

CHAPTER 144
SB 23 – FINAL VERSION

15Apr2015... 1123h

2015 SESSION

15-0310
01/03

SENATE BILL **23**

AN ACT allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.

SPONSORS: Sen. Carson, Dist 14; Sen. Stiles, Dist 24; Rep. LeBrun, Hills 32; Rep. MacKay, Merr 14; Rep. Sherman, Rock 24; Rep. J. Ward, Rock 19

COMMITTEE: Health and Human Services

ANALYSIS

This bill allows certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT allowing certain advanced practice registered nurses to authorize involuntary commitment and voluntary admission to state institutions.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 144:1 Nonemergency Involuntary Admissions; Advanced Practice Registered Nurses Added.
2 Amend RSA 135-C:36, I(c) to read as follows:

3 (c) A certificate from a physician ***or advanced practice registered nurse*** who is
4 approved by either a designated receiving facility or a community mental health program approved
5 by the commissioner, who has examined the person sought to be admitted within 5 days of the date
6 the petition is filed and who agrees that, based on this examination, such person satisfies the
7 standard set forth in RSA 135-C:34.

8 144:2 Nonemergency Involuntary Admissions; Advanced Practice Registered Nurses Added.
9 Amend RSA 135-C:36, II to read as follows:

10 II. The certificate of the examining physician ***or advanced practice registered nurse***
11 made upon admission, if the person sought to be admitted is currently voluntarily admitted to a
12 receiving facility, or a certificate of the examining physician ***or advanced practice registered***
13 ***nurse*** made prior to the admission of the person sought to be admitted to involuntary emergency
14 admission in accordance with RSA 135-C:27-33, shall be sufficient as the physician's certificate for
15 the petition for involuntary admission, if made within 5 days of the date of the filing of the petition.

16 144:3 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend
17 RSA 464-A:25, I(a)(2) to read as follows:

18 (2) A guardian may admit a ward to a state institution without prior approval of the
19 probate court upon written certification by a physician licensed in the state of New Hampshire, or, in the
20 case of placement in New Hampshire hospital, by a psychiatrist licensed in the state of New Hampshire,
21 ***or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a***, that the placement is
22 in the ward's best interest and is the least restrictive placement available. Within 36 hours, excluding
23 days when the court is closed, of such an admission of a ward to a state institution, the guardian shall
24 submit to the Merrimack county probate court notice of the admission and the reasons therefor, together
25 with a copy of the certificate by the physician~~[-or]~~, psychiatrist, ***or advanced practice registered***
26 ***nurse***.

27 144:4 Admission to State Institutions; Advanced Practice Registered Nurses Added. Amend
28 RSA 464-A:25, I(a)(6) to read as follows:

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1 (6) A guardian may not admit a ward to a state institution for more than 60 days for
2 any single admission or more than 90 days in any 12-month period upon certification of a physician
3 or psychiatrist, ***or an advanced practice registered nurse, as defined in RSA 135-C:2, II-a,***
4 without filing a petition requesting approval of the probate court.

5 144:5 Effective Date. This act shall take effect upon its passage.

6

7 Approved: June 12, 2015

8 Effective Date: June 12, 2015