

CHAPTER 420
FORMERLY
SENATE BILL NO. 286

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE BOARD OF NURSING

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE :

Section 1. Amend Chapter 19, § 1903, Title 24 by striking the following:

“4 licensed practical nurses, 1 advanced practice nurse and 5 public members”, and substituting in lieu thereof the following:

“3 licensed practical nurses, 1 advanced practice nurse, 1 registered nurse educator, and 5 public members.”

Section 2. Amend Chapter 19, § 1902, Title 24 by inserting the following:

(p) ‘Nurse educator’ is a Registered Nurse who is a faculty member or director of a Delaware Board-approved nursing education program preparing individuals at the Registered Nurse entry level.”

Section 3. Amend Chapter 19, § 1922(c)(3), Title 24 by inserting the following:

“g. Upon reaching its conclusion of law and determining an appropriate disciplinary action, if any, the Board shall issue a written decision and order in accordance with §10128 of Title 29. The order must restate the factual findings, but need not summarize the evidence presented. However, notwithstanding the provisions of §10128(c) of Title 29, the decision and order, including an order issued pursuant to §1923 of this Chapter, may be issued over the signature of only the President or other officer of the Board. The decision and order must be sent by certified mail, return receipt requested, to the person complained about, with a copy to the Executive Director.”

Section 4. Amend Chapter 19, § 1914 (1), Title 24 by inserting the following in its entirety, before the semicolon:

“. The Board may, by an affirmative vote of a majority of a quorum of the Board, waive this requirement for application for licensure by endorsement if it finds clear and convincing evidence that the applicant’s education, training, experience and conduct have been sufficient to overcome the deficiency in meeting this requirement.”

Approved July 23, 2010