

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 770*

Short Title: Nurses Paid by State Plan.

(Public)

Sponsors: Senators Daniel, Perdue, Richardson, Hyde; Gunter, Soles, Seymour, Kaplan, Ward, Speed, Jordan, Tally, Winner of Mecklenburg, Lee, Plexico, Gulley, Albertson, Warren, Ballance, Marshall, Hunt, Edwards, Hartsell, Martin of Pitt, Martin of Guilford, Walker, and Cochrane.

Referred to: Pensions and Retirement.

April 8, 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.)

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

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

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

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

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

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

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

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