exemption from licensure for a practitioner who is in good standing with the applicable regulatory agency in another state and is in Virginia temporarily in order to transport a patient to or from Virginia for care. NOTE: This bill is identical to 2010 VA H.B. 2253 (NS).

2010 VA H.B. 2515 - Electronic Health Records

Citation: 2010 VA H.B. 2515 (NS)
Enacted: 3/26/2011
Effective: 7/1/2011
Description: Amends VA ST § 32.1-127.1:03 (Health records privacy) requiring health care entities to disclose health records to other health care entities when requested by the patient and in the format requested. Further requires health records to be made available electronically to the extent and in the manner authorized by federal law. Health care entities will not be obligated to provide records in the electronic format requested if (i) the electronic format is not reasonably available without additional cost to the entity, (ii) the records would be subject to modification in the format required, or (iii) the entity determines that the integrity of the records could be compromised in the electronic format requested. NOTE: This bill is substantially similar to 2010 VA H.B. 2292 (NS).

2010 VA S.B. 924 - Hospital and Nursing Home; Requirements for Licensure

Citation: 2010 VA S.B. 924 (NS)
Enacted: 3/26/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-127 (Regulations) requiring the Board of Health to promulgate regulations containing minimum standards for policies related to infection prevention, disaster preparedness, and facility security of hospitals, nursing homes, and certified nursing facilities. Also classifies facilities in which 5 or more first trimester abortions are performed per month as a category of "hospital" for purposes of these requirements.

2010 VA S.B. 1262 - False Claims

Citation: 2010 VA S.B. 1262 (NS)

Enacted: 3/26/2011

Effective: 7/1/2011

Description: Amends VA ST § 8.01-216.2 (Definitions), updating the definition of "Claim" and adding new definitions for "Material", "Obligation" and "Official use". Amends VA ST § 8.01-216.3 (False claims; civil penalty), clarifying that a person is civilly liable to the Commonwealth if they, (a) knowingly present a false or fraudulent claim for payment or approval (regardless of to whom the claim is made); (b) knowingly make a false record material to a false or fraudulent claim (regardless of whether the claim was paid or approved by the Commonwealth); (c) have possession of property used by the Commonwealth and deliver less than all such money or property (regardless of whether the person intends to defraud the Commonwealth); or (d) conspire to do any act described in clauses (a) through (c). Amends VA ST § 8.01-216.8 (Certain actions barred; relief from employment discrimination), providing that it is not just an employee, but also a contractor or agent that is entitled to relief from employment discrimination for trying to stop violations of this article. Also clarifies when the court can dismiss certain actions.

2010 VA S.B. 960 - Hospital and Nursing Home Facility Licensing: Definitions

Citation: 2010 VA S.B. 960 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-123 (Definitions) adding a definition for "Children's hospital".

2010 VA S.B. 1093 - Assisted Living Facility; Staff Requirements

Citation: 2010 VA S.B. 1093 (NS)

Enacted: 3/25/2011

Effective: 7/1/2011

Description: Amends VA ST § 54.1-3103.1 (Administrator required for operation of assisted living facility; operation after death, illness, etc., of administrator; notification of Board; administrators operating more than one facility) and VA ST § 63.2-1803 (Staffing of assisted living facilities) providing that in cases in which a licensed assisted living facility administrator dies, resigns, is discharged, or becomes unable to perform his duties, an assisted living facility may continue to operate for up to 150 days with an acting administrator who has applied to an approved administrator-in-training program or has completed such program and is awaiting licensure, or for up to 90 days with an acting administrator who has not applied for licensure. Allows for a single 30-day extension for facilities operating with an acting administrator who has applied for licensure, completed the administrator-in-training program, and is awaiting the results of the national examination. Prohibits an assisted living facility from operating under the super-

vision of an acting administrator for more than one time during any two-year period unless authorized to do so by the Department of Social Services.

2010 VA H.B. 1917 - Assisted Living Facility Administrator: Reporting

Citation: 2010 VA H.B. 1917 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Amends VA ST § 54.1-2400.6 (Hospitals and other health care institutions required to report disciplinary actions against and certain disorders of health professionals; immunity from liability; failure to report) to include the administrators of every licensed assisted living facility within the reporting requirements of this section.

2010 VA S.B. 1215 - False Claims; Medicaid

Citation: 2010 VA S.B. 1215 (NS) 2010 VA H.B. 2035 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-314 (False statement or representation in applications for payment or for use in determining rights to payment; concealment of facts; penalty) requiring the court to order restitution to be made to the Department of Medical Assistance Services for any loss caused by a felony conviction of making a false statement or representation in applications for payment under Medicaid. NOTE: This bill is identical to 2010 VA H.B. 2035 (NS).

2010 VA S.B. 1117 - Determination and Pronouncement of Death

Citation: 2010 VA S.B. 1117 (NS)

Enacted: 3/25/2011

Effective: 7/1/2011

Description: Amends VA ST § 54.1-2972 (When person deemed medically and legally dead; determination of death; nurses' or physician assistants' authority to pronounce death under certain circumstances) providing that the determination of the cause of death is the responsibility of the attending physician, except as provided in VA ST § 32.1-263 (Filing death certificates; medical certification; investigation by medical examiner) which allows supervised nurse practitioners and physician assistants to determine cause of death and sign death certificates under certain circumstances.

2010 VA S.B. 1146 - Dentists Sedation and Anesthesia Permits

Citation: 2010 VA S.B. 1146 (NS)

Enacted: 3/25/2011

Effective: 7/1/2011

Description: Adopts VA ST § 54.1-2709.5 (Permits for sedation and anesthesia required), requiring dentists who use sedation or anesthesia to obtain either a conscious/moderate sedation permit or a deep sedation/general anesthesia permit. This does not apply to an oral and maxillofacial surgeon under certain conditions nor dentists inducing minimal sedation consistent with the Board's regulations.

2010 VA H.B. 2292 - Electronic Health Records

Citation: 2010 VA H.B. 2292 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-127.1:03 (Health records privacy) requiring health records to be made available electronically to the extent and in the manner authorized by federal law. Health care entities will not be obligated to provide records in the electronic format requested if (i) the electronic format is not reasonably available without additional cost to the entity, (ii) the records would be subject to modification in the format requested, or (iii) the entity determines that the integrity of the records could be compromised in the electronic format requested.

2010 VA H.B. 2279 - EMTS Licensing

Citation: 2010 VA H.B. 2279 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-111.5 (Certification and recertification of emergency medical services personnel) providing that relevant military experience, education, and training completed by an applicant for certification as emergency medical services personnel may be considered and accepted to satisfy the requirements for certification. Requires the Commissioner of Health to establish criteria for determining when an applicant's experience, education and training satisfy the requirements for certification.

2010 VA H.B. 2218 - Physicians Licensing

Citation: 2010 VA H.B. 2218 (NS)

Enacted: 3/24/2011

Effective: 7/1/2011

Description: Adopts VA ST § 54.1-2910.3 (No requirement to participate in third-party reimbursement programs) providing that physicians will not be required to participate in any public or private third-party reimbursement program as a condition of licensure.

2010 VA S.B. 976 - Nursing Home Facility Licensing; Posting Notice

Citation: 2010 VA S.B. 976 (NS) 2010 VA H.B. 1818 (NS)

Enacted: 3/23/2011

Effective: 7/1/2011

Description: Amends VA ST § 32.1-127 (Regulations) adding subsection (B)(16) requiring each nursing home and certified nursing facility to, upon the request of the facility's family council, send notices and information about the family council to the listed responsible party or a contact person of the resident's choice up to six times per year and to post notices and information in a designated location within the nursing home or certified nursing facility. NOTE: This bill is identical to 2010 VA H.B. 1818.

2010 VA H.B. 1535 - Consideration of Military Experience for Educational Requirements

Citation: 2010 VA H.B. 1535 (NS)

Enacted: 3/23/2011

Effective: 7/1/2011

Description: Amends VA ST § 54.1-2954.1 (Powers of Board concerning respiratory care) and VA ST § 54.1-3017 (Qualifications of applicant for registered nurse's license; examination; graduates of foreign nursing education programs), providing that an applicant's relevant practical experience and training received as a member of any branch of the US armed forces may be used to satisfy the educational requirements for licensure or certification.

Washington

2011 WA H.B. 1738 - Transfer of Agency Powers

Citation: 2011 WA H.B. 1738 (NS)

Enacted: 6/7/2011

Effective: 7/1/2011

Description: Amends WA ST 74.09.210 (Fraudulent practices-Penalties), WA ST 74.09.240 (Bribes, kickbacks, rebates-Self-referrals-Penalties), WA ST 74.09.260 (Excessive charges, payments-Penalties) and WA ST 74.09.300 (Department to report penalties to appropriate licensing agency or disciplinary board), to reflect the changing of the designation of the state agency from the department of social and health services to the health care authority.

WA ADC 246-817-150 - Dentists and Allied Personnel Licensing

Citation: 2011 WA REG TEXT 251476 (NS)

Enacted: N/A

Effective: 6/17/2011

Description: Amends WA ADC 246-817-150 (Licenses - Persons Licensed or Qualified Out-of-State who are Faculty at School of Dentistry – Conditions) repealing subsection (4). Commission approval of University of Washington, School of Dentistry Clinics located off campus is not required making the rule unnecessary.

2011 WA H.B. 1277 - Nursing Home Licensing

Citation: 2011 WA H.B. 1277 (NS)

Enacted: 5/31/2011

Effective: 7/1/2011

Description: Amends WA ST 18.51.050 (License-Issuance, renewal-Fee-Display), providing that beginning July 1, 2011, the per-bed license fee must be established in the omnibus appropriations act. The license fees established in the omnibus appropriations act may not exceed the department's annual licensing and oversight activity costs. Also provides that a license may not exceed 12 months.

2011 WA S.B. 5708 - Nursing Home Administrators

Citation: 2011 WA S.B. 5708 (NS)

Enacted: 5/16/2011

Effective: 7/22/2011

Description: Amends WA ST 18.52.030 (Management and supervision of nursing homes by licensed administrators required), expanding the list of facilities where the board defines the parameters for on-site full-time administrators, to include nursing homes with small resident populations

when the nursing home has converted some of its licensed nursing facility bed capacity for use as assisted living or enhanced assisted living services under Chapter 74.39A of the Washington Statutes.

2011 WA S.B. 5045 - Technical Corrections

Citation: 2011 WA S.B. 5045 (NS)

Enacted: 5/15/2011

Effective: 7/22/2011

Description: Amends WA ST 18.32.020 (Practice of dentistry defined), WA ST 18.32.735 (Unlawful practice-Hygienists-Penalty), WA ST 18.51.060 (Penalties-Grounds), WA ST 18.51.200 (Preliminary review of complaint-On-site investigation) and WA ST 18.71.011 (Definition of practice of medicine-Engaging in practice of chiropractic prohibited, when), making technical corrections for gender-based terms and misspellings.

2011 WA H.B. 1454 - Disclosure of HIV Antibody Test

Citation: 2011 WA H.B. 1454 (NS)

Enacted: 5/3/2011

Effective: 7/22/2011

Description: Amends WA ST 70.24.105 (Disclosure of HIV antibody test or testing or treatment of sexually transmitted diseases--Exchange of medical information), no longer permitting local law enforcement agencies to receive HIV infection information under certain conditions. Also provides that if a law enforcement officer, firefighter, health care provider, health care facility staff person, department of correction's staff person, jail staff person, or certain other persons requested testing for bloodborne pathogens pursuant to WA ST 70.24.340 (Convicted persons--Mandatory testing and counseling for certain offenses--Employees' substantial exposure to bodily fluids--Procedure and court orders) the requestor must be informed of the results of those tests.

2011 WA H.B. 1640 - Respiratory Therapist Licensing

Citation: 2011 WA H.B. 1640 (NS)

Enacted: 5/3/2011

Effective: 7/22/2011

Description: Amends WA ST 18.89.020 (Definitions), replacing the definition of "Physician" with "Health care practitioner". Amends WA ST 18.89.040 (Scope of practice), changing the references to "physician" to "health care practitioner."

2011 WA H.B. 1315 - Nursing Home Services

Citation: 2011 WA H.B. 1315 (NS)

Enacted: 5/3/2011

Effective: 7/22/2011

Description: Adopts a new section in Chapter 18.51 (Nursing Homes), providing the conditions for employing physicians in a nursing home.

2011 WA S.B. 5073 - Medical Use of Cannabis

Citation: 2011 WA S.B. 5073 (NS)
Enacted: 4/29/2011
Effective: 7/22/2011
Description: Amends WA ST 69.51A.005 (Purpose and intent), WA ST 69.51A.010 (Definitions) and WA ST 69.51A.030 (Health care professionals excepted from state's criminal laws), updating the requirements for the the medical use of cannabis.

2011 WA S.B. 5480 - Physician Licensing

Citation: 2011 WA S.B. 5480 (NS)
Enacted: 4/27/2011
Effective: 7/22/2011
Description: Amends WA ST 18.71.080 (License renewal--Human trafficking information--Continuing education requirement--Failure to renew, procedure), providing that licensees must submit information about their current professional practice at their license renewal. This information may include practice setting, medical specialty, board certification, or other relevant data determined by the commission.

WA ADC 246-853-640 - Physicians; Delegated Services

Citation: 2011 WA REG TEXT 92910 (NS)
Enacted: N/A
Effective: 5/1/2011
Description: Adopts WA ADC 246-853-640 (Nonsurgical Medical Cosmetic Procedures) setting forth the duties and responsibilities of an osteopathic physician who delegates the injection of medications or substances for cosmetic purposes or the use of prescription devices for cosmetic purposes.

2011 WA S.B. 5020 - Social Worker Definition

Citation: 2011 WA S.B. 5020 (NS)
Enacted: 4/15/2011
Effective: 1/1/2012
Description: Amends WA ST 70.97.010 (Definitions), WA ST 70.127.010 (Definitions) and WA ST 71.32.020 (Definitions) updating the definition for "Social worker."

2011 WA S.B. 5071 - Licensing Fees

Citation: 2011 WA S.B. 5071 (NS)
Enacted: 4/13/2011
Effective: 7/21/2011
Description: Amends WA ST 43.70.110 (License fees--Costs--Other charges--Waiver), expanding the list of individuals requiring a \$25 license fee for online resources at the University of Washington to include licensed midwives and marriage and family therapists.

2011 WA H.B. 1575 - Ambulatory Surgical Center Licensing

Citation: 2011 WA H.B. 1575 (NS)
Enacted: 4/14/2011
Effective: 1/1/2012
Description: Amends WA ST 70.230.010 (Definitions), clarifying the definition of an "Ambulatory surgical facility". Amends WA ST 70.230.040 (Exclusions from chapter), clarifying the exclusion from the Ambulatory Surgical Facilities Rules for outpatient specialty or multi-specialty surgical services performed a practitioner or group office.

WA ADC 246-817-220 - Dentist Inactive License

Citation: 2011 WA REG TEXT 174099 (NS)
Enacted: N/A
Effective: 4/17/2011
Description: Adopts WA ADC 246-817-220 (Inactive License), explaining how to obtain an inactive dentist license and establishing renewal and return to active status requirements.

WA ADC 246-976-010 et al. - EMTS Licensing

Citation: 2011 WA REG TEXT 153063 (NS)
Enacted: N/A
Effective: 5/15/2011
Description: Amends WA ADC 246-976-010 (Definitions), WA ADC 246-976-041 (To Apply for Training), WA ADC 246-976-141 (To Obtain Initial EMS Provider Certification following the Successful Completion of Washington State Approved EMS Course), WA ADC 246-976-161 (General Education Requirements for EMS Provider Recertification), WA ADC 246-976-171 (Recertification, Reversion, Reissuance, and Reinstatement of Certification), WA ADC 246-976-182 (Authorized Care - Scope of Practice), WA ADC 246-976-191 (Disciplinary Actions) and WA ADC 246-976-920 (Medical Program Director). Adopts WA ADC 246-976-142 (To Obtain Reciprocal (Out-of-State) EMS Certification, based on a Current Out-of-State or National EMS Certification approved by the Department), WA ADC 246-976-143 (To Obtain EMS Certification by challenging the Educational Requirements, based on possession of a Current Health Care Providers Credential), WA ADC 246-976-144 (EMS Certification), WA ADC 246-976-162 (The CME Method of Recertification) and WA ADC 246-976-163 (The OTEP Method of Recertification). Repeals WA ADC 246-976-021 (Training Course Requirements) and WA ADC 246-976-151 (Reciprocity, Challenges, Reinstatement and Other Actions). The changes are necessary to bring the rules in alignment with current National Industry Standards, Guidelines, and Best Practices.

West Virginia

WV ADC § 64-48-1 et al. - EMTS Licensing

Citation: 2011 WV REG TEXT 227792 (NS)
Enacted: N/A
Effective: 4/21/2011
Description: Repeals and replaces Bureau for Public Health rule, Emergency Medical Services, W. Va. C.S.R. T. 64, Series 48. New rules include: WV ADC §64-48-1 (General), WV ADC §64-48-2 (Definitions), WV ADC §64-48-6 (Personnel), WV ADC §64-48-7 (Investigative/Disciplinary

Actions), WV ADC §64-48-8 (Education), WV ADC §64-48-10 (EMS Personnel in Emergency Departments) and WV ADC §64-48-11 (Administrative Due Process), updating the rules and regulations for emergency medical services.

WV ADC § 64-97-3 et al. - Maternal Risk Screening

Citation: 2011 WV REG TEXT 226944 (NS)
Enacted: N/A
Effective: 4/21/2011
Description: Adopts WV ADC § 64-97-3 (Definitions), WV ADC § 64-97-5 (Applicability of the Screening Tool) and WV ADC § 64-97-6 (Confidentiality) establishing the requirement for health care practitioners to use a uniform maternal risk screening tool and providing for the confidentiality of the tool.

WV ADC § 65-7-2 et al. - Certificates of Need

Citation: 2011 WV REG TEXT 226136 (NS)
Enacted: N/A
Effective: 4/13/2011
Description: Amends WV ADC § 65-7-2 (Definitions), expanding the definition for "Private Office Practice." Amends WV ADC § 65-7-3 (Certificate of Need Requirements), WV ADC § 65-7-6 (Long-Range Plans), WV ADC § 65-7-7 (Access to Information and Facilities), WV ADC § 65-7-8 (Additional Information or Amendments to Application), WV ADC § 65-7-11 (Application Review Procedure), WV ADC § 65-7-15 (Exemptions from Certificate of Need Program), WV ADC § 65-7-20 (Progress Reports/Extension of Certificate of Need) and WV ADC § 65-7-24 (Withdrawal of Certificate of Need) making minor technical changes.

2011 WV S.B. 570 - Licensing Exemptions

Citation: 2011 WV S.B. 570 (NS)
Enacted: 3/31/2011
Effective: 6/10/2011
Description: Adopts WV ST § 29-29-3 (Definitions) and WV ST § 29-29-4 (Exemption from professional licensure) exempting certain medical service professionals and certain emergency medical service professionals from obtaining authorization to practice from the appropriate licensing agency while providing services for nonprofit youth organizations providing the services are within the limits of his or her authorization to practice and a nonprofit volunteer permit has been obtained.

2011 WV S.B. 532 - Fraud Abuse Prevention

Citation: 2011 WV S.B. 532 (NS)
Enacted: 4/4/2011
Effective: 6/10/2011
Description: Amends WV ST § 9-7-2 (Definitions), adding definitions for "Board and Care Facility", "Entity", "Financial Exploitation" and "Person" and updating the definitions for "Claim", "Provider" and "Unit". Amends WV ST § 9-7-4 (Applications for medical assistance; false statements or representations; criminal penalties), WV ST § 9-7-5 (Bribery; false claims;

conspiracy; criminal penalties) and WV ST § 9-7-6 (Civil remedies) updating the department name to Department of Health and Human Resources and making other technical changes.

2011 WV S.B. 488 - HIV Testing

Citation: 2011 WV S.B. 488 (NS)

Enacted: 4/5/2011

Effective: 6/10/2011

Description: Amends WV ST § 16-3C-1 (Definitions), WV ST § 16-3C-2 (Testing) and WV ST § 16-3C-3 (Confidentiality of records; permitted disclosure; no duty to notify), to conform with the most recent recommendations from CDC. The amendments update the definitions, provide who may request testing, provide when testing is mandated, remove the requirement for HIV/AIDS information to be provided when applying for marriage licenses and provide when disclosure is permitted.

2011 WV H.B. 2479 - Dentists and Allied Personnel: Anesthesia Permits

Citation: 2011 WV H.B. 2479 (NS)

Enacted: 3/24/2011

Effective: 6/8/2011

Description: Amends WV ST § 30-4A-4 (Requirement for anesthesia permit) requiring permit holders to report the names and qualifications of each qualified monitor. Also requires a dentist to hold a permit equivalent to or exceeding the anesthesia level being provided with limited exceptions. Updates section title removing the term "certificate". Amends WV ST § 30-4A-5 (Classes of anesthesia permits) updating title and section to remove the term "certificate". Requires dental facilities providing anesthesia services by a physician anesthesiologist to be inspected and approved for a Class IV permit. Repeals WV ST § 30-4A-6 (Qualifications, Standards Applicable, and Continuing Education Requirements for Anesthesia Certificate or Permit). Adopts WV ST § 30-4A-6a (Qualifications, standards applicable, and continuing education requirements for relative analgesia use), WV ST § 30-4A-6b (Qualifications, standards applicable, and continuing education requirements for a Class II Permit), WV ST § 30-4A-6c (Qualifications, standards applicable, and continuing education requirements for Class III Anesthesia Permit) and WV ST § 30-4A-6d (Qualifications, standards applicable, and continuing education requirements for Class IV Anesthesia Permit) providing the qualifications required for the respective classes of permits, including standards of care; patient monitoring requirements; and education and certification requirements. Amends WV ST § 30-4A-8 (Office evaluations) requiring inspection of facilities to include the inspection of Qualified Monitor's certifications and documentation. Also requires a dentist, utilizing a licensed dentist who holds a current anesthesia permit, to have his or her office inspected to the level of the permit held by the anesthesia permit holder and provides that the office is only approved at that level when the anesthesia permit holder is present. Updates terminology to refer to "permit holders" rather than "certificate holders".

2011 WV H.B. 3114 - Certificates of Need - Hospitals; Exemptions

Citation: 2011 WV H.B. 3114 (NS)

Enacted: 3/8/2011

Effective: 3/8/2011

Description: Adopts WV ST § 16-2D-5b (Exception permitting development and operation of certain

nursing beds) allowing the development and operation of a nursing home on the grounds of a critical access hospital meeting certain restrictions. Provides exemption from nursing home moratorium and certificate of need requirements.

2011 WV H.B. 2498 - Dental Licensing

Citation: 2011 WV H.B. 2498 (NS)

Enacted: 3/24/2011

Effective: 6/8/2011

Description: Amends WV ST § 30-4-19 (Dental Office), updating title from "Notification; changing dental office; adding dental office" and requiring a personal representative of a deceased dentist to notify the board of a dentist's death within 60 days. Amends WV ST § 30-4-20 (Refusal to issue or renew, suspension or revocation of license; disciplinary action), requiring notification to the board of a life threatening occurrence, serious injury or death to patient resulting from dental treatment or complications. Also adds harassing, abusing, intimidating, insulting, degrading or humiliating a patient physically, verbally or through another form of communication as acts considered as unprofessional conduct. Amends WV ST § 30-4-23 (Reinstatement), providing a licensee may be required to undergo a psychological evaluation to determine if competent to make decisions or if impaired by drugs or alcohol. Amends WV ST § 30-4-28 (Dental corporations), increasing personal representative's length of time to dispose of a deceased shareholder shares in a dental corporation after dentist's death from 12 to 24 months. Amends WV ST § 30-4-29 (Inapplicability of article), permitting a dental student to work in a public health setting under certain conditions.

2011 WV H.B. 2522 - Nursing Home Appeal Process

Citation: 2011 WV H.B. 2522 (NS)

Enacted: 3/18/2011

Effective: 6/6/2011

Description: Amends WV ST § 16-5C-8 (Investigation of complaints), WV ST § 16-5C-10 (Reports of inspections; plans of correction; assessment of penalties and use of funds derived therefrom; hearings) and WV ST § 16-5C-12 (Administrative appeals for civil assessments, license limitation, suspension or revocation), providing for an independent dispute resolution process and clarifying the informal, formal and judicial review process.

Wyoming

WY ADC AI BM CH. 1 s 10 - Physician License Renewal

Citation: 2011 WY REG TEXT 257326 (NS)

Enacted: N/A

Effective: 5/3/2011

Description: Amends WY ADC AI BM CH. 1 s 10 (License Renewal), providing that all physician licenses valid and in force on June 30, 2011, will be automatically extended until 11:59 p.m., August 31, 2011. The license renewal grace period will be September 1, 2011, though October 30, 2011. Amended by emergency regulation to assist licensees with adoption of the Board's on-line license renewal system.

WY ADC AI BM Ch. 1 s 3 et al. - Physician Licensing

Citation: 2011 WY REG TEXT 253084 (NS)
Enacted: N/A
Effective: 3/18/2011
Description: Amends WY ADC AI BM Ch. 1 s 3 (Definitions), adding definitions for a "Clean application" and "Core application documents". Amends WY ADC AI BM Ch. 1 s 4 (Eligibility for licensure), providing the references must be dated within 6 months and that the application will remain on active status for 6 months after received. An additional section specifying the requirements for Postgraduate (Residency) Training is added. Amends WY ADC AI BM Ch. 1 s 5 (Licensure), updating the circumstances for the issuance of a temporary license. Amends WY ADC AI BM Ch. 1 s 6 (Temporary license), providing a temporary license is effective until the board members vote on the application, or 8:00 a.m. on first day of the next regularly-scheduled board meeting whichever is later. Adds a section providing that applicants granted a temporary license under Section 5 must submit all documentation to complete their application within 180 days of issuance of the temporary license. Amends WY ADC AI BM Ch 1 s 7 (Exemption from licensure), updating the license exemption requirements for out of state consulting physicians. Amends WY ADC AI BM Ch. 1 s 8 (Fees), increasing the application fee to \$600 and adding additional fees for paper applications or renewals. Amends WY ADC AI BM Ch. 2 s 4 (Miscellaneous Provisions), indicating that a passing score on any step or part of the USMLE, COMLEX, FLEX, National Boards, SPEX, or state constructed examination is a minimum of 75. Enacted by Emergency Rules, effective for physician licensure applications received after December 31, 2010.

WY ADC HLTH HQ CH. 12 § 4 et al. - Hospital Licensing

Citation: 2011 WY REG TEXT 253083 (NS)
Enacted: N/A
Effective: 3/9/2011
Description: Adopts emergency rules WY ADC HLTH HLS Chapter 12 (Rules and Regulations for Licensure of Hospitals) pursuant to the Health Facilities Act at WY ST § 35-2-901 et seq. and the Wyoming Administrative Procedure Act (WY ST § 16-3-101 et seq.). These emergency rules are in effect for 120 days. Adopted rules include WY ADC HLTH HLS Ch. 12 s 4 (Definitions); WY ADC HLTH HLS Ch. 12 s 5 (Licensure); WY ADC HLTH HLS Ch. 12 s 6 (Governing Body); WY ADC HLTH HLS Ch. 12 s 8 (Emergency Services); WY ADC HLTH HLS Ch. 12 s 9 (Surgical Services); WY ADC HLTH HLS Ch. 12 s 10 (Anesthesia Services); WY ADC HLTH HLS Ch. 12 s 11 (Radiology Services); WY ADC HLTH HLS Ch. 12 s 12 (Laboratories); WY ADC HLTH HLS Ch. 12 s 13 (Special Care Unit); WY ADC HLTH HLS Ch. 12 s 14 (Obstetric Services); WY ADC HLTH HLS Ch. 12 s 15 (Outpatient Services); WY ADC HLTH HLS Ch. 12 s 16 (Nursing Services); WY ADC HLTH HLS Ch. 12 s 17 (Dietary Services); WY ADC HLTH HLS Ch. 12 s 18 (Social Services); WY ADC HLTH HLS Ch. 12 s 19 (Rehabilitation, Physical Therapy, Speech Therapy, Audiology and Occupational Therapy Services); WY ADC HLTH HLS Ch. 12 s 21 (Pharmacy); WY ADC HLTH HLS Ch. 12 s 22 (Inpatient Psychiatric Services); and WY ADC HLTH HLS Ch. 12 s 24 (Infection Control Program).