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OHIO LEGISLATIVE SERVICE COMMISSION

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H.B. 567
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Rep. Deeter

SUMMARY

- Converts the Board of Nursing's advisory body on advanced practice registered nursing from an advisory committee to an advisory group.
- Makes technical corrections, conforming changes, and clarifications in various statutes regarding the Board and the professionals it regulates.

DETAILED ANALYSIS

Board of Nursing advisory body for APRNs

The bill converts the entity that exists within the Board of Nursing to provide advice on regulating advanced practice registered nurses (APRNs) from an advisory committee to an advisory group. In doing so, the entity's name is changed from the Advisory Committee on Advanced Practice Registered Nursing to the Advisory Group on Advanced Practice Registered Nursing.¹

As part of the conversion, the bill also does the following:

- Designates the member from the Board as the chairperson, in place of a provision allowing the chairperson to be selected from among any of the members;
- Clarifies provisions authorizing the Board to appoint an additional member with expertise in a specialized area of practice;
- Eliminates obsolete provisions regarding procedures for making initial appointments.

¹ R.C. 4723.493.

Nursing law corrective provisions

The bill includes technical corrections, conforming changes, and clarifications in a number of statutes that pertain to the Board as well as the nurses and other professionals the Board regulates. A summary is provided below.

Technical Corrections, Conforming Changes, and Clarifications	
Citation	Description
R.C. 109.71	<p>Removes a reference to the “certificate of authority” that formerly was issued to APRNs. (The certificate of authority was eliminated by H.B. 216 of the 131st General Assembly; it was replaced with an APRN license.)</p> <p>Includes the following: (1) clarifications of the statutory terms used to describe various levels of emergency medical technicians and (2) an update to reflect the new name of the Department of Behavioral Health.</p>
R.C. 3129.01	<p>Recognizes additional titles and accrediting organizations that apply to clinical nurse specialists and certified nurse practitioners who specialize as psychiatric-mental health providers.</p> <p>(Equivalent changes were enacted in S.B. 196 of the 135 General Assembly in other statutes; see R.C. 1751.84, 3923.84, 4723.431, and 5120.17 (not in the bill).)</p>
R.C. 3313.5310	Removes a reference to the non-existent APRN certificate of authority.
R.C. 3333.28	<p>Removes obsolete provisions regarding loans that were awarded from July 1, 2005 through January 1, 2012, under the Nurse Education Assistance Program.</p> <p>Corrects references to the Board’s approval of education programs by referring to “nursing” programs, rather than “nurse” programs, to be consistent with the Board’s statute on approval of nursing education programs (see R.C. 4723.06, not in the bill).</p> <p>Also, for consistency with the Board’s program-approval statute, clarifies that the Board approves the “program,” rather than the “institution.”</p>
R.C. 3701.69	Removes a reference to the obsolete APRN certificate of authority.
R.C. 3701.92 and 3701.921; Section 3	Eliminates obsolete references, and repeals other related statutes, regarding the now-completed Patient-Centered Medical Home Education Pilot Program and its advisory group, which included APRN participation at the time the program and group were in operation.

Technical Corrections, Conforming Changes, and Clarifications	
Citation	Description
R.C. 3705.01 and 3705.30	<p>Consolidates, in the general definition section of the Vital Statistics Law, references to “clinical nurse specialist” and “certified nurse practitioner” and removes duplicative definitions of “certified nurse-midwife” and “physician.”</p> <p>Clarifies the definition of “hospital” now that the licensure of those institutions and facilities has been implemented.</p> <p>Clarifies the definition of “attending physician,” as other provisions of the Vital Statistics Law use the term in the context of living patients, such as births, rather than only in the context of patients who have died.</p>
R.C. 3707.58	Removes a reference to the non-existent APRN certificate of authority.
R.C. 3721.011	<p>Removes an obsolete reference to a Board-approved course in medication administration for licensed practical nurses (LPNs).</p> <p>(This course requirement was modified by H.B. 303 of the 129th General Assembly and subsequently repealed by H.B. 509 of the 134th General Assembly. (See former R.C. 4723.17.))</p>
R.C. 3728.01	<p>Removes a reference to the “certificate to prescribe” that formerly was issued to APRNs.</p> <p>(The certificate to prescribe was eliminated by H.B. 216 of the 131st General Assembly. Under H.B. 216, an APRN’s prescriptive authority became an automatic part of the APRN’s license.)</p>
R.C. 4503.44	<p>Removes a reference to the non-existent APRN certificate of authority.</p> <p>(Also, relies on the general definition of APRN that includes each of the four types of APRNs: certified nurse practitioner, clinical nurse specialist, certified nurse-midwife, and certified registered nurse anesthetist.)</p>
R.C. 4723.01	See explanations under R.C. 4723.18 and 4723.181, below.
R.C. 4723.063; Section 5	<p>Corrects references to the Board’s approval of education programs by referring to “nursing” programs, rather than “nurse” programs, to be consistent with the Board’s statute on approval of nursing education programs (see R.C. 4723.06, not in the bill).</p> <p>Corrects internal cross-references to divisions within the section.</p> <p>Corrects the statutory name of the Board of Nursing.</p>

Technical Corrections, Conforming Changes, and Clarifications	
Citation	Description
	Clarifies the definition of “hospital” now that hospital licensure has been implemented.
R.C. 4723.18 (related changes in R.C. 4723.01)	Clarifies the inter-relationship of separate statutes that describe the authority of LPNs to perform intravenous (IV) procedures, in furtherance of changes that were enacted under H.B. 509 of the 134 th General Assembly.
R.C. 4723.181 (related changes in R.C. 4723.01)	Clarifies that the IV procedures LPNs may perform under this section apply to both adults and pediatric patients, as opposed to the more limited authority to perform IV procedures on adult patients described in the preceding section.
R.C. 4723.28	Consolidates provisions that duplicate the list of sanctions that may be imposed by the Board (see H.B. 303 of the 129 th General Assembly). Corrects a missing reference to dialysis care.
R.C. 4723.34	Includes holders of Board-issued certificates as persons who may be designated by employers to make reports of misconduct to the Board. (Current law refers only to holders of licenses.)
R.C. 4723.35	Clarifies the meaning and use of the terms “applicant” and “practitioner” under the Board’s existing Safe Haven Program for impaired license and certificate holders.
R.C. 4723.36	Corrects provisions that inadvertently imply that APRNs are authorized to complete the cause of death on medical certificates of death. (The Vital Statistics Law permits only physicians, coroners, and medical examiners to complete medical certificates of death (see R.C. 3705.16 (not in the bill).)
R.C. 4723.43	Coordinates sentences that are used to describe the scope of practice of the four types of APRNs. (These sentences were modified, in part, by H.B. 216 of the 131 st General Assembly.) Corrects an internal cross-reference to a division within the section.
R.C. 4723.431	Coordinates a limitation on an APRN’s standard care arrangement, and the requirement that only the collaborating physician may complete and sign a medical certificate of death, with existing law that permits an APRN to determine and pronounce death.

Technical Corrections, Conforming Changes, and Clarifications	
Citation	Description
	(The limitation was enacted in H.B. 497 of the 135 th General Assembly. See related explanation under R.C. 4723.36, above.)
R.C. 4723.47	Corrects a reference to APRNs, by including the missing word “registered.”
R.C. 4723.481	Clarifies a reference to tramadol, which is now a schedule IV controlled substance. (When this section and related statutes on chronic pain treatment were enacted, tramadol was addressed separately from drugs that were controlled substances. In 2014, tramadol was classified as a controlled substance under both federal and state law.)
R.C. 4723.482	Includes a missing reference to the full name of the Board of Nursing.
R.C. 4723.483	Removes a reference to the non-existent APRN certificate to prescribe.
R.C. 4723.52	Removes the definition of “community addiction services provider,” which is no longer used in the section. (H.B. 33 of the 135 th General Assembly eliminated the provisions that were related to this definition.)
R.C. 4723.66	Adds provisions that expressly authorize the Board to renew approval of training programs for medication aides and recognizes the existing two-year renewal cycle, which has been established by Board rule (see Ohio Administrative Code 4723-27-07(D)). Corrects an internal cross-reference error.
R.C. 4723.67	Corrects punctuation and related enumeration errors.
R.C. 4723.69	Clarifies that medication administration is a type of skilled nursing care, rather than a separate type of activity.
R.C. 4731.297	Corrects a reference to APRNs, by including the missing word “registered”
R.C. 5122.10	Recognizes additional titles and accrediting organizations that apply to clinical nurse specialists and certified nurse practitioners who specialize as psychiatric-mental health providers. (See R.C. 3129.01, above, for additional explanation.)
Section 3	Repeals R.C. 3701.923 to 3710.927 and 3701.929.

Technical Corrections, Conforming Changes, and Clarifications	
Citation	Description
	(See explanation under R.C. 3701.92 and 3701.921, above.)
Section 4	<p>Repeals Section 105.40 of H.B. 33 of the 135th General Assembly, which is the sunset clause that eliminates, after five years of existence (on 10-03-28), the laws regarding Medicaid coverage of doula services and Board certification of doulas.</p> <p>(In H.B. 33, the Governor vetoed language that refers to the five-year time limit of the doula provisions; however, the provision that executes the sunset clause was not vetoed and, therefore, remains in existence. As a result, the intended status of the doula provisions after five years is currently unclear.)</p>
Section 5	<p>Retains the 12-31-33 sunset date for the Board's Nurse Education Grant Program.</p> <p>(See explanation under R.C. 4723.063, above).</p>

HISTORY

Action	Date
Introduced	11-04-25

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