NELSON HARDIMAN
HEALTHCARE LAWYERS

Client Alert: Beginning 2023, Nurse Practitioners will be eligible for Independent Practice and Medical Staff Membership

On September 29, 2020, Gov. Gavin Newsom signed into law AB 890, which grants Nurse Practitioners expanded scopes of practice in certain settings, with a three-year transition period, enabling NPs to engage in independent practice beginning 2023.

Existing law authorizes Nurse Practitioners to perform certain acts in collaboration with a physician and pursuant to a standardized procedure. AB 890 reflects Nurse Practitioners' hard fought changes to the Business and Professions Code – most notably, allowing certified NPs to practice independently of physicians and without standardized procedures; prohibiting the referral of patients to persons or entities with whom the NP has a financial interest; and including NPs in the definition of "licentiates" for membership on hospital medical staffs and participation in certain medical staff committees. Mandatory reporting by hospital medical staffs to the Board of Registered Nursing will be triggered when NPs are disciplined for reasons related to the NPs' patient care. Unlike physician members, NPs will not be afforded hearing rights under the statutory framework.

The bill also creates a Nurse Practitioner Advisory Committee to advise the Board of Registered Nursing on matters relating to NPs, including setting minimal standards for NPs to transition to independent practice, advising on license disciplinary matters and certification standards, and determining the need for supplemental examination requirements or waivers.

If you have any questions regarding the changes noted above, Nelson Hardiman attorneys are here to answer your questions. Feel free to contact Sara Hersh or Miriam Mackin at 310-203-2800.

The Business and Professions Code will amend Sections 650.01, 805, and 805.5 of, and add to Article 8.5 (commencing with Section 2837.100) to Chapter 6 of Division 2 of, the Business and Professions Code, relating to healing arts.

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