

Amendment No. 2 to SB2449

Watson
Signature of Sponsor

AMEND Senate Bill No. 2449*

House Bill No. 2600

by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION __. Tennessee Code Annotated, Section 63-7-201, is amended by deleting the section in its entirety and by substituting instead the following:

Section 63-7-201.

(a) There is created a board to be known as the “board of nursing,” composed of eleven (11) members, referred to in this chapter as “board,” appointed by the governor in the manner and for the terms of office as provided in this section.

(b) The board shall be composed of five (5) members who are registered nurses, three (3) members who are licensed practical nurses, two (2) members who are advanced practice nurses, and one (1) member who is not a nurse and who is not commercially or professionally associated with the health care industry.

(1) **Nomination of Candidates.** Members of the board may be appointed by the governor from lists of nominees submitted by their respective organizations. Each list may contain up to three (3) times as many names as the number of appointments to be made. Lists of nominees shall be submitted at least forty-five (45) days prior to the expiration of the term of office of any members of the board.

(2) **Qualifications.**

(A) Each registered nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a registered nurse in Tennessee;

(iii) Be currently engaged in the practice of nursing as a registered nurse; and

(iv) Have had no fewer than five (5) years of experience as a registered nurse, at least three (3) of which immediately preceded appointment.

(B) Each licensed practical nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a licensed practical nurse in this state;

(iii) Be currently engaged in the practice of nursing as a licensed practical nurse; and

(iv) Have had no fewer than five (5) years of experience as a licensed practical nurse, at least three (3) of which immediately preceded appointment.

(C) Each advanced practice nurse appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Be currently licensed in good standing as a registered nurse in Tennessee;

(iii) Be currently certified in good standing as an advanced practice nurse in Tennessee;

(iv) Be currently engaged in the practice of nursing as an advanced practice nurse; and

(v) Have had no fewer than five (5) years experience as an advanced practice nurse, at least three (3) of which immediately preceded appointment.

(D) The representative of the public appointed to serve on the board shall:

(i) Be a resident of this state for at least one (1) year immediately preceding appointment;

(ii) Not have direct or indirect financial interest in health care services;

(iii) Neither be nor ever have been a health care provider or be enrolled in any health related educational program; and

(iv) Not be a member or employee of any board of control of any public or private health care organization.

(3) Lobbyist prohibition.

(A) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the board:

(i) Any person registered as a lobbyist pursuant to the registration requirements of title 3, chapter 6 who is subsequently appointed or otherwise named as a member of the board shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the board, prior to serving as a member of the board. The provisions of this subdivision (A)(i) shall apply to all

persons appointed or otherwise named to the board after July 1, 2010;

(ii) No person who is a member of the board shall be permitted to register or otherwise serve as a lobbyist pursuant to title 3, chapter 6 for any entity whose business endeavors or professional activities are regulated by the board during such person's period of service as a member of the board. The provisions of this subdivision (A)(ii) shall apply to all persons appointed or otherwise named to the board after July 1, 2010, and to all persons serving on the board on such date who are not registered as lobbyists; and

(iii) No person who serves as a member of the board shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the board for one (1) year following the date such person's service on the board ends. The provisions of this subdivision (A)(iii) shall apply to persons serving on the board as of July 1, 2010 and to persons appointed to the board subsequent to such date.

(B) A person who violates the provisions of this subdivision (3) shall be subject to the penalties prescribed in title 3, chapter 6.

(C) The bureau of ethics and campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of this subdivision (3). All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and

in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(4) **Vacancies.** Vacancies on the board created by the expiration of terms of office or otherwise shall be filled for the unexpired terms by appointment by the governor in like manner.

(c) In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

SECTION __. Tennessee Code Annotated, Section 63-7-202, is amended by deleting the section in its entirety.