

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
Richard Weil, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

## **GEORGIA COMPOSITE MEDICAL BOARD** **NOTICE OF INTENT TO AMEND AND ADOPT RULES**

TO ALL INTERESTED PARTIES:

Notice is hereby given by the Georgia Composite Medical Board that it intends to amend **360-32-.03 “Filing of Nurse Protocol Agreements with the Board.”** An exact copy of the proposed rule is attached to this Notice.

This notice, together with an exact copy of the proposed rules and a synopsis of the proposed rules are being emailed to all persons who have requested, in writing, that they be placed on the mailing list. A copy of this notice, an exact copy of the proposed rules and a synopsis of the proposed rules may be reviewed during normal business hours of 8:00a.m. to 5:00 p.m., Monday through Friday, except official State holidays, at the office of the Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36<sup>th</sup> Floor, Atlanta, Georgia 30303.

Any interested person who will be affected by these rules may present his or her comments to the Board no later than **December 20, 2013** or make comments at the public hearing. Comments may be directed to LaSharn Hughes, Georgia Composite Medical Board, 2 Peachtree Street, N.W., 36<sup>th</sup> Floor, Atlanta, Georgia 30303-3465 or may be received by the Board by e-mail at [lhughes@dch.ga.gov](mailto:lhughes@dch.ga.gov).

A public hearing is scheduled to begin at **9:00 a.m.** on **January 9, 2014** at the 36th Floor Board Room, 2 Peachtree Street, N.W., Atlanta, Georgia 30303, to provide the public an opportunity to comment upon and provide input into the proposed rules.

The Board voted to adopt this Notice of Intent on **November 8, 2013** meeting. The Board will consider at its meeting on **January 9, 2014** at **9:00 a.m.** the comments from the public hearing whether the formulation and adoption of these proposed rule amendments imposes excessive regulatory costs on any license or entity and whether any cost to comply with the proposed rule amendments could be reduced by a less expensive alternative that accomplishes the objectives of the statutes which are the basis of the proposed rule. Additionally at its meeting on **January 9, 2014**, the Board will consider whether it is legal or feasible in meeting the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A)(B)(C)(D).

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
Richard Weil, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

The authority for promulgation of these rules is O.C.G.A. Secs 43-1-19, 43-1-25, 43-34-5, 43-34-63, 43-34-64, 43-34-66, 43-34-70, 43-34-72, 43-39-5 and the specific statutes cited in the proposed rules.

This Notice is adopted and posted in compliance with O.C.G.A. § 50-13-4 of the Georgia Administrative Procedures Act. A synopsis of the proposed rules and an economic impact statement are attached to this Notice.

Date: 11/15/2013

Signed:   
LaSharn Hughes, MBA  
Executive Director  
Georgia Composite Medical Board

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
Richard Weil, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

## ECONOMIC IMPACT AND SYNOPSIS FOR AMENDMENTS TO CHAPTER 360-32 NURSE PROTOCOL AGREEMENTS PURSUANT TO O.C.G.A. SECTION 43-34-25

### ECONOMIC IMPACT:

The attached rules are promulgated under the authority of the Medical Practice Act, Title 43, Chapter 34. The Georgia Composite Medical Board licenses and regulates nine professions. The formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated. Additionally, it is not legal or feasible to meet the objectives of the Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated to adopt or implement differing actions for businesses listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D).

### RULE SYNOPSIS

#### **360-32-.03 Filing of Nurse Protocol Agreements with the Board.**

**Purpose/Main Feature:** The purpose of the proposed rule is to set a time limit for open applications and to notice that fees are non-refundable.

O.C.G.A. Sections 43-1-7, 43-34-5, 43-34-21, and 43-34-25.

# GEORGIA COMPOSITE MEDICAL BOARD

EXECUTIVE DIRECTOR  
LaSharn Hughes, MBA



BOARD CHAIRPERSON  
Richard Weil, MD

2 Peachtree Street, N.W., 36<sup>th</sup> Floor • Atlanta, Georgia 30303 • Tel: 404.656.3923 • <http://www.medicalboard.georgia.gov>  
E-Mail: [medbd@dch.ga.gov](mailto:medbd@dch.ga.gov)

## **360-32-.03 Filing of Nurse Protocol Agreements with the Board.**

- (1) The delegating physician shall file the nurse protocol agreement and a Board approved form with the Board for review and submits the requisite fee for review established in the Board's fee schedule. Fees are non-refundable.
- (2) In addition to submitting the nurse protocol agreement to the Board for review, the delegating physician shall obtain from the APRN and submit to the Board current verification from the Georgia Board of Nursing that the APRN is approved to practice as an APRN and whether the APRN has had any disciplinary action taken against him or her by the Georgia Board of Nursing.
- (3) If, after review, the Board determines that the nurse protocol agreement fails to meet accepted standards of medical practice, the delegating physician will be so notified and be required to amend the agreement in order to comply with such accepted standards.
- (4) The delegating physician shall file with the Board amendments to nurse protocol agreements previously reviewed by the Board within 30 days of the date the amendment was executed.
- (5) Nurse protocol agreements must be received by the Board within 30 days from the date of execution of the agreement.
- (6) Incomplete protocols that have been on file with the Board for more than three months shall be deemed invalid. No further action will take place on the protocol requests that have been incomplete for more than three months and a new protocol and fee will be required.

O.C.G.A. Sections 43-1-7, 43-34-5, 43-34-21, and 43-34-25.