

SENATE No. 2204

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

1 moved that the bill be amended moved that the bill be amended by inserting, after section
2 xx, the following new sections:-

3 SECTION XX. Section 1 of chapter 94C of the General Laws, as appearing in the 2012
4 Official Edition, is hereby amended by inserting the following definition:-

5 “Medication Order”, an order for medication entered on a patient's medical record
6 maintained at a hospital, other health facility, or ambulatory health care setting and is dispensed
7 for immediate administration to the ultimate user by an individual who under chapter 94C
8 administers such medication. Where this chapter requires a prescription, a "Medication Order"
9 shall satisfy such requirement for all purposes.

10 SECTION XX. Said section 1 of said chapter 94C, as so appearing, is hereby further
11 amended by adding the following 2 subsections to the definition of “practitioner”:-

12 “(d) A nurse practitioner authorized by section 80I of chapter 112 and registered pursuant
13 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in
14 teaching or chemical analysis, a controlled substance in the course of professional practice or
15 research in the commonwealth.

16 (e) A nurse anesthetist authorized by section 80H of chapter 112 and registered pursuant
17 to subsection (f) of section 7 to distribute, dispense, conduct research with respect to, or use in
18 teaching or chemical analysis, a controlled substance in the course of professional practice or
19 research in the commonwealth.”

20 SECTION XX. Subsection (d) of section 7 of said chapter 94C, as so appearing, is
21 hereby amended by striking out paragraph (4) and inserting in place thereof the following
22 paragraph:-

23 “(4) under the supervision of a practitioner as defined in section 1, a registered nurse or
24 licensed practical nurse or a licensed dental hygienist when the licensed dental hygienist is
25 administering local anesthesia agents;”

SECTION XX. Said subsection (d) of said section 7 of said chapter 94C, as so appearing, is hereby further amended by striking out paragraph (7) and inserting in place thereof the following paragraph:-

“(7) any person covered by clauses (a), (b), (c) and (e) of section eighty B of chapter one hundred and twelve when any such person is acting under the supervision of a practitioner;”

SECTION XX. Said section 7 of said chapter 94C, as so appearing, is hereby further amended by adding in lines 115 and 118 after the word “podiatrist,” the following words:- “nurse practitioner, nurse anesthetist”

SECTION XX. Said section 7 of said chapter 94C, as so appearing, is hereby further amended in subsection (g) by striking out in line 129 the words “of nurse practitioners and for”

SECTION XX. Said section 7 of said chapter 94C, as so appearing, is hereby further amended by striking out in line 138 the words: “nurse practitioners and”

SECTION XX. Subsection (g) of said section 7 of said chapter 94C, as so appearing, is hereby amended by striking out the last paragraph.

SECTION XX. Section 9 of said chapter 94C, as so appearing, is hereby amended by inserting in line 1 after the word “podiatrist,” the following words:- “nurse practitioner, nurse anesthetist,”

SECTION XX. Said section 9 of said chapter 94C, as so appearing, is hereby further amended in line 3 by striking out the words “nurse practitioner and” and in lines 7 and 8 by striking the words “nurse anesthetist, as limited by subsection (g) of said section 7 and section 80H of said chapter 112,”

SECTION XX. Said section 9 of said chapter 94C, as so appearing, is hereby further amended by inserting in line 27 after the words “nurse-midwifery,” the following words:- “advanced practice nursing”

SECTION XX. Said section 9 of said chapter 94C, as so appearing, is hereby further amended in lines 91 and 98 by adding after the words “nurse practitioner,” the following words:- “nurse anesthetist”

SECTION XX. Section 18 of said chapter 94C, as so appearing, is hereby amended in lines 10, 26 and 52 by adding after the words “to practice medicine” the following words:- “or advanced practice nursing”

SECTION XX. Said section 18 of chapter 94C, as so appearing, is hereby further amended in line 24 by adding after the words “said physician” the following words:- “, nurse practitioner or nurse anesthetist”

59 SECTION XX. Said section 18 of chapter 94C, as so appearing, is hereby further
60 amended in line 38 by adding after the words “practice medicine” the following words:- “, a
61 nurse practitioner who is licensed to practice advanced practice nursing or a nurse anesthetist
62 who is licensed to practice advanced practice nursing”

63 SECTION XX. Section 80B of chapter 112 of the General Laws, as appearing in the
64 2012 Official Edition, is hereby amended by striking out the seventh paragraph and inserting in
65 place thereof the following paragraph:-

66 “Advanced practice nursing regulations which govern the provision of advanced practice
67 nursing services and related care, including but not limited to the ordering and interpreting of
68 tests and the ordering of treatment and therapeutics and any registration as a practitioner under
69 chapter 94C, shall be promulgated by the board.”

70 SECTION XX. Said section 80B of chapter 112, as so appearing, is hereby further
71 amended by striking out in lines 50 and 51 the following words:- “in the ordering of tests,
72 therapeutics and the prescribing of medications,”

73 SECTION XX. Said Section 80B of chapter 112, as so appearing, is hereby further
74 amended by deleting the last paragraph and inserting in place thereof the following paragraph:-

75 “Neither "professional nursing" nor "practical nursing" shall mean or be construed to
76 prevent: (a) the gratuitous care of any ill, injured or infirm person by any member of his family
77 or any friend, or his care by any person employed primarily as a companion, housekeeper,
78 domestic servant or nursemaid; (b) the performance of any nursing service in an emergency; (c)
79 the performance, of any student enrolled in a school for nurses or practical nurses duly approved
80 in accordance with this chapter, of any nursing service incidental to any prescribed course in
81 such school; (d) the performance of services incidental to the practice of the religious tenets of
82 any church by any member thereof; (e) the performance of nursing service by a person
83 authorized to practice nursing under section seventy-six A, subject to the provisions of said
84 section; or (f) the performance of services by physicians, dentists, pharmacists, teachers, health
85 educators, social workers, dietitians, therapists, technicians, and medical students which are
86 commonly recognized to be functions of their respective callings; or (g) the performance of any
87 nursing service for any patient in a convalescent or nursing home or rest home, by any person
88 employed in such home, provided that such nursing service is performed under the supervision
89 of a registered nurse or licensed practical nurse.”

90 SECTION XX. Section 80E of chapter 112 of the General Laws, as appearing in the
91 2012 Official Edition, is hereby amended by striking out in lines 1 and 7 the following words:-
92 “nurse practitioner or”

93 SECTION XX. Chapter 112 of the General Laws, as appearing in the 2012 Official
94 Edition, is hereby amended by striking out the Section 80H and inserting in place thereof the
95 following section:-

96 Section 80H. Pursuant to section 80B, a nurse anesthetist may be registered to distribute,
97 dispense, conduct research with respect to, or use in teaching or chemical analysis, a controlled
98 substance in the course of professional practice or research in the commonwealth in accordance
99 with regulations promulgated by the board of registration in nursing after consultation with the
100 department of public health.

101 SECTION XX. Section 211 of said chapter 112 of the General Laws, as appearing in the
102 2012 Official Edition, is hereby amended in line 31 by inserting after the word “physician” the
103 following words:- “or nurse anesthetist”

104 SECTION XX. Said section 211 of said chapter 112, as so appearing, is hereby further
105 amended in line 33 by adding after the word “anesthesiologist” the following words:- “or nurse
106 anesthetist”

107 SECTION XX. Section 80I of chapter 112 of the General Laws, as appearing in the 2012
108 Official Edition, as inserted by section 113 of chapter 224 of the acts of 2012, is hereby amended
109 by striking out the second and third sentence and inserting in place thereof the following
110 sentence:- “Pursuant to section 80B, a nurse practitioner may be registered to distribute,
111 dispense, conduct research with respect to, or use in teaching or chemical analysis, a controlled
112 substance in the course of professional practice or research in the commonwealth in accordance
113 with regulations promulgated by the board of registration in nursing after consultation with the
114 department of public health.”.