

Amendment No. 472

Assembly Amendment to Assembly Bill No. 491 (BDR 54-1339)

Proposed by: Assembly Committee on Commerce and Labor**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 491 (§ 2).

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date	
Adopted	☐	Lost	☐	Adopted	☐	Lost	☐
Concurred In	☐	Not	☐	Concurred In	☐	Not	☐
Receded	☐	Not	☐	Receded	☐	Not	☐

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

WBD/TMC



Date: 4/20/2007

A.B. No. 491—Makes various changes concerning the clinical education of a student in a school of nursing. (BDR 54-1339)



ASSEMBLY BILL NO. 491—COMMITTEE ON
HEALTH AND HUMAN SERVICES

MARCH 22, 2007

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes concerning the clinical education of a student in a school of nursing. (BDR 54-1339)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the practice of nursing; ~~prohibiting a person from enrolling~~
establishing the procedure to apply for a certificate of privilege to
participate in a course of clinical education ; ~~unless he first obtains a~~
~~certificate of privilege to enroll in such a course;~~ requiring a person
who wishes to obtain such a certificate to submit his fingerprints to the
Board for use by the Board in obtaining a report on the person's
criminal history; authorizing the imposition of certain fees; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the State Board of Nursing regulates the practice of nursing and schools of nursing. (Chapter 632 of NRS) ~~Section 1 of this bill prohibits a nursing student from enrolling in a course of clinical education conducted by a school of nursing unless he has obtained from the Board.~~ **Section 1.7 of this bill establishes the procedure for a nursing student to apply for a certificate of privilege to enroll participate** in a course of clinical education. To obtain such a certificate, a nursing student must apply to the Board and submit his fingerprints and his authorization for the Board to use the fingerprints to obtain a report of his criminal history. The Board ~~will~~ **may** issue the certificate unless the report reveals that the applicant has been convicted of ~~a crime that would, if it had been committed by a licensee, be grounds for initiating disciplinary action against the licensee.~~ **a crime that disqualifies him from participating in a course of clinical education or the Board determines that the person is not otherwise of good moral character.** **Section 2** of this bill establishes the range of certain fees that the Board must impose with respect to an application for such a certificate.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 632 of NRS is hereby amended by adding thereto ~~to a new section to read as follows:~~ the provisions set forth as sections 1.3, 1.5 and 1.7 of this act.

Sec. 1.3. "Certificate of privilege to participate in a course of clinical education" means a document issued by the Board certifying that a person has complied with the requirements of section 1.7 of this act and the Board has determined that he has not been convicted of a disqualifying crime and is of good moral character.

Sec. 1.5. "Disqualifying crime" means:

1. Murder, voluntary manslaughter or mayhem;
2. Assault with intent to kill or to commit sexual assault or mayhem;
3. Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;
4. Abuse or neglect of a child or contributory delinquency;
5. A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS, within the past 7 years;
6. A violation of any provision of NRS 200.50955 or 200.5099;
7. Any offense involving fraud, theft, embezzlement, burglary, robbery, fraudulent conversion or misappropriation of property, within the immediately preceding 7 years; or
8. Any other felony involving the use of a firearm or other deadly weapon, within the immediately preceding 7 years.

Sec. 1.7. ~~1. A person may not enroll in a course of clinical education conducted by a school of nursing unless he first obtains a certificate of privilege to enroll in a course of clinical education issued by the Board.~~

~~2.~~ A person who is enrolled in a school of nursing and wishes to obtain a certificate of privilege to ~~enroll~~ participate in a course of clinical education must submit an application to the Board which is accompanied by:

(a) Written evidence, under oath, that he:

(1) Is of good moral character; and

(2) Has not been convicted of a disqualifying crime.

(b) Two complete sets of the person's fingerprints and written permission authorizing the Board to forward those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report. A person may submit his fingerprints electronically.

~~(b)~~ (c) The fees established pursuant to NRS 632.345.

~~2.~~ The Board ~~shall~~ may issue a certificate of privilege to ~~enroll~~ participate in a course of clinical education to an applicant who has complied with the requirements of subsection 1 upon receipt of the report issued by the Federal Bureau of Investigation unless ~~that~~ :

(a) The report includes evidence that the applicant has been convicted of a disqualifying crime ~~that would, if committed by a licensee, be grounds for initiating disciplinary action pursuant to NRS 632.320.~~

~~4.~~ ; or

(b) The Board determines that the applicant is not otherwise of good moral character.

3. As used in this section ~~to~~

~~(a) "Clinical education" means a course of instruction or class in which a student has contact with a patient in a clinical setting.~~

~~(b) "School," "school of nursing" means an:~~

~~(1) (a) Accredited school of nursing.~~

~~(2) (b) Accredited school of practical nursing.~~

~~(3) (c) Accredited school of professional nursing.~~

~~(4) (d) Approved school of nursing.~~

~~(5) (e) Approved school of practical nursing.~~

~~(6) (f) Approved school of professional nursing.~~

Sec. 1.9. NRS 632.010 is hereby amended to read as follows:

632.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 632.011 to 632.0195, inclusive, and sections 1.3 and 1.5 of this act have the meanings ascribed to them in those sections.

Sec. 2. NRS 632.345 is hereby amended to read as follows:

632.345 1. The Board shall establish and may amend a schedule of fees and charges for the following items and within the following ranges:

	Not less than	Not more than
Application for license to practice professional nursing (registered nurse).....	\$45	\$100
Application for license to practice practical nursing	30	90
Application for temporary license to practice professional nursing or practical nursing pursuant to NRS 632.300, which fee must be credited toward the fee required for a regular license, if the applicant applies for a license	15	50
Application for a certificate to practice as a nursing assistant	15	50
Application for a temporary certificate to practice as a nursing assistant pursuant to NRS 632.300, which fee must be credited toward the fee required for a regular certificate, if the applicant applies for a certificate	5	40
<u>Application for a certificate of privilege to enroll participate in a course of clinical education</u>	<u>40</u>	<u>100</u>
<u>Fee for the electronic submission of fingerprints.....</u>	<u>5</u>	<u>50</u>
Biennial fee for renewal of a license	40	100
Biennial fee for renewal of a certificate	20	50
Fee for reinstatement of a license	10	100
Application for recognition as an advanced practitioner of nursing.....	50	200
Application for recognition as a certified registered nurse anesthetist	50	200
Biennial fee for renewal of recognition as an advanced practitioner of nursing or certified registered nurse anesthetist	50	200
Examination fee for license to practice professional nursing.....	20	100
Examination fee for license to practice practical nursing.....	10	90
Rewriting examination for license to practice professional nursing	20	100

	Not less than	Not more than
Rewriting examination for license to practice practical nursing.....	\$10	\$90
Duplicate license	5	30
Duplicate certificate.....	5	30
Proctoring examination for candidate from another state	25	150
Fee for approving one course of continuing education	10	50
Fee for reviewing one course of continuing education which has been changed since approval.....	5	30
Annual fee for approval of all courses of continuing education offered.....	100	500
Annual fee for review of training program.....	60	100
Certification examination	10	90
Approval of instructors of training programs	50	100
Approval of proctors for certification examinations.....	20	50
Approval of training programs	150	250
Validation of licensure or certification	5	25

2. The Board may collect the fees and charges established pursuant to this section, and those fees or charges must not be refunded.

Sec. 3. This act becomes effective on July 1, 2007.