

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;”

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

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

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

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

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

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

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

43 SECTION XX. Said section 9 of said chapter 94C, as so appearing, is hereby further  
44 amended in line 3 by striking out the words “nurse practitioner and” and in lines 7 and 8 by  
45 striking the words “nurse anesthetist, as limited by subsection (g) of said section 7 and section  
46 80H of said chapter 112,”

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

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

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

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