

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 458
Committee Substitute Favorable 7/13/93

Short Title: Nurses Paid by State Plan.

(Public)

Sponsors:

Referred to:

March 22, 1993

A BILL TO BE ENTITLED

AN ACT TO REMOVE BARRIERS IN THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN SO AS TO PROVIDE REIMBURSEMENT TO ADVANCED PRACTICE REGISTERED NURSES PROVIDING SERVICES WITHIN THE SCOPE OF THEIR PRACTICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-40.6 is amended by adding the following new subdivision:

"(10) Coverage for Services of Advanced Practice Registered Nurses. – Notwithstanding any other provision of this section or the Plan, benefits shall be payable for services performed by an advanced practice registered nurse subject to the following limitations:

- a. The service performed is within the nurse's lawful scope of practice;
- b. The Plan provides benefits for identical services performed by other licensed health care providers;
- c. The service is not performed while the nurse is a regular employee in an office of a licensed physician;
- d. The service is not performed while the nurse is employed by a nursing facility (including a hospital, skilled nursing facility, intermediate care facility, or home care agency); and

1 e. The supervising physician has not obtained an assignment of
2 and is not otherwise entitled to the benefits under the Plan.

3 No lack of signature, referral, or employment by any other health
4 care provider may be asserted to deny benefits under this subdivision.

5 For purposes of this section, an 'advanced practice registered nurse'
6 means only a registered nurse who is duly licensed or certified as a
7 nurse practitioner, clinical specialist in psychiatric and mental health
8 nursing, registered nurse anesthetist, nurse midwife, or clinical nurse
9 specialist."

10 Sec. 2. G.S. 135-40.7(5) reads as rewritten:

11 "(5) Charges for any care, treatment, services or supplies other than those
12 which are certified by a physician who is attending the individual as
13 being required for the medically necessary treatment of the injury or
14 disease. This subdivision shall not be construed, however, to require
15 certification by an attending physician for a service provided by an
16 advanced practice registered nurse acting within the nurse's lawful
17 scope of practice, subject to the limitations of G.S. 135-40.6(10)."

18 Sec. 3. G.S. 135-40.7B(c) reads as rewritten:

19 "(c) Notwithstanding any other provisions of this Part, the following providers are
20 authorized to provide necessary care and treatment for mental illness under this section:
21 licensed psychiatrists and doctors of psychology licensed or certified in their states of
22 practice, ~~psychiatric nurses~~ psychiatric nurses, or social workers or psychological
23 associates with a master's degree in psychology under the direct employment and
24 supervision of a licensed psychiatrist or licensed or certified doctor of psychology,
25 licensed psychiatric hospitals and licensed general hospitals providing psychiatric
26 treatment programs and certified residential treatment facilities, community mental
27 health centers, and partial hospitalization facilities."

28 Sec. 4. G.S. 135-40.7A(c)(3) reads as rewritten:

29 "(3) Duly licensed physicians and duly licensed practicing ~~psychologists~~
30 psychologists, certified clinical specialists in psychiatric and mental
31 health nursing, and certified professionals working under the direct
32 supervision of such physicians or psychologists in facilities described
33 in (1) and (2) above and in day/night programs or outpatient treatment
34 facilities licensed after July 1, 1984, under Article 2 of General
35 Statutes Chapter 122C."

36 Sec. 5. This act becomes effective October 1, 1993.