

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Health Care Committee

BILL: CS/SB 480

INTRODUCER: Health Care Committee and Senator Saunders

SUBJECT: Florida Center for Nursing

DATE: February 16, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Munroe	Wilson	HE	Fav/CS
2.	_____	_____	HA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill requires the Board of Nursing to incorporate the collection of nurse workforce planning data as a part of each application and biennial renewal as an advanced registered nurse practitioner, registered nurse or licensed practical nurse. The data must be submitted to the Florida Center for Nursing (center) for analysis and workforce planning.

The bill changes some of the organizations that recommend persons to the Governor for appointment to the board of directors of the center. The requirements for the staggering of the terms of office of the initial appointments to the board of directors are deleted. The bill revises requirements for the number and duration of terms a member may serve on the board. Beginning July 1, 2006, current board members must be replaced with a new member upon the expiration of the member's term. Current members who have served only one term may be appointed for a final term.

The bill amends sections 464.0195 and 464.0196, Florida Statutes.

II. Present Situation:

Florida Center for Nursing

The center is established in s. 464.0195, F.S., to address issues of supply and demand for nursing, including issues of recruitment, retention, and utilization of nurse workforce resources. Section 464.0195, F.S., outlines the primary goals for the center. The center must develop a strategic statewide plan for nursing manpower in this state by establishing and maintaining a database on nursing supply and demand in the state, to include current supply and demand, and future projections, and by selecting from the plan priorities to be addressed.

The center must convene various groups representative of nurses, other health care providers, business and industry, consumers, legislators, and educators to review and comment on data analysis prepared for the center, recommend systemic changes, evaluate, and report the results of these efforts to the Legislature and others. The center must also enhance and promote recognition, reward, and renewal activities for nurses in the state by promoting nursing excellence programs such as magnet recognition by the American Nurses Credentialing Center; proposing and creating additional reward, recognition, and renewal activities for nurses; and promoting media and positive image-building efforts for nursing.

The center is funded through voluntary contributions collected from nurses. The Board of Nursing is required to include on its initial and renewal application forms a question asking nurses to voluntarily contribute to funding the Florida Center for Nursing in addition to paying the fees imposed at the time of licensure and licensure renewal. Revenues collected from nurses over and above the required fees must be transferred from the Medical Quality Assurance Trust Fund to the Florida Center for Nursing Trust Fund created under s. 464.0198, F.S., and must be used solely to support and maintain the goals and functions of the center. The center annually receives a legislative appropriation equal to \$250,000. Other funds from grants and donations, federal funds, or other funds from other sources specified by law may be deposited into this trust fund and used for purposes of the center. Moneys deposited into this trust fund must be used as provided in s. 464.0195, F.S.

The center is governed by a policy-setting board of directors. The board consists of 16 members, with a simple majority of the board being nurses representative of various practice areas. Other members must include representatives of other health care professions, business and industry, health care providers, and consumers. The members of the board are appointed by the Governor. The board's appointments are conditioned by the following requirements: four members must be recommended by the President of the Senate, at least one of whom must be a registered nurse recommended by the Florida Organization of Nurse Executives and at least one other representative of the hospital industry recommended by the Florida Hospital Association; four members must be recommended by the Speaker of the House of Representatives, at least one of whom must be a registered nurse recommended by the Florida Nurses Association and at least one other representative of the long-term care industry; four members must be recommended by the Governor, two of whom must be registered nurses; and four nurse educators recommended by the State Board of Education, one of whom must be a dean of a College of Nursing at a state university and one must be a director of a nursing program in a state community college. The law specifies staggered terms of office for the members.

Nursing

Part I, ch. 464, F.S., governs the practice of nursing and sets forth requirements for licensure of registered nurses and licensed practical nurses. Under s. 464.012, F.S., advanced registered nurse practitioners may perform all duties of a registered nurse and advanced level nursing in accordance with established protocols, including managing selected medical problems, monitoring and altering drug therapies, initiating appropriate therapies for certain conditions, performing physical examinations, ordering and evaluating diagnostic tests, ordering physical

and occupational therapy, and initiating and monitoring therapies for certain uncomplicated acute illnesses.

Under s. 464.012, F.S., the Board of Nursing must certify and the Department of Health must issue a certificate to any nurse who meets the requirements to become an advanced registered nurse practitioner as outlined in the section. The Board of Nursing must establish an application fee for advanced registered nurse practitioners no greater than \$100 and a biennial renewal fee no greater than \$50. The Board of Nursing has adopted an administrative rule which provides for a fee of \$75 to be assessed for application for advanced registered nurse practitioner certification and a fee of \$105 to be assessed for renewal of a registered nurse/advanced registered nurse practitioner license certificate. Additionally, pursuant to s. 1009.66(6), F.S., the Department of Health must collect a \$5 fee upon initial licensure or renewal of licensure from each practical nurse, registered nurse, and dual registered nurse/advanced registered nurse practitioner for the Nursing Student Loan Forgiveness Trust Fund.¹ The Board of Nursing is authorized to adopt other rules necessary to administer s. 464.012, F.S.

III. Effect of Proposed Changes:

Section 1. Amends s. 464.0195, F.S., relating to the goals of the center, to require the Board of Nursing to incorporate the collection of nurse workforce planning data as a part of each application and biennial renewal as an advanced registered nurse practitioner, registered nurse or licensed practical nurse and to submit the data to the center for analysis and workforce planning.

Section 2. Amends s. 464.0196, F.S., relating to the Board of Directors of the Florida Center for Nursing, to revise the requirements for appointment of members to the board. The bill specifies that: the representative of the long-term care industry be recommended by the Florida Health Care Association and the Florida Association of Homes for the Aged; the dean from a college of nursing be recommended by the Florida Association of Colleges of Nursing; the director of a nursing program in a community college be recommended by the Florida Council of Nursing Education Administrators; and the two nurse educators be recommended by the Commissioner of the Board of Education. The person or entity recommending the rest of the members remains the same. The bill revises the four appointments by the Governor to the board to require that at least one of the four appointees be a certified registered nurse anesthetist.

The requirements for the staggering of the terms of office of the initial appointments to the board of directors are deleted. All members of the board must be appointed to terms of 3 years and a member may not serve more than 2 consecutive terms. Beginning July 1, 2006 each current member of the board must be replaced with a new member upon the expiration of his or her term. Current members who have served only one term may be appointed for a final term.

Section 3. Provides an effective date upon becoming a law.

¹ See Rule 64B9-7.001, Florida Administrative Code.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Art. III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Health care facilities that employ nurses may benefit from the center's collection and analysis of nurse workforce planning data under the bill.

C. Government Sector Impact:

The Board of Nursing will incur expenses to collect and submit nurse workforce planning data to the center.

VI. Technical Deficiencies:

On page 3, line 23, the word "Aged" should be replaced with the word "Aging."

VII. Related Issues:

The bill provides an effective date upon becoming a law. The Department of Health reports that there would not be sufficient time for the Board of Nursing to change its rules, fees, and to develop the survey required under the bill to have notices sent to nurses renewing licensure during a renewal that is in progress. Nursing renewal periods are from February 1 to April 30 and from May 1 to July 31.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
