

IN THE SENATE

SENATE BILL NO. 1261

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO NURSES; AMENDING SECTION 54-1401, IDAHO CODE, TO REVISE PROVI-
2 SIONS RELATING TO CRIMINAL HISTORY CHECKS AND TO MAKE A TECHNICAL COR-
3 RECTION.
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 54-1401, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-1401. PURPOSE -- LICENSE REQUIRED -- REPRESENTATION TO THE PUB-
9 LIC. In order to safeguard the public health, safety and welfare, it is in
10 the public interest to regulate and control nursing in the state of Idaho, to
11 promote quality health care services, to prohibit unqualified and dishon-
12 est persons from practicing nursing, and to protect against acts or conduct
13 which may endanger the health and safety of the public.

14 (1) License required. It shall be unlawful for any person to practice
15 nursing or offer to practice nursing unless that person is duly licensed pur-
16 suant to this ~~act~~ chapter.

17 (2) Representation to the public. Only a person who holds a valid and
18 current license to practice registered nursing in this state or a party
19 state pursuant to sections 54-1408 and 54-1418, Idaho Code, may use the title
20 "nurse," "registered nurse," "graduate nurse" or "professional nurse" or
21 the abbreviation "R.N." or any other designations, titles or abbreviations
22 to indicate that the person is practicing nursing in this state. Only a
23 person who holds a valid and current license to practice practical nursing
24 in this state or a party state pursuant to sections 54-1407 and 54-1418,
25 Idaho Code, may use the title "nurse," "licensed practical nurse," or the
26 abbreviation "L.P.N." or any other designations, titles or abbreviations to
27 indicate that the person is practicing nursing in this state.

28 (3) ~~On and after July 1, 2005, a~~ All applicants for original licensure
29 and for license reinstatement ~~will be required to~~ shall submit to a fin-
30 gerprint-based criminal history check of both the Idaho central criminal
31 database and the federal bureau of investigation criminal history database.
32 ~~Each~~ All such applicants ~~for original licensure and for license reinstatement~~
33 ~~must~~ shall submit a full set of the applicant's their fingerprints and
34 any relevant fees directly to the Idaho board of nursing for forwarding to
35 the appropriate law enforcement agency for processing. Criminal background
36 reports received by the board from the Idaho state police and the federal
37 bureau of investigation identification division shall be used only for this
38 purpose licensing decisions and handled and disposed of in a manner consis-
39 tent with requirements imposed by the Idaho state police and the federal
40 bureau of investigation.