

2003

**THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY**

NURSES AMENDMENT BILL 2003

EXPLANATORY STATEMENT

Circulated by authority of

Simon Corbell MLA
Minister for Health

EXPLANATORY STATEMENT

Outline

This Bill amends the *Nurses Act 1988* to include nurse practitioners following the successful trial of the Nurse Practitioner role in the ACT. The final report entitled, *The ACT Nurse Practitioner Project Final Report of the Steering Committee*, recommended regulation and endorsement of the nurse practitioner role. In line with this recommendation, this Bill will protect the title of Nurse Practitioner, allow Nurse Practitioners to register and allow the Nurses Board of the ACT to accredit nurse practitioner master of nursing courses for Nurse Practitioner education.

Revenue/Cost Implications

There is no additional cost involved in the bill as all infrastructure is in place under the existing regime.

Formal Clauses

Clauses 1, 2 and 3 are formal requirements. They deal with the name of the Bill, the commencement provisions and identifies the Act being amended.

Clause 4 substitutes a new definition for *enrolled nurse* and updates the language so that section 3 (1) (a) and (b) are covered in this single definition. Section 3 (1) (c) is also no longer required as the continuance of these people is brought across under clause 13.

Clause 5 substitutes a new definition for *registered nurse* to include nurse practitioner and updates the language so that section 3 (1) (a) and (b) are covered in this single definition. Section 3 (1) (c) is also no longer required as the continuance of these people is brought across under clause 13.

Clause 6 heading substitutes the heading to include nurse practitioner.

Clause 7 amends section 12 (3) by substituting a new provision that sets out the grounds on which a person is entitled to be registered as a nurse practitioner.

Clause 8 heading substitutes the heading to include nurse practitioner.

Clause 9 amends section 14 by substituting new wording to include a graduate of the course of education or training for nurse practitioner nursing which the board has discretion to register.

Clause 10 inserts the word 'written' prior to the word 'notice' to reflect current standards of practice whereby if a significant event such as a person's registration is being ceased, they should be notified in writing.

Clause 11 amends section 33 (2) by substituting new wording to include nurse practitioner with regard to cessation of registration. It also inserts the word 'written' prior to the word 'notice' to reflect current standards of practice whereby if a significant event such as a person's registration is being ceased, they should be notified in writing.

Clause 12 amends section 78 (c) by substituting new wording to include nurse practitioner.

Clause 13 repeals a spent transition provision and substitutes section 89 which provides for transitional provisions for registered and enrolled nurses because of the amendment made by Clauses 4 and 5. Under the Legislation Act, s 88, this does not undo its transitional effect so it can be expired without affecting peoples' status. This clause is substituted to ensure that the registration arrangements under the previous Act are carried over to this Act. Subsequently, a transitional class of people do not have to be mentioned in the definitions of enrolled nurse and registered nurse in the Act, s 3 (1). It also inserts two new sections, section 90 dealing with continuation of certain enrolments and section 91 dealing with the expiry date for the section.

Clause 14 omits any mention of mental health nurse or midwife and substitutes it with mental health nurse, midwife or nurse practitioner in sections 13 (1), 15 (1), 19 (2) and (4), 21 (1), 23, 25 and 27. This completes the work of including nurse practitioners as a category of registered nurse in the ACT.