

**A BILL FOR AN ACT**

TO AMEND PUBLIC LAW 14-62 AND FOR OTHER PURPOSES.

**BE IT ENACTED BY THE SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:**

1           **Section 1. Findings and Purposes.** The Commonwealth Legislature hereby finds  
2           that due to the difficulty of recruiting physicians to serve in the Commonwealth hospital  
3           and clinics which often results as obstacles to patients' access to health care, the  
4           extensive training that nurse practitioners must undergo in order to be licensed in the  
5           United States and the Commonwealth, the increasing use of nurse practitioners as  
6           alternative health care providers in many rural areas on the United States, and the  
7           availability of professionally trained and educated local nurse practitioners who can  
8           provide quality healthcare services, increasing nurse practitioners' autonomy will  
9           improve access to quality health care in the Commonwealth.

10           **Section 2. Amendments to Public Law 14-62.**

11           (1) Section 2304 (a) is amended as follows:

12                           “(a) “Advanced Practice Registered Nurse” means a nurse in the practice  
13                           of Advanced Practice Registered Nursing by Certified Nurse Practitioners,  
14                           Certified Registered Nurse Anesthetists, Certified Nurse Midwives, and  
15                           Clinical Nurse Specialists, which shall be based on knowledge and skills

1           acquired in basic nursing education, licensure as a Registered Nurse and a  
2           certification training and/or a graduate degree with a major in Nursing or  
3           graduate degree with a concentration in the Advanced Nursing Practice  
4           category, which includes both didactic and clinical components, advanced  
5           knowledge in nursing theory, physical and psycho-social assessment,  
6           appropriate interventions, and management of health care. The Advanced  
7           Registered Nurse shall only provide health care services within the scope  
8           of practice for which he/she is educationally prepared and for which  
9           competency has been established and maintained as defined by the Board  
10          as defined in this section. ~~Advanced Practice Nursing category shall be~~  
11          ~~within the context of collaborative management (with a supervising~~  
12          ~~physician) The supervising physician shall be licensed to practice~~  
13          ~~medicine in the Commonwealth of the Northern Mariana Islands, and shall~~  
14          ~~have the training and experience in the area of specialty in which the~~  
15          ~~Advanced Practice Nurse is licensed to practice as determined by the~~  
16          ~~Board.”~~

17          (2) Section 2304 (a)(8) is amended as follows:

18               “(8) Performing acts of diagnosing and prescribing within scope of  
19               practice ~~area of specialty written protocols~~ and as defined by the Board,  
20               administering and dispensing therapeutic measures appropriate to the

1           Advanced Practice Registered Nurse's area of specialty as defined by the  
2           Board; and"

3           (3)   Section 2304 (k) is amended as follows:

4           “(k) “Prescriptive/Dispensing Authority” means an Advanced Practice  
5           Registered Nurse authorized to prescribe and dispense drugs and  
6           therapeutic measures described within scope of practice ~~defined by the~~  
7           ~~Board and described in the written agreement entered into with the~~  
8           ~~supervising physician.~~ The authorization to prescribe and dispense drugs  
9           and therapeutic measures is for administration to and use by other persons  
10          (patients or clients) within the scope of practice of the Advanced Practice  
11          Registered Nurse.”

12          (4)   Section 2305 (b) is amended as follows:

13          “(b)   The Governor shall appoint members to serve on the Board. Any  
14          appointment to fill a position shall be made prior to expiration of the term  
15          of the current member. A person appointed shall become a member of the  
16          Board on the first day following the appointment expiration date.  
17          Appointees to the unexpired of full terms shall become members of the  
18          Board on the day following such appointment. Each term of office shall  
19          expire at midnight on the last day of the term of the appointment or at  
20          midnight on the date on which any vacancy occurs. Members may be

1 removed pursuant to Section 21 of Article 3 of the N.M.I. Constitution. In  
2 the event that a member's term has expired and no replacement  
3 appointment has been made, that member shall continue to serve as a  
4 Board member until a replacement has been appointed or the current  
5 member has been reappointed."

6 (5) Section 2306 (a) is amended as follows:

7 "Section 2306. Commonwealth Board of Nurse Examiners: Powers and  
8 Duties. The Board shall:

9 (a) Be responsible for enforcing the provisions of this chapter. The  
10 Board shall have all the duties, powers and authority specifically granted  
11 by and necessary for the enforcement of this chapter, including the  
12 authority to promulgate rules and regulations, subpoena power, as well as  
13 such other duties, powers and authority as it may be granted by  
14 appropriate ~~status~~ statute;"

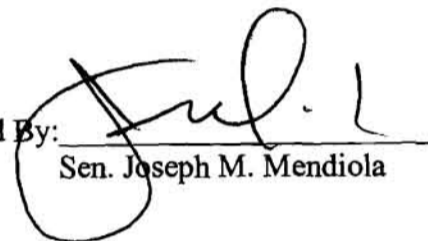
15 **Section 3. Severability.** If any provision of this Act or the application of any  
16 such provision to any person or circumstances should be held invalid by a court of  
17 competent jurisdiction, the remainder of this Act or the application of its provisions to  
18 persons or circumstances other than those to which it is held invalid shall not be affected  
19 thereby.

20 **Section 4. Savings Clause.** This Act and any repealer contained herein shall not

1 be construed as affecting any existing right acquired under contract or acquired under  
2 statutes repealed or under any rule, regulation or order adopted under the statutes.  
3 Repealers contained in this Act shall not affect any proceeding instituted under or  
4 pursuant to prior law. The enactment of this Act shall not have the effect of terminating,  
5 or in any way modifying, any liability (civil or criminal), which shall already be in  
6 existence at the date this Act becomes effective.

7 **Section 5. Effective Date.** This Act shall take effect upon its approval by the  
8 Governor or upon its becoming law without such approval.

Date: 12/13/08  
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Introduced By:   
Sen. Joseph M. Mendiola