

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 458

Short Title: Nurses Paid by State Plan.

(Public)

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Sponsors: Representatives Barnes, Nesbitt, Fitch, Black; Alphin, Berry, Bowen, Bowman, Burton, Church, Colton, Culp, Cummings, Diamont, Dickson, Easterling, Hackney, Hall, Hensley, Holt, Judy Hunt, H. Hunter, Jarrell, Jeffus, Joye, Kennedy, Kuczmariski, Lemmond, Luebke, Lutz, McAllister, McLawhorn, Michaux, B. Miller, G. Miller, Spears, Stamey, Stewart, Sutton, Wainwright, P. Wilson, and Wright.

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Referred to: Appropriations.

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March 22, 1993

A BILL TO BE ENTITLED

1 AN ACT TO REMOVE BARRIERS IN THE TEACHERS' AND STATE  
2 EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN SO AS TO  
3 PROVIDE REIMBURSEMENT TO REGISTERED NURSES PROVIDING  
4 SERVICES WITHIN THE SCOPE OF THEIR PRACTICE.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 135-40.6 is amended by adding the following new  
8 subdivision (10):

9 "(10) Coverage for Services of Registered Nurses. – Notwithstanding any  
10 other provision of this section or the Plan, benefits shall be payable for  
11 services performed by a registered nurse subject to the following  
12 limitations:

13 a. The service performed is within the registered nurse's lawful  
14 scope of practice;

15 b. The Plan provides benefits for identical services performed by  
16 other licensed health care providers;

17 c. The service is not performed while the registered nurse is  
18 employed by a nursing facility (including a hospital, skilled  
19 nursing facility, intermediate care facility or home care agency.)

1                   No lack of signature, referral, or employment by any other health care  
2                   provider may be asserted to deny benefits under this subdivision."

3           Sec. 2. G.S. 135-40.7(5) reads as rewritten:

4           "(5) Charges for any care, treatment, services or supplies other than those  
5           which are certified by a physician who is attending the individual as  
6           being required for the medically necessary treatment of the injury or  
7           disease. This subdivision shall not be construed, however, to require  
8           certification by an attending physician for a service provided by a  
9           registered nurse acting within the nurse's lawful scope of practice,  
10           subject to the limitations of G.S. 135-40.6(10)."

11           Sec. 3. G.S. 135-40.7B(c) reads as rewritten:

12           "(c) Notwithstanding any other provisions of this Part, the following providers are  
13           authorized to provide necessary care and treatment for mental illness under this section:  
14           licensed psychiatrists and doctors of psychology licensed or certified in their states of  
15           practice, ~~psychiatric nurses~~ psychiatric nurses, or social workers or psychological  
16           associates with a master's degree in psychology under the direct employment and  
17           supervision of a licensed psychiatrist or licensed or certified doctor of psychology,  
18           licensed psychiatric hospitals and licensed general hospitals providing psychiatric  
19           treatment programs and certified residential treatment facilities, community mental  
20           health centers, and partial hospitalization facilities."

21           Sec. 4. G.S. 135-40.7A(c)(3) reads as rewritten:

22           "(3) Duly licensed physicians and duly licensed practicing ~~psychologists~~  
23           psychologists, certified clinical specialists in psychiatric and mental  
24           health nursing, and certified professionals working under the direct  
25           supervision of such physicians or psychologists in facilities described  
26           in (1) and (2) above and in day/night programs or outpatient treatment  
27           facilities licensed after July 1, 1984, under Article 2 of General  
28           Statutes Chapter 122C."

29           Sec. 5. This act becomes effective October 1, 1993.