

SECOND REGULAR SESSION

# HOUSE BILL NO. 1990

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WELLS (Sponsor), WASSON, POLLOCK, DEEKEN,  
DIECKHAUS, FRANZ, WILSON (130), WALLACE, STEVENSON,  
DUGGER AND DENISON (Co-sponsors).

4608L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 335.081, RSMo, and to enact in lieu thereof two new sections relating to nurses.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 335.081, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 335.081 and 1, to read as follows:

335.081. So long as the person involved does not represent or hold himself or herself out as a nurse licensed to practice in this state, no provision of sections 335.011 to 335.096 shall be construed as prohibiting:

(1) The practice of any profession for which a license is required and issued pursuant to the laws of this state by a person duly licensed to practice that profession;

(2) The services rendered by technicians, nurses' aides or their equivalent trained and employed in public or private hospitals and licensed long-term care facilities except the services rendered in licensed long-term care facilities shall be limited to administering medication, excluding injectable other than insulin;

(3) The providing of nursing care by friends or members of the family of the person receiving such care;

(4) The incidental care of the sick, aged, or infirm by domestic servants or persons primarily employed as housekeepers;

(5) The furnishing of nursing assistance in the case of an emergency situation;

(6) The practice of nursing under proper supervision:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (a) As a part of the course of study by students enrolled in approved schools of  
17 professional nursing or in schools of practical nursing;

18 (b) By graduates of accredited nursing programs pending the results of the first licensing  
19 examination or ninety days after graduation, whichever first occurs;

20 (c) A graduate nurse who is prevented from attending the first licensing examination  
21 following graduation by reason of active duty in the military may practice as a graduate nurse  
22 pending the results of the first licensing examination scheduled by the board following the  
23 release of such graduate nurse from active military duty or pending the results of the first  
24 licensing examination taken by the graduate nurse while involved in active military service  
25 whichever comes first;

26 (7) The practice of nursing in this state by any legally qualified nurse duly licensed to  
27 practice in another state whose engagement requires such nurse to accompany and care for a  
28 patient temporarily residing in this state for a period not to exceed six months;

29 (8) The practice of any legally qualified nurse who is employed by the government of  
30 the United States or any bureau, division or agency thereof, while in the discharge of his or her  
31 official duties or to the practice of any legally qualified nurse serving in the armed forces of the  
32 United States while stationed within this state;

33 (9) Nonmedical nursing care of the sick with or without compensation when done in  
34 connection with the practice of the religious tenets of any church by adherents thereof, as long  
35 as they do not engage in the practice of nursing as defined in sections 335.011 to 335.096;

36 **(10) The practice of any legally qualified and licensed nurse of another state,  
37 territory, or foreign country whose responsibilities include transporting patients into, out  
38 of, or through this state while actively engaged in patient transport does not exceed forty-  
39 eight hours in this state.**

**Section 1. 1. Before hiring a registered nurse, licensed practical nurse, or advanced  
2 practice registered nurse in this state, an employer shall verify that the applicant has a  
3 current valid license to practice nursing under chapter 335. This section shall not apply  
4 for employment which does not require the possession of a current valid license to practice  
5 nursing.**

**6 2. Employers shall have a system in place to verify licensure status of each  
7 registered nurse, licensed practical nurse, or advanced practice registered nurse coinciding  
8 with the license renewal.**

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