

SIXTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 2008

SENATE BILL NO. 16-44, CS1, HD2

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 and
3 clinics, patients' access to health care is greatly diminished. Because of the extensive
4 training that nurse practitioners must undergo in order to be licensed in the United States and
5 the Commonwealth, the increasing use of nurse practitioners as alternative health care
6 providers in many rural areas on the United States, and the availability of professionally
7 trained and educated local nurse practitioners who can provide quality healthcare services,
8 increasing nurse practitioners' autonomy will improve access to quality health care in the
9 Commonwealth. The Legislature finds and declares that this Act is necessary and a proper
10 use of the legislative power granted by Article II of the Commonwealth Constitution.

11 **Section 2. Amendment.** Section 2304(a) of Public Law 14-62 is amended as
12 follows:

13 “(a) “Advanced Practice Registered Nurse” means a nurse in the practice of
14 Advanced Practice Registered Nursing by Certified Nurse Practitioners, Certified
15 Registered Nurse Anesthetists, Certified Nurse Midwives, and Clinical Nurse

1 Specialists, which shall be based on knowledge and skills acquired in basic nursing
2 education, licensure as a Registered Nurse and a certification training and/or a
3 graduate degree with a major in Nursing or graduate degree with a concentration in
4 the Advanced Nursing Practice category, which includes both didactic and clinical
5 components, advanced knowledge in nursing theory, physical and psycho-social
6 assessment, appropriate interventions, and management of health care. The
7 Advanced Practice Registered Nurse shall only provide health care services within
8 the scope of practice for which he/she is educationally prepared and for which
9 competency has been established and maintained as defined by the Board as defined
10 in this section. ~~Advanced Practice Nursing category shall be within the context of~~
11 ~~collaborative management with a supervising physician. The supervising physician~~
12 ~~shall be licensed to practice medicine in the Commonwealth of the Northern Mariana~~
13 ~~Islands, and shall have the training and experience in the area of specialty in which~~
14 ~~the Advanced Practice Nurse is licensed to practice as determined by the Board. The~~
15 term "Advanced Practice Registered Nursing" shall include, but not limited to:
16 (1) Assessing clients, synthesizing and analyzing data, and understanding and
17 applying nursing principles at an advanced level;
18 (2) Providing expert guidance and teaching;
19 (3) Working effectively with clients, families, and other members of the health care
20 team;
21 (4) Managing clients' physical and psycho-social health-illness statuses;
22 (5) Utilizing research skills;
23 (6) Analyzing multiple sources of data, identifying alternative possibilities as to the
24 nature of a health care problem, and selecting appropriate treatment;
25 (7) Making independent and/or collaborative decisions in solving client care
26 problems within their Advanced Practice Category.
27 (8) Performing acts of diagnosing and prescribing within scope of practice area of
28 ~~specialty written protocols~~ and as defined by the Board, administering and

1 dispensing therapeutic measures appropriate to the Advanced Practice Registered
2 Nurse's area of specialty as defined by the Board; and
3 (9) Recognizing limits of knowledge and experience, planning for situations beyond
4 expertise, and consulting with or referring clients to other health care providers as
5 appropriate."

6 **Section 3. Amendment.** Section 2304(k) of Public Law 14-62 is amended as
7 follows:

8 “(k) “Prescriptive/Dispensing Authority” means an Advanced Practice
9 Registered Nurse authorized to prescribe and dispense drugs and therapeutic
10 measures ~~described within scope of practice, defined by the board, and described in~~
11 ~~the Written Agreement entered into with the supervising physician.~~ The
12 authorization to prescribe and dispense drugs and therapeutic measures is for
13 administration to and use by other persons (patients or clients) within the scope of
14 practice of the Advanced Practice Registered Nurse.

15 **Section 4. Amendment.** Section 2305(b) of Public Law 14-62 is amended as
16 follows:

17 “(b) The Governor shall appoint members to serve on the Board. Any appointment to fill
18 a position shall be made prior to expiration of the term of the current member. A person
19 appointed shall become a member of the Board on the first day following the appointment
20 expiration date. Appointees to unexpired portions of full terms shall become members of the
21 Board on the day following such appointment. Each term of office shall expire at midnight on
22 the last day of the term of the appointment or at midnight on the date on which any vacancy
23 occurs. Members may be removed pursuant to section 21 of article 3 of the N.M.I. Constitution.
24 In the event that a member's term has expired and no replacement appointment has been
25 made, that member shall continue to serve as a Board member until a replacement has been
26 appointed and the position is filled, or the current member has been reappointed.”

27 **Section 5. Amendment.** Section 2306(a) of Public Law 14-62 is amended as
28 follows:

1 “(a) Be responsible for enforcing the provisions of this chapter. The Board shall have
2 all of the duties, powers and authority specifically granted by and necessary to the
3 enforcement of this chapter, including subpoena power, the ability to promulgate rules and
4 regulations necessary to implement the intent of the Nurse Practice Act, as well as such
5 other duties, powers and authority as it may be granted by law appropriate status.”

6 Section 6. Amendment. Section 2306(e) (13) of Public Law 14-62 is amended to
7 read as follows:

8 “(13) Maintain membership in national organizations to include but not
9 limited to the National Council of State Boards of Nursing that develop and regulate
10 the national nursing licensure examinations and exclusively promote the
11 improvement of the legal standards of the practice of nursing for the protection of the
12 public health, safety and welfare, and follow nationally recognized guidelines for
13 oversight of nurses and advance practice registered nurses.”

14 Section 7. Severability. If any provision of this Act or the application of any such
15 provision to any person or circumstances should be held invalid by a court of competent
16 jurisdiction, the remainder of this Act or the application of its provisions to persons or
17 circumstances other than those to which it is held invalid shall not be affected thereby.

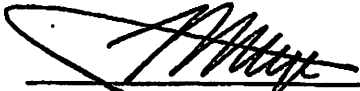
18 Section 8. Savings Clause. This Act and any repealer contained herein shall not be
19 construed as affecting any existing right acquired under contract or acquired under statutes
20 repealed or under any rule, regulation or order adopted under the statutes. Repealers
21 contained in this Act shall not affect any proceeding instituted under or pursuant to prior
22 law. The enactment of this Act shall not have the effect of terminating, or in any way

1 modifying, any liability (civil or criminal), which shall already be in existence at the date
2 this Act becomes effective.

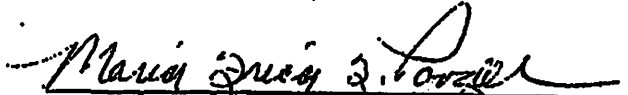
3 **Section 9. Effective Date.** This Act shall take effect upon its approval by the
4 Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

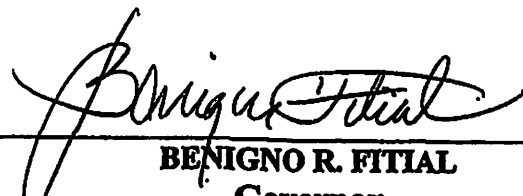


PETE P. REYES
PRESIDENT OF THE SENATE



MARIA FRICA T. PANGELINAN
SENATE LEGISLATIVE SECRETARY

APPROVED this 23rd day of MARCH, 2009



BENIGNO R. FITIAL
Governor
Commonwealth of the Northern Mariana Islands