

YEAR-END REPORT - 2021

Published 20-Dec-2021
HPTS Issue Brief 12-20-21.10

Health Policy Tracking Service - Issue Briefs
Healthcare Providers & Facilities
Healthcare Workforce

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12/20/2021

I. General Healthcare Worker Oversight**Ohio Allows Health Care Providers to Deny LGBTQ Health Care on Moral Grounds**

A clause in Ohio's Budget Bill (2021 OH H.B. 110 (NS), enacted July 1, 2021) allows medical providers to refuse to administer any medical treatment that violates their moral, ethical, or religious beliefs.

The bill defines a Medical practitioner¹ as any person who facilitates or participates in the provision of health care services, including nursing, physician services, counseling and social work, psychological and psychiatric services, research services, surgical services, laboratory services, and the provision of pharmaceuticals and may include any of the following: any student or faculty at a medical, nursing, mental health, or counseling institution of higher education or an allied health professional, paraprofessional, or employee or contractor of a health care institution.

The bill provides that a medical practitioner, health care institution, or health care payer has the freedom to decline to perform, participate in, or pay for any health care service which violates the practitioner's, institution's, or payer's conscience as informed by the moral, ethical, or religious beliefs or principles held by the practitioner, institution, or payer. The bill provides that exercise of the right of conscience is limited to conscience-based objections to a particular health care service.

Recent Legislation and Regulation**Alaska**

2021 AK REG TEXT 573234 (NS), published April 15, 2021, effective May 14, 2021, adopts [12 AK ADC 02.915](#) (Application form and verifications for licensure) providing that application documents that are more than 12 months old from the date of receipt are stale and must be resubmitted; adopts [12 AK ADC 02.956](#) (Temporary license for spouses of military personnel) establishing the requirements for the issuance of a temporary license to the spouse of an active duty member of the armed forces of the United States. Provides that the license is valid for 180 days and may be extended for an additional 180-day period; and adopts [12 AK ADC 02.957](#) (Temporary license for military personnel) establishing the requirements for the issuance of a temporary license to a member of the armed forces of the United States. Provides that the license is valid for 180 days and may be extended for an additional 180-day period. Amends [12 AK ADC 02.960](#) (Audit of compliance with continuing competency requirements) updating the documentation required to verify completion of the continuing competency activities claimed on the statement submitted with the application for license renewal to include the Internet address of an online provider that can verify individual student attendance. Provides that continuing education credits are invalid and will not be awarded if individual student attendance cannot be verified. Also provides that failure to comply with the continuing education audit is grounds for imposition of disciplinary sanctions; and amends [12 AK ADC 02.965](#) (Failure to meet continuing education requirements for renewal and reinstatement of license) clarifying that a license will not be renewed or reinstated if the applicant has not earned the required number of continuing education credits during the concluding licensing period.

Arkansas

• 2021 AR S.B. 289 (NS), enacted March 25, 2021, effective July 30, 2021, adopts AR ST ? 17-80-504 (Right of conscience), as part of the 'Medical Ethics and Diversity Act,' to provide that a medical practitioner, healthcare institution, or healthcare payer has the right not to participate in a healthcare service that violates his, her, or its conscience and will not be held civilly, criminally, or administratively liable for declining to participate.



- 2021 AR H.B. 1439 (NS), enacted April 27, 2021, effective July 30, 2021, amends AR ST ? 20-8-805 (Continuing education credit) allowing a medical professional to obtain 32 hours of continuing education credits, instead of the previous 8 hours, through the performance of volunteer services.

Colorado

- 2020 CO REG TEXT 568656 (NS), published December 10, 2020, effective December 30, 2020, requires, on or after March 1, 2021, a licensee or certificant to disclose to a patient instances of sexual misconduct, including a conviction or guilty plea or final agency action resulting in probation or limitation of licensee or certificant ability to practice. Adds requirements for the form and timing of disclosure. Provides that the requirement to disclose ends when the provider has satisfied the requirements of the probation or other limitation and is no longer on probation or otherwise subject to a limitation on the ability to practice the provider's profession.
- 2021 CO REG TEXT 592632 (NS), published August 31, 2021, adopts 6 CO ADC 1011-1:2-12, COVID-19 Immunization of Employees, Direct Contractors, and Support Staff, requiring licensed healthcare facilities to develop and implement a policy and procedure to ensure 100% of employees, direct contractors, and support staff have obtained full COVID-19 vaccination status by October 31, 2021. Provides requirements for waiver requests and reporting.

Connecticut

2021 CT S.B. 1019 (NS), enacted June 1, 2021, effective October 1, 2021, prohibits, starting January 1, 2023, state departments, boards, or agencies from granting, denying, or revoking a person's license or charter on the grounds of his or her erased criminal history record information, except the DMV may consider this information to the extent required by federal regulations on commercial driver's licenses.

District of Columbia

- 2021 DC L.B. 399 (NS), the Preserve Our Healthcare Workforce Emergency Amendment Act of 2021, enacted and effective September 22, 2021, waives District licensure, registration, and certification requirements for qualified volunteer health practitioners and other individuals engaged in the practice of providing healthcare in the District until August 10, 2022, subject to certain enumerated conditions, including being fully vaccinated against COVID-19. Provides that health professionals licensed outside the District will not be required to apply for a temporary license to practice before March 31, 2022 and that temporary licenses will not expire before August 10, 2022.
- 2021 DC REG TEXT 574660 (NS), published January 15, 2021, effective January 4, 2021, adopts 17 DC ADC ? 4018 (Continuing Education Requirement Exemption and Variance) authorizing the health occupation boards to exempt holders of a license, registration, or certificate from the health occupation's continuing education requirements due to certain circumstances. Also, authorizes each health occupation board, in extraordinary circumstances, to approve and accept continuing education courses that are completed by remote instruction in place of any continuing education that is required to be completed by in-person instruction for renewals of licenses, registrations, or certificates if the Board determines the attainment of such in-person instruction presents undue hardship or risk for the Board's health professionals.
- 2021 DC REG TEXT 591855 (NS), published August 27, 2021, effective August 23, 2021, adopts 17 DC ADC ? 4019 (SARS-CoV-2/COVID-19-Related Obligations of Health Professionals) imposing certain SARS-CoV-2/COVID-19-related obligations on health professionals including requiring health professionals to submit proof of vaccination status against COVID-19 using the online system designated by the Department of Health. Provides that failure to comply may subject a person to summary action or other disciplinary action which may result in revocation, suspension, or denial of the person's license, registration, or certification. Also adds that failure by a health professional to become vaccinated against COVID-19 in compliance with 22-B DC ADC ? 230 (Mandatory Covid-19 Vaccination for Health Care Workers) shall constitute an imminent danger to the health and safety of the public.
- 2021 DC REG TEXT 594939 (NS), published October 1, 2021, effective September 22, 2021, adopts 17 DC ADC ? 4020 (Temporary Waiver of Licensure Requirements for Certain Healthcare Providers) establishing standards under which an individual may engage in the unlicensed practice of a health occupation in the District of Columbia until October 31, 2021. Requires that the individual is licensed in good standing in their home jurisdiction in the applicable health occupation. Provides that individuals that engage in the unlicensed practice of a health occupation pursuant to this rule shall only provide healthcare services to patients at specified licensed or certified healthcare entities. Any individual that continues to provide healthcare services to District residents without a valid license or a pending application for a healthcare occupation license after October 31, 2021, may be subject to civil fines or other penalties.
- 2021 DC REG TEXT 597010 (NS), published October 22, 2021, effective October 7, 2021, adopts 22-B DC ADC Chapter 112 (Health Care Facility-Required Vaccinations) to mandate health care facilities require their employees, contractors, or volunteers to obtain vaccinations for COVID-19, which is caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). Authorizes a health care facility to impose COVID-19 vaccination requirements that are stricter than the requirements imposed by this chapter. Requires documentation by the facilities and proof of vaccination by each employee, contractor, volunteer. Also provides that a health care facility that fails to comply with these requirements will be subject to disciplinary and enforcement actions.
- 2021 DC REG TEXT 589076 (NS), published and effective October 22, 2021, adopts 22-B DC ADC, Chapter 25, Health Professional Reporting Requirements, requiring any health professional, and any employer of a health professional, in the District of Columbia to timely report certain actions taken by or against the health professional to the board, commission or authority responsible for



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licensing, registering, or certifying the health professional within specified timeframes. Provides that failure to comply with the reporting requirements may lead to disciplinary actions and the imposition of fines.

Florida

2021 FL REG TEXT 593336 (NS), published September 14, 2021, effective September 9, adopts 64 [FL ADC 64DER21-14](#) (COVID-19 Vaccine Reporting Requirements) requiring all health care practitioners licensed under FL ST Chapters 458 (Medical Practice), 459 (Osteopathic Medicine) or 464 (Nursing) and all other enrolled COVID-19 vaccine providers to report the specified vaccination data elements in Florida SHOTS within 72 hours of administration to an individual of any dose of a COVID-19 vaccine that has been approved by or received Emergency Use Authorization from the U.S. Food and Drug Administration.

Hawaii

- 2021 HI H.B. 961 (NS), enacted May 25, 2021, effective January 1, 2022, amends HI ST ? 436B-14.7 (Licensure by endorsement or licensure by reciprocity; initial acceptance by affidavit; temporary license; military spouse) updating the temporary licensing process to provide a streamlined pathway for temporary professional licensure of a military spouse. Allows a spouse of an active duty servicemember in the military who accompanies the servicemember to a permanent change of station in the State and holds a current, unencumbered license in another jurisdiction in specific professions to apply for Hawaii licensure on an expedited basis.
- 2020 HI REG TEXT 566119 (NS), published and effective December 16, 2020, Suspends certain requirements to the extent necessary: to suspend or extend license renewal or certification deadlines; to allow out-of-state physicians, osteopathic physicians, and physician assistants with a current and active license, or those previously licensed but who are no longer current and active, to practice in Hawai'i without a license; to allow certain individuals to engage in telehealth without an in-person consultation or a prior existing physician-patient relationship; to allow out-of-state licensed practical nurses, registered nurses, advanced practice registered nurses, and advance practice registered nurses with prescriptive authority with a current and active license, or those previously licensed but who are no longer current and active, to practice in Hawai'i without a license; to waive the licensure and accompanying requirements so as to permit graduates, after May 1, 2020, of nursing education programs approved by the State Board of Nursing or a national accrediting body, to be employed to practice nursing under the supervision of a registered nurse, with the endorsement of the employing health care entity; to waive the licensure and accompanying requirements so as to permit graduates, after May 1, 2020, of a pharmacy college accredited by the Accreditation Council for Pharmacy Education, to be employed to practice pharmacy under the supervision of a registered pharmacist, with the endorsement of the employing health care entity; and to allow a registered pharmacist currently and actively licensed or pharmacy intern currently and actively permitted by the board, to fill, compound, or receive prescriptions by remote data entry.

Illinois

- 2021 IL S.B. 677 (NS), enacted and effective August 16, 2021, Adopts IL ST CH 20 ? 2105/2105-365 (Continuing education; Alzheimer's disease and other dementias) requiring health care professionals to complete at least a one-hour course in training on the diagnosis, treatment, and care of individuals with Alzheimer's disease and other dementias per renewal period, for license or registration renewals occurring on or after January 1, 2023. Provides that 'health care professional' means a person licensed or registered by the Department under the following Acts: the Medical Practice Act of 1987, the Nurse Practice Act, the Clinical Psychologist Licensing Act, the Illinois Optometric Practice Act of 1987, the Illinois Physical Therapy Act, the Physician Assistant Practice Act of 1987, the Clinical Social Work and Social Work Practice Act, the Nursing Home Administrators Licensing and Disciplinary Act, the Illinois Occupational Therapy Practice Act, the Podiatric Medical Practice Act of 1987, the Respiratory Care Practice Act, the Professional Counselor and Clinical Professional Counselor Licensing and Practice Act, and the Illinois Speech-Language Pathology and Audiology Practice Act.
- 2021 IL REG TEXT 593502 (NS), published September 17, 2021, effective September 16, 2021, Executive Order 2021-20 (COVID-19 Executive Order No. 87), requires all health care workers to have, at a minimum, the first dose of a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine within 10 days after issuance of this Executive Order and be fully vaccinated against COVID-19 within 30 days following administration of their first dose in a two-dose vaccination series. Any health care workers who have not established that they are fully vaccinated against COVID-19 must be tested consistent with the requirements of this order. Requires health care facilities to exclude health care workers who are not fully vaccinated against COVID-19 from the premises unless they comply with the testing requirements. Provides definitions and exemptions.
- 2021 IL REG TEXT 595130 (NS), published October 1, 2021, effective September 17, 2021, adopts [77 IL ADC 250.455](#) (COVID-19 Vaccination of Hospital Personnel) requiring hospitals to require all staff to be fully vaccinated against COVID-19 or be tested for COVID-19 weekly, at a minimum. Provides definitions. Requires hospitals to educate staff on COVID-19 vaccination. Provides penalties for violations.

Idaho

2021 ID S.B. 1056 (NS), enacted and effective April 14, 2021, adopts ID ST ? 67-2606 (License Fees—Military Exemption) adding an exemption from licensing fees for licensed individuals who are engaged in the military services of the United States, or its auxiliary branches, or held as prisoners of war. Provides that the license will remain in good standing without the necessity of renewal and prohibits the license from being canceled, suspended, or revoked.



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Louisiana

2021 LA H.B. 197 (NS), enacted June 15, 2021, effective August 1, 2021, adopts [LA R.S. 37:1751](#) (Licensure for Dependents of Healthcare Professionals) establishing the requirements for a professional or occupational licensing board to issue a license, certification, permit pending normal license, or registration to an applicant who is a dependent of a healthcare professional if the healthcare professional has relocated to and established his legal residence in Louisiana, holds a valid license to provide healthcare services in Louisiana, and is providing healthcare services in Louisiana.

Maryland

2021 MD S.B. 5 (NS), enacted May 30, 2021, effective October 1, 2021, adopts MD HEALTH OCCUP ? 1-225 requiring applicants for the renewal of a license or certificate issued by a health occupations board to attest to completion of an approved implicit bias training program the first time they renew their license or certificate after April 1, 2022.

Massachusetts

- 2020 MA REG TEXT 572331 (NS), published December 11, 2020, effective November 19, 2020, amends [105 MA ADC 700.003](#) (Registration of Persons for a Specific Activity or Activities in Accordance with M.G.L. c. 94C, ? 7(g)) to expand access to vaccines for the prevention of vaccine preventable diseases, including COVID-19. Provides that a health care professional duly licensed or certified by the Department, or a medical or nursing student duly enrolled in an approved or accredited program for licensure and acting in accordance with the policies of that program, may possess and administer any vaccine designated by the Commissioner for the prevention of a pandemic, novel, or other vaccine-preventable disease, provided the Commissioner determines that there are or will be insufficient health care professionals available for timely vaccine administration and issues an order authorizing such administration.
- 2021 MA REG TEXT 573263 (NS), published and effective February 5, 2021, provides that a health care professional duly licensed or certified by the Department, or a student duly enrolled in an approved or accredited program for licensure as a health care professional and acting in accordance with the policies of that program, may possess and administer any vaccine designated by the Commissioner for the prevention of a pandemic, novel, or other vaccine-preventable disease, provided the Commissioner determines that there are or will be insufficient health care professionals available for timely vaccine administration and issues an order authorizing such administration.
- 2021 MA REG TEXT 593038 (NS), published October 15, 2021, effective October 1, 2021, amends [101 MA ADC 23.04](#) (COVID-19 Vaccination for Certain Agency Staff) adding requirements for staff at state-operated hospitals and congregate care facilities to demonstrate that they have received COVID-19 vaccination by November 15, 2021, unless an exception or an exemption applies.

Mississippi

2021 MS H.B. 1263 (NS), enacted March 25, 2021, effective July 1, 2021, adopts MS ST ? 73-50-2 (Universal Recognition of Occupational Licenses Act) to provide that Mississippi occupational licensing boards shall issue a license to an applicant who establishes residence in Mississippi if the applicant holds a current license in good standing from another state, has been licensed by the other state for at least one year, and satisfies certain other conditions. Also provides that the license issued to the applicant will be in the discipline applied for and at the same practice level as determined by the occupational licensing board.

New Hampshire

2021 NH S.B. 155 (NS), enacted and effective July 9, 2021, adopts NH ST ? 310-A:1-i (Emergency Licensing Process) establishing the requirements for emergency licenses for certain listed medical providers. Provides that licenses issued pursuant to this section shall be on a temporary basis and shall expire on or before January 31, 2022. Provides that emergency licenses issued during the COVID-19 pandemic pursuant to the governor's executive order 2020-04 shall not be deemed to have lapsed upon expiration of the state of emergency and shall be converted to a license under this section on the effective date of this section. This provision is intended to apply retroactively to extend the expiration date of all emergency licenses issued under executive order 2020-04 to January 31, 2022. Provides in uncodified section that healthcare workers issued emergency or temporary licenses during the COVID-19 pandemic, including but not limited to those recruited for youth camps, organized recreation, and community-sponsored recreation, and who meet the requirements for such licensure, shall be allowed to continue in their professional capacity for so long as the emergency or temporary license remains valid. The office of professional licensure and certification shall continue to offer and issue emergency or temporary licenses for healthcare workers; provided that any emergency or temporary licenses issued during the COVID-19 pandemic or in response to conditions occurring immediately thereafter shall expire no later than January 31, 2022.

New Jersey

- 2020 NJ [S.B. 2465](#) (NS), enacted December 14, 2020, effective July 1, 2021, adopts uncodified sections supplementing NJ ST 45 (Professions and Occupations) to establish requirements regarding health care advertising. Provides that an advertisement for health care services that includes the name of a health care professional shall identify the type of professional license and professional degree issued to the health care professional and shall not contain deceptive or misleading information, including, but not limited to, any affirmative communication or representation that misstates, falsely describes, holds out, or falsely details the health care professional's skills, training, expertise, education, public or private board certification, or licensure. Provides the requirements for a health care professional to communicate the professional licensure and professional degree held by the professional when providing in-person



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care. Provides the requirements for a medical doctor or doctor of osteopathic medicine to advertise or hold oneself out to the public in any manner as being certified by a public or private board, including, but not limited to, a multidisciplinary board, or as 'board certified'. Requires any advertisement for a medical doctor or doctor of osteopathic medicine to state the full name of the certification board. Provides that it is unlawful for a health care professional to fail to comply with these provisions.

- 2020 NJ [S.B. 942](#) (NS), enacted May 11, 2021, effective August 9, 2021, adopts an uncodified section specifying the criteria for the board to consider when determining if a crime or offense has a direct or substantial relationship to the activity regulated by the entity or is of a nature such that certification, registration or licensure of the person would be inconsistent with the public's health, safety, or welfare, and requires written notice to the person before the entity disqualifies a person from obtaining or holding a certificate, registration or license. Adds specific requirements for when the prior conviction was for murder or any sex offense.

- 2020 NJ S.B. 703 (NS), enacted May 11, 2021, effective November 1, 2021, adopt uncodified sections providing that the State Board of Medical Examiners and the New Jersey Board of Nursing shall require one credit of educational programs or topics concerning explicit and implicit bias for certain licensees providing perinatal treatment and care to pregnant women.

Nevada

2021 NV A.B. 327 (NS), enacted May 28, 2021, effective January 1, 2022, requiring licensees and physician assistants practicing under the supervision of psychiatrists to complete one or more course of instruction that provide at least 2 hours of instruction relating to cultural competency and diversity, equity, and inclusion.

Ohio

2019 OH [S.B. 310](#) (NS), enacted and effective December 29, 2020, adopts an uncodified section to allow until May 1, 2021, a nurse, pharmacist, physician assistant, physician, podiatrist, respiratory therapist, or emergency medical technician whose license is expired or inactive, including due to retirement, to practice under a temporary license without having to reinstate or restore the license. Provides that these health care professionals are not authorized to practice under this section if either of the following applies: (1) The respective licensing board had revoked or suspended the professional's prior license or certificate; or (2) The professional surrendered the professional's prior license or certificate in an effort to avoid disciplinary or other adverse action.

Oklahoma

2021 OK H.B. 1006 (NS), enacted May 3, 2021, effective November 1, 2021, requires a health care provider to make available to the public, in a single document, either electronically or by posting conspicuously on the provider's website if one exists, the health care prices for at least the twenty most common health care services the health care provider provides. If the health care provider, in the normal course of his or her practice, regularly provides fewer than twenty health care services, the health care provider shall make available the health care prices for the health care services the provider most commonly provides.

Oregon

- 2021 OR H.B. 2078 (NS), enacted May 21, 2021, effective January 1, 2022, Amends OR ST ? 413.590 (Educational requirement for licensed health care professionals; duties of Oregon Medical Board; rules) providing that the listed practitioners must complete a pain management education program at initial licensure and every 36 months thereafter. The listed practitioners include physician assistants, nurses, pharmacists and dentists.

- 2021 OR REG TEXT 575874 (NS), published January 27, 2021, effective January 22, 2021, adopts OR ADC 333-003-4000 (Training Waiver During Declared Emergency for Vaccination-Related Emergency Health Care Services) waiving training requirements for persons registered under [OR ADC 333-003-0117](#) (Registration of Formerly Licensed Health Care Providers; Renewal) when those individuals are activated and deployed to provide vaccination-related emergency health care services. Training requirements waived include first aid, basic disaster life support, psychological first aid, and continuing education requirements. This rule does not apply to the registrants providing emergency health care services unrelated to vaccination.

Rhode Island

- 2021 RI [S.B. 55](#) (NS) and 2021 RI H.B. 6018 (NS), enacted July 9, 2021, effective January 15, 2022, establishes procedures for employees to file complaints with hospital or director of department of health, for assaultive behavior or other violation of law occurring on hospital grounds and require hospitals to institute safety training for employees.

- 2021 RI REG TEXT 591111 (NS), published August 18, 2021, effective August 17, 2021, requires all health care workers and health care providers to be immunized against COVID-19 by October 1, 2021 unless exempt for medical reasons.

Tennessee

2021 TN S.B. 212 (NS), enacted and effective May 18, 2021, adopts uncodified section in TN ST ? 63-1-1 (General Provisions) establishing the requirements if a healthcare prescriber is the subject of an indictment or is convicted of a federal or state criminal offense that involves a controlled substance violation or sexual offense. A healthcare prescriber under this chapter includes a licensed physician, dentist and nurse.

Texas



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- 2021 TX H.B. 1424 (NS), introduced January 27, 2021, establishes a health care provider's right to object to participation in a medical procedure that violates the provider's ethical, moral, or religious beliefs.
- 2021 TX S.B. 16 (NS), prefiled September 8, 2021, relating to protection of health care providers from participation in a health care service for reasons of conscience; providing a civil remedy; and authorizing disciplinary action.

Virginia

2020 VA H.B. 2333 (NS), enacted and effective February 15, 2021, adopts uncodified sections defining an 'eligible health care provider' and establishing the requirements for an eligible health care provider to administer the COVID-19 vaccine during a state of emergency declared by the Governor related to the COVID-19 pandemic.

Dentist and Allied Personnel

Recent Legislation and Regulation

Alaska

2021 AK REG TEXT 568206 (NS), published January 25, 2021, effective February 19, 2021, amends [12 AK ADC 28.935](#) (Dental hygienist licensure by examination) requiring the applicant to submit an official transcript sent directly to the department from the educational institution and an affidavit from the applicant stating the applicant is not impaired to an extent that affects the applicant's ability to practice dental hygiene. Also, requires certain documents to be submitted to the department from the licensing jurisdiction and repeals the requirement to obtain a Professional Background Information Services (PBIS) report. Amends [12 AK ADC 28.940](#) (Dental licensure by examination) clarifying that the required affidavit from the applicant stating that the applicant is not an impaired practitioner must state that the applicant is not impaired to an extent that affects the applicant's ability to practice dentistry. Also requires an official transcript be sent directly to the department from the dental school and repeals the requirement to obtain a PBIS report

Arizona

2021 AZ S.B. 1013 (NS), enacted February 12, 2021, effective December 31, 2021, providing that a license or certificate expires, every three years, 30 days after the licensee's or certificate holder's birthday, rather than on June 30. Requires, every three years, a licensed or certified dental professional to submit a renewal application by the licensee's or certificate holder's birthday, rather than by June 30. Specifies that, if the board denies an applicant's extension request to complete continuing education requirements, a dental professional's license or certificate expires 30 days after the licensee's or certificate holder's birthday, rather than on August 30 of the license or certificate expiration year. Requires a first-time applicant for a dental professional license or certificate to pay a prorated fee for the period remaining until the licensee's or certificate holder's next birthday, rather than until the next June 30.

Arkansas

2021 AR REG TEXT 569669 (NS), published February 15, 2021, effective January 1, 2021, removing the requirement for an applicant to submit letters to the Board attesting to the applicant's moral character. Also removes the requirement for the applicant to present himself or herself before the Board and instead provides discretion to the Board to require an applicant to appear.

California

- 2021 CA [S.B. 607](#) (NS), enacted September 28, 2021, effective January 1, 2022, amends, effective July 1, 2022, CA BUS & PROF ? 115.5 (Expedited licensure process; requirements; regulations) requiring a Board within the Department of Consumer Affairs to waive all fees for an initial license, in addition to the expedited licensure process, for an applicant who is married to, or in a domestic partnership or other legal union with an active duty member of the Armed Forces of the United States and holds a current license in another state or territory. Adopts CA BUS & PROF ? 1636.6 providing that graduates of a foreign dental school whose program was approved by the board prior to January 1, 2020, through any date before January 1, 2024, and who enrolled in the program prior to January 1, 2020, shall be eligible for licensure pursuant to CA BUS & PROF ? 1628 (Eligibility of applicant for license; 'dental college approved by the board' and 'approved dental school' defined). Amends CA BUS & PROF ? 1753 (Registered dental assistant in extended functions; eligibility requirements; additional permits; continuing education) removing the requirement that a registered dental assistant in extended functions pass a clinical or practical examination, as specified.
- 2021 CA S.B. 534 (NS), enacted October 4, 2021, effective January 1, 2022, amends CA BUS & PROF ? 1902.3 (Special permit for foreign dental hygienist to teach in a dental hygiene college) providing that a special permit issued to a licensed Registered Dental Hygienist (RDH) from another state, to teach in a dental hygiene school in California, is to remain valid for four years, and is not renewable. Requires a licensed RDH from another state to furnish satisfactory evidence of having successfully completed a course in periodontal soft-tissue curettage local anesthesia, and nitrous oxide-oxygen analgesia approved by the dental hygiene board, if teaching during clinical practice settings and requires an applicant to comply with specified fingerprint requirements. Amends CA BUS & PROF ? 1917.1 (Registered dental hygienists; licensing of applicant who has not taken clinical examination; compliance verification; application packet) requiring an applicant who has not taken a clinical examination before the dental hygiene board to submit satisfactory evidence of having successfully completed a course or education and training in local anesthesia, nitrous oxide-oxygen analgesia, and periodontal soft-tissue curettage approved by the board. Amends CA BUS & PROF ? 1950.5 (Acts constituting unprofessional conduct) adding knowingly making a statement or signing a certificate or other document that falsely represents



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the existence or nonexistence of a fact directly or indirectly related to the practice of dental hygiene to the list of items that may be considered unprofessional conduct.

- 2021 CA A.B. 526 (NS), enacted and effective October 8, 2021, adopts CA BUS & PROF ? 1625.6, authorizing a dentist, if the dentist complies with specified requirements, to independently prescribe and administer influenza and COVID-19 vaccines approved or authorized by the United States Food and Drug Administration for persons 3 years of age or older, as specified. Requires a dentist to complete an immunization training program biennially that, at a minimum, includes vaccine administration, prevention and management of adverse reactions, and maintenance of vaccine records and to comply with all state and federal recordkeeping and reporting requirements. Adopts CA BUS & PROF ? 1645.2, providing that any vaccine training program provided through the federal Centers for Disease Control and Prevention or the California Pharmacists Association will count toward the fulfillment of the continuing education requirements.
- 2021 CA REG TEXT 549511 (NS), published February 5, 2021, effective January 22, 2021, amends 16 CA ADC ? 1019 (Substantial Relationship Criteria) establishing criteria for the Board to consider in determining whether a crime, professional misconduct, or other act committed by an applicant or licensee is substantially related to the qualifications, functions, or duties of a dentist or dental auxiliary when deciding whether to deny, suspend, or revoke a license. Amends 16 CA ADC ? 1020 (Application Review and Criteria for Evaluating Rehabilitation) adopting criteria for determining whether an applicant or licensee has been rehabilitated after a criminal conviction when considering whether to deny, suspend, or revoke a license.
- 2021 CA REG TEXT 544808 (NS), published February 19, 2021, effective February 5, 2021, adopts 16 CA ADC ? 1135 (Substantial Relationship Criteria) providing criteria to be used in determining whether a crime, professional misconduct, or other act is substantially related to the professional practice of its licensees for purposes of license denial, suspension, or revocation. Adopts 16 CA ADC ? 1136 (Rehabilitation Criteria for Denials and Reinstatements) providing criteria for determining whether an applicant for a license, or for reinstatement of a license, or for the modification or termination of probation of a license, has been rehabilitated subsequent to a criminal conviction, professional misconduct or other act.

Colorado

- 2020 CO REG TEXT 567644 (NS), published December 10, 2020, effective December 30, 2020, updating general and specific licensing criteria for dentists/dental hygienists, including military spouse licensure, original licensure, licensure by endorsement, continuing education, reinstatement/reactivation. Adopts [3 CO ADC 709-1:1.29](#) (Confidential Agreements to Limit Practice for Physical or Mental Illness) requiring dental licensees to provide notice to the Board of any physical or mental illness impacting the ability to practice with reasonable skill and safety. Adopts [3 CO ADC 709-1:1.30](#) (Required Disclosure to Patients—Conviction of or Discipline Based on Sexual Misconduct) establishing written disclosure criteria regarding sexual misconduct by dental licensees. Adopts [3 CO ADC 709-1: APPENDIX A](#) (Appendix A) providing the Model Sexual Misconduct Disclosure Statement for dental practitioners to use in compliance with specified state statutes and rules.
- 2021 CO REG TEXT 576279 (NS), published February 10, 2021, effective January 11, 2021, adopts [3 CO ADC 709-1:1.31](#) (Expanded Scope of Practice for Dentists in Order to Administer Vaccinations Pursuant to The Governor's Executive Order D 2021 008) authorizing dentists to administer the COVID-19 vaccination while working in a hospital, inpatient facility or outpatient setting as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, or professional nurses.
- 2021 CO REG TEXT 578806 (NS), published and effective March 2, 2021, adopts [3 CO ADC 709-1:1.32](#) (Expanded Scope of Practice for Dental Hygienists in Order to Administer Vaccinations Pursuant to the Governor's Executive Order D 2021 036) establishing the requirements for dental hygienists to administer the COVID-19 vaccination.
- 2021 CO REG TEXT 583676 (NS), published and effective May 11, 2021, adopts [3 CO ADC 709-1:1.31](#) (Expanded Scope of Practice for Dentists and Dental Hygienists in Order to Administer Vaccinations Pursuant to The Governor's Executive Order D 2021 096) authorizing dentists and dental hygienists to administer the COVID-19 vaccination while working in a hospital, inpatient facility or outpatient setting as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, or professional nurses.
- 2021 CO REG TEXT 588042 (NS), published and effective July 12, 2021, adopts [3 CO ADC 709-1:1.28](#) (Expanded Scope of Practice for Dentists and Dental Hygienists in Order to Administer Vaccinations Pursuant to the Governor's Executive Order D 2021 121) authorizing dentists and dental hygienists to administer the COVID-19 vaccination while working in a hospital, inpatient facility or outpatient setting as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, or professional nurses. Also sets forth the requirements for such administration.

Florida

2021 FL REG TEXT 566160 (NS), published April 10, 2021, effective May 3, 2021, amends 64 [FL ADC 64B5-2.0135](#) (Dental Hygiene Examination) requiring that all parts of the ADEX Dental Hygiene Examination must be completed within 18 months from the initial start of any portion of the examination, or the applicant must retake the entire examination. Removes the requirement that the practical or clinical examination administered in Florida must be graded by Florida licensed dentists and hygienists

Georgia



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2021 GA H.B. 458 (NS), enacted May 10, 2021, effective July 1, 2021, requiring, on and after January 1, 2022, continuing education requirements for dentists to include legal ethics and professionalism in the practice of dentistry.

Idaho

2021 ID S.B. 1012 (NS), enacted February 18, 2021, effective July 1, 2021, to prohibit a dentist from requiring directly, or as a member, representative, contracted agent, or employee of or in connection with any company, association, corporation, or partnership, that a patient sign an agreement limiting his right or ability to file a complaint with the Board.

Illinois

2021 IL S.B. 335 (NS), enacted July 9, 2021, effective January 1, 2021, amends IL ST CH 225 ? 25/9 (Qualifications of applicants for dental licenses) requiring each applicant for a license to practice dentistry to present satisfactory evidence that the applicant has passed the integrated National Board Dental Examination rather than both parts of the National Board Dental Examination administered by the Joint Commission on National Dental Examinations. Also updates the list of regional testing services by adding the Commission on Dental Competency Assessments (CDCA) and removing the North East Regional Board (NERB).

Indiana

2021 IN H.B. 1079 (NS), enacted and effective April 8, 2021, adopts IN ST 25-14-6 (Dentist Administration of Immunizations) establishing the requirements for the administration of immunizations by a dentist.

Iowa

- 2020 IA REG TEXT 565769 (NS), published December 16, 2020, effective January 20, 2020, providing that delivery of volunteer dental services in accordance with [IA ADC 650-25.5\(2\)\(153\) \(Acceptable programs and activities\)](#) will result in 1 hour of continuing education credit for every 3 hours worked. Allows dentists and dental hygienists to report a maximum of 6 hours and dental assistants to report a maximum of 4 hours of credit per biennium of volunteer dental services. Requires the volunteer hours to be verified by the free clinic or the origination sponsoring the event where volunteer services are provided.
- 2021 IA REG TEXT 573339 (NS), published July 14, 2021, effective August 18, 2021, allowing a dentist, dental hygienist or dental assistant who is licensed in another jurisdiction to apply for licensure by verification if they are unable to satisfy the requirements for licensure by credentials. Adopts IA ADC Agcy. 650, T. VII TO X, Ch. 50 (Use of Criminal Convictions in Eligibility Determinations and Initial Licensing Decisions) establishing the requirements for use of criminal convictions in eligibility determinations and initial licensing decisions.

Kentucky

2021 KY REG TEXT 578503 (NS), published March 1, 2021, effective January 27, 2021, adopts [201 KY ADC 8:505E](#) (Administration of COVID-19 immunizations) authorizing a Kentucky licensed dentist or registered dental hygienist who has been granted the authority to practice local anesthesia to administer COVID-19 immunizations. Adds definitions, adds required immunization training program that must be completed prior to administering COVID-19 immunizations, requires a licensee administering COVID-19 immunizations to have immediate access to emergency response equipment, including oxygen administration equipment and epinephrine, and adding reporting requirements.

Louisiana

- 2021 LA REG TEXT 570497 (NS), published and effective February 20, 2021, adopts 46 LA ADC Pt XXXIII, ? 203 (Teledentistry) allowing dentists to perform dentistry via teledentistry and establishing the requirements for providing dental care via teledentistry. Amends 46 LA ADC Pt XXXIII, ? 701 (Authorized Duties) allowing dental hygienists, in limited circumstances, to perform radiographs, oral prophylaxis, place sealants and place fluoride varnish without a licensed dentist being physically present, including under the supervision of a dentist via teledentistry.
- 2021 LA REG TEXT 588922 (NS), published and effective October 20, 2021, amends 46 LA ADC Pt XXXIII, ? 1615 (Approved Courses) adding continuing education courses approved or sponsored by the American Association of Dental Boards to the list of approved courses accepted by the board.

Maine

- 2021 ME S.P. 34 (NS), enacted and effective June 10, 2021, amends ME ST T. 32 ? 18371 (Dentist) to authorize a dentist to administer botulinum toxins or dermal fillers. Specifies that a dentist who has successfully completed postgraduate training and certification in oral and maxillofacial surgery from a program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization may administer botulinum toxin or dermal fillers in the course of treatment for oral or maxillofacial disease, disfigurement or disjunction.
- 2021 ME H.P. 1231 (NS), enacted and effective June 11, 2021, updating the qualifications for a dentist license, faculty dentist license, limited dentist license, expanded function dental assistant, dental hygienist license and a faculty dental hygiene license to allow verification of an active license in good standing issued under the laws of a United States territory, a foreign nation or a foreign administrative division that issues licenses in the dental professions.



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Massachusetts

2021 ME H.P. 42 (NS), enacted and effective June 16, 2021, adopts ME ST T. 32 ? 18394 (Teledentistry) providing that an individual licensed under this chapter may provide oral health care services and procedures authorized under this chapter or by rule using teledentistry. Requires the board to adopt by rule guidelines and practice standards for the use of teledentistry. Amends ME ST T. 32 ? 18371 (Dentist) authorizing a dentist to delegate to an unlicensed person activities related to dental care and treatment that are delegated by custom and usage as long as those activities are under the supervision or control of the dentist. Provides that the dentist is legally liable for the activities of that unlicensed person, and the unlicensed person in this relationship is considered the dentist's agent. Also provides that a dentist may not delegate to an unlicensed person activities related to dental care or treatment that require a license under this chapter and may not delegate to a licensed person activities related to dental care or treatment that are outside the scope of practice of that licensed person.

Michigan

- 2021 MI H.B. 4067 (NS), enacted May 13, 2021, effective March 31, 2022, authorizing, beginning September 1, 2022, the issuance of specialty field licenses in oral medicine, orofacial pain, dental public health, oral and maxillofacial radiology, or dental anesthesiology.
- 2021 MI REG TEXT 565318 (NS), published May 15, 2021, effective April 26, 2021, revises Board of Dentistry - General Rules, [MI ADC R 338.11101 et seq.](#) Adds, amends, and rescinds sections throughout Part 1, General Provisions; Part 2, Licensure; Part 3, Education; Part 4A, Delegation, Supervision, Assignment of Dental Assistants, Registered Dental Assistants, and Registered Dental Hygienists; Part 4B, Supervision of Dental Therapists; Part 5, Specialties; Part 6, General Anesthesia and Intravenous Conscious Sedation and Enteral Sedation; Part 7, Continuing Education; and Part 8, Dental Amalgam. Updates definitions; requires dental professionals to identify themselves to the patient at the inception of care and provide a written consent for treatment; deletes violations; clarifies licensing requirements; adds licensing, practice requirements, and educational standards for dental therapists; allows an application to the Board for dental assistant examinations that meet certain requirements; modifies the relicensure requirements; updates educational standards; modifies delegation, supervision, and assignment of dental assistants, registered dental assistants, and registered dental hygienists; clarifies specialty licenses; modifies advertising of specialty licenses; updates the anesthesia and sedation requirements; adds 1 hour of continuing education in ethics and jurisprudence for all dental professions; adds 1 hour of continuing education in infection control for dental assistants and hygienists; modifies continuing education requirements; and updates dental amalgam requirements.

Montana

2021 MT REG TEXT 578093 (NS), published April 30, 2021, effective May 1, 2021, amends [MT ADC 24.138.414](#) (Display of Licenses) clarifying that all licensees must display, or have readily available by electronic means, their current license for review by the public; and if a licensee is working in more than one location, a copy of the license can be duplicated, or readily available by electronic means, for display in another office. Amends [MT ADC 24.138.504](#) (Approved Clinical Exam Criteria for Dentists and Dental Hygienists) providing that dental students and dental hygiene students who graduate during the state of emergency declared in the Governor of Montana's Executive Order 2-2020, or in the year 2021, shall be allowed to substitute a board-approved manikin-based examination in lieu of a patient-based clinical examination. The exception shall expire on December 31, 2021. Adopts [MT ADC 24.138.2303](#) (Unprofessional Conduct for Dental Hygienists) providing a list of items considered unprofessional conduct for dental hygienists. Also adds several items to the list of items considered unprofessional conduct for dentists.

Minnesota

2021 MN S.F. 475 (NS), enacted March 3, 2021, effective March 4, 2021, authorizing dentists to administer coronavirus vaccinations. Also removes the requirement for a dentist to notify the patient's primary physician or clinic of the administration of the immunization.

Mississippi

2021 MS H.B. 72 (NS), enacted March 17, 2021, effective July 1, 2021, amends MS ST ? 73-25-38 (Immunity for charitable and voluntary medical services) to include dentists in the scope of the statute, which provides immunity for certain healthcare providers who provide charitable health services or provide health services without charge while assisting with emergency management or operations in an emergency.

Montana

2021 MT REG TEXT 570591 (NS), published January 29, 2021, effective January 30, 2021, providing that dental students who graduate during the state of emergency declared in the Governor of Montana's Executive Order 2-2020 shall be allowed to substitute a board-approved manikin-based operative exam in lieu of the required patient-based examinations. This exception shall expire 90 days after the Governor ends the state of emergency declared in Executive Order 2-2020.

Nebraska

- 2020 NE REG TEXT 570403 (NS), published December 30, 2020, effective December 23, 2020, repeals 172 NE ADC Ch. 56 (Licensure of Dentists and Dental Hygienists) and replaces with 172 NE ADC Ch. 56 (Licensure of Dentists; Minimal, Moderate, or General Anesthesia/Deep Sedation) to update the requirements for licensing of dentists.



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- 2020 NE REG TEXT 571858 (NS), published December 30, 2020, effective December 23, 2020, repeals 172 NE ADC Ch. 57 (Regulations Governing the Practice of Dental Hygienists Approved to Administer Local Anesthesia) and replaces with 172 NE ADC Ch. 57 (Licensure of Dental Hygienists) to update the requirements for the licensure of dental hygienists.
- 2020 NE REG TEXT 554116 (NS), published December 30, 2020, effective December 23, 2020, repeals 172 NE ADC Ch. 53 (Rules and Regulations Governing the Performance of Duties by Licensed Dental Hygienists and Other Dental Auxiliaries) and replaces with 172 NE ADC Ch. 53 (Licensed Dental Assistants and the Licensure of Dental Assistants) to update the requirements for the licensure of dental assistants and for the practice of licensed and unlicensed dental assistants.

Nevada

2021 NV REG TEXT 580532 (NS), published March 30, 2021, effective March 8, 2021, adopts uncodified sections in NV ST Chapter 631 (Dentistry, Dental Hygiene and Dental Therapy) authorizing licensed dental professionals to administer certain immunizations under certain conditions to persons aged 16 or older; prescribes required training and certification to administer immunizations; establishes the requirements for written informed consent of the patient before the administration of immunizations; and establishes the requirements regarding the confidentiality for records of immunizations.

New Jersey

- 2020 NJ A.B. 5212 (NS), enacted and effective November 8, 2021, Adopts uncodified section supplementing Title 45 (NJ ST 45 (Professions and Occupations)) of the Revised Statutes establishing the requirements to allow dentists to administer vaccines under certain circumstances.
- 2021 NJ REG TEXT 539593 (NS), published and effective April 19, 2021, Amends and adopts several sections in NJ ADC 13:30 (New Jersey Board of Dentistry) to update the licensing requirements for dentists and allied personnel. The changes 1) implement new laws; 2) update rules, terminology, citations, website addresses, and the names of the licensure examinations; and 3) clarify and codify current standards of practice and licensure and registration requirements. The rulemaking reflects updates related to statutory changes, additions to enhance the safety of patients receiving dental services and those working in the profession, identifies continuing education courses that must be completed in each renewal period, and updates the sedation rules to enhance the safety of patients receiving dental services.

New Mexico

- 2021 NM S.B. 200 (NS), enacted April 5, 2021, effective June 18, 2021, amends NM ST ? 61-5A-21 (Disciplinary proceedings; application of uniform licensing act) providing that a dentist, dental hygienist or dental therapist practicing teledentistry is subject to disciplinary action for acts committed under this section.
- 2021 NM REG TEXT 578947 (NS), published May 25, 2021, effective May 30, 2021, adopts NM ADC 16.5.60 (Dental Therapists, Fees), NM ADC 16.5.61 (Dental Therapists, Licensure and Certification), NM ADC 16.5.62 (Dental Therapists, Continuing Education Requirements), NM ADC 16.5.63 (Dental Therapists, License Expiration and Renewal), NM ADC 16.5.64 (Dental Therapists, License Revocation for Non-Renewal), NM ADC 16.5.65 (Dental Therapists, Practice) and NM ADC 16.5.66 (Dental Therapists, Disciplinary Proceedings, License Revocation or Suspension for Disciplinary Actions) to establish the requirements for the regulation, licensing and disciplining of dental therapists.

North Carolina

- 2021 NC S.B. 146 (NS), enacted and effective July 23, 2021, Adopts NC ST ? 90-30.2 (Teledentistry practice; definitions; requirements) to establish the requirements for teledentistry. Amends NC ST ? 90-41 (Disciplinary action) to add to the list of items requiring disciplinary action: allowing fee-splitting for the use of teledentistry services; and limiting, in any way, a patient's right or ability to raise grievances or file complaints with any appropriate oversight body. Adopts effective October 1, 2021, NC ST ? 90-225.2 (Current hygiene students in CODA-approved curriculum programs) and NC ST ? 90-225.3 (Requirements to administer local anesthetics for licensed dental hygienists; reciprocity) to establish the requirements for dental hygienists to qualify to administer local anesthetics.
- 2021 NC REG TEXT 599107 (NS), published November 15, 2021, effective November 1, 2021, adopts [21 NC ADC 16G.0109](#) (Dental Hygienist Certification to Administer Local Anesthetics) to establish the requirements for a dental hygienist to become certified to administer local anesthetics by infiltration and block techniques under the direct supervision of a North Carolina licensed dentist.

North Dakota

- 2021 ND H.B. 1151 (NS), enacted April 19, 2021, effective August 1, 2021, adopts an uncodified section, 'Standard of care and professional ethics - Telehealth,' in ND ST 43-28 (Dentists) providing that a dentist is held to the same standard of care and ethical standards, whether practicing traditional in-person dentistry or telehealth and establishes the requirements that apply in the context of telehealth for dentists.
- 2021 ND REG TEXT 568348 (NS), published July 1, 2021, effective April 1, 2021, amends and adopts multiple sections in ND ADC 20 (State Board of Dental Examiners) to update the requirements for the licensing and regulation of the practice of dentists, dental hygienists, and dental assistants. Amended articles include ND ADC 20-01 (General Administration), ND ADC 20-02 (Dentists), ND ADC 20-03 (Dental Assistants), ND ADC 20-04 (Dental Hygienists) and ND ADC 20-05 (Fees).



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Oklahoma

2021 OK S.B. 408 (NS), enacted and effective May 28, 2021, adopts OK ST T. 59 ? 328.57 providing that upon declaration by governmental officials of a health pandemic or a state or federal disaster or emergency, dentists and dental hygienists and dental assistants working under the supervision of a dentist or physician, acting in good faith, shall be considered to be acting within the scope of their profession when providing all needed care during such a declared local, state or national emergency, and shall be allowed to perform services requested of them. Provides that dentists are authorized to administer vaccinations; and dental hygienists are authorized to administer vaccinations while working under the general supervision of a physician.

Oregon

- 2021 OR H.B. 2528 (NS), enacted July 19, 2021, effective September 25, 2021, adopts uncodified sections establishing the requirements for the practice of dental therapy. Includes definitions, qualifications for licensure, refusal to issue or renew a license, prohibition on the practice of dental therapy or use of the title or designation 'dental therapist' without licensure, exceptions, fees, collaborative agreements, procedures that may be performed under the general or indirect supervision of a dentist, and authority of a dental therapist to supervise a dental assistant or an expanded function dental assistant.
- 2021 OR REG TEXT 592505 (NS), published November 10, 2021, effective January 1, 2022, requiring applicants and licensees to complete a one-hour pain management course specific to Oregon provided by the Pain Management Commission of the Oregon Health Authority. Adopts [OR ADC 818-012-0120](#) (Compliance with Governor's Executive Orders) establishing requirements for failing to comply with any applicable provision of a Governor's Executive Order during a declared emergency.

Pennsylvania

2021 PA REG TEXT 519859 (NS), published and effective January 16, 2021, updating the list of practice settings where a public health dental hygiene practitioner may perform dental hygiene services without the supervision of a dentist to provide examples of health care facilities and certain other facilities. Provides that services provided by a health care facility to patients in their places of residence or other independent living environment are included as acceptable practice locations for public health dental hygiene practitioners. Also adds an office or clinic of a physician to the list of practice settings.

Rhode Island

2021 RI [S.B. 4](#) (NS) and 2021 RI H.B. 6032 (NS), enacted and effective July 6, 2021, adopts RI ST ? 5-31.1-40 (Telemedicine in the practice of dentistry) providing that professionals licensed under this chapter utilizing telemedicine in the practice of dentistry are subject to the same standard of care that would apply to the provision of the same dental care service or procedure in an in-person setting.

South Carolina

2021 SC REG TEXT 560603 (NS), published and effective May 28, 2021, amends [SC ADC 39-5](#) (Registration of Licenses or Certificates) requiring at least 50% of the continuing education hours to be obtained via live, in-person attendance. Allows interactive webinars to be considered live or in-person continuing education hours. Reduces the time dentists and dental hygienists have to complete an initial CPR course and recertification to 2 years down from 3 years.

South Dakota

2021 SD REG TEXT 590833 (NS), published November 29, 2021, effective December 13, 2021, amends [SD ADC 20:43:03:07](#) (Continuing education requirements -- Dentists) and multiple sections in SD ADC 20:43:09 (Anesthesia and Analgesia) to update regulations pertaining to the administration of sedation and anesthesia in a dental office; incorporate updated requirements, standards, and national guidelines; update anesthesia continuing education requirements to include new host permit; update definitions and references; update authority for advertising sedation and anesthesia to include new host permit; update general anesthesia and deep sedation permit requirements; update moderate sedation permit requirements; and update pediatric moderate sedation permit requirements.

Tennessee

2021 TN S.B. 410 (NS), enacted and effective May 18, 2021, adopts uncodified section in TN ST ? 63-5 (Dentists) defining 'COVID-19' and providing that a licensed dentist may administer a vaccination against COVID-19 if the dentist has received appropriate training as recommended by the Centers for Disease Control and Prevention.

Texas

- 2021 TX H.B. 2056 (NS), enacted June 16, 2021, effective September 1, 2021, adopts TX OCC ? 111.0075 (Licensing for Teledentistry Dental Services) providing that a health professional providing a health care service or procedure as a teledentistry dental service is subject to the licensing requirements that would apply to the provision of the same health care service or procedure in an in-person setting. Amends TX OCC ? 251.003 (Practice of Dentistry) providing that for purposes of this subtitle, a person located in another state practices dentistry in Texas and is required to hold a license to practice dentistry in Texas if the person through the use of any medium, including an electronic medium, performs an act that constitutes the practice of dentistry on a patient in Texas. Amends TX OCC ? 111.002 (Informed Consent) providing that a dentist who provides or facilitates the use of teledentistry dental services shall



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ensure that the informed consent of the patient, or another appropriate individual authorized to make health care treatment decisions for the patient, is obtained before teledentistry dental services are provided. Provides that a dentist who delegates a teledentistry dental service shall ensure that the informed consent of the patient includes disclosure to the patient that the dentist has delegated the service.

- 2021 TX REG TEXT 578668 (NS), published March 17, 2021, effective February 19, 2021, to establish the minimum standards and guidelines for safe practice during the COVID-19 disaster for dentists.
- 2021 TX REG TEXT 574196 (NS), published March 26, 2021, effective April 1, 2021, requiring a dentist to hold a Level 1 permit (Minimal Sedation permit) issued by the Board before prescribing and/or administering Halcion (triazolam), and provides that dentists should administer Halcion (triazolam) in an in-office setting.
- 2021 TX REG TEXT 574197 (NS), published March 26, 2021, effective April 1, 2021, providing that the maximum cost of a dentist can charge a patient for duplication of the patient's CBCT scan is \$30.
- 2021 TX REG TEXT 587763 (NS), published September 24, 2021, effective September 30, 2021, includes three additional specialty areas (oral medicine, dental anesthesiology, and orofacial pain) that may be used in dental advertisements.
- 2021 TX REG TEXT 587764 (NS), published September 24, 2021, effective September 30, 2021, requiring dental assistant applicants to complete a human trafficking prevention course approved by the executive commissioner of the Texas Health and Human Services Commission.

Washington

- 2021 WA REG TEXT 518585 (NS), published January 6, 2021, effective January 23, 2021, adopts [WA ADC 246-817-615](#) (Administrative, education, and training) to require a dentist to develop and maintain written infection prevention policies and procedures appropriate for the dental services provided by the facility. Requires a licensed dentist to review with all practitioners the current office infection prevention policies and procedures annually; and to maintain documentation of the annual review for five years. Requires a practitioner to complete one hour of current infection prevention standards education annually; specifies what the infection prevention standards education must include; and requires a practitioner to maintain their personal documentation of infection control prevention standards education for five years. Also defines a qualified individual or organization.
- 2021 WA REG TEXT 574909 (NS), published January 20, 2021, effective December 30, 2020, adopts [WA ADC 246-817-580](#) (Novel coronavirus disease 2019 screening) authorizing dentists to delegate administration of novel coronavirus disease 2019 (COVID-19) screening tests to registered dental assistants, licensed expanded function dental auxiliaries, and licensed dental hygienists with appropriate supervision and demonstration of competency.
- 2021 WA REG TEXT 579224 (NS), published March 17, 2021, effective February 19, 2021, adopts [WA ADC 246-817-581](#) (Novel coronavirus disease 2019 vaccination) to establish the requirements to allow dentists to delegate administration of a COVID-19 vaccination to licensed dental hygienists with close supervision and demonstration of competency.
- 2021 WA REG TEXT 579224 (NS), published July 7, 2021, effective July 18, 2021, adopts [WA ADC 246-817-581](#) (Novel coronavirus disease 2019 vaccination) to establish the requirements to allow dentists to delegate administration of a COVID-19 vaccination to licensed dental hygienists with close supervision and demonstration of competency.

West Virginia

- 2021 WV H.B. 2962 (NS), enacted April 28, 2021, effective July 9, 2021, amends WV ST ? 30-4-8 (License to practice dentistry) and WV ST ? 30-4-10 (License to practice dental hygiene) updating the requirements for a license. Strikes requirement to be of good moral character. Adds requirement to not have any criminal convictions which would bar the applicant's licensure pursuant to WV ST ? 30-1-24 (Use of criminal records as disqualification from authorization to practice) and meets other requirements specified by rule. Amends WV ST ? 30-4-17 (Reinstatement) clarifying that the board, at its discretion and for cause, may require an applicant for reinstatement to undergo a physical and/or mental evaluation, at his or her expense, to determine whether the applicant is competent to practice dentistry or dental hygiene.
- 2021 WV REG TEXT 586079 (NS), published June 12, 2021, effective July 29, 2021, adopts WV ADC ? 5-16 (Teledentistry) to establish the requirements for teledentistry.

Wisconsin

2021 WI S.B. 13 (NS), enacted March 22, 2021, effective March 24, 2021, adopts [WI ST 447.059](#) (Administering certain vaccines) establishing the requirements for a dentist to administer without a prescription order a vaccine against SARS-CoV-2 coronavirus or influenza.

Wyoming

- 2021 WY S.F. 109 (NS), enacted April 5, 2021, effective July 1, 2021, providing the application renewal for a dentist is on or before December 31 of every second year instead of each year. Provides that any license granted by the board shall expire if the holder fails to secure the renewal certificate within 3 months after the date that the license renewal application is required to be submitted. Provides



that the applicant shall pass a written, clinical, and state examination that follows national standards as determined by rule of the board. Removes the requirement that the applicant shall be informed in writing by certified mail of the results of his examination.

- 2021 WY REG TEXT 582186 (NS), published April 21, 2021, effective April 15, 2021, amends WY ADC 034.0001.3 ? 6 (Dental Licensure by Endorsement) to update the application requirements. Requires the applicant to: submit current certification in BLS; submit a copy of a diploma from a CODA accredited dental college or university; request verification of an active dental license in another jurisdiction; successfully complete the jurisprudence examination; and request verification of a regional clinical examination that meets the requirements.

Nursing

Recent Legislation and Regulation

Alabama

- 2021 AL S.B. 183 (NS), enacted April 29, 2021, effective July 1, 2021, adopts uncodified section to authorize the Alabama Board of Nursing to allow licensed nurses to delegate certain nursing care tasks to unlicensed health care workers in a residential community health setting and to prohibit an agency other than the Alabama Board of Nursing from requiring licensed nurses to obtain additional certification or training in order to delegate nursing care tasks.
- 2021 AL REG TEXT 571301 (NS), published February 25, 2021, effective April 12, 2021, specifying that vaccine administration does not require independent nursing judgment and may be delegated to a Medication Assistant, Certified (MAC).
- 2021 AL REG TEXT 571300 (NS), published February 25, 2021, effective April 12, 2021, adding requirements for individuals holding an Alabama nursing license in a 'retired,' 'inactive,' or 'lapsed' status to administer vaccines in Alabama without compensation during a declared state or national pandemic.
- 2021 AL REG TEXT 580459 (NS), published March 31, 2021, effective March 19, 2021, adopts [AL ADC 610-X-7-.13](#) (Special Provisions Related to Vaccination Administration) providing that a licensed nurse may delegate administration of medications for purposes of vaccinations to emergency medical technicians who have been authorized by the Alabama Department of Public Health (ADPH) to receive delegation of vaccine administration. Also provides that a nurse who is a member of the Alabama National Guard and has an active, unencumbered nursing license in any state or territory of the United States may practice nursing at any vaccination clinic operated by or under the authority of the ADPH.
- 2021 AL REG TEXT 589900 (NS), published September 30, 2021, effective November 14, 2021, amends [AL ADC 610-X-4-.02](#) (Qualification of Applicants for Licensure) providing that education, training, and/or service completed through the Air Force Basic Medical Technician Corpsman Program (BMTCP) ? 4N051-5 Skill Level or the ARMY LPN Program 68WM6 is acceptable as completion of an approved nursing program and meets the licensed practice nursing education requirement.

Arkansas

2021 AR H.B. 1198 (NS), enacted March 24, 2021, effective July 30, 2021, updating the definition of 'practice of certified registered nurse anesthesia' to remove the supervision requirement and provide instead that a certified registered nurse anesthetist may perform advanced nursing practices relevant to the administration of anesthetics in consultation with, but not necessarily in the presence of, a licensed physician, licensed dentist, or specified others. Adds that a certified registered nurse anesthetist may select, obtain, and administer Schedule II drugs only during the perioperative, peri-obstetrical, and medical procedure period. Also, defines and adds the requirements for 'consultation' as it pertains to the practice of certified registered nurse anesthesia.

California

2021 CA A.B. 1407 (NS), enacted October 1, 2021, effective January 1, 2022, amends CA BUS & PROF ? 2811.5 (Renewals; proof of continuing education; regulations establishing standards) requiring, beginning January 1, 2023, a nurse renewing their license within the first two years immediately following their initial licensure to complete one hour of direct participation in an implicit bias course, as specified, offered by a continuing education provider that has been approved by the board. Adopts CA HLTH & S ? 123630.5, requiring a hospital to implement an evidence-based implicit bias program, as specified, as part of its new graduate training program that hires and trains new nursing program graduates. Provides that a hospital that hires and trains new nursing program graduates involved in the perinatal care of patients, pursuant to CA HLTH & S ? 123630.3 (Implicit bias prevention training; curriculum; continuing education), that complies with existing implicit bias program requirements, would meet the implicit bias program requirements with respect to those new nursing program graduates involved in the perinatal care of patients.

Colorado

- 2021 CO S.B. 56 (NS), enacted May 6, 2021, effective August 12, 2021, amends CO ST ? 12-255-120 (Grounds for discipline--definitions) revising the definition for 'grounds for discipline' allowing nurses/nurse aides to provide patients with lawfully obtained, recommended, administered or dispensed medical marijuana. Adopts CO ST ? 12-30-116 (Protection for administering medical marijuana at school) exempting licensees from disciplinary action for administering marijuana in a non-smokable form to students with a valid medical marijuana recommendation.



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- 2020 CO REG TEXT 572520 (NS), published and effective December 7, 2020, adopts 3 CO ADC 716-1:1.26-C (Temporary Licensure) authorizing the Board to issue a temporary license to an applicant that is a new graduate of an approved practical nursing program or of an approved professional nursing program who meets all qualifications for licensure with the exception of successful completion of the required examination. Also provides that the Board may issue a temporary license to a professional nurse or a practical nurse that holds an active, unrestricted professional or practical nurse license in good standing in a non-compact state. Adopts 3 CO ADC 716-1:1.26-D (Temporary Emergency Nurse Aide Certification) authorizing the Board to issue a temporary emergency certification to an applicant that is a new graduate of an approved nurse aide training program who meets all qualifications for certification with the exception of successful completion of the required examinations or to a reinstatement applicant who meets all qualifications for certification with the exception of successful completion of the required skills examinations. Adopts 3 CO ADC 716-1:1.26-F (Temporary Suspension of Certain Nurse and Nurse Aide Education Requirements Related to Covid-19) suspending certain Board of Nursing education requirements effective December 7, 2020, for a period of no longer than 120 days.
- 2020 CO REG TEXT 566179 (NS), published December 10, 2020, effective December 30, 2020, amends various State Board of Nursing's rules. Amendments include updating requirements for obtaining and maintaining professional and practical nursing licensure; specifying procedures and criteria relating to entering into Confidential Agreements with licensees; updating requirements for certification by endorsement and certification as military spouse; updating statutory authority; updating reporting requirements; updating scope of practice and delegated nursing tasks; adding temporary licensure requirements and expanded delegation authority; and adding required disclosure requirements for conviction of or discipline based on sexual misconduct.
- 2021 CO REG TEXT 576285 (NS), published February 10, 2021, effective January 11, 2021, adopts 3 CO ADC 716-1:1.28-C (Expanded Scope of Practice in Order to Administer the COVID-19 Vaccination) authorizing practical nurses and certified nurse assistants to administer the COVID-19 vaccination while working in a hospital, inpatient facility or outpatient setting as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, or professional nurses.
- 2021 CO REG TEXT 580881 (NS), published and effective April 6, 2021, adopts 3 CO ADC 716-1:1.26-C (Temporary Licensure) to provide that beginning April 6, 2021, the Board will cease granting temporary licensure to an applicant that is a new graduate of an approved practical nursing program or a professional nursing program who meets all qualifications for licensure but for successful completion of the requisite examination. Provides that temporary licenses expire June 30, 2021 and are not renewable. Adopts 3 CO ADC 716-1:1.26-F (Temporary Suspension of Certain Nurse and Nurse Aide Education Requirements Related to Covid-19) suspending certain Board of Nursing education requirements effective April 6, 2021, for a period of no longer than 120 days.
- 2021 CO REG TEXT 588055 (NS), published and effective July 12, 2021, adopts 3 CO ADC 716-1:1.26-C (Temporary Licensure) permitting the Board to issue temporary licenses to a professional nurse or a practical nurse that holds an active, unrestricted professional or practical nurse license in good standing in a non-compact state and setting forth the requirements for such licensure. Adopts 3 CO ADC 716-1:1.26-E (Temporary Suspension of Certain Nurse and Nurse Aide Education Requirements Related to Covid-19) suspending certain Board of Nursing education requirements effective July 8, 2021, for a period of no longer than 120 days. Adopts 3 CO ADC 716-1:1.27-C (Expanded Delegation of Services) and 3 CO ADC 716-1:1.27-D (Expanded Scope of Practice) to allow for the expanded delegation of services for advanced practice registered nurses, certified registered nurse anesthetists and professional nurses and expanded scope of practice for advanced practice registered nurses, certified registered nurse anesthetists, retired volunteer nurses, volunteer nursing students and nurse aides in order to provide hospitals and inpatient facilities with the flexibility to fill healthcare service gaps with readily available personnel due to the COVID-19 pandemic. Adopts 3 CO ADC 716-1:1.28-C (Expanded Scope of Practice in Order to Administer the COVID-19 Vaccination) authorizing practical nurses and certified nurse assistants to administer the COVID-19 vaccination while working in a hospital, inpatient facility or outpatient setting as delegated by physicians, physician assistants, advanced practice registered nurses, certified registered nurse anesthetists, or professional nurses.
- 2021 CO REG TEXT 594021 (NS), published November 15, 2021, effective December 15, 2021, amends 3 CO ADC 716-1:1.1-G (Reinstatement and Reactivation) requiring remedial or refresher courses to have content about managing patient conditions effectively in order to minimize sentinel events, rapid response to critical incidents, prioritize cares when caring for multiple patients, and critical reasoning for clinical decision making. Clarifying that 100% of the 120 clinical contact hours required for a license that is inactive for 5-10 years must be conducted in a simulation environment. Clarifying that 75% of the 120 clinical contact hours required for a license that is inactive for more than 10 years must be conducted in a simulation environment.

Connecticut

2021 CT [S.B. 2](#) (NS), enacted June 16, 2021, effective July 1, 2021, requiring that actively practicing registered nurses include mental health and suicide prevention training as contact hours of training, applicable to registration periods starting on or after January 1, 2022. Also requires the nurse to sign an attestation that this requirement has been satisfied and to retain attendance records or a certificate of completion for 3 years. Defines 'contact hour' and 'registration period'.

Delaware

• 2021 DE REG TEXT 566591 (NS), published March 1, 2021, effective March 11, 2021, adds failing to practice nursing without discrimination as to age, race, religion, sex, sexual orientation, national origin, or disability to the list of examples of unprofessional conduct.



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- 2021 DE REG TEXT 580406 (NS), published August 1, 2021, effective August 11, 2021, amends [24 DE ADC 1900-6.0](#) (Requirements and Procedures for Licensure) clarifying the requirements for biennial licensure renewal for registered nurses and licensed practical nurses. Also requires the submission of information related to the nurse's practice and demographics for the purpose of collecting nursing workforce data for both renewal and reinstatement of a license. Amends [24 DE ADC 1900-7.0](#) (Standards of Nursing Practice) and [24 DE ADC 1900-10.0](#) (Disciplinary Proceedings) prohibiting discrimination against a patient as to gender identity or expression in the practice of nursing.

Florida

2021 FL REG TEXT 570074 (NS), published January 12, 2021, effective January 25, 2021, providing that delegating the performance of professional responsibilities to a person who the licensee knows, or has reason to know, is not qualified by training, experience, or authorization to perform them is unprofessional conduct.

Illinois

2021 IL REG TEXT 528656 (NS), published and effective January 4, 2021, amends 68 Ill. Adm. Code Ch. VII, Subch. B, Pt. 1300 (Nurse Practice Act) updating the RN delegation of authority, updating the process for the restoration of licenses, expanding the definition of unethical or unprofessional conduct, and clarifying licensure requirements for foreign graduates.

Indiana

2021 IN S.B. 7 (NS), enacted April 22, 2021, effective July 1, 2021, adopts [IN ST 25-23-1-35](#) establishing the qualifications for a registered nurse to practice as a forensic nurse. Requires biennial continuing education for a forensic nurse. Also provides that a forensic nurse who is practicing as a forensic nurse on June 30, 2021, is not required to meet the biennial education requirements until June 30, 2023.

Iowa

2021 IA REG TEXT 577766 (NS), published July 14, 2021, effective August 18, 2021, adopts [IA ADC 655-3.11\(272C\)](#) ([Use of criminal convictions in eligibility determinations and initial licensing decisions](#)) establishing the requirements for use of criminal convictions in eligibility determinations and initial licensing decisions.

Louisiana

2021 LA REG TEXT 575323 (NS), published January 21, 2021, effective January 19, 2021, establishing the requirements for a temporary, limited registered nurse license for applicants with a retired or inactive license for the sole purpose of doing tasks directly related to the administration and delegation of COVID-19 vaccinations.

Maine

2021 ME REG TEXT 585670 (NS), published September 8, 2021, effective September 6, 2021, updating and clarifying the requirements and responsibilities of a registered professional nurse in delegating selected nursing tasks to certified nursing assistants.

Massachusetts

- 2021 MA REG TEXT 436071 (NS), published and effective June 11, 2021, specifying the actions the Board may take when a complaint is received, and establishing the requirements for the licensee's response. Provides actions the Board may take when a formal docketed complaint is not initiated. Also establishes the requirements for the summary suspension of a license in advance of a hearing in order to prevent an immediate and serious threat to the public health, safety or welfare, and the requirements for a post-suspension hearing within 7 business days.

- 2021 MA REG TEXT 446791 (NS), published and effective June 11, 2021, updating the documentation required to establish the applicant's eligibility to write the NCLEX-RN to require an original transcript from the registered nurse education program from which the applicant graduated verifying date of graduation and the credential conferred. Provides that if the nursing education program is located in the United States, the District of Columbia, a U.S. Territory, or Canada, an official transcript from the Registered Nurse education program from which the applicant graduated verifying date of graduation and credential conferred is required, and if the nursing education program is not located in United States, the District of Columbia, a U.S. Territory, or Canada, a CGFNS Certificate, a CGFNS credentials review, or other Board-designated credentials review is required. Adopts [244 MA ADC 8.06](#) (License Retirement) establishing the requirements to place a license on retired status. Provides that a licensee with a retired status may not practice. Adopts [244 MA ADC 8.07](#) (Domestic Violence and Sexual Violence Training) requiring domestic violence and sexual violence training as a condition for licensure, renewal, revival or reinstatement of licensure. Adopts [244 MA ADC 8.08](#) (Applicant and Licensee Responsibilities) establishing the requirements for the licensee to maintain an address of record. Also requires applicants and licensees to provide accurate and complete information in connection with any application for initial licensure or licensure renewal. Authorizes the Board to require an applicant or licensee to appear in person and/or provide additional information or documentation, as necessary for the Board's evaluation of certain criteria in connection with an application for initial licensure or licensure renewal.

- 2021 MA REG TEXT 446791 (NS), published and effective June 11, 2021, amends [244 MA ADC 9.03](#) (Standards of Conduct for Nurses) updating various standards of conduct for nurses. Updates references to advanced practice registered nurses (APRN). Updates the prohibition on denying nursing care based on certain factors to prohibit discrimination based on gender identity or gender



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expression. Updates the duty to report to the Board to change 'substance abuse' to 'substance misuse'. Clarifies the requirement on reporting a change of personal data to remove the requirement that the Board be informed in writing.

Mississippi

- 2021 MS REG TEXT 575343 (NS), published January 17, 2021, effective January 14, 2021, adopts 30 MS ADC Pt. 2826 (Mississippi Nurse Voluntary Program ("MnVP")) establishing the framework and processes for implementation of a confidential and non-disciplinary program for eligible nurse applicants designed to promote early identification of substance use/abuse; removal from nursing practice and entry into treatment; and for monitoring of compliance upon re-entry into nursing practice.
- 2021 MS REG TEXT 548113 (NS), published May 1, 2021, effective May 31, 2021, adopts [30 MS ADC Pt. 2830, R. 1.5](#) (Emergency Practice) establishing standards to allow registered nurses to assume and perform specific functions and procedures in the event of an emergency which are beyond basic professional nursing preparation. Defines emergency to mean the threat of loss of life, limb, or vision.
- 2021 MS REG TEXT 567627 (NS), published August 1, 2021, effective September 15, 2021, adopts 30 MS ADC Pt. 2825, R. 2, Pre-Licensure Determination, to identify potential disqualifying crimes for licensure by the Board of Nursing and implement a Board process for responding to petitions for pre-licensure determination.

New Hampshire

- 2021 NH REG TEXT 576878 (NS), published February 11, 2021, effective December 31, 2021, adopts NH ADC Plc 802.04 (Method for Applying for a Licensed Nurse Assistant (LNA) Emergency License) to establish the requirements for obtaining a Licensed Nursing Assistant (LNA) Emergency License.
- 2021 NH H.B. 567 (NS), enacted and effective July 1, 2021, adopts NH ST ? 326-B:21-a (Licensed Nursing Assistant; Licensure by Alternate Experience) establishing the requirements to allow certain military personnel, emergency medical technicians, and paramedics to apply for licensure as a nursing assistant.
- 2021 NH REG TEXT 590658 (NS), published August 12, 2021, effective June 25, 2021, amends [NH ADC Nur 301.02](#) (Temporary Registered and Practical Nurse Licensure) clarifying that this section shall apply to each registered or practical nurse applicant who is waiting for the results of an FBI background check, has met the requirements for licensure except passage of the required examination, and seeks a once-per-lifetime temporary registered or practical nurse license while awaiting a decision on full licensure.

New Jersey

- 2021 NJ REG TEXT 552723 (NS), published and effective May 17, 2021, adopts [NJ ADC 13:37-2.4](#) (Multistate licenses) providing that a registered professional nurse or licensed practical nurse in good standing who seeks a multistate license, which authorizes a nurse to practice in any state which is part of the Nurse Licensure Compact, shall submit to the Board: a multistate license application, which indicates that the nurse is not currently participating in the Board's Alternative to Discipline Program and that New Jersey is the nurse's primary state of residence; a completed Criminal History Certification of Authorization form; and the non-refundable application fee.
- 2021 NJ REG TEXT 552721 (NS), published and effective May 17, 2021, amends NJ ADC 13:37?5.3 (Continuing education) to require nurses to complete one credit of continuing education concerning prescription opioid drugs every biennial renewal period.

New York

- 2021 NY A.B. 1264 (NS), introduced January 8, 2021, provides for the award of scholarships and loan forgiveness for nurses on the same terms as physicians.
- 2021 NY A.B. 5246 (NS), introduced February 12, 2021, establishes the nurse loan repayment program; authorizes the commissioner to award loan repayment awards to nurses serving in underserved areas or nursing homes.

Ohio

2021 OH REG TEXT 568666 (NS), published January 5, 2021, effective February 1, 2020, removing the requirement that an inactive nurse must provide proof to the board that the continuing education requirements were met to return to active status. Provides that one contact hour of education, that is directly related to recognition and handling of victims of sexual assault, may qualify as part of the hours of the required continuing education.

Oregon

- 2021 OR REG TEXT 576520 (NS), published June 23, 2021, effective July 1, 2021, revises the licensure requirements for nurses in OR ADC 851-031, Standards for Licensure of Registered Nurses and Licensed Practical Nurses; clarifies licensing process; and repeals rules moved to other sections.
- 2021 OR REG TEXT 597036 (NS), published October 20, 2021, effective October 15, 2021, adopts [OR ADC 851-001-0160](#) (Compliance with the Oregon Health Authority's COVID-19 Requirements) requiring healthcare workers licensed by the Board of Nursing to comply with Oregon Health Authority (OHA) rules to control the communicable disease COVID-19. Authorizes the board to take disciplinary action if a licensee fails to comply with OHA's requirements.



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- 2021 OR REG TEXT 597531 (NS), published November 24, 2021, effective December 1, 2021, requires all licensees to show evidence of having taken the current Oregon Pain Commission online pain management course with every renewal or reactivation application. Also provides that renewal applicants may, rather than will, be subject to a state-based criminal background check.

Rhode Island

2021 RI REG TEXT 596210 (NS), published October 8, 2021, effective October 7, 2021, amends 216 RI ADC 40-05-22 (Nursing Assistants, Medication Aides, and the Approval of Nursing Assistant and Medication Aide Training Programs) adding requirements to establish an emergency temporary nursing assistant license.

South Carolina

2021 SC [S.B. 455](#) (NS), enacted and effective May 17, 2021, amends SC ST ? 40-33-36 (Issuance of licenses; temporary or limited licenses) to add requirements for temporary and permanent licensure as a graduate nurse.

South Dakota

2021 SD REG TEXT 587275 (NS), published September 20, 2021, effective October 5, 2021, adopts SD ADC 20:48:17 (Health Professionals Assistance Program) to establish the requirements for mental health or substance use disorder treatment programs for nursing professionals in South Dakota.

Tennessee

- 2021 TN [S.B. 1102](#) (NS), introduced February 10, 2021, increases from six to eight months the single period of time that a temporary permit for a practical nurse licensed in another state who has made an application for permanent licensure in Tennessee is valid.

- 2021 TN REG TEXT 591512 (NS), published August 21, 2021, effective August 18, 2021, amends [TN ADC 1200-08-06-.15](#) (Nurse Aide Training and Competency Evaluation) establishing the requirements for the Temporary Nurse Aide Bridge Program. Creates a 'bridge' that will allow individuals who worked as Temporary Nurse Aides in nursing homes during the public health emergency to be recognized for their training on the job and give them a path to being certified as a nurse aide.

Utah

2021 UT H.B. 287 (NS), filed February 1, 2021, modifies the Nurse Practice Act to allow a nurse practitioner to prescribe controlled substances without consulting a doctor or experienced nurse.

West Virginia

2021 WV REG TEXT 590028 (NS), published July 30, 2021, effective September 9, 2021, adopts WV ADC ? 19-16 (Telehealth Practice; Requirements; Definitions) to establish the procedures for the practice of telehealth by a registered nurse or advanced practice registered nurse.

Wisconsin

2021 WI REG TEXT 577797 (NS), published February 22, 2021, effective February 12, 2021, providing that if requested by an applicant or temporary permit holder and the employer of the applicant or temporary permit holder due to a public health crisis, natural disaster, critical nursing workforce shortage, or similar emergency circumstances, the board may grant a waiver of the requirement for temporary permit holder to practice only under the direct supervision of a registered nurse.

Pharmacist

Recent Legislation and Regulation

Alabama

- 2021 AL [S.B. 202](#) (NS), enacted April 8, 2021, effective July 1, 2021, amends AL ST ? 34-23-51 (Application for license; qualifications of applicants; examination of applicants; license by reciprocity) removing the requirement to include 2 notarized photographs of the applicant with an application for a license to practice pharmacy. Also, allows for applicants to pass examinations administered by the National Association of Boards of Pharmacy or other entity approved by the board and makes clarifying changes. Amends AL ST ? 34-23-52 (Expiration and renewal of certificate; continuing education) updating continuing education requirements by striking the requirement to complete 15 hours per calendar year, of which three hours shall be live presentation, and instead requiring that each pharmacist complete continuing education for each renewal period, as determined by the board by rule.

- 2020 AL REG TEXT 569283 (NS), published December 31, 2020, effective February 14, 2021, requiring a pharmacist to complete an initial two-hour board approved preceptor training program to be approved as a preceptor. Also requires all Pharmacists who have been approved as Preceptors to complete a two-hour training seminar for preceptors each renewal cycle or be approved by the School of Pharmacy for curriculum hours.

- 2020 AL REG TEXT 569284 (NS), published December 31, 2020, effective February 14, 2021, updating the requirements regarding the registration and certification of pharmacist compounding and distributing of parenteral products. Requires pharmacists to register each renewal cycle and requires programs submitted for certification to be a minimum of eight contact hours. Also requires pharmacists performing high risk sterile compounding to complete an additional four hour board approved high risk program and all pharmacists



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approved by the Board as sterile compounding pharmacists must successfully complete two continuing education hours approved by the Board including didactic and hands on training each renewal cycle.

- 2021 AL REG TEXT 576305 (NS), published January 29, 2021, effective January 20, 2021, adopts [AL ADC 680-X-2-03-.01](#) (Temporary Technician Vaccination Authorization) authorizing registered pharmacy technicians acting under the direct supervision of an Alabama licensed pharmacist to administer FDA-authorized or FDA-licensed COVID-19 vaccines to persons ages 3 or older and to administer FDA-authorized or FDA-licensed ACIP (Advisory Committee on Immunization Practice) recommended vaccines to persons ages 3 through 18 according to ACIP's standard immunization schedule if they meet the specified requirements. Also specifies the duties of the supervising pharmacist.
- 2021 AL REG TEXT 588424 (NS), published August 31, 2021, effective October 15, 2021, adopts [AL ADC 680-X-2-46](#) (Immunization Training) providing the requirements for administering vaccinations by licensed pharmacists and/or registered interns, externs, and technicians.

Arizona

- 2021 AZ [S.B. 1219](#) (NS), enacted March 26, 2021, effective July 24, 2021, repeals AZ ST ? 32-1909 (Prescription medication donation program; distribution; immunity; rules) and adopts AZ ST ? 32-1909 (Donated medicine; donors; authorized recipients; requirements; immunity; definitions) to repeal the Prescription Medication Donation Program and replace with updated requirements and procedures for the donation, transfer, receipt and facilitation of donated prescription medication. Provides immunity protection from civil liability, criminal liability, or professional disciplinary action to specified individuals and entities acting in good faith.
- 2021 AZ S.B. 1082 (NS), enacted July 9, 2021, effective September 29, 2021, adopts AZ ST ? 32-1979.01 (Self-administered hormonal contraceptives; requirements; rules; immunity; definition) authorizing a pharmacist to dispense a self-administered hormonal contraceptive under a standing prescription drug order and establishes dispensing and rulemaking requirements. Provides that a pharmacist or prescriber acting reasonably and in good faith is not liable for any civil damages for acts or omissions resulting from dispensing a self-administered hormonal contraceptive.

Arkansas

- 2021 AR H.B. 1134 (NS), filed January 11, 2021, an act to amend the definition of 'practice of pharmacy' to allow pharmacists to prescribe, administer, deliver, distribute, or dispense vaccines, immunizations, and anti-allergy medications to treat adverse reactions to administered vaccines or immunizations to a person who is three (3) years of age or older.
- 2021 AR H.B. 1246 (NS), enacted April 1, 2021, effective January 1, 2022, adopts AR ST ? 17-92-118 (Point-of-care treatment) requiring a pharmacist who tests for certain health conditions to be licensed to practice pharmacy in this state, to report a diagnosis or suspected existence of influenza to the Department of Health, to furnish patient records to a healthcare practitioner upon request and to maintain records of all patients receiving services under this section for 2 years.
- 2021 AR H.B. 1134 (NS), enacted March 22, 2021, effective July 30, 2021, updating the definition of 'practice of pharmacy' to establish requirements allowing pharmacists to prescribe, administer, deliver, distribute, and dispense vaccines to patients aged three and older. Allows pharmacists to treat any adverse reactions to the vaccines. Also requires pharmacists who administer vaccines and immunizations other than for influenza or COVID-19, to children aged three to six, to participate in the federal Vaccines for Children Program and provide information regarding the importance of well-child visits.
- 2021 AR H.B. 1135 (NS), enacted March 22, 2021, effective July 30, 2021, updating the definition for 'Practice of pharmacy' to provide that a pharmacy technician may administer vaccines and immunizations to a person three years of age or older if delegated to do so by a supervising pharmacist, but may not administer other medications.
- 2021 AR H.B. 1069 (NS), enacted March 22, 2021, effective July 30, 2021, updating the definition for 'Practice of pharmacy' to provide that under a statewide protocol, a pharmacist may initiate therapy and administer or dispense oral contraceptives.

California

- 2021 CA A.B. 1533 (NS), enacted October 7, 2021, effective January 1, 2022, adopts CA BUS & PROF ? 4202.6 allowing the Board to deny an application for licensure if the applicant has been convicted of a crime or subjected to formal discipline that would be grounds for denial of a federal registration to distribute controlled substances. Adopts CA BUS & PROF ? 4232.5 requiring a pharmacist who prescribes a Schedule II controlled substance to have completed an education course on the risks of addiction associated with the use of Schedule II drugs. Provides that completing such a course within the last 4 years satisfies the requirement. Provides that the section is operative July 1, 2022.
- 2021 CA A.B. 1064 (NS), enacted October 8, 2021, effective January 1, 2022, expanding the authority of a pharmacist to independently initiate and administer any vaccine that has been approved or authorized by the FDA and received an ACIP individual vaccine recommendation published by the CDC for persons 3 years of age and older.
- 2021 CA REG TEXT 549508 (NS), published January 8, 2021, effective December 28, 2020, adopting criteria to evaluate the rehabilitation of an applicant or licensee when considering the denial, suspension, or revocation of a license. Adds professional misconduct as grounds requiring the Board to consider the substantial relationship criteria and adding criteria for determining when a crime is substantially related to the qualification, functions, and duties of the profession.



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- 2021 CA REG TEXT 546666 (NS), published March 12, 2021, effective July 1, 2021, requiring a pharmacist applicant, as a condition of renewal, to disclose whether he or she has complied with all continuing education requirements to renew his or her pharmacist or advanced pharmacist license. Also, clarifies that all required disclosures are provided under penalty of perjury.

Colorado

- 2020 CO REG TEXT 572166 (NS), published December 10, 2020, effective December 30, 2020, allowing pharmacy technicians under the supervision of a pharmacist certified in immunization to administer vaccines and immunizations per authorization of a physician. Requiring a pharmacy technician to have completed a pharmacy based immunization administration course of at least four hours of training including didactic and live hands-on training that is accredited by the Accreditation Counsel for Pharmacy Education.
- 2021 CO REG TEXT 573277 (NS), published February 25, 2021, effective March 17, 2021, establishing the requirements to allow pharmacy technicians to administer immunizations.
- 2021 CO REG TEXT 592622 (NS), published November 1, 2021, effective November 30, 2021, amends [3 CO ADC 719-1:1.00.00](#) (Rules of Professional Conduct) updating the requirements for patient counseling to require that a pharmacist provide patient counseling on new medication therapy and, based on the pharmacist's professional judgment and due diligence, a pharmacist may provide patient counseling for any other prescription. Amends [3 CO ADC 719-1:3.00.00 \(Dispensing\)](#) updating requirements regarding opiate antagonists to provide that a pharmacist may, in good faith, prescribe or dispense an opiate antagonist pursuant to an order that was issued without a valid preexisting patient-practitioner relationship that is approved by the Federal Food and Drug Administration for the treatment of a drug overdose. Adds a unit of local government as an authorized recipient of an opiate antagonist and makes conforming changes.

District of Columbia

- 2021 DC REG TEXT 568369 (NS), published and effective February 26, 2021, allowing pharmacists to satisfy all of their continuing education requirements through online courses for the renewal, reactivation, and reinstatement periods ending February 28, 2021.
- 2021 DC REG TEXT 557722 (NS), published April 16, 2021, effective April 1, 2021, adopts 17 DC ADC ? 6516 (COVID-19 Testing by Pharmacists) establishing minimum standards for the safe and effective operation of pharmacies where pharmacists, pharmacy interns, and pharmacy technicians under the direct supervision of a pharmacist, participate in COVID-19 testing. Defines and addresses the location standards, distancing requirements, and use of personal protection equipment standards for the different types of COVID-19 testing and expands the authority to participate in COVID-19 testing to pharmacy technicians. Requires compliance with Centers for Disease Control and Prevention (CDC) guidelines.

Florida

2021 FL [S.B. 768](#) (NS), enacted June 21, 2021, effective July 1, 2021, amends FL ST ? 465.189 (Administration of vaccines and epinephrine autoinjection) authorizing a certified pharmacist or certified registered intern under the supervision of a pharmacist to administer immunizations or vaccines licensed for use in the United States, or which have been authorized for emergency use, by the United State Food and Drug Administration as of April 30, 2021. Allows the Board to authorize by rule additional immunizations or vaccines. Allows a certified pharmacist to administer influenza vaccines to individuals 7 years of age or older within the framework of an established protocol under a supervising physician.

Illinois

- 2021 IL [S.B. 194](#) (NS), enacted and effective July 9, 2021, amends IL ST CH 225 ? 85/4 (Exemptions) providing that a student pharmacist or licensed pharmacy technician engaged in remote prescription processing of dialysate or devices necessary to perform home peritoneal renal dialysis at a licensed pharmacy shall be permitted to access an employer pharmacy's database from his or her home or other remote location while under the supervision of a pharmacist for the purpose of performing certain prescription processing functions, provided that the pharmacy establishes controls to protect the privacy and security of confidential records.
- 2021 IL H.B. 135 (NS), enacted July 22, 2021, effective January 1, 2022, adopts IL ST CH 225 ? 85/43 (Dispensation of hormonal contraceptives) establishing the requirements for a pharmacist to dispense hormonal contraceptives to a patient pursuant to a valid prescription or standing order by a physician licensed to practice medicine in all its branches or the medical director of a local health department.

Indiana

- 2021 IN H.B. 1468 (NS), introduced January 14, 2021, to add pharmacists as a prescriber for purposes of the telemedicine laws. Removes the requirement that a prescription for a patient who is receiving services through telemedicine be based on a previous in person examination or as part of an established treatment plan.
- 2021 IN REG TEXT 586317 (NS), published June 23, 2021, effective July 15, 2021, adopts new provisions in IN ADC T. 856, Art. 4 (Pharmacist Vaccinations Administered Via Protocol Authority) establishing the requirements applicable to a pharmacist intern or pharmacy technician who administers an immunization to an individual or group of individuals, including supervision, training, and reporting requirements.

Iowa



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2021 IA REG TEXT 577767 (NS), published July 14, 2021, effective August 18, 2021, adopts [IA ADC 657-2.18\(147,155A\)](#) (Temporary license) establishing the requirements for a temporary pharmacist license. Adopts IA ADC Agcy. 657. Ch. 31 (Criminal Convictions) establishing the process by which an individual's criminal history is utilized by the board in a determination of eligibility for licensure or registration and in licensing and registration decisions.

Kansas

2021 KS H.B. 2385 (NS), introduced February 12, 2021, expanding the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions.

Kentucky

- 2021 KY REG TEXT 573577 (NS), published April 1, 2021, effective February 22, 2021, updates the requirements for pharmacists, pharmacist interns, and pharmacy technicians to administer vaccinations; and removes prescriber-approved protocols and prescription drug orders as a means to provide a vaccine.
- 2021 KY REG TEXT 592686 (NS), published September 1, 2021, effective August 10, 2021, adopts 201 KY ADC 2:411E (Ordering and administering vaccinations) establishing the requirements for a pharmacist, pharmacist intern, and pharmacy technician to administer a vaccine. Establishes the requirements for a pharmacist to prescribe vaccine. Provides definitions.

Louisiana

2021 LA REG TEXT 575246 (NS), published and effective May 20, 2021, amends 46 LA ADC Pt LIII, ? 519 (State of Emergency) clarifying that the section applies during a state of public health emergency pursuant to the Louisiana Health Emergency Powers Act LA R.S. 28:760 et seq. Increases the amount of medication which may be dispensed for an emergency prescription from a 30-day supply to a 90-day supply. Requires a pharmacist that is licensed elsewhere to obtain a special work permit from the Board and be engaged in a legitimate relief effort during the emergency period. Clarifies that the authority provided in this section ceases with the termination of the state of emergency.

Michigan

- 2021 MI REG TEXT 535640 (NS), published January 15, 2021, effective December 22, 2020, substantially revises and reorganizes Pharmacy - General Rules, to include rules that encompass all the necessary requirements for licensing and regulating the practice for pharmacists, interns, and preceptors. Modified parts include general provisions, pharmacist licenses, and the practice of pharmacy.
- 2021 MI S.B. 155 (NS), enacted and effective July 1, 2021, adopts [MI ST 333.17744f](#), establishing the requirements for a pharmacist to dispense an emergency supply of insulin. Provides that an individual shall not receive more than 3 emergency supplies of insulin in 1 calendar year and that after an emergency supply of insulin is dispensed to an individual, a pharmacist shall not dispense a subsequent emergency supply of insulin within the same calendar year to that individual unless the individual has since obtained a new qualified prescription for insulin with no remaining authorized refills.
- 2021 MI REG TEXT 574639 (NS), published November 1, 2021, effective October 19, 2021, amends [MI ADC R 338.3665](#) (Performance of activities and functions; delegation) specifying additional tasks that a pharmacy technician may perform under the delegation and supervision of a licensed pharmacist. Provides that a pharmacist may delegate technology-assisted final product verification after ensuring licensed pharmacy technicians have completed and documented relevant training and education.

Mississippi

- 2021 MS REG TEXT 568837 (NS), published April 1, 2021, effective May 10, 2021, amends 30 MS ADC Pt. 3001, Art. I (Licensure) establishing the requirements for the board to issue a license to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military and meets the stated conditions or to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military upon application based on work experience in another state. Establishes the requirements for a temporary license if the application pursuant to the Military Family Freedom Act requires longer than 2 weeks to process. Provides a list of decisions that may be appealed pursuant to the Military Family Freedom Act. Requires the Board to include on its website and on certain communications that it recognizes pharmacist licenses obtained from other states for military members and their families. Establishes the requirements for the examination for licensure as a pharmacist. Also provides that a pharmacist that surrenders his/her license is no longer eligible to practice pharmacy without petitioning the Board to re-instate his/her license.
- 2021 MS REG TEXT 558967 (NS), published July 7, 2021, effective August 8, 2021, adopts [30 MS ADC Pt. 3002, R. 8.5](#) (Disqualifying Crimes) specifying the crimes which may disqualify an applicant for a license, registration or permit. Adopts [30 MS ADC Pt. 3002, R. 8.6](#) (Mitigating Factors) providing that any criminal conviction beyond 10 years prior to the application shall not disqualify an individual unless extenuating circumstances exist. Also specifies other mitigating factors to be considered in determining whether the individual's criminal record will disqualify the individual from obtaining a license, registration or permit.

Montana

2021 MT REG TEXT 594562 (NS), published September 24, 2021, effective September 14, 2021, adopts New Rule I (Temporary Emergency Suspension of Pharmacist to Pharmacy Technician Ratio for Purposes of Vaccine Activities and Covid-19 Testing)



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establishing the requirements to waive the pharmacist to pharmacy technician ratio for vaccine activities and COVID-19 testing. Adopts New Rule II (Temporary Emergency Expansion of Personnel Who May Work in a Pharmacy or under the Supervision of a Pharmacist) establishing the requirements to allow any licensed health care provider authorized to administer vaccines within their scope of practice to assist pharmacists in administering vaccines.

Nevada

2021 NV [S.B. 325](#) (NS), enacted June 6, 2021, effective October 1, 2021, providing that pharmacists may: (a) Order and perform laboratory tests that are necessary for therapy that uses a drug approved by the United States Food and Drug Administration for preventing the acquisition of human immunodeficiency virus; and (b) Prescribe, dispense and administer any drug described in (a) to a patient.

New Hampshire

- 2021 NH S.B. 57 (NS), enacted and effective June 11, 2021, adopts NH ST ? 318:15-d (Remote Processing) authorizing New Hampshire licensed pharmacists, certified New Hampshire pharmacy technicians, or registered New Hampshire pharmacy interns to engage in remote processing, provided that all work requiring pharmacist supervision is supervised by a licensed pharmacist through electronic or other remote means. Also provides that the board may allow registered technicians to perform remote processing activities after completion of a board-approved training program on remote processing.

- 2021 NH H.B. 572 (NS), enacted August 10, 2021, effective November 8, 2021, repeals and replaces NH ST ? 318:16-b (Pharmacist Administration of Vaccines) to update the requirements for pharmacists and related personnel to administer vaccines. Changes include allowing pharmacy technicians to administer vaccines, providing for recording vaccinations in the state vaccine registry, and requiring the report of any adverse reactions.

New Mexico

2021 NM REG TEXT 586310 (NS), published and effective September 14, 2021, adopts NM ADC 16.19.31.11 (Provisions for Pharmacist or Pharmacy Technician, Unavailable Testing or Training) providing that during a declared civil or public health emergency resulting in unavailable required testing or training, the board may authorize a temporary extension for a: temporary pharmacist license under reciprocity; pharmacy technician registration; and pharmacist to exercise prescriptive authority pursuant to NM ADC 16.19.26 (Pharmacist Prescriptive Authority) (e.g. current live basic life support/ cardiopulmonary resuscitation). Provides that pharmacists and technicians are to complete required testing or training as soon as practicable.

North Dakota

2021 ND S.B. 2221 (NS), enacted March 22, 2021, effective March 23, 2021, providing that the board shall have the power to establish limited prescriptive authority through a statewide protocol for public health issues within the scope of practice for a pharmacist.

Ohio

- 2021 OH H.B. 6 (NS), enacted and effective May 14, 2021, adopts OH ST ? 4729.42 providing that a pharmacist may order and administer diagnostic tests for COVID-19 and tests for COVID-19 antibodies; and that a pharmacy intern and certified pharmacy technician may, under the direct supervision of a pharmacist, administer diagnostic tests for COVID-19 and tests for COVID-19 antibodies. Also clarifies that a pharmacist may, in the case of an individual who is 7 or older but not more than 13, administer to the individual an immunization for any of the following: (i) Influenza; (ii) COVID-19; (iii) Any other disease, but only pursuant to a prescription; and in the case of an individual who is 13 or older, administer to the individual an immunization for any disease, including an immunization for influenza or COVID-19.

- 2021 OH REG TEXT 540581 (NS), published April 27, 2021, effective May 7, 2021, amends [OH ADC 4729:4-1-05](#) (Individual licensee or registrant probation) updating the requirements for a Pharmacy Board licensee or registrant on probation. Requires compliance with the employment requirements in [OH ADC 4729:5-3-10](#) (Employment of individuals with felony convictions); a determination of not in good standing and an inability to serve as a preceptor, responsible person, or designated representative; and maintaining a current address with the Board. Updates the requirements regarding travel from Ohio or for any intended travel out of the country. Provides that violation of any term of probation may result in additional action before the board up to and including revocation of the registrant or licensee's pharmacy board issued license or registration. Provides that in the event the probation is unrelated to impairment as defined in [OH ADC 4729:4-1-01](#) (Definitions - impaired licensees, registrants and probation), the board may impose any other probationary conditions as it warrants applicable to the individual facts pertaining to discipline.

- 2021 OH REG TEXT 576427 (NS), published November 3, 2021, effective November 8, 2021, adopts OH ADC 4729:1-2-10 (Emeritus Pharmacists) establishing the requirements for a pharmacist to apply for emeritus designation. Specifies that the emeritus designation is not a license to engage in the practice of pharmacy.

Oklahoma

2021 OK REG TEXT 575198 (NS), published September 1, 2021, effective September 11, 2021, adopts [OK ADC 535:25-6-1 \(Purpose\)](#) and [OK ADC 535:25-6-2](#) (Active duty military and their spouse requirements) providing the requirements for an expedited pharmacist reciprocity license or initial technician permit for active duty military personnel and spouses licensed as a pharmacist or permitted as a pharmacy technician in another state, upon receiving notice or orders for military transfer or honorable discharge to Oklahoma.



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Oregon

- 2021 OR REG TEXT 568802 (NS), published January 1, 2021, effective December 23, 2020, adopts [OR ADC 855-007-0086](#) (Compliance with Governor's Executive Orders) establishing the requirements for Oregon Board of Pharmacy licensees and registrants to comply with Governor's Executive Orders during a declared emergency.
- 2021 OR REG TEXT 582002 (NS), published June 16, 2021, effective July 1, 2021, adopts [OR ADC 855-021-0001 \(Definitions\)](#) to establish the definitions regarding continuing education for pharmacists related to cultural competency. Amends [OR ADC 855-021-0005](#) (Continuing Pharmacy Education Required for Pharmacist License Renewal) updating the requirements for continuing education for pharmacists. Requires a pharmacist to complete 30 hours of continuing pharmacy education during the period from July 1 through June 30 of each biennial license renewal cycle and specifies what types of education those hours must include. Requires 7 hours of continuing education in pain management prior to the second license renewal. Provides that a pharmacist must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board. Provides that continuing pharmacy education credit accumulated in excess of the required 30 contact hours for biennial license renewal cannot be carried forward.
- 2021 OR H.B. 2958 (NS), enacted June 23, 2021, effective September 29, 2021, adopts uncodified section in OR ST ? 689 (Pharmacists; Drug Outlets; Drug Sales) to establish the requirements to allow a pharmacist to prescribe, dispense and administer pre-exposure prophylactic anti-retroviral therapies and post-exposure prophylactic anti-retroviral therapies.

South Carolina

2021 SC S.B. 427 (NS), enacted and effective May 17, 2021, amends SC ST ? 40-43-130 (Continuing education; topics; hours; carry over of hours; exemption period following examination; certificate of completion; authority to grant exemption for postgraduate degree work) striking the requirement that certain continuing medical education hours for pharmacists or pharmacy technicians must be obtained through attendance at lectures, seminars or workshops.

Texas

2020 TX REG TEXT 566515 (NS), published December 11, 2020, effective December 10, 2020, removes language providing that the ratio of pharmacists to pharmacist-interns shall be 1:1 when performing pharmacy technician duties.

Utah

2021 UT REG TEXT 576156 (NS), published April 1, 2021, effective March 11, 2021, amends [UT ADC R156-17b-402](#) (Administrative Penalties) to update the Fine Schedule Table by adding fines for violating UT ST ? 58-17b-502 (Unprofessional conduct) (1)(p) for falsely making an entry in, or altering, a medical record.

Virginia

- 2021 VA REG TEXT 576096 (NS), published February 1, 2021, effective January 3, 2021, clarifying that it is unprofessional conduct for the pharmacist in charge to fail to ensure that pharmacy technician trainees working in the pharmacy are registered and that such registration is current.
- 2021 VA REG TEXT 576119 (NS), published February 1, 2021, effective March 18, 2021, allows up to two continuing education contact hours earned through volunteer pharmacist work to count toward the required minimum of three contact hours that must be obtained in courses or programs that are live or real-time interactive.

West Virginia

- 2021 WV REG TEXT 560860 (NS), published May 14, 2021, effective June 11, 2021, amends WV ADC ? 15-3-4 (Continuing Pharmacy Education Requirements) clarifying that 6 hours of the 30 CPE hours required every two years shall be obtained through a live presentation requiring the direct presence of the pharmacist at the CPE activity. Provides that 'drug diversion training and best practice prescribing of controlled substances training' means a training course of at least two CPE hours which includes drug diversion training, best-practice prescribing of controlled substances training, and training on prescribing and administration of an opioid antagonist that has been approved by the Board.
- 2021 WV REG TEXT 560863 (NS), published May 14, 2021, effective June 11, 2021, providing that a licensed pharmacist or pharmacy intern may administer immunizations in accordance with definitive treatment guidelines for immunizations promulgated by the latest notice from the CDC. Also provides that a licensed pharmacist or pharmacy intern may administer immunizations, in accordance with definitive treatment guidelines for immunizations promulgated by the latest notice from the CDC, to a person age 11 through 17, with written informed parental consent when presented with a prescription from a physician.

Wisconsin

- 2021 WI A.B. 4 (NS), enacted February 19, 2021, effective February 21, 2021, allows certain pharmacy students, pharmacists licensed in other states and certain other persons providing services directed, supervised, and inspected by a pharmacist to administer vaccines or drugs. Allows any health care provider authorized to administer a vaccine to supervise persons administering vaccines instead of requiring that these persons may only be supervised by a pharmacist. Provides that a person may not administer a vaccine unless all of the following are satisfied: the person has completed at least two hours in a course of study and training, approved by



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the Accreditation Council for Pharmacy Education or the board, in hands-on injection technique and the recognition and treatment of emergency reactions to vaccines; the person acts under the direct supervision of a pharmacist who has completed a course in study on topics relating to vaccination; the person holds a current certification in basic life support or cardiopulmonary resuscitation; and the person holds a certified pharmacy technician certification from either the Pharmacy Technician Certification Board or the National Healthcareer Association.

- 2021 WI REG TEXT 575603 (NS), published and effective January 25, 2021, removing the requirement for the applicant to submit evidence of having passed the multi-state pharmacy jurisprudence examination with Wisconsin as primary state.

Washington

2021 WA REG TEXT 577063 (NS), published February 17, 2021, effective February 1, 2021, adopts [WA ADC 246-945-171](#) (Retired active pharmacist license status) to establish the requirements for a retired active pharmacist license and the criteria for returning to active status.

Wyoming

- 2020 WY REG TEXT 572667 (NS), published December 16, 2020, effective December 9, 2020, providing that a pharmacist may prescribe and administer to a healthy adult or healthy minor or administer by a prescription of a physician for high risk adults or high risk minors vaccines for COVID-19 approved by the FDA under an Emergency Use Authorization and any vaccine for COVID-19 completing the FDA approval process. Strikes the requirement that all immunizations shall be administered with the individual receiving the vaccine seated in a chair with back support.
- 2021 WY REG TEXT 580981 (NS), published and effective April 7, 2021, amends WY ADC 059.0001.16 ? 5 (Adults and Minors) providing that vaccines which a pharmacist may prescribe and administer to a healthy adult or healthy minor or may be administered by a prescription of a physician for high risk adults or high risk minors shall also include: vaccines for COVID-19 approved by the FDA under an Emergency Use Authorization and any vaccine for COVID-19 completing the FDA approval process. Strikes requirement that all immunizations shall be administered with the individual receiving the vaccine seated in a chair with back support.
- 2021 WY REG TEXT 579816 (NS), published and effective June 16, 2021, amends WY ADC 059.0001.16 ? 5 (Adults and Minors) to update the requirements for the administration of vaccines by pharmacists. Provides that vaccines which may be prescribed and administered to a healthy adult or healthy minor or may be administered by a prescription of a physician for high risk adults or high risk minors shall also include vaccines for COVID-19 approved by the FDA under an Emergency Use Authorization and any vaccine for COVID-19 completing the FDA approval process. Provides that parental or legal guardian consent is required for all minors receiving a vaccination; and the parent or legal guardian shall be present during the administration. Provides that immunizations authorized by this Chapter shall be prescribed in accordance with the latest notice from the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention (CDC); and specifies particular notices and where they can be found. Provides that pharmacists shall utilize the manufacturer's package insert for indications, contraindications, adverse reactions, dosing, route of administration, specifics regarding administration, and storage requirements for each specific immunization.

Physician

Recent Legislation and Regulation

Arizona

2021 AZ S.B. 1271 (NS), enacted May 10, 2021, effective July 24, 2021, requiring the Arizona Medical Board and the Arizona Board of Osteopathic Examiners in Medicine and Surgery to grant one-year transitional training permits to qualified applicants. Also establishes eligibility, qualifications, and supervision requirements.

Arkansas

- 2021 AR H.B. 1582 (NS), enacted April 20, 2021, effective July 30, 2021, adopts AR ST ? 17-95-414 (Multiyear license or registration for physicians) requiring the Arkansas State Medical Board to offer a multiyear license or registration for physicians as an option other than the annual renewal of license or registration. Requires a physician to provide certain information when requesting a multiyear license or registration.
- 2020 AR REG TEXT 572870 (NS), published December 15, 2020, effective November 28, 2020, adopts [AR ADC 007.33.24-45 \(Reciprocity\)](#) setting forth the required qualifications and documentation for applicants applying for reciprocal medical licensure.

Alabama

- 2020 AL REG TEXT 574069 (NS), published December 31, 2020, effective December 21, 2020, to clarify the areas of practice for a physician issued an emergency certificate of qualification. Removes the restriction prohibiting the prescribing of controlled substances via telehealth. Also, provides that applicants for a restricted Alabama Controlled Substance Certificate under this rule will not be required to pay a fee.
- 2020 AL REG TEXT 574071 (NS), published December 31, 2020, effective December 14, 2020, adopts AL ADC 545-X-2-.09 (Emergency License) to provide for the expedited issuance of an emergency medical license to qualified physicians who obtain an



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emergency certificate of qualification by endorsement from the State Board of Medical Examiners to assist with the public health emergency caused by SARS-CoV-2.

- 2021 AL REG TEXT 574093 (NS), published February 26, 2021, effective April 12, 2021, clarifying when a chaperone shall be present. Provides that a chaperone shall be present during all physical exams or procedures involving the breasts or genitals, irrespective of the genders of the physician and patient. Provides that for all other physical examinations and procedures, a physician should, but is not required to have a chaperone present. Also clarifies that a physician should refuse to examine any parts of the patient's body without a chaperone present if the physician believes the patient is sexualizing the examination.
- 2021 AL REG TEXT 584984 (NS), published August 31, 2021, effective October 15, 2021, adopts [AL ADC 540-X-3-25](#) (Expedited Certificate of Qualification for Military Members and Spouses) providing for the expedited issuance of a temporary certificate of qualification to military service members and the spouses of military service members who are relocated to and stationed in Alabama and who are also qualified physicians.
- 2021 AL REG TEXT 595569 (NS), published September 30, 2021, effective August 25, 2021, adopts AL ADC 545-X-2-10 (Emergency Expedited Temporary License) establishing criteria regarding the issuance of an emergency license to physicians licensed in other states who may assist with the declared COVID-19 public health emergency.
- 2021 AL REG TEXT 592859 (NS), published October 29, 2021, effective December 13, 2021, adopts AL ADC 540-X-3-19.1 (Denial of Application for Certificate of Qualification - Hearing) to provide for a hearing when grounds exist for denial of an application for a certificate of qualification to practice medicine.

California

- 2021 CA [S.B. 806](#) (NS), enacted October 7, 2021, effective January 1, 2022, requiring applications submitted to the Medical Board to be made upon an online electronic form or on another form provided by the board; requires applicants and licensees to have an electronic mail address and requires them to report that address to the board no later than July 1, 2022; and updates postgraduate training requirements for medical school graduates. Adopts CA BUS & PROF ? 2097 requiring, for individuals issued a physician's and surgeon's license by the board on or after January 1, 2022, at the time of initial renewal, a physician and surgeon to show evidence satisfactory to the board that the applicant has received credit for at least 36 months of board-approved postgraduate training, as specified. Requires that the physician's and surgeon's certificate be automatically placed in delinquent status by the board if the holder does not show satisfactory evidence of credit and authorizes the board to renew a physician's and surgeon's license if the applicant has demonstrated substantial compliance, as provided. Adopts CA BUS & PROF ? 2227.3 authorizing the medical board's executive director to issue a confidential letter of advice to a licensee to resolve a complaint for an alleged minor violation of the Act that is not related to patient care. A licensee's failure to take the remedial action within the timeframe agreed upon constitutes unprofessional conduct. Amends CA BUS & PROF ? 2454.5 (Adoption and administration of continuing education standards) reducing the number of continuing medical education (CME) hours that must be completed by an osteopathic physician and surgeon as a condition of license renewal from 100 hours to 50 hours with 20 of those hours being AOA Category 1 credit and the remaining 30 hours being either American Osteopathic Association or American Medical Association accredited.
- 2021 CA REG TEXT 541586 (NS), published February 5, 2021, effective January 21, 2021, establishing criteria for the Board to consider in determining whether a crime, professional misconduct, or other act committed by an applicant or licensee is substantially related to the qualifications, functions, or duties of the licensed profession when deciding whether to deny, suspend, or revoke a license.
- 2021 CA REG TEXT 549513 (NS), published May 28, 2021, effective May 17, 2021, updating the criteria to be used in determining whether a crime, professional misconduct, or other act is substantially related to the qualifications, functions or duties of a person holding a certificate under the Osteopathic Act for purposes of certificate denial, suspension, or revocation; and updating the criteria for determining whether an applicant for a certificate has been rehabilitated subsequent to a criminal conviction, professional misconduct, or other act.
- 2021 CA REG TEXT 558035 (NS), published June 25, 2021, effective June 11, 2021, amends 16 CA ADC ? 1321 (Approved Postgraduate Training) clarifying that only postgraduate training programs located in the United States and/or its territories or in Canada that are accredited by the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, or family medicine postgraduate training programs in Canada accredited by the College of Family Physicians of Canada, are approved to meet the postgraduate training requirement to be eligible for a California physician's and surgeon's license. Strikes subsection (b) requiring a current list of postgraduate training programs to be maintained on file in the Sacramento office of the division. Requires an applicant to have completed at least 24 continuous months out of the required 36 months of approved postgraduate training in a single program to qualify for licensure as a physician and surgeon. Provides that the period required for postgraduate training may be interrupted due to illness or hardship.

Colorado

- 2020 CO REG TEXT 574518 (NS), published and effective December 28, 2020, expanding the authority of physicians to delegate and provide training for routine, technical services within inpatient facilities due to the coronavirus disease 2019 (COVID-19) pandemic in Colorado. Specifies requirements for delegation of services. Prohibits the delegation of the prescription or selection of medications,



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performance of surgical or other invasive procedures and anesthesia services. Also authorizes physicians to engage in inpatient care to evaluate and treat COVID-19 patients regardless of American Board of Medical Specialties (ABMS) Board certifications, national certifications, national specialty certificates of added qualifications, or current scope of specialty or subspecialty practice, if appropriate based on the physicians' education, training, and experience.

- 2021 CO REG TEXT 568663 (NS), published January 25, 2021, effective February 14, 2021, adopts [3 CO ADC 713-48:170](#) (Required Disclosure to Patients—Conviction of or Discipline Based on Sexual Misconduct) requiring medical licensees to disclose convictions, guilty pleas or final agency actions regarding instances of sexual misconduct, according to specified criteria and subject to certain exceptions. Adopts [3 CO ADC 713-48: APPENDIX A](#) (Appendix A) providing the Model Sexual Misconduct Disclosure Statement for medical licensees to use in compliance with specified state statutes and rules.
- 2021 CO H.B. 1276 (NS), enacted June 28, 2021, effective July 1, 2021, amends CO ST ? 12-30-114 (Demonstrated competency - opiate prescribers - rules - definition) requiring the applicable licensing boards, in consultation with the Center for Research Into Substance Use Disorder Prevention, Treatment, And Recovery Support Strategies to promulgate rules establishing competency-based continuing education requirements for licensed health-care providers, as a condition of licensure on or after October 1, 2022, that include the best practices for prescribing benzodiazepines and the potential harm of inappropriately limiting prescriptions to chronic pain patients.

Connecticut

2021 CT [S.B. 1201](#) (NS), enacted June 22, 2021, effective July 1, 2021, amends CT ST ? 21a-408c (Physician or advanced practice registered nurse issuance of written certification. Requirements. Not subject to arrest, prosecution or certain other penalties) clarifying that a physician or advanced practice registered nurse must not have a financial interest in a cannabis establishment, except for retailers and delivery services, as the terms are defined in the Responsible and Equitable Regulation of Adult-Use Cannabis Act.

Federal

2021 CONG US [S 1810](#), introduced May 25, 2021, enacts the ‘Conrad State 30 and Physician Access Reauthorization Act’ to provide incentives to physicians to practice in rural and medically underserved communities.

Florida

- 2021 FL REG TEXT 575286 (NS), published April 6, 2021, effective April 18, 2021, amends 64 [FL ADC 64B15-19.002](#) (Violations and Penalties) updating violations and penalties for osteopathic medicine. Adds a fine of \$10,000 per count or offense of fraud, if applicable, in addition to any guideline penalties for the violation. Also increases the amount of certain fines.
- 2021 FL REG TEXT 575290 (NS), published April 6, 2021, effective April 18, 2021, amends 64 [FL ADC 64B8-8.001](#) (Disciplinary Guidelines) adding a fine of \$10,000 per count for a violation of fraud or making a false or fraudulent representation. Adds fines for providing information that a person has a disability or supporting a person's need for an emotional support animal under FL ST ? 760.27 (Prohibited discrimination in housing provided to persons with a disability or disability-related need for an emotional support animal) without personal knowledge of the person's disability or disability-related need for the specific emotional support animal.
- 2021 FL REG TEXT 565539 (NS), proposed June 22, 2022, established the Conrad 30 Program providing the requirements for foreign physicians to apply to the Florida Department of Health for sponsorship. It also defines the priorities of physician practice types and employer requirements for sponsorship by the Department.

Georgia

- 2021 GA H.B. 458 (NS), enacted May 10, 2021, effective July 1, 2021, requiring, on and after January 1, 2022, all physicians to receive one-time education and training, for a minimum of two hours, regarding professional boundaries and physician sexual misconduct. Adopts GA ST ? 43-34-47, requiring a health care provider to report the name of a physician to the board if such health care provider has actual knowledge that such physician has committed sexual assault on a patient. Provides exceptions and immunity for health care providers who report in good faith or fail to report. Provides fines for any health care provider who knowingly and willfully fails to report. Provides that investigative records on cases of alleged sexual assaults on a patient by a physician are confidential.
- 2021 GA REG TEXT 576634 (NS), published February 4, 2021, effective January 24, 2021, adopts [GA ADC 360-2-.17](#) (Requirements for Telemedicine Licensure) establishing the requirements for a new licensure category for physicians to practice by telemedicine.

Idaho

2021 ID [S.B. 1093](#) (NS), enacted March 17, 2021, effective July 1, 2021, revising the requirements for oversight of physician assistants in medical practice, and establishing the requirements for collaborative practice agreements.

Iowa

2021 IA REG TEXT 577765 (NS), published July 14, 2021, effective August 18, 2021, amends [IA ADC 653-9.3\(147,148\)](#) (Eligibility for licensure) establishing the requirements for use of criminal convictions in eligibility determinations and initial licensing decisions.

Kansas



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- 2021 KS [S.B. 283](#) (NS), enacted March 31, 2021, effective April 1, 2021, amends [KS ST 48-963](#) (Same; physicians and other healthcare professionals; use of telemedicine authorized; limitations and requirements; abortion statutes not affected; expiration of section) clarifying that a physician holding a license issued by the applicable licensing agency of another state may practice telemedicine to treat patients located in the state of Kansas, if such out-of-state physician holds a temporary emergency license.
- 2021 KS H.B. 2208 (NS), enacted April 22, 2021, effective May 6, 2021, adopts a new section establishing the requirements for telemedicine waivers for out-of-state physicians. Also authorizes an applicable healthcare licensing agency to adopt procedures consistent with this section to allow other healthcare professionals licensed and regulated by the licensing agency to practice telemedicine within the scope of practice defined by Kansas law for such healthcare profession.
- 2021 KS REG TEXT 567137 (NS), published March 4, 2021, effective March 19, 2021, adopts [KS ADC 100-6-2a](#) (Resident active license qualifications) establishing the licensing requirements for an applicant for a resident active license in medicine and surgery or osteopathic medicine and surgery who is a graduate of an accredited school of medicine and has not completed 36 months of a postgraduate training program. Provides conditions for canceling the license.

Louisiana

- 2021 LA REG TEXT 568146 (NS), published and effective June 20, 2021, amends 46 LA ADC Pt XLV, ? 435 (Continuing Medical Educational Requirement) clarifying that every physician seeking the renewal or reinstatement of licensure shall annually evidence and document, in a manner specified by the board, the successful completion of not less than 20 hours of board approved CME. Amends 46 LA ADC Pt XLV, ? 441 (Failure to Satisfy Continuing Medical Education Requirements) providing that a licensee who fails to satisfy the continuing education requirement shall not be eligible for licensure renewal consideration and whose license has not been renewed for failure to satisfy the continuing education requirement may be reinstated upon application to the board.
- 2021 LA REG TEXT 568148 (NS), published and effective June 20, 2021, amends 46 LA ADC Pt XLV, ? 361 (Application Procedure) removing requirement that an applicant make a personal appearance before the board, a member of the Board, or its designee, as a condition to the Board's consideration of the application; and amends 46 LA ADC Pt XLV, ? 363 (Additional Requirements for International Medical Graduates) removing requirement that an international medical graduate make a personal appearance before a member of the Board as a condition to the Board's consideration of the application.
- 2021 LA REG TEXT 568145 (NS), published and effective June 20, 2021, adopts 46 LA ADC Pt XLV, ? 9935 (Assessment of Costs and Fines) providing for the assessment of costs and fines against licensees pursuant to a decision, consent order, or other agreed order where the respondent was found to have violated a law or rule following an administrative hearing. Provides for requests for modification and/or exceptions as well as a periodic payment plan. Provides fines as part of a decision, consent order, or other agreed upon order, with failure to comply with either an assessment of costs and/or a fine, establishing a basis for further action at the Board's discretion.

Maryland

2021 MD [S.B. 736](#) (NS), enacted May 30, 2021, effective July 1, 2021, amends MD HEALTH OCCUP ? 12-508 (Influenza vaccinations) establishing, for the period July 1, 2021, to June 30, 2023, the requirements for a pharmacist to administer a vaccine to an individual who is at least 3 years old but under the age of 18 years. Provides for the termination of this provision, subject to a contingency.

Michigan

2021 MI REG TEXT 565322 (NS), published May 15, 2021, effective April 26, 2021, adopts [MI ADC R 338.2407 \(Telehealth\)](#) establishing the requirements for a physician to provide telehealth services. Amends [MI ADC R 338.2425](#) (Medical doctor; license requirements; foreign graduates) clarifying the requirements for an applicant for a medical license for foreign graduates. Requires graduation from a medical school listed in the World Directory of Medical Schools. Also requires the applicant to submit a certificate of completion of the required postgraduate clinical training to the department no more than 15 days prior to the scheduled date of completion. Strikes the English language requirement. Amends [MI ADC R 338.2431](#) (Examination; adoption; passing scores; limitation on attempts; time limitations) establishing a limit of not more than 3 attempts to pass any part of the USMLE and a limit of 7 years from the date that the applicant passed any part of the USMLE to pass all parts of the USMLE. Also establishes the requirements for a variance of the 7-year limit.

New Hampshire

2021 NH REG TEXT 576439 (NS), published September 9, 2021, effective August 6, 2021, removes the authority of the alternate registered supervisory physician (ARSP) to supervise the physician assistant. Provides that the registered supervisory physician (RSP) and the physician assistant shall establish a process to assess the physician assistant's performance that is commensurate with the physician assistant's level of experience, education, and training. Provides that the RSP and physician assistant shall enter into a practice agreement as set forth in [NH ADC Med 602.03](#) (Practice Agreement). Provides that the RSP and physician assistant responsibilities include identifying alternate resources for PA consultation in the event that the RSP is inaccessible.

New Mexico

2021 NM S.B. 219 (NS), enacted April 6, 2021, effective June 18, 2021, amends NM ST ? 61-6-13 (Licensure by Endorsement) removing requirement that an applicant be in compliance with the United States immigration laws.



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New York

- 2021 NY A.B. 1016 (NS), introduced January 7, 2021, increases the maximum amount of individual awards for the physician loan repayment program and physician practice from \$40,000 per year to \$83,333 for a physician loan repayment award and \$66,666 for a physician practice support award.
- 2021 NY S.B. 6201 (NS), introduced April 17, 2021, allows geriatricians to apply for both the physician loan repayment program and the physician practice support program, provided such geriatrician agrees to practice geriatrics for at least 5 years.

Ohio

- 2021 OH H.B. 176 (NS), enacted October 28, 2021, effective January 27, 2022, adopts OH ST ? 4755.621 establishing the requirements for a collaboration agreement between athletic trainers and physicians. Amends OH ST ? 4731.22 (Disciplinary procedures; quality intervention program) updating the list of reasons for disciplinary actions to include failure to fulfill the responsibilities of a collaboration agreement entered into with an athletic trainer as described in OH ST ? 4755.621.
- 2020 OH REG TEXT 565978 (NS), published December 11, 2020, effective December 31, 2020, to update the military rule for physicians. Changes include: updating the requirements to allow specified military programs of training, military primary specialties, and lengths of service to be substantially equivalent to or exceed the educational and experience requirements for licensure; updating the requirements to allow the renewal of an expired license or certificate to practice without a late fee or re-examination; and updating the requirements for the extension of the continuing education period for the license or certificate.
- 2021 OH REG TEXT 568984 (NS), published May 12, 2021, effective May 31, 2021, amends and rescinds multiple sections in OH ADC 4731-10 (License Registration and Reinstatement; Continuing Medical Education) to update the continuing medical education requirements for physicians. Consolidates certain requirements in the rescinded sections into other sections; allows for a total waiver of continuing medical education for individuals with illnesses or absences; and makes clarifying and conforming changes.

Oklahoma

- 2021 OK REG TEXT 584729 (NS), published June 1, 2021, effective May 4, 2021, adopts [OK ADC 435:11-1-12](#) (Temporary licensure following expiration of COVID-19 declared emergency) providing that all out-of-state physicians, surgeons, and physician assistants possessing a critical need license at the time of the expiration or withdrawal of the Governor's emergency declaration under Second Amended Executive Order 2021-07 may continue to practice in the State of Oklahoma under a temporary, restricted license by the Oklahoma State Board of Medical Licensure and Supervision for up to 150 days to allow for the physician, surgeon, or physician assistant sufficient time to apply for full or unrestricted licensure, or to transition any patients back to in-person examination and treatment.
- 2021 OK REG TEXT 593783 (NS), published September 15, 2021, effective August 18, 2021, adopts OK ADC 510:15 (COVID-19 Emergency Rules) to provide the Oklahoma State Board of Osteopathic Examiners the authority to issue temporary licenses to out-of-state osteopathic physicians with reduced barriers and no fee.

Oregon

- 2020 OR REG TEXT 572571 (NS), published December 16, 2020, effective December 10, 2020, providing that during a declared emergency, all board licensees are expected, in connection with the practice of medicine, to fully comply with Executive Orders and statewide guidance implementing the Executive Orders when the Order or guidance documents in whole or in part address or affect the delivery of healthcare to Oregon patients. Specifies that during a declared emergency, unprofessional or dishonorable conduct includes failing to comply with any applicable provision of a Governor's Executive Order or any provision of this rule, to include implementing guidance and rules issued by the Oregon Health Authority.
- 2021 OR REG TEXT 567158 (NS), published January 20, 2021, effective July 1, 2021, adopts [OR ADC 847-008-0077](#) (Mandatory Cultural Competency Education) to establish the requirements for cultural competency education as a condition of license renewal for physicians and certain other health care professionals.
- 2021 OR REG TEXT 575390 (NS), published April 14, 2021, effective April 7, 2021, providing that during a declared emergency, all board licensees are expected, in connection with the practice of medicine, to fully comply with Executive Orders and statewide guidance implementing the Executive Orders when the Order or guidance documents in whole or in part address or affect the delivery of healthcare to Oregon patients. Specifies that during a declared emergency, unprofessional or dishonorable conduct includes failing to comply with any applicable provision of a Governor's Executive Order or any provision of this rule, to include implementing guidance and rules issued by the Oregon Health Authority. Also provides that no disciplinary action or penalty action shall be taken if the Executive Order alleged to have been violated is not in effect at the time of the alleged violation.
- 2021 OR REG TEXT 588241 (NS), published October 20, 2021, effective October 13, 2021, amends [OR ADC 847-001-0024 \(Compliance\)](#) providing that the Board will enroll active licensees with allegations of sexual misconduct in the National Practitioner Data Bank Continuous Query for two years from the date of the last allegation.
- 2021 OR REG TEXT 588243 (NS), published October 20, 2021, effective October 13, 2021, amends [OR ADC 847-008-0065](#) (Use of Name) adding requirements to allow physician licensees to practice under a variation of their legal name.



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- 2021 OR REG TEXT 597041 (NS), published October 20, 2021, effective October 13, 2021, adopts [OR ADC 847-010-0069](#) (Compliance with the Oregon Health Authority's COVID-19 Requirements) requiring providers licensed by the Oregon Medical Board to comply with Oregon Health Authority (OHA) rules to control the communicable disease COVID-19. Authorizes the board to take disciplinary action if a licensee fails to comply with OHA's requirements.

Pennsylvania

2021 PA [S.B. 398](#) (NS), enacted and effective October 7, 2021, providing that the supervising physician shall be responsible for the medical services that a physician assistant renders; and supervision shall not require the onsite presence or personal direction of the supervising physician. Updates the countersignature and record review requirements for patient records. Updates the requirements for the written agreement between the physician assistant and the primary supervising physician. Increases the ratio of the number of physician assistants a physician can supervise from four to six. Provides that nothing in this act shall be construed to authorize an employer or other entity to require a physician to supervise more physician assistants when the physician, in his or her clinical judgment, determines that supervising more physician assistants will compromise patient care or otherwise affect the physician's ability to properly supervise another physician assistant in accordance with the requirements of this act or regulations promulgated by the board. Also makes other clarifying and conforming changes.

Rhode Island

- 2021 RI S.B. 256 (NS) and 2021 RI H.B. 5098 (NS), enacted and effective July 14, 2021, amends RI ST ? 5-37-6.3 (Sanctions) to increase the maximum fine amount for those found guilty of unprofessional conduct by the board of medical licensure and discipline from \$10,000 to \$30,000.
- 2021 RI S.B. 996 (NS) and 2021 RI H.B. 5544 (NS), enacted and effective July 14, 2021, amends RI ST ? 5-37-5.1 (Unprofessional conduct) to include in the definition of unprofessional conduct performing a pelvic examination without consent of an anesthetized or unconscious female patient.

South Dakota

2021 SD H.B. 1179 (NS), enacted March 25, 2021, effective July 1, 2021, establishing the physician wellness program to provide evaluation, counseling, or other modality to address an issue related to career fatigue or wellness in a person licensed to practice medicine or osteopathy or a licensed physician assistant.

Texas

2021 TX [S.B. 1414](#) (NS), published and effective June 7, 2021, amends TX OCC ? 155.051 (Examination Required) updating the time frame for passing certain licensing examinations for applicants seeking a license to practice medicine. Extends the deadline to take qualifying examinations to the earlier of the second anniversary of the date the applicant completed all graduate medical training or the 12th anniversary of the date the applicant began the graduate medical training.

Utah

2021 UT S.B. 27 (NS), enacted March 17, 2021, effective May 5, 2021, adopts UT ST ? 58-70a-307 (Collaboration requirements -- Clinical practice experience -- Requirements for independent practice in a new specialty) to establish collaboration requirements between physician assistants and physicians. Defines collaboration as the interaction and relationship that a physician assistant has with one or more physicians in which: (a) the physician assistant and physician are cognizant of the physician assistant's qualifications and limitations in caring for patients; (b) the physician assistant, while responsible for care that the physician assistant provides, consults with the physician or physicians regarding patient care; and (c) the physician or physicians give direction and guidance to the physician assistant. Provides the requirements related to collaboration for physician assistant with less than 10,000 hours of post-graduate clinical practice experience and physician assistant who has more than 4,000 hours of practice experience and less than 10,000 hours of practice experience. Also provide that a physician assistant who wishes to change specialties to another specialty in which the PA has less than 4,000 hours of experience shall engage in collaboration for a minimum of 4,000 hours with a physician who is trained and experienced in the specialty to which the physician assistant is changing.

Washington

2021 WA H.B. 1129 (NS), enacted May 10, 2021, effective July 25, 2021, amends [WA ST 18.71.095](#) (Limited licenses) adding requirements for limited license to practice medicine for an international medical graduate.

West Virginia

- 2021 WV S.B. 372 (NS), enacted March 19, 2021, effective March 9, 2021, to update the requirements related to the graduate medical education from applicants who received the degree of doctor of medicine or its equivalent from a school of medicine located both within and outside of the United States, the Commonwealth of Puerto Rico, and Canada to provide greater discretion to the Board to approve graduate clinical training. Also provides that a temporary license issued by the board authorizes the holder to practice medicine and surgery or podiatry in West Virginia for the term of the temporary license and includes full prescriptive authority.
- 2021 WV REG TEXT 587686 (NS) and 2021 WV REG TEXT 587690 (NS), published July 7, 2021, effective August 10, 2021, adopts WV ADC ? 11-15 (Telehealth and Interstate Telehealth Registration for Physicians, Podiatric Physicians and Physician Assistants) and



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WV ADC ? 24-10 (Telehealth Practice and Interstate Telehealth Registration for Osteopathic Physicians and Physician Assistants) to establish the scope of practice for the provision of medical services via telehealth technologies and the process for allopathic, podiatric and osteopathic physicians and physician assistants to obtain an interstate telehealth registration with the Board.

Wyoming

2021 WV REG TEXT 552439 (NS), published April 9, 2021, effective April 6, 2021, adopts WV ADC ? 24-9-3 (Physician Practice and Emergency Temporary Permit) authorizing the Board to issue emergency temporary permits to physicians who have no pending complaints, investigations, consent orders, board orders, or pending disciplinary proceedings and who possess a valid, unrestricted medical license to practice osteopathic medicine and surgery in another jurisdiction and establishing the requirements for the practice during the State of Emergency or State of Preparedness.

Interstate Licensing Compacts

Recent Legislation and Regulation

Arkansas

2021 AR REG TEXT 570388 (NS), published June 15, 2021, effective June 4, 2021, amends [AR ADC 007.34.1-2-III](#) (Interstate Nurse Licensure Compact) adding to the licensure provisions. Prohibits communications regarding verification of the nurse's eligibility for licensure pursuant to the Compact from including any Criminal History Record Information (CHRI) received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member board under Public Law 92-544. Also requires an active duty service member, or the member's spouse, to designate a home state where the service member or spouse has a current license in good standing, which designation may be retained during the period the service member or spouse is on active duty. Provides that the service member or spouse shall only change home state through application for licensure in the new state.

Delaware

2021 DE H.B. 160 (NS), enacted June 23, 2021, effective July 1, 2022, adopts DE ST TI 24, Chapter 17A, Interstate Medical Licensure Compact, creating a voluntary, expedited pathway to state licensure for physicians who want to practice medicine in multiple states. An eligible physician can qualify to practice medicine in multiple states by completing one application within the Compact, and receipt of separate licenses from each state in which the physician intends to practice. The Compact creates another pathway for licensure but does not change the scope of Delaware's authority to regulate physician practice under the existing Medical Practice Act.

Georgia

2021 GA REG TEXT 576634 (NS), published February 4, 2021, effective January 24, 2021, adopts GA ADC 360-40, Interstate Medical Licensure Compact (IMLC), establishing the requirements for expedited licensure for physicians through the Interstate Medical Licensure Compact.

Illinois

2021 IL H.B. 580 (NS), introduced February 8, 2021, ratifies and approves the Nurse Licensure Compact, which allows for the issuance of multistate licenses that allow nurses to practice in their home state and other compact states.

Maryland

2021 MD H.B. 970 (NS), enacted and effective May 18, 2021, adopts MD HEALTH OCCUP ? 18-3A-01, adopting the Psychology Interjurisdictional Compact, to establish, among other requirements, the requirements for the practice of interjurisdictional telepsychology.

Michigan

2019 MI H.B. 4042 (NS), enrolled December 15, 2020, creating a Nurse Licensure Compact. Vetoed by the Governor, December 30, 2020. In the veto statement ^[FN2] the governor said the bill would violate sections of the Michigan Constitution by 'forfeiting our prerogative as a state to set the standard of care required of nurses and psychologists practicing in our state'.

Minnesota

2019 MN H.F. 36 (NS), introduced December 14, 2020, creating a Nurse Licensure Compact.

New Hampshire

2021 NH S.B. 133 (NS), enacted and effective August 10, 2021, repeals effective October 9, 2021, NH ST ? 153-A:36 (Emergency Medical Services Personnel Licensure Interstate Compact).

New York

2021 NY S.B. 3730 (NS), introduced January 30, 2021, to amend the education law, in relation to adopting the interstate nursing licensure compact.

North Dakota



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2021 ND H.B. 1044 (NS), introduced January 5, 2021, an Act to amend and reenact [ND ST 43-12.5-01](#), relating to the advanced practice registered nurse licensure compact.

Ohio

- 2021 OH S.B. 5 (NS), enacted March 31, 2021, effective June 30, 2021, provides that the 'Physical Therapy Licensure Compact' is hereby ratified, enacted into law, and entered into by the state of Ohio as a party to the compact with any other state that has legally joined in the compact.
- 2021 OH [S.B. 3](#) (NS), enacted July 1, 2021, effective January 1, 2023, Adopts OH ST ? 4723.11 (Nurse Licensure Compact) creating a multistate nursing licensure compact for registered nurses and licensed practical/vocational nurses, which allows them to practice nursing in states participating in the compact.
- 2021 OH [S.B. 6](#) (NS), enacted July 1, 2021, effective September 29, 2021, adopts OH ST ? 4731.111 (Interstate Medical Licensure Compact) creating a voluntary, expedited pathway to state licensure for physicians who want to practice medicine in multiple states. An eligible physician can qualify to practice medicine in multiple states by completing one application within the Compact.

Oregon

2021 OR H.B. 2335 (NS), prefiled January 11, 2021, enacts interstate Nurse Licensure Compact and Interstate Medical Licensure Compact.

Pennsylvania

- 2021 PA H.B. 966 (NS), introduced March 18, 2021, an Act making the Commonwealth of Pennsylvania a party to the Nurse Licensure Compact; and providing for the form of the compact.
- 2021 PA S.B. 115 (NS), enacted and effective July 1, 2021, enacts in uncodified sections the Nurse Licensure Compact Act. The Nurse Licensure Compact is entered into by the Commonwealth of Pennsylvania with all other states legally joining in the compact.

Texas

2021 TX H.B. 1616 (NS), enacted June 7, 2021, effective September 1, 2021, adopts TX OCC ? 171 (Interstate Medical Licensure Compact) to establish the requirements for the Interstate Medical Licensure Compact in Texas.

Vermont

2021 VT S.B. 48 (NS), enacted June 7, 2021, effective February 1, 2021, adopts new Subchapter 5 (Nurse Licensure Compact) in Chapter 28 (Nursing) in VT ST T. 26 (Professions and Occupations) providing for the Vermont adoption of the Nurse Licensure Compact as amended by the National Council of State Boards of Nursing.

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[FN2]

. Veto letter available at: <https://bit.ly/3npCXgD>

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24-Jan-2022



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