

HCS HB 1779 -- ADVANCED PRACTICE REGISTERED NURSES

SPONSOR: Riddle

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Health Care Policy by a vote of 11 to 0.

Under current law, physical or chemical restraints, isolation, or seclusion cannot be used on a patient, resident, or client of a mental health facility or mental health program unless it is determined by the head of the facility or the attending licensed physician that it is necessary to protect the health and safety of the individual or others and that it provides the least restrictive environment. This bill allows an order to also be made by an advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician. If the advanced practice registered nurse orders the use of restraints, isolation or seclusion, it must be reviewed in person by the attending licensed physician if the episode of restraint extends beyond a four hour duration for a person under 18 years of age, or beyond an eight hour duration for a person 18 years of age or older, or for any total length of restraint lasting more than a four hour duration in a 24 hour period in the case of a person under 18 years of age, or beyond an eight hour duration in the case of a person over 18 years of age in a 24 hour period. Depending on the circumstances under which an individual is committed to the facility, a security escort device may be used when an individual is transported outside a mental health facility based on the determination of the head of the facility or the attending licensed physician. These provisions allow a determination to also be made by the advanced practice registered nurse in a collaborative practice arrangement with the attending licensed physician.

Any order made by the advanced practice registered nurse under these provisions must be reviewed in person by the attending licensed physician of the facility within 24 hours or the next regular working day of the order being issued, and the review must be documented in the clinical record of the patient, resident, or client. The attending advanced practice registered nurse must also document the use of the restraint, isolation or seclusion.

The provisions of the bill regarding patient restraint determinations by advanced practice registered nurses will expire four years from the effective date.

PROPOSERS: Supporters of the bill say that psychiatrists are now a rarity and one in every five psychiatrist positions in Missouri is vacant. The bill will permit other qualified professionals to take temporary action in a crisis. Under federal law, any hold

that would require a person to break away to be free is considered restraint, such as grabbing a person's arm. Restraint isn't often used but when it is, it is only used in a crisis situation.

Testifying for the bill were Representative Riddle; Mark Stringer, Missouri Department of Mental Health; and Missouri State Medical Association.

OPPONENTS: There was no opposition voiced to the committee.