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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (*Division 2 enacted by Stats. 1937, Ch. 399.*)

CHAPTER 6. Nursing [2700 - 2838.4] (*Chapter 6 repealed and added by Stats. 1939, Ch. 807.*)

ARTICLE 9. Clinical Nurse Specialists [2838 - 2838.4] (*Article 9 added by Stats. 1997, Ch. 159, Sec. 3.*)

2838. No person shall advertise or hold himself or herself out as a “clinical nurse specialist” unless he or she is a nurse licensed under this chapter, and meets the standards for a clinical nurse specialist established by the board.

(*Added by Stats. 1997, Ch. 159, Sec. 3. Effective January 1, 1998. Section operative July 1, 1998, pursuant to Section 2838.3.*)

2838.1. (a) On and after July 1, 1998, any registered nurse who holds themselves out as a clinical nurse specialist or who desires to hold themselves out as a clinical nurse specialist shall, within the time prescribed by the board and before their next license renewal or the issuance of an initial license, submit their education, experience, and other credentials, and any other information required by the board to determine that the person qualifies to use the title “clinical nurse specialist.”

(b) Upon finding that a person is qualified to hold themselves out as a clinical nurse specialist, the board shall appropriately indicate on the license issued or renewed that the person is qualified to use the title “clinical nurse specialist.” The board shall also issue to each qualified person a certificate indicating that the person is qualified to use the title “clinical nurse specialist.”

(*Amended by Stats. 2023, Ch. 510, Sec. 51. (SB 887) Effective January 1, 2024.*)

2838.2. (a) A clinical nurse specialist is a registered nurse with advanced education, who participates in expert clinical practice, education, research, consultation, and clinical leadership as the major components of their role.

(b) The board may establish categories of clinical nurse specialists and the standards required to be met for nurses to hold themselves out as clinical nurse specialists in each category. The standards shall take into account the types of advanced levels of nursing practice that are or may be performed and the clinical and didactic education, experience, or both needed to practice safety at those levels. In setting the standards, the board shall consult with clinical nurse specialists, physicians and surgeons appointed by the Medical Board of California with expertise with clinical nurse specialists, and health care organizations that use clinical nurse specialists.

(c) A registered nurse who meets one of the following requirements may apply to become a clinical nurse specialist:

(1) Possession of a master's degree in a clinical field of nursing.

(2) Possession of a master's degree in a clinical field related to nursing with coursework in the components referred to in subdivision (a).

(3) On or before July 1, 1998, meets the following requirements:

(A) Current licensure as a registered nurse.

(B) Performs the role of a clinical nurse specialist as described in subdivision (a).

(C) Meets any other criteria established by the board.

(d) (1) A nonrefundable fee of not less than five hundred dollars (\$500), but not to exceed one thousand five hundred dollars (\$1,500) shall be paid by a registered nurse applying to be a clinical nurse specialist for the evaluation of their qualifications to use the title “clinical nurse specialist.”

(2) The fee to be paid for a temporary certificate to practice as a clinical nurse specialist shall be not less than thirty dollars (\$30) nor more than fifty dollars (\$50).

(3) A biennial renewal fee shall be paid upon submission of an application to renew the clinical nurse specialist certificate and shall be established by the board at no less than one hundred fifty dollars (\$150) and no more than one thousand dollars (\$1,000).

(4) The penalty fee for failure to renew a certificate within the prescribed time shall be 50 percent of the renewal fee in effect on the date of the renewal of the license, but not less than seventy-five dollars (\$75) nor more than five hundred dollars (\$500).

(5) The fees authorized by this subdivision shall not exceed the amount necessary to cover the costs to the board to administer this section.

(Amended by Stats. 2023, Ch. 510, Sec. 52. (SB 887) Effective January 1, 2024.)

2838.3. This article shall become operative on July 1, 1998.

(Added by Stats. 1997, Ch. 159, Sec. 3. Effective January 1, 1998. Note: This section prescribed a delayed operative date for Article 9, commencing with Section 2838.)

2838.4. Nothing in this article shall be construed to limit, revise, or expand the current scope of practice of a registered nurse.

(Added by Stats. 1997, Ch. 159, Sec. 3. Effective January 1, 1998. Section operative July 1, 1998, pursuant to Section 2838.3.)