

ASNA LEGISLATIVE UPDATE 09-4

We have now completed the 12th legislative day of the 2009 session (of 30 total allowed by law). The Legislature will be off next week (16-20 March) for Spring Break, and will reconvene on March 24. The relative calm in the Senate deteriorated in the session of Thursday, 12 March as the Republican minority protested against what they termed inadequate notice on the content of the daily agenda of bills to be considered (called the Special Order Calendar) by Rules Chairman Sen. Lowell Barron (D), Fyffe. As a result, the 12 March session in the Senate accomplished very little as Republicans successfully delayed votes. Perhaps the spring recess will be enough of a cooling off period.

One important update noted was the introduction of the NPAA bill (**SB483**) improving practice parameters for Nurse Practitioners, sponsored by **Sen. Linda Coleman (D) Birmingham**. This is an important step forward for access to healthcare in Alabama, and we strongly support the initiative. **Note: SB483 is tentatively scheduled for a hearing before Sen. Coleman's Senate Health Committee on Thursday, 26 March in Room 727 at the State House. Time will be one hour prior to the Senate convening, so the committee should convene at 9:00AM.** We all need to be prepared to demonstrate our support at that meeting. In addition, contact your Senators in support, especially those on the Health Committee:

Linda Coleman (D), Chair	Birmingham
Tom Butler (D), Dep. Chair	Madison
Larry Means (D), Vice Chair	Attalla
Roger Bedford (D)	Russellville
Larry Dixon (R)	Montgomery
Steve French (R)	Birmingham
Zeb Little (D) Majority Leader	Cullman
Wendell Mitchell (D)	Luverne/Montgomery
Hinton Mitchem (D)	Union Grove
Myron Penn (D)	Union Springs
Quinton Ross (D)	Montgomery
Harri Ann Smith (R)	Slocomb
Jabo Waggoner (R) Minority Leader	Birmingham

Note: Contact information can be found on the official website of the Alabama Legislature, or via the ASNA website by link provided (www.alabamannurses.org)

Update on Bills of interest to ASNA:

SB51/HB50. ASNA nursing scholarship legislation sponsored by **Sen. Kim Benefield** in the Senate and **Rep. (Dr.) Robert Bentley** in the House, this bill updates the language in the current nursing scholarship legislation of 1978 and introduces a formula for allocating scholarship funds, much like the law physicians and dentists currently have for their scholarship program. Through committee with a 10-0 favorable recommendation in the Senate; awaiting committee scheduling in the House. ASNA's #1 priority for 2009.

SB318/HB418. These are the respective **Education Trust Fund budgets** in the Senate and House. Currently the Governor's Budget has only \$57,000 for nursing scholarships, well below the \$257K we got in 2009 and even farther below the \$557K we got in the 2008 budget. We must try to get at least some funding restored for these scholarships, although the present budget crisis will make that very difficult. We are concerned that the Governor's budget had only minor cuts for example, to the physicians scholarship program, while the nurses took a much bigger hit. We'll monitor the ongoing development of the Senate and House versions in the coming weeks. More as it develops.

HB109. The **Alabama Board of Nursing (ABN) Sunset bill.** Has passed both the House and Senate. Sent to the Governor for signature. ASNA strongly supports.

SB130/HB490. Prohibit Smoking in Public Places. Sponsored by Sen. Vivian Davis Figures in the Senate and Rep. Mary Sue McClurkin (and 39 others) in the House. This bill, now in its 11th yearly attempt, has always passed the Senate, but foundered in the House. Passed by the Senate Education Committee; no action yet in the House. Sen. Figures may have enough support to push it through this time. ASNA strongly supports.

SB184/186//HB47. School Nurse Bill. Sponsored by Sen. Z. Little/Sen. Ross in the Senate and Rep. Bentley in the House. Calls for hiring of LPNs and RNs by school systems; sets RN supervisory role over maximum of 5 LPNs; call for RN consultant in each district to oversee school nurse programs and report directly to Superintendent. This bill has broad support in both houses, and with school boards and AEA. Would have passed easily last year except for squabbling in the Senate over other issues. SB186 has passed the full Senate and has been assigned to the EA committee in the House; HB47 has passed the whole House and has been passed by the F&TE committee in the Senate, awaits vote by full Senate. ASNA supports.

SB215/HB27. Confidentiality of ABN Investigative Reports. Sen. Dixon and Rep. D. Newton. Provides legal protection for both the ABN and individual nurses when accused of wrongdoing, most specifically when charges prove false/unfounded. Has been carried over in the Senate GA committee due to objections from the Trial Lawyers Association via Sen. Mitchell and Z. Little. Negotiations pending to resolve the differences. ASNA supports.

SB306. Defibrillator Kits in all K-12 Public Schools. Sen. Butler. Another bill with broad support that likely would have passed last year except for problems on other issues in the Senate. Passed by the Senate Education Committee; will go to the full Senate for vote. ASNA supports.

SB483. NPAA bill to improve practice privileges for Nurse Practitioners. Alabama is one of the most restrictive states in the union in allowing NPs to do what they are trained and educated to do. This bill would remove physicians from the current Joint Committee overseeing NP practice, retaining them in an advisory capacity only while establishing ABN as sole regulatory authority over NPs; delete the requirement for a written Collaborative Agreement with a physician; and add prescriptive authority for Class II – V. Calls for NPs to be named Primary Care Providers, and be included in reimbursement issues. Has major opposition from MASA. Tentatively scheduled for Health Committee hearing 26 March. ASNA strongly supports.

Bill to establish/legalize Law Midwives. Not yet filed, but we anticipate it will be before the end of the session. ASNA opposes.

Other bills we are following:

HB42. Rep. Gordon. **Human papillomavirus (HPV)**, State Board of Health required to provide information to parents/guardians of sixth grade female students.

SB359/HB484. Prescribing Controlled Substances; Physician Assistants. Sen. Coleman/Rep. Johnson. For Class III-V. This bill applies only to PAs not NPs. Will monitor.

HB434. Authorize Medical Use of Marijuana. Rep. Todd. This bill pertains to marijuana, not marinol. Will monitor; ASNA has opposed in the past.

HB487. Rep. Williams. **Newborns, testing for diseases and disorders** recommended by American College of Medical Genetics, physicians to conduct screening, State Board of Health to provide rules and guidelines.

SB89/HB565. Sen. Denton/Rep. Johnson. **Health Department, health care facilities, statewide collection and reporting of patient infection data**, Health Care Data Advisory Council established, subject to Sunset Law, "Mike Denton Infection Reporting Act."

HB639. Rep. Bentley. **Health Care Rights of Conscience Act**, health care providers, institutions and payers right to decline to perform services that violate their consciences; injunctive relief.

Joe Decker
Executive Director
13 March 2009