

Senate Bill 449

By: Senators Walker III of the 20th, Kennedy of the 18th, Anavitarte of the 31st, Gooch of the 51st, Payne of the 54th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 31-7-12.8 of the Official Code of Georgia Annotated, relating to
2 certification as nursing aid and employer sponsored training and competency examination
3 program, so as to exempt certain military medical personnel from an examination
4 requirement to qualify as a certified nursing aide; to amend Article 3 of Chapter 11 of Title
5 31 of the Official Code of Georgia Annotated, relating to personnel regarding emergency
6 medical services, so as to exempt certain military medical personnel from certain
7 requirements to qualify as a paramedic, cardiac technician, or an emergency medical
8 technician; to amend Article 2 of Chapter 26 of Title 43 of the Official Code of Georgia
9 Annotated, relating to licensed practical nurses, so as to exempt certain military medical
10 personnel from certain requirements to qualify as a licensed practical nurse; to provide for
11 a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

12 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

13 **SECTION 1.**

14 Code Section 31-7-12.8 of the Official Code of Georgia Annotated, relating to certification
15 as nursing aide and employer sponsored training and competency examination program, is
16 amended by adding two subsections to read as follows:

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17 "31-7-12.8.

18 (a) The department shall certify an applicant for certification as a certified nurse aide who
19 meets the following qualifications:

20 (1) Has relevant professional or educational experience as determined by the department;
21 and

22 (2) Has achieved a minimum score, as established by rule of the department, on a
23 certified nurse aide competency examination consisting of a written portion and a
24 skills-demonstration portion, as approved by the department.

25 (b) The department shall approve employer based programs sponsored by or offered in
26 assisted living communities, private home care providers, personal care homes, or other
27 long-term care facilities licensed by the department for certified nurse aide training and
28 competency examination programs, in the same manner as such programs are approved in
29 nursing homes, as determined by the department. The department shall require all
30 employer based programs to meet the requirements set forth in 42 C.F.R. 483.152 and other
31 applicable laws and regulations.

32 (c) The department, in collaboration with the Department of Veterans Service, shall
33 establish a program through which military medical personnel may be certified as a nurse
34 aide without meeting the examination requirements provided for in paragraph (2) of
35 subsection (a) of this Code section.

36 (d) For purposes of this Code section, the term 'military medical personnel' means an
37 individual who has, within 24 months of seeking certification pursuant to this Code section,
38 served as a medic in the United States Army, medical technician in the United States Air
39 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
40 released from such service under conditions other than dishonorable."

41 **SECTION 2.**

42 Article 3 of Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to
43 personnel regarding emergency medical services, is amended by revising Code Section
44 31-11-52, relating to certification and recertification of, and training for, paramedics and
45 cardiac technicians and qualifications by felons, as follows:

46 "31-11-52.

47 (a) The department shall establish procedures and standards for certifying and recertifying
48 paramedics and cardiac technicians. An applicant for initial certification as a paramedic
49 or a cardiac technician ~~must~~ shall:

50 (1) Submit a completed application on a form to be prescribed by the department, which
51 shall include evidence that the applicant is 18 years of age or older and is of good moral
52 character;

53 (2) Submit from the department a notarized statement that the applicant has completed
54 a training course approved by the department;

55 (3) Submit to the department a fee as set forth in the regulations of the department; and

56 (4) Meet such other requirements as are set forth in the rules and regulations of the
57 department.

58 (b) The department shall also adopt procedures and standards for its approval of paramedic
59 training courses and cardiac technician training courses. The department shall adopt such
60 regulations after consultation with appropriate public and private agencies and
61 organizations concerned with medical education and the practice of medicine. Procedures
62 and standards adopted by the department shall be consistent with the purposes and
63 provisions of this chapter.

64 (c) An applicant convicted of a felony more than five but less than ten years prior to
65 application shall not be disqualified for certification, provided that such applicant has:

66 (1) Successfully completed a training program approved by the department and
67 sponsored by the Department of Corrections pursuant to Code Section 42-5-57; and

68 (2) Met all other requirements as set forth in this chapter.

69 (d) The department, in collaboration with the Department of Veterans Service, shall
70 establish a program through which military medical personnel may be certified or
71 recertified as paramedics and cardiac technicians without meeting the requirements
72 provided for in paragraphs (2) and (4) of subsection (a) of this Code section.

73 (e) For purposes of this Code section, the term 'military medical personnel' means an
74 individual who has, within 24 months of seeking certification pursuant to this Code section,
75 served as a medic in the United States Army, medical technician in the United States Air
76 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
77 released from such service under conditions other than dishonorable."

78 **SECTION 3.**

79 Said article of the Official Code of Georgia Annotated, relating to personnel, is further
80 amended by revising Code Section 31-11-53, relating to services which may be rendered by
81 certified emergency medical technicians and trainees, by adding two new subsections to read
82 as follows:

83 "31-11-53.

84 (a) Upon certification by the department, emergency medical technicians may do any of
85 the following:

86 (1) Render first-aid and resuscitation services as taught in the United States Department
87 of Transportation basic training courses for emergency medical technicians or an
88 equivalent course approved by the department;

89 (2) Upon the order of a duly licensed physician, administer approved intravenous
90 solutions and opioid antagonists; and

91 (3) Upon the order of a duly licensed physician during a public health emergency, as
92 defined in Code Section 31-12-1.1, administer vaccines.

93 (b) While in training preparatory to becoming certified, emergency medical technician
94 trainees may perform any of the functions specified in this Code section under the direct
95 supervision of a duly licensed physician or a registered nurse.

96 (c) The department, in collaboration with the Department of Veterans Service, shall
97 establish a program through which military medical personnel may be certified as
98 emergency medical technicians without additional training, experience, or examination.

99 (d) For purposes of this Code section, the term 'military medical personnel' means an
100 individual who has, within 24 months of seeking certification pursuant to this Code section,
101 served as a medic in the United States Army, medical technician in the United States Air
102 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
103 released from such service under conditions other than dishonorable."

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SECTION 4.

105 Article 2 of Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to
106 licensed practical nurses, is amended by revising Code Section 43-26-36, relating to
107 application for licensure and examination, by adding new subsections to read as follows:

108 "(c) Notwithstanding Code Section 43-1-35, or any other provision of law, the board, in
109 collaboration with the Department of Veterans Service, shall establish a program through
110 which military medical personnel may be licensed as a licensed practical nurse without
111 meeting the requirements provided for in paragraphs (3), (5), and (6) of subsection (a) of
112 this Code section.

113 (d) For purposes of this Code section, the term 'military medical personnel' means an
114 individual who has, within 24 months of seeking licensure pursuant to this Code section,
115 served as a medic in the United States Army, medical technician in the United States Air
116 Force, or corpsman in the United States Navy or Coast Guard and who was discharged or
117 released from such service under conditions other than dishonorable."

118

SECTION 5.

119 All laws and parts of laws in conflict with this Act are repealed.