

SCS SB 824 -- NURSES

SPONSOR: Cunningham (Ross)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Professional Registration and Licensing by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 11 to 0.

This bill expands the list of reasons that may cause the State Board of Nursing within the Department of Insurance, Financial Institutions and Professional Registration to file a complaint against a licensed nurse.

The bill allows the board to establish an intervention program and an alternative program for the identification, intervention, treatment, and monitoring of nurses and applicants for a nursing license who have a substance use disorder.

Eligibility in either program is available at the discretion of the board. The intervention program is available to certain individuals as specified in the bill and shall be a minimum of one year in duration. The alternative program is available to licensees and applicants for licensure who admit to having a substance use disorder and shall be from three to five years in duration.

If an individual declines enrollment in either program, the board may proceed with its regular process of investigating a complaint or application.

Upon successful completion of either program, the licensee shall be deemed to have no disciplinary action against his or her license and shall not be required to disclose participation in the program. All records shall be confidential.

If a licensee or applicant violates any term of the intervention or alternative program and denies the violation, the board may convene a hearing to determine if a violation has occurred. If a violation is found or admitted to, the licensee's license shall be indefinitely suspended or the applicant's application shall not be acted upon until he or she continues to fully participate in the intervention or alternative program, has one year with no positive drug or alcohol screens, and completes a sobriety notebook.

If a licensee does not successfully complete the intervention program, the board may pursue disciplinary action and the licensee shall not be eligible to participate in the alternative program. If an applicant does not successfully complete the intervention

program, the board may issue an order against the applicant. Any applicant subject to an order issued by the board shall not be eligible to participate in the alternative program.

If a licensee does not successfully complete the alternative program, the board may pursue disciplinary action against the licensee. If an applicant does not successfully complete the alternative program, the board may issue an order against the applicant.

The statute of limitations for disciplinary proceedings shall be tolled while a licensee or applicant is participating in the intervention or alternative program.

PROPONENTS: Supporters say that currently the board must publicly discipline nurses with substance abuse issues, there is no alternative. This bill creates options that are less adversarial and allows nurses to seek help when they need it. There are currently over 300 nurses in Missouri being monitored for some substance abuse disorder.

Testifying for the bill were Senator Cunningham; Missouri State Board of Nursing; Missouri Hospital Association; Missouri Nurses Association; and Missouri Nurse Practitioner Association.

OPPONENTS: There was no opposition voiced to the committee.