

1 ENGROSSED HOUSE
2 BILL NO. 1013

By: Cockroft, Ownbey,
Cleveland, Cannaday, West
(Kevin), Murdock, Tadlock,
Osborn (Leslie),
Dunnington, Sanders,
Griffith, Mulready,
Renegar, Roberts (Sean),
Fourkiller and McEntire of
the House

and

Griffin of the Senate

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11 An Act relating to professions and occupations;
12 amending 59 O.S. 2011, Section 353.1a, which relates
13 to prescribing authority of advanced practice
14 registered nurse; removing supervisory physician
15 requirement; updating statutory references; removing
16 requirement that certain information be identified;
17 amending 59 O.S. 2011, Section 567.3a, which relates
18 to definitions used in the Oklahoma Nursing Practice
19 Act; modifying and deleting certain definitions;
20 amending 59 O.S. 2011, Section 567.4a, which relates
21 to prescriptive authority; permitting Oklahoma Board
22 of Nursing to grant and limit prescribing and
23 ordering authority to certain licensees; deleting
24 requirements of certain rules promulgated by the
Board; amending 59 O.S. 2011, Section 567.5a, as
amended by Section 2, Chapter 228, O.S.L. 2013 (59
O.S. Supp. 2016, Section 567.5a), which relates to
license to practice as Advanced Practice Registered
Nurse; removing requirement to submit certain
statement from Oklahoma physician; amending 63 O.S.
2011, Section 2-312, which relates to the authority
to prescribe controlled dangerous substances;
updating statutory references; providing advanced
practice registered nurse may only dispense
controlled dangerous substances pursuant to certain
provisions; requiring Advanced Practice Registered
Nurse or employer to carry certain malpractice

1 insurance; requiring facility to carry certain
2 liability insurance for licensed health care
3 providers; prohibiting Advanced Practice Registered
4 Nurse from prescribing certain substance; providing
5 for exception; permitting Advanced Practice
6 Registered Nurse to be referred to by certain title;
7 requiring Advanced Practice Registered Nurse to work
8 with certain individuals for certain time period
9 prior to entering independent practice; requiring
10 supervising fee not to exceed certain amount;
11 requiring Advanced Practice Registered Nurse to work
12 during certain time period under the supervision of
13 certain individuals in certain areas; repealing 59
14 O.S. 2011, Section 567.4b, which relates to the
15 Formulary Advisory Council; providing for
16 codification; and providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 59 O.S. 2011, Section 353.1a, is
19 amended to read as follows:

20 Section 353.1a Prescribing authority shall be allowed, ~~under~~
21 ~~the medical direction of a supervising physician,~~ for an advanced
22 practice nurse recognized by the Oklahoma Board of Nursing in one of
23 the following categories: ~~advanced registered~~ certified nurse
24 practitioners, clinical nurse specialists, or certified nurse-
midwives. The advanced practice nurse may write or sign, or
transmit by word of mouth, telephone or other means of communication
an order for drugs or medical supplies that is intended to be
filled, compounded, or dispensed by a pharmacist. ~~The supervising
physician and the advanced practice nurse shall be identified at the~~

1 ~~time of origination of the prescription and the name of the advanced~~
2 ~~practice nurse shall be printed on the prescription label.~~

3 SECTION 2. AMENDATORY 59 O.S. 2011, Section 567.3a, is
4 amended to read as follows:

5 Section 567.3a As used in the Oklahoma Nursing Practice Act:

6 1. "Board" means the Oklahoma Board of Nursing;

7 2. "The practice of nursing" means the performance of services
8 provided for purposes of nursing diagnosis and treatment of human
9 responses to actual or potential health problems consistent with
10 educational preparation. Knowledge and skill are the basis for
11 assessment, analysis, planning, intervention, and evaluation used in
12 the promotion and maintenance of health and nursing management of
13 illness, injury, infirmity, restoration or optimal function, or
14 death with dignity. Practice is based on understanding the human
15 condition across the human lifespan and understanding the
16 relationship of the individual within the environment. This
17 practice includes execution of the medical regime including the
18 administration of medications and treatments prescribed by any
19 person authorized by state law to so prescribe;

20 3. "Registered nursing" means the practice of the full scope of
21 nursing which includes, but is not limited to:

22 a. assessing the health status of individuals, families
23 and groups,
24

- b. analyzing assessment data to determine nursing care needs,
- c. establishing goals to meet identified health care needs,
- d. planning a strategy of care,
- e. establishing priorities of nursing intervention to implement the strategy of care,
- f. implementing the strategy of care,
- g. delegating such tasks as may safely be performed by others, consistent with educational preparation and that do not conflict with the provisions of the Oklahoma Nursing Practice Act,
- h. providing safe and effective nursing care rendered directly or indirectly,
- i. evaluating responses to interventions,
- j. teaching the principles and practice of nursing,
- k. managing and supervising the practice of nursing,
- l. collaborating with other health professionals in the management of health care,
- m. performing additional nursing functions in accordance with knowledge and skills acquired beyond basic nursing preparation, and

1 n. delegating those nursing tasks as defined in the rules
2 of the Board that may be performed by an advanced
3 unlicensed assistive person;

4 4. "Licensed practical nursing" means the practice of nursing
5 under the supervision or direction of a registered nurse, licensed
6 physician or dentist. This directed scope of nursing practice
7 includes, but is not limited to:

- 8 a. contributing to the assessment of the health status of
9 individuals and groups,
- 10 b. participating in the development and modification of
11 the plan of care,
- 12 c. implementing the appropriate aspects of the plan of
13 care,
- 14 d. delegating such tasks as may safely be performed by
15 others, consistent with educational preparation and
16 that do not conflict with the Oklahoma Nursing
17 Practice Act,
- 18 e. providing safe and effective nursing care rendered
19 directly or indirectly,
- 20 f. participating in the evaluation of responses to
21 interventions,
- 22 g. teaching basic nursing skills and related principles,
23
24

- 1 h. performing additional nursing procedures in accordance
2 with knowledge and skills acquired through education
3 beyond nursing preparation, and
4 i. delegating those nursing tasks as defined in the rules
5 of the Board that may be performed by an advanced
6 unlicensed assistive person;

7 5. "Advanced Practice Registered Nurse" means a licensed

8 Registered Nurse:

- 9 a. who has completed an advanced practice registered
10 nursing education program in preparation for one of
11 four recognized advanced practice registered nurse
12 roles,
13 b. who has passed a national certification examination
14 recognized by the Board that measures the advanced
15 practice registered nurse role and specialty
16 competencies and who maintains recertification in the
17 role and specialty through a national certification
18 program,
19 c. who has acquired advanced clinical knowledge and
20 skills in preparation for providing both direct and
21 indirect care to patients; however, the defining
22 factor for all Advanced Practice Registered Nurses is
23 that a significant component of the education and
24 practice focuses on direct care of individuals,

- 1 d. whose practice builds on the competencies of
2 Registered Nurses by demonstrating a greater depth and
3 breadth of knowledge, a greater synthesis of data, and
4 increased complexity of skills and interventions, and
5 e. who has been educationally prepared to assume
6 responsibility and accountability for health promotion
7 and/or maintenance as well as the assessment,
8 diagnosis and management of patient problems which may
9 include the use and prescription of pharmacological
10 and nonpharmacological interventions,
11 f. who has clinical experience of sufficient depth and
12 breadth to reflect the license, and
13 g. who has obtained a license as an Advanced Practice
14 Registered Nurse in one of the following roles:
15 Certified Registered Nurse Anesthetist, Certified
16 Nurse-Midwife, Clinical Nurse Specialist, or Certified
17 Nurse Practitioner.

18 Practicing as an Advanced Practice Registered Nurse means an
19 expanded scope of nursing in a role and population focus approved by
20 the Board, with or without compensation or personal profit, and
21 includes the registered nurse scope of practice. The scope of an
22 Advanced Practice Registered Nurse may include, but is not limited
23 to, performing acts of advanced assessment; diagnosing; prescribing
24 and ordering nonpharmacological interventions, including, but not

1 limited to, durable medical equipment, medical devices, nutrition,
2 blood and blood products; and supportive services, including, but
3 not limited to, home health care, hospice and physical and
4 occupational therapy. Advanced Practice Registered Nurses may serve
5 as primary care providers of record.

6 Advanced Practice Registered Nurses are expected to practice as
7 licensed practitioners within standards established and/or
8 recognized by the Board. Each Advanced Practice Registered Nurse is
9 accountable to patients, the nursing profession and the Board for
10 complying with the requirements of the Oklahoma Nursing Practice Act
11 and accountable for the quality of advanced nursing care rendered,
12 for recognizing limits of knowledge and experience, for planning for
13 the management of situations beyond the Advanced Practice Registered
14 Nurse's expertise and for consulting with or referring patients to
15 other health care providers, as appropriate.

16 Only those persons who hold a license to practice advanced
17 practice registered nursing in this state shall have the right to
18 use the title "Advanced Practice Registered Nurse" and to use the
19 abbreviation "APRN". Only those persons who have obtained a license
20 in the following disciplines shall have the right to fulfill the
21 roles and use the applicable titles: Certified Registered Nurse
22 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and
23 the abbreviation "CNM", Clinical Nurse Specialist and the
24

1 abbreviation "CNS", and Certified Nurse Practitioner and the
2 abbreviation "CNP".

3 It shall be unlawful for any person to assume the role or use
4 the title Advanced Practice Registered Nurse or use the abbreviation
5 "APRN" or use the respective specialty role titles and abbreviations
6 or to use any other titles or abbreviations that would reasonably
7 lead a person to believe the user is an Advanced Practice Registered
8 Nurse, unless permitted by this act. Any individual doing so shall
9 be guilty of a misdemeanor, which shall be punishable, upon
10 conviction, by imprisonment in the county jail for not more than one
11 (1) year or by a fine of not less than One Hundred Dollars (\$100.00)
12 nor more than One Thousand Dollars (\$1,000.00), or by both such
13 imprisonment and fine for each offense;

14 6. "Certified Nurse Practitioner" is an Advanced Practice
15 Registered Nurse who ~~performs in an expanded role in the delivery of~~
16 ~~health care:~~

- 17 a. ~~consistent with advanced educational preparation as a~~
18 ~~Certified Nurse Practitioner in an area of specialty,~~
- 19 b. ~~functions within the Certified Nurse Practitioner~~
20 ~~scope of practice for the selected area of~~
21 ~~specialization, and~~
- 22 c. ~~is in accord with the standards for Certified Nurse~~
23 ~~Practitioners as identified by the certifying body and~~
24 ~~approved by the Board~~

1 is prepared to function as a licensed practitioner, providing
2 primary or acute care in accordance with education and specialty
3 certification, along the wellness-illness continuum to a specific
4 population in diverse settings. The Certified Nurse Practitioner
5 diagnoses and treats patients with undifferentiated symptoms as well
6 as those with established diagnoses. The Certified Nurse
7 Practitioner practices in accordance with the standards for
8 certified nurse practitioner practice as defined by the professional
9 associations recognized by the Board.

10 A Certified Nurse Practitioner shall be eligible, in accordance
11 with the scope of practice of the Certified Nurse Practitioner, to
12 obtain recognition as authorized by the Board to prescribe and
13 order, as defined by the rules promulgated by the Board pursuant to
14 this section ~~and subject to the medical direction of a supervising~~
15 ~~physician~~. This authorization shall not include dispensing drugs,
16 but shall not preclude, subject to federal regulations, the receipt
17 of, the signing for, or the dispensing of professional samples to
18 patients.

19 The Certified Nurse Practitioner accepts responsibility,
20 accountability, and obligation to practice in accordance with usual
21 and customary advanced practice registered nursing standards and
22 functions as defined by the scope of practice/role definition
23 statements for the Certified Nurse Practitioner;
24

1 7. a. "Clinical Nurse Specialist" is an Advanced Practice
2 Registered Nurse who holds:

3 ~~(1) a master's degree or higher in nursing with
4 clinical specialization preparation to function
5 in an expanded role,~~

6 ~~(2) specialty certification from a national
7 certifying organization recognized by the Board,~~

8 ~~(3) a certificate of recognition from the Board, and~~

9 ~~(4) any nurse holding a specialty certification as a
10 Clinical Nurse Specialist valid on January 1,~~

11 ~~1994, granted by a national certifying~~

12 ~~organization recognized by the Board, shall be~~

13 ~~deemed to be a Clinical Nurse Specialist under~~

14 ~~the provisions of the Oklahoma Nursing Practice~~

15 ~~Act.~~

16 b. ~~In the expanded role, the Clinical Nurse Specialist~~

17 ~~performs at an advanced practice level which shall~~

18 ~~include, but not be limited to:~~

19 ~~(1) practicing as an expert clinician in the~~

20 ~~provision of direct nursing care to a selected~~

21 ~~population of patients or clients in any setting,~~

22 ~~including private practice,~~

23 ~~(2) managing the care of patients or clients with~~

24 ~~complex nursing problems,~~

1 ~~(3) enhancing patient or client care by integrating~~
2 ~~the competencies of clinical practice, education,~~
3 ~~consultation, and research, and~~
4 ~~(4) referring patients or clients to other services~~
5 as a licensed practitioner, diagnosing and treating
6 patients with undifferentiated symptoms as well as
7 those with established diagnoses, in a specialized
8 area of nursing practice to specific populations in
9 diverse settings. The Clinical Nurse Specialist
10 practices in accordance with the standards for
11 clinical nurse specialist practice as defined by the
12 professional associations recognized by the Board.

13 e. b. A Clinical Nurse Specialist in accordance with the
14 scope of practice of such Clinical Nurse Specialist
15 shall be eligible to obtain recognition as authorized
16 by the Board to prescribe and order, as defined by the
17 rules promulgated by the Board pursuant to this
18 section, ~~and subject to the medical direction of a~~
19 ~~supervising physician.~~ This authorization shall not
20 include dispensing drugs, but shall not preclude,
21 subject to federal regulations, the receipt of, the
22 signing for, or the dispensing of professional samples
23 to patients.
24

1 ~~section and subject to the medical direction of a supervising~~
2 ~~physician.~~ This authorization shall not include the dispensing of
3 drugs, but shall not preclude, subject to federal regulations, the
4 receipt of, the signing for, or the dispensing of professional
5 samples to patients.

6 The Certified Nurse-Midwife accepts responsibility,
7 accountability, and obligation to practice in accordance with usual
8 and customary advanced practice registered nursing standards and
9 functions as defined by the scope of practice/role definition
10 statements for the Certified Nurse-Midwife;

11 9. ~~"Nurse-midwifery practice" means providing management of~~
12 ~~care of normal newborns and women, antepartally, intrapartally,~~
13 ~~postpartally and gynecologically, occurring within a health care~~
14 ~~system which provides for medical consultation, medical management~~
15 ~~or referral, and is in accord with the standards for nurse-midwifery~~
16 ~~practice as defined by the American College of Nurse-Midwives;~~

17 ~~10.~~ a. "Certified Registered Nurse Anesthetist" is an
18 Advanced Practice Registered Nurse who:

19 (1) is certified by the Council on Certification of
20 Nurse Anesthetists as a Certified Registered
21 Nurse Anesthetist within one (1) year following
22 completion of an approved certified registered
23 nurse anesthetist education program, and
24 continues to maintain such recertification by the

1 Council on Recertification of Nurse Anesthetists,
2 and

3 (2) administers anesthesia under the supervision of a
4 medical doctor, an osteopathic physician, a
5 podiatric physician or a dentist licensed in this
6 state and under conditions in which timely onsite
7 consultation by such doctor, osteopath, podiatric
8 physician or dentist is available.

9 b. A Certified Registered Nurse Anesthetist, under the
10 supervision of a medical doctor, osteopathic
11 physician, podiatric physician or dentist licensed in
12 this state, and under conditions in which timely, on-
13 site consultation by such medical doctor, osteopathic
14 physician, podiatric physician or dentist is
15 available, shall be authorized, pursuant to rules
16 adopted by the Oklahoma Board of Nursing, to order,
17 select, obtain and administer legend drugs, Schedules
18 II through V controlled substances, devices, and
19 medical gases only when engaged in the preanesthetic
20 preparation and evaluation; anesthesia induction,
21 maintenance and emergence; and postanesthesia care. A
22 Certified Registered Nurse Anesthetist may order,
23 select, obtain and administer drugs only during the
24 perioperative or periobstetrical period.

1 c. A Certified Registered Nurse Anesthetist who applies
2 for authorization to order, select, obtain and
3 administer drugs shall:

4 (1) be currently recognized as a Certified Registered
5 Nurse Anesthetist in this state,

6 (2) provide evidence of completion, within the two-
7 year period immediately preceding the date of
8 application, of a minimum of fifteen (15) units
9 of continuing education in advanced pharmacology
10 related to the administration of anesthesia as
11 recognized by the Council on Recertification of
12 Nurse Anesthetists or the Council on
13 Certification of Nurse Anesthetists, and

14 (3) complete and submit a notarized application, on a
15 form prescribed by the Board, accompanied by the
16 application fee established pursuant to this
17 section.

18 d. The authority to order, select, obtain and administer
19 drugs shall be terminated if a Certified Registered
20 Nurse Anesthetist has:

21 (1) ordered, selected, obtained or administered drugs
22 outside of the Certified Registered Nurse
23 Anesthetist scope of practice or ordered,
24

1 selected, obtained or administered drugs for
2 other than therapeutic purposes, or

3 (2) violated any provision of state laws or rules or
4 federal laws or regulations pertaining to the
5 practice of nursing or the authority to order,
6 select, obtain and administer drugs.

7 e. The Oklahoma Board of Nursing shall notify the Board
8 of Pharmacy after termination of or a change in the
9 authority to order, select, obtain and administer
10 drugs for a Certified Registered Nurse Anesthetist.

11 f. The Board shall provide by rule for biennial
12 application renewal and reauthorization of authority
13 to order, select, obtain and administer drugs for
14 Certified Registered Nurse Anesthetists. At the time
15 of application renewal, a Certified Registered Nurse
16 Anesthetist shall submit documentation of a minimum of
17 eight (8) units of continuing education, completed
18 during the previous two (2) years, in advanced
19 pharmacology relating to the administration of
20 anesthesia, as recognized by the Council on
21 Recertification of Nurse Anesthetists or the Council
22 on Certification of Nurse Anesthetists.

23 g. This paragraph shall not prohibit the administration
24 of local or topical anesthetics as now permitted by

1 law. Provided further, nothing in this paragraph
2 shall limit the authority of the Board of Dentistry to
3 establish the qualifications for dentists who direct
4 the administration of anesthesia; and

5 ~~11. "Supervising physician" means an individual holding a
6 current license to practice as a physician from the State Board of
7 Medical Licensure and Supervision or the State Board of Osteopathic
8 Examiners, who supervises a Certified Nurse Practitioner, a Clinical
9 Nurse Specialist, or a Certified Nurse Midwife, and who is not in
10 training as an intern, resident, or fellow. To be eligible to
11 supervise such Advanced Practice Registered Nurse, such physician
12 shall remain in compliance with the rules promulgated by the State
13 Board of Medical Licensure and Supervision or the State Board of
14 Osteopathic Examiners;~~

15 ~~12. "Supervision of an Advanced Practice Registered Nurse with
16 prescriptive authority" means overseeing and accepting
17 responsibility for the ordering and transmission by a Certified
18 Nurse Practitioner, a Clinical Nurse Specialist, or a Certified
19 Nurse Midwife of written, telephonic, electronic or oral
20 prescriptions for drugs and other medical supplies, subject to a
21 defined formulary; and~~

22 ~~13. 10. "Advanced Unlicensed Assistant" means any person who
23 has successfully completed a certified training program approved by
24 the Board that trains the Advanced Unlicensed Assistant to perform~~

1 specified technical skills identified by the Board in acute care
2 settings under the direction and supervision of the Registered Nurse
3 or Licensed Practical Nurse.

4 SECTION 3. AMENDATORY 59 O.S. 2011, Section 567.4a, is
5 amended to read as follows

6 Section 567.4a The Board may grant prescribing and ordering
7 authority through the Advanced Practice Registered Nurse license to
8 Certified Nurse Practitioners, Certified Nurse-Midwives and Clinical
9 Nurse Specialists meeting requirements identified in the Board's
10 rules. The Board may limit the ability of Certified Nurse
11 Practitioners, Certified Nurse-Midwives and Clinical Nurse
12 Specialists to prescribe and order. All licensed Certified Nurse
13 Practitioners, Certified Nurse-Midwives and Clinical Nurse
14 Specialists who are granted prescribing and ordering authority are
15 authorized to diagnose, prescribe and institute therapy or referrals
16 of patients to health care agencies, health care providers and
17 community resources. They are authorized to prescribe, procure,
18 administer and dispense over-the-counter, legend and controlled
19 substances. They plan and initiate a therapeutic regimen that
20 includes ordering and prescribing medical devices and equipment,
21 nutrition, diagnostic and supportive services, including, but not
22 limited to, speech therapy, home health care, hospice and physical
23 and occupational therapy.

24

1 The rules regarding ~~prescriptive~~ prescribing and ordering
2 authority ~~recognition~~ promulgated by the Oklahoma Board of Nursing
3 ~~pursuant to paragraphs 6 through 9, 11 and 12 of Section 567.3a of~~
4 ~~this title shall:~~

5 1. ~~Define the procedure for documenting supervision by a~~
6 ~~physician licensed in Oklahoma to practice by the State Board of~~
7 ~~Medical Licensure and Supervision or the State Board of Osteopathic~~
8 ~~Examiners. Such procedure shall include a written statement that~~
9 ~~defines appropriate referral, consultation, and collaboration~~
10 ~~between the advanced practice nurse, recognized to prescribe as~~
11 ~~defined in paragraphs 6 through 9, 11 and 12 of Section 567.3a of~~
12 ~~this title, and the supervising physician. The written statement~~
13 ~~shall include a method of assuring availability of the supervising~~
14 ~~physician through direct contact, telecommunications or other~~
15 ~~appropriate electronic means for consultation, assistance with~~
16 ~~medical emergencies, or patient referral. The written statement~~
17 ~~shall be part of the initial application and the renewal application~~
18 ~~submitted to the Board for recognition for prescriptive authority~~
19 ~~for the advanced practice nurse. Changes to the written statement~~
20 ~~shall be filed with the Board within thirty (30) days of the change~~
21 ~~and shall be effective on filing;~~

22 2. Define minimal requirements for initial application for
23 prescriptive authority which shall include, but not be limited to,
24 evidence of completion of a minimum of forty-five (45) contact hours

1 or three (3) academic credit hours of education in
2 pharmacotherapeutics, clinical application, and use of
3 pharmacological agents in the prevention of illness, and in the
4 restoration and maintenance of health in a program beyond basic
5 registered nurse preparation, approved by the Board. Such contact
6 hours or academic credits shall be obtained within a time period of
7 three (3) years immediately preceding the date of application for
8 prescriptive authority;

9 ~~3.~~ 2. Define minimal requirements for application for renewal
10 of prescriptive authority which shall include, but not be limited
11 to, documentation of a minimum of fifteen (15) contact hours or one
12 (1) academic credit hour of education in pharmacotherapeutics,
13 clinical application, and use of pharmacological agents in the
14 prevention of illness, and in the restoration and maintenance of
15 health in a program beyond basic registered nurse preparation,
16 approved by the Board, within the two-year period immediately
17 preceding the effective date of application for renewal of
18 prescriptive authority;

19 ~~4.~~ 3. Require that beginning July 1, 2002, an ~~advanced practice~~
20 ~~nurse~~ Advanced Practice Registered Nurse shall demonstrate
21 successful completion of a master's degree in a clinical nurse
22 specialty in order to be eligible for initial application for
23 prescriptive authority under the provisions of this act;

24

1 ~~5. Define the method for communicating authority to prescribe~~
2 ~~or termination of same, and the formulary to the Board of Pharmacy,~~
3 ~~all pharmacies, and all registered pharmacists;~~

4 ~~6.~~ 4. Define terminology used in such rules;

5 ~~7.~~ 5. Define the parameters for the prescribing practices of
6 the ~~advanced practice nurse~~ Advanced Practice Registered Nurse; and

7 ~~8.~~ 6. Define the methods for termination of prescriptive
8 authority for ~~advanced practice nurses~~; and

9 ~~9. a. Establish a Formulary Advisory Council that shall~~
10 ~~develop and submit to the Board recommendations for an~~
11 ~~exclusionary formulary that shall list drugs or~~
12 ~~categories of drugs that shall not be prescribed by~~
13 ~~advanced practice nurses recognized to prescribe by~~
14 ~~the Oklahoma Board of Nursing. The Formulary Advisory~~
15 ~~Council shall also develop and submit to the Board~~
16 ~~recommendations for practice-specific prescriptive~~
17 ~~standards for each category of advanced practice nurse~~
18 ~~recognized to prescribe by the Oklahoma Board of~~
19 ~~Nursing pursuant to the provisions of the Oklahoma~~
20 ~~Nursing Practice Act. The Board shall either accept~~
21 ~~or reject the recommendations made by the Council. No~~
22 ~~amendments to the recommended exclusionary formulary~~
23 ~~may be made by the Board without the approval of the~~
24 ~~Formulary Advisory Council.~~

1 ~~b. The Formulary Advisory Council shall be composed of~~
2 ~~twelve (12) members as follows:~~

3 ~~(1) four members, to include a pediatrician, an~~
4 ~~obstetrician-gynecological physician, a general~~
5 ~~internist, and a family practice physician;~~
6 ~~provided that three of such members shall be~~
7 ~~appointed by the Oklahoma State Medical~~
8 ~~Association, and one shall be appointed by the~~
9 ~~Oklahoma Osteopathic Association,~~

10 ~~(2) four members who are registered pharmacists,~~
11 ~~appointed by the Oklahoma Pharmaceutical~~
12 ~~Association, and~~

13 ~~(3) four members, one of whom shall be an advanced~~
14 ~~registered nurse practitioner, one of whom shall~~
15 ~~be a clinical nurse specialist, one of whom shall~~
16 ~~be a certified nurse-midwife, and one of whom~~
17 ~~shall be a current member of the Oklahoma Board~~
18 ~~of Nursing, all of whom shall be appointed by the~~
19 ~~Oklahoma Board of Nursing.~~

20 ~~e. All professional members of the Formulary Advisory~~
21 ~~Council shall be in active clinical practice, at least~~
22 ~~fifty percent (50%) of the time, within their defined~~
23 ~~area of specialty. The members of the Formulary~~
24 ~~Advisory Council shall serve at the pleasure of the~~

1 ~~appointing authority for a term of three (3) years.~~
2 ~~The terms of the members shall be staggered. Members~~
3 ~~of the Council may serve beyond the expiration of~~
4 ~~their term of office until a successor is appointed by~~
5 ~~the original appointing authority. A vacancy on the~~
6 ~~Council shall be filled for the balance of the~~
7 ~~unexpired term by the original appointing authority.~~

8 d. ~~Members of the Council shall elect a chair and a vice-~~
9 ~~chair from among the membership of the Council. For~~
10 ~~the transaction of business, at least seven members,~~
11 ~~with a minimum of two members present from each of the~~
12 ~~identified categories of physicians, pharmacists and~~
13 ~~advanced practice nurses, shall constitute a quorum.~~
14 ~~The Council shall recommend and the Board shall~~
15 ~~approve and implement an initial exclusionary~~
16 ~~formulary on or before January 1, 1997. The Council~~
17 ~~and the Board shall annually review the approved~~
18 ~~exclusionary formulary and shall make any necessary~~
19 ~~revisions utilizing the same procedures used to~~
20 ~~develop the initial exclusionary formulary the~~
21 ~~Advanced Practice Registered Nurse.~~

22 SECTION. 4 AMENDATORY 59 O.S. 2011, Section 567.5a, as
23 amended by Section 2, Chapter 228, O.S.L. 2013 (59 O.S. Supp. 2016,
24 Section 567.5a), is amended to read as follows:

1 Section 567.5a A. All applicants for a license to practice as
2 an Advanced Practice Registered Nurse shall be subject to Section
3 567.8 of this title.

4 B. An applicant for an initial license to practice as an
5 Advanced Practice Registered Nurse shall:

6 1. Submit a completed written application and appropriate fees
7 as established by the Board;

8 2. Submit a criminal history records check that complies with
9 Section 567.18 of this title;

10 3. Hold a current Registered Nurse license in this state;

11 4. Have completed an advanced practice registered nursing
12 education program in one of the four advanced practice registered
13 nurse roles and a specialty area recognized by the Board. Effective
14 January 1, 2016, the applicant shall have completed an accredited
15 graduate level advanced practice registered nursing education
16 program in at least one of the following population foci:

17 family/individual across the lifespan, adult-gerontology, neonatal,
18 pediatrics, women's health/gender-related, or psychiatric/mental
19 health;

20 5. Be currently certified in an advanced practice specialty
21 certification consistent with educational preparation and by a
22 national certifying body recognized by the Board; and

23 6. Provide any and all other evidence as required by the Board
24 in its rules.

1 C. The Board may issue a license by endorsement to an Advanced
2 Practice Registered Nurse licensed under the laws of another state
3 if the applicant meets the qualifications for licensure in this
4 state. An applicant by endorsement shall:

5 1. Submit a completed written application and appropriate fees
6 as established by the Board;

7 2. Hold a current Registered Nurse license in this state;

8 3. Hold recognition as an Advanced Practice Registered Nurse in
9 a state or territory;

10 4. Have completed an advanced practice registered nursing
11 education program in one of the four roles and a specialty area
12 recognized by the Board. Effective January 1, 2016, the applicant
13 shall have completed an accredited graduate level advanced practice
14 registered nursing education program in at least one of the
15 following population foci: family/individual across the lifespan,
16 adult-gerontology, neonatal, pediatrics, women's health/gender-
17 related, or psychiatric/mental health;

18 5. Be currently certified in an advanced practice specialty
19 certification consistent with educational preparation and by a
20 national certifying body recognized by the Board;

21 6. Meet continued competency requirements as set forth in Board
22 rules; and

23 7. Provide any and all other evidence as required by the Board
24 in its rules.

1 D. The Board may issue prescriptive authority recognition by
2 endorsement to an Advanced Practice Registered Nurse licensed as an
3 APRN-CNP, APRN-CNS, or APRN-CNM under the laws of another state if
4 the applicant meets the requirements set forth in this section. An
5 applicant for prescriptive authority recognition by endorsement
6 shall:

7 1. Submit a completed written application and appropriate fees
8 as established by the Board;

9 2. Hold current Registered Nurse and Advanced Practice
10 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the
11 state;

12 3. Hold current licensure or recognition as an Advanced
13 Practice Registered Nurse in the same role and specialty with
14 prescribing privileges in another state or territory;

15 4. Submit documentation verifying successful completion of a
16 graduate level advanced practice registered nursing education
17 program that included an academic course in pharmacotherapeutic
18 management, and didactic and clinical preparation for prescribing
19 incorporated throughout the program;

20 5. ~~Submit a written statement from an Oklahoma licensed~~
21 ~~physician supervising prescriptive authority as required by the~~
22 ~~Board in its rules;~~

23 ~~6.~~ Meet continued competency requirements as set forth in Board
24 rules; and

1 ~~7.~~ 6. Provide any and all other evidence as required by the
2 Board in its rules.

3 E. An Advanced Practice Registered Nurse license issued under
4 this section shall be renewed concurrently with the registered nurse
5 license provided that qualifying criteria continue to be met.

6 F. The Board may reinstate a license as set forth in Board
7 rules.

8 SECTION 5. AMENDATORY 63 O.S. 2011, Section 2-312, is
9 amended to read as follows:

10 Section 2-312. A. A physician, podiatrist, optometrist or a
11 dentist who has complied with the registration requirements of the
12 Uniform Controlled Dangerous Substances Act, in good faith and in
13 the course of such person's professional practice only, may
14 prescribe and administer controlled dangerous substances, or may
15 cause the same to be administered by medical or paramedical
16 personnel acting under the direction and supervision of the
17 physician, podiatrist, optometrist or dentist, and only may dispense
18 controlled dangerous substances pursuant to the provisions of
19 Sections ~~355~~, 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

20 B. A veterinarian who has complied with the registration
21 requirements of the Uniform Controlled Dangerous Substances Act, in
22 good faith and in the course of the professional practice of the
23 veterinarian only, and not for use by a human being, may prescribe,
24 administer, and dispense controlled dangerous substances and may

1 cause them to be administered by an assistant or orderly under the
2 direction and supervision of the veterinarian.

3 C. An advanced practice registered nurse who is recognized to
4 prescribe by the Oklahoma Board of Nursing as ~~an advanced registered~~
5 a certified nurse practitioner, clinical nurse specialist or
6 certified nurse-midwife, ~~who is subject to medical direction by a~~
7 ~~supervising physician,~~ pursuant to Section 567.3a of Title 59 of the
8 Oklahoma Statutes, and who has complied with the registration
9 requirements of the Uniform Controlled Dangerous Substances Act, in
10 good faith and in the course of professional practice only, may
11 prescribe and administer Schedule II, III, IV and V controlled
12 dangerous substances, and only may dispense controlled dangerous
13 substances pursuant to the provisions of Sections 355.1 and 355.2 of
14 Title 59 of the Oklahoma Statutes.

15 D. An advanced practice registered nurse who is recognized to
16 order, select, obtain and administer drugs by the Oklahoma Board of
17 Nursing as a certified registered nurse anesthetist pursuant to
18 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
19 complied with the registration requirements of the Uniform
20 Controlled Dangerous Substances Act, in good faith and in the course
21 of such practitioner's professional practice only, may order,
22 select, obtain and administer Schedules II through V controlled
23 dangerous substances in a preanesthetic preparation or evaluation;
24 anesthesia induction, maintenance or emergence; or postanesthesia

1 care setting only. A certified registered nurse anesthetist may
2 order, select, obtain and administer such drugs only during the
3 perioperative or peribstetrical period.

4 E. A physician assistant who is recognized to prescribe by the
5 State Board of Medical Licensure and Supervision under the medical
6 direction of a supervising physician, pursuant to subsection D of
7 Section 519.6 of Title 59 of the Oklahoma Statutes, and who has
8 complied with the registration requirements of the Uniform
9 Controlled Dangerous Substances Act, in good faith and in the course
10 of professional practice only, may prescribe and administer Schedule
11 II through V controlled dangerous substances.

12 SECTION 6. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 567.27 of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 Either an Advanced Practice Registered Nurse or his or her
16 employer shall be required to carry One Million/Three Million
17 Dollars (\$1,000,000.00/\$3,000,000.00) of malpractice insurance.

18 SECTION 7. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 567.28 of Title 59, unless there
20 is created a duplication in numbering, reads as follows:

21 A facility shall be required to carry Five Million Dollars
22 (\$5,000,000.00) of liability insurance for each licensed health care
23 provider employed at such facility.

24

1 SECTION 8. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 567.29 of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 An Advanced Practice Registered Nurse shall be prohibited from
5 prescribing a Schedule II controlled dangerous substance for greater
6 than a seven-day period, except for attention deficit medication
7 prescribed to patients, which shall not exceed a thirty-day supply.

8 SECTION 9. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 567.30 of Title 59, unless there
10 is created a duplication in numbering, reads as follows:

11 An Advanced Practice Registered Nurse may be referred to as a
12 nurse practitioner doctor.

13 SECTION 10. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 567.31 of Title 59, unless there
15 is created a duplication in numbering, reads as follows:

16 An Advanced Practice Registered Nurse shall be required to work
17 three (3) years in his or her specialty with either an allopathic or
18 osteopathic physician or an Advanced Practice Registered Nurse with
19 at least ten (10) years of experience prior to entering an
20 independent practice. The supervising fee may not exceed Five
21 Hundred Dollars (\$500.00) per month during the three (3) years.

22 SECTION 11. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 567.32 of Title 59, unless there
24 is created a duplication in numbering, reads as follows:

