

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred Senate Bill No. 163
3 entitled “An act relating to the role of advanced practice registered nurses in
4 hospital care” respectfully reports that it has considered the same and
5 recommends that the House propose to the Senate that the bill be amended by
6 striking out all after the enacting clause and inserting in lieu thereof the
7 following:

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

9 § 1851. DEFINITIONS

10 As used in this subchapter:

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

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

15 (2)(3) “Patient” means a ~~person~~ an individual admitted to a hospital on
16 an inpatient basis.

17 (4) “Physician” means an individual licensed under 26 V.S.A. chapter
18 23 or 33.

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

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

2 § 1852. PATIENTS’ BILL OF RIGHTS; ADOPTION

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

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

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

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

18 (4) Except in emergencies, the patient has the right to receive from the
19 patient’s physician, physician assistant, or APRN information necessary to
20 give informed consent prior to the start of any procedure or treatment, or both.
21 Such information for informed consent should include the specific procedure

1 or treatment, or both; the medically significant risks involved; and the probable
2 duration of incapacitation. Where medically significant alternatives for care or
3 treatment exist, or when the patient requests information concerning medical
4 alternatives, the patient has the right to such information. The patient also has
5 the right to know the name of the person responsible for the procedures or
6 treatment, or both.

7 * * *

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

15 * * *

16 (9) The patient has the right to know the identity and professional status
17 of individuals providing service to ~~him or her~~ the patient and to know which
18 physician, physician assistant, APRN, or other practitioner is primarily
19 responsible for ~~his or her~~ the patient's care. This includes the patient's right to
20 know of the existence of any professional relationship among individuals who

1 are treating ~~him or her~~ the patient, as well as the relationship to any other
2 health care or educational institutions involved in ~~his or her~~ the patient's care.

3 * * *

4 (11) The patient has the right to expect reasonable continuity of care.
5 The patient has the right to be informed by the attending physician, physician
6 assistant, or APRN of any continuing health care requirements following
7 discharge.

8 * * *

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

11 * * *

12 (b) Failure to comply with any provision of this section may constitute a
13 basis for disciplinary action against a physician under 26 V.S.A. chapter 23 or
14 33, against a physician assistant under 26 V.S.A. chapter 31, or against an
15 APRN under 26 V.S.A. chapter 28. A complaint may be filed with the Board
16 of Medical Practice or the Office of Professional Regulation as applicable
17 based on the license held by the practitioner.

18 (c) A summary of the hospital's obligations under this section, written in
19 clear language and in easily readable print, shall be distributed to patients upon
20 admission and posted conspicuously at each nurse's station. Such notice shall
21 also indicate that as an alternative or in addition to the hospital's complaint

1 procedures, the patient may directly contact the licensing agency, the Office of
2 Professional Regulation, or the Board of Medical Practice, as applicable. The
3 address and telephone number of the licensing agency, the Office of
4 Professional Regulation, and the Board of Medical Practice shall be included
5 in the notice.

6 Sec. 3. 18 V.S.A. § 1905 is amended to read:

7 § 1905. LICENSE REQUIREMENTS

8 Upon receipt of an application for a license and the license fee, the licensing
9 agency shall issue a license when it determines that the applicant and hospital
10 facilities meet the following minimum standards:

11 * * *

12 (5) All patients admitted to the hospital shall be under the care of a ~~State~~
13 ~~registered and licensed practicing physician as defined by the laws of the State~~
14 ~~of Vermont~~ physician licensed pursuant to 26 V.S.A. chapter 23 or 33, a
15 physician assistant licensed pursuant to 26 V.S.A. chapter 31, or an advanced
16 practice registered nurse licensed pursuant to 26 V.S.A. chapter 28, subchapter
17 2. All hospitals shall use the uniform credentialing application form described
18 in subsection 9408a(b) of this title.

19 * * *

20 (8) Professional case records shall be compiled for all patients and
21 signed by the attending physician, physician assistant, or advanced practice

1 registered nurse. These records shall be kept on file for a minimum of 10
2 years.

3 * * *

4 Sec. 4. EFFECTIVE DATE

5 This act shall take effect on passage.

6 and that after passage the title of the bill be amended to read: “An act
7 relating to the role of advanced practice providers in hospital care”

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18 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE