

1 S.163

2 An act relating to the role of advanced practice providers in hospital care

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. 18 V.S.A. § 1851 is amended to read:

5 § 1851. DEFINITIONS

6 As used in this subchapter:

7 (1) “Advanced practice registered nurse” or “APRN” means an
8 individual licensed under 26 V.S.A. chapter 28, subchapter 2.

9 (2) “Hospital” means a hospital required to be licensed under chapter 43
10 of this title.

11 (2)(3) “Patient” means a person an individual admitted to a hospital on
12 an inpatient basis.

13 (4) “Physician” means an individual licensed under 26 V.S.A. chapter
14 23 or 33.

15 (5) “Physician assistant” means an individual licensed under 26 V.S.A.
16 chapter 31.

17 Sec. 2. 18 V.S.A. § 1852 is amended to read:

18 § 1852. PATIENTS’ BILL OF RIGHTS; ADOPTION

19 (a) The General Assembly hereby adopts the “Bill of Rights for Hospital
20 Patients” as follows:

1 (1) The patient has the right to considerate and respectful care at all
2 times and under all circumstances with recognition of ~~his or her~~ the patient's
3 personal dignity.

4 (2) The patient shall have an attending physician, physician assistant, or
5 APRN who is responsible for coordinating a the patient's care.

6 (3) The patient has the right to obtain, from the physician, physician
7 assistant, or APRN coordinating ~~his or her~~ the patient's care, complete and
8 current information concerning diagnosis, treatment, and any known prognosis
9 in terms the patient can reasonably be expected to understand. If the patient
10 consents or if the patient is incompetent or unable to understand, immediate
11 family members or a guardian may also obtain this information. The patient
12 has the right to know by name the attending physician, physician assistant, or
13 APRN primarily responsible for coordinating ~~his or her~~ the patient's care.

14 (4) Except in emergencies, the patient has the right to receive from the
15 patient's physician, physician assistant, or APRN information necessary to
16 give informed consent prior to the start of any procedure or treatment, or both.
17 Such information for informed consent should include the specific procedure
18 or treatment, or both; the medically significant risks involved; and the probable
19 duration of incapacitation. Where medically significant alternatives for care or
20 treatment exist, or when the patient requests information concerning medical
21 alternatives, the patient has the right to such information. The patient also has

1 the right to know the name of the person responsible for the procedures or
2 treatment, or both.

3 * * *

4 (7) The patient has the right to expect that all communications and
5 records pertaining to ~~his or her~~ the patient's care shall be treated as
6 confidential. Only medical personnel, or individuals under the supervision of
7 medical personnel, directly treating the patient, or those persons monitoring the
8 quality of that treatment, or researching the effectiveness of that treatment,
9 shall have access to the patient's medical records. Others may have access to
10 those records only with the patient's written authorization.

11 * * *

12 (9) The patient has the right to know the identity and professional status
13 of individuals providing service to ~~him or her~~ the patient and to know which
14 physician, physician assistant, APRN, or other practitioner is primarily
15 responsible for ~~his or her~~ the patient's care. This includes the patient's right to
16 know of the existence of any professional relationship among individuals who
17 are treating ~~him or her~~ the patient, as well as the relationship to any other
18 health care or educational institutions involved in ~~his or her~~ the patient's care.

19 * * *

20 (11) The patient has the right to expect reasonable continuity of care.
21 The patient has the right to be informed by the attending physician, physician

1 assistant, or APRN of any continuing health care requirements following
2 discharge.

3 * * *

4 (13) The patient has the right to know what hospital rules and
5 regulations apply to ~~his or her~~ the patient's conduct as a patient.

6 * * *

7 (b) Failure to comply with any provision of this section may constitute a
8 basis for disciplinary action against a physician under 26 V.S.A. chapter 23 or
9 33, against a physician assistant under 26 V.S.A. chapter 31, or against an
10 APRN under 26 V.S.A. chapter 28. A complaint may be filed with the Board
11 of Medical Practice or the Office of Professional Regulation as applicable
12 based on the license held by the practitioner.

13 (c) A summary of the hospital's obligations under this section, written in
14 clear language and in easily readable print, shall be distributed to patients upon
15 admission and posted conspicuously at each nurse's station. Such notice shall
16 also indicate that as an alternative or in addition to the hospital's complaint
17 procedures, the patient may directly contact the licensing agency, the Office of
18 Professional Regulation, or the Board of Medical Practice, as applicable. The
19 address and telephone number of the licensing agency, the Office of
20 Professional Regulation, and the Board of Medical Practice shall be included
21 in the notice.

