

AMENDED IN SENATE MARCH 15, 2022

SENATE BILL**No. 994**

Introduced by Senator JonesFebruary 14, 2022

An act to amend Sections 2859, 2860.5, and 2860.7 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 994, as amended, Jones. Vocational nursing: direction of naturopathic doctor.

Existing law, the Vocational Nursing Practice Act, provides for the licensure and regulation of vocational nurses by the Board of Vocational Nursing and Psychiatric Technicians of the State of California. The act defines the practice of vocational nursing as the performance of services requiring those technical, manual skills acquired by means of a course in an approved school of vocational nursing, or its equivalent, practiced under the direction of a licensed physician or registered professional nurse, as defined.

This bill would revise that definition to additionally include practice under the direction of a naturopathic doctor.

Existing law, among other things, authorizes a licensed vocational nurse to withdraw blood, administer medications, and start and superimpose intravenous fluids, as described, when directed by a physician and surgeon. Existing law also authorizes a licensed vocational nurse to perform certain tests and immunization techniques, as described, when acting under the direction of a physician and surgeon.

This bill would authorize a licensed vocational nurse to perform the above-described actions when acting under the direction of a naturopathic doctor.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2859 of the Business and Professions
2 Code is amended to read:

3 2859. (a) The practice of vocational nursing within the
4 meaning of this chapter is the performance of services requiring
5 those technical, manual skills acquired by means of a course in an
6 approved school of vocational nursing, or its equivalent, practiced
7 under the direction of a licensed physician and surgeon,
8 naturopathic doctor, or registered nurse, as defined in Section 2725.

9 (b) A vocational nurse, within the meaning of this chapter, is a
10 person who has met all the legal requirements for a license as a
11 vocational nurse in this state and who for compensation or personal
12 profit engages in vocational nursing, as defined under subdivision
13 (a).

14 SEC. 2. Section 2860.5 of the Business and Professions Code
15 is amended to read:

16 2860.5. A licensed vocational nurse when directed by a licensed
17 physician and surgeon or naturopathic doctor may do all of the
18 following:

19 (a) Administer medications by hypodermic injection.

20 (b) Withdraw blood from a patient, if the licensed vocational
21 nurse has been instructed by a licensed physician and surgeon or
22 naturopathic doctor and has demonstrated competence to the
23 licensed physician and surgeon or naturopathic doctor in the proper
24 procedure to be employed when withdrawing blood, or has
25 satisfactorily completed a prescribed course of instruction approved
26 by the board, or has demonstrated competence to the satisfaction
27 of the board.

28 (c) Start and superimpose intravenous fluids if both of the
29 following additional conditions exist:

30 (1) The licensed vocational nurse has satisfactorily completed
31 a prescribed course of instruction approved by the board or has
32 demonstrated competence to the satisfaction of the board.

33 (2) The procedure is performed in an organized health care
34 system in accordance with the written standardized procedures
35 adopted by the organized health care system as formulated by a

1 committee which includes representatives of the medical, nursing,
2 and administrative staffs. “Organized health care system,” as used
3 in this section, includes facilities licensed pursuant to Section 1250
4 of the Health and Safety Code, clinics, home health agencies,
5 physician’s offices, naturopathic doctor’s offices, and public or
6 community health services. Standardized procedures so adopted
7 will be reproduced in writing and made available to total medical
8 and nursing staffs.

9 *(d) A licensed vocational nurse acting solely under the direction*
10 *of a naturopathic doctor shall only perform the functions specified*
11 *in this section that are within the scope of authorized activities for*
12 *a licensed naturopathic doctor under Section 3640.*

13 SEC. 3. Section 2860.7 of the Business and Professions Code
14 is amended to read:

15 2860.7. (a) (1) A licensed vocational nurse, acting under the
16 direction of a licensed physician and surgeon or naturopathic doctor
17 may perform: ~~(1) tuberculin~~ *perform any of the following:*

18 (A) *Tuberculin* skin tests, coccidioidin skin tests, and
19 histoplasmin skin tests, providing such administration is within
20 the course of a tuberculosis control ~~program, and (2)~~
21 ~~immunization~~ *program.*

22 (B) *Immunization* techniques, providing such administration is
23 upon standing orders of a supervising licensed physician and
24 surgeon or naturopathic doctor, or pursuant to written guidelines
25 adopted by a hospital or medical group with whom the supervising
26 licensed physician and surgeon or naturopathic doctor is associated.

27 (2) *A licensed vocational nurse acting solely under the direction*
28 *of a naturopathic doctor shall only perform the functions specified*
29 *in this subdivision that are within the scope of authorized activities*
30 *for a licensed naturopathic doctor under Section 3640.*

31 (b) The supervising licensed physician and surgeon or
32 naturopathic doctor under whose direction the licensed vocational
33 nurse is acting pursuant to subdivision (a) shall require the licensed
34 vocational nurse to do all of the following:

35 (1) Satisfactorily demonstrate competence in the administration
36 of immunizing agents, including knowledge of all indications and
37 contraindications for the administration of such agents, and in the
38 recognition and treatment of any emergency reactions to such
39 agents which constitute a danger to the health or life of the person
40 receiving the immunizations.

1 (2) Possess such medications and equipment as required, in the
2 medical judgment of the supervising licensed physician and
3 surgeon or naturopathic doctor, to treat any emergency conditions
4 and reactions caused by the immunizing agents and which
5 constitute a danger to the health or life of the person receiving the
6 immunization, and to demonstrate the ability to administer such
7 medications and to utilize such equipment as necessary.
8 (c) ~~Nothing in this section shall be construed to~~ *This section*
9 *does not* require physical presence of a directing or supervising
10 licensed physician and surgeon or naturopathic doctor, or the
11 examination by a licensed physician and surgeon or naturopathic
12 doctor of persons to be tested or immunized.