

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 458

By: Stanley

AS INTRODUCED

An Act relating to the practice of nursing; providing for independent prescriptive authority of Advanced Practice Registered Nurses who meet certain requirements; stating application criteria; specifying duration of authority; authorizing supervision by Advanced Practice Registered Nurse with independent prescriptive authority who meets certain requirements; authorizing Oklahoma Board of Nursing to prescribe additional qualifications; providing for application approval, denial, reapplication, fees, and independent prescriptive authority revocation; amending 59 O.S. 2021, Section 353.1, as amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2022, Section 353.1), which relates to definitions used in the Oklahoma Pharmacy Act; modifying and adding definitions; amending 59 O.S. 2021, Section 353.1a, which relates to prescriptive authority of Advanced Practice Registered Nurses; modifying prescriptive authority of certain Advanced Practice Registered Nurses; amending 59 O.S. 2021, Section 567.3a, which relates to definitions used in the Oklahoma Nursing Practice Act; modifying and adding definitions; amending 59 O.S. 2021, Section 567.4a, which relates to prescriptive authority; directing the Board to promulgate certain rules; amending 59 O.S. 2021, Section 567.5a, which relates to Advanced Practice Registered Nurse license; providing for independent prescriptive authority by endorsement; amending 63 O.S. 2021, Section 2-312, as amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022, Section 2-312), which relates to controlled dangerous substances; authorizing Certified Nurse Practitioner or Clinical Nurse Specialist to prescribe and administer certain controlled dangerous substances;

1 providing for codification; and providing an
2 effective date.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5 SECTION 1. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 567.4c of Title 59, unless there
7 is created a duplication in numbering, reads as follows:

8 A. 1. An Advanced Practice Registered Nurse recognized by the
9 Oklahoma Board of Nursing as a Certified Nurse Practitioner or
10 Clinical Nurse Specialist who has completed a minimum of two
11 thousand (2,000) hours of practice with prescriptive authority
12 supervised by a physician or a supervising Advanced Practice
13 Registered Nurse may apply to the Oklahoma Board of Nursing for
14 authority to prescribe and order independent of supervision.

15 2. The application for independent prescriptive authority shall
16 include proof that the Certified Nurse Practitioner or Clinical
17 Nurse Specialist:

- 18 a. has satisfied the educational requirements stated in
19 Section 567.5a of Title 59 of the Oklahoma Statutes,
20 b. has successfully passed a national certification
21 examination recognized by the Board that measures the
22 Advanced Practice Registered Nurse role and specialty
23 competencies,

- 1 c. holds a valid, current license in the appropriate
2 Advanced Practice Registered Nurse role issued by the
3 Board and is in good standing with the Board, and
4 d. has completed a minimum of two thousand (2,000) hours
5 of practice with prescriptive authority supervised by
6 a physician or supervising Advanced Practice
7 Registered Nurse.

8 3. Independent prescriptive authority granted under this
9 subsection shall be valid until the expiration of the current
10 license to practice and may be renewed upon application to the Board
11 at the same time and for the same period as the renewal of the
12 license to practice.

13 B. 1. A Certified Nurse Practitioner or Clinical Nurse
14 Specialist who has obtained independent prescriptive authority under
15 subsection A of this section and who has completed a minimum of
16 eight thousand (8,000) hours of practice with independent
17 prescriptive authority may serve as a supervising Advanced Practice
18 Registered Nurse.

19 2. Notwithstanding paragraph 1 of this subsection, an Advanced
20 Practice Registered Nurse who has been licensed and in practice for
21 a minimum of five (5) years as of the effective date of this act
22 without a lapse of work, upon obtainment of independent prescriptive
23 authority under subsection A of this section, may serve as a
24 supervising Advanced Practice Registered Nurse.

1 3. The Board may at its discretion prescribe by rule additional
2 qualifications for supervising Advanced Practice Registered Nurses
3 including, but not limited to, qualifications pertaining to the
4 Advanced Practice Registered Nurse role or specialty.

5 C. The Board shall review any application submitted under this
6 section and shall approve or deny the application, stating the
7 reason or reasons for denial, if denied. The Board shall mail the
8 approval or denial letter to the applicant within fourteen (14)
9 calendar days of receipt of the application. If denied, the
10 applicant may reapply using the process prescribed by subsection A
11 of this section.

12 D. The Board may suspend or revoke independent prescriptive
13 authority granted under this section for good cause at any time.

14 E. The Board may establish a fee for the review of initial and
15 renewal applications under the provisions of this section.

16 SECTION 2. AMENDATORY 59 O.S. 2021, Section 353.1, as
17 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2022,
18 Section 353.1), is amended to read as follows:

19 Section 353.1. For the purposes of the Oklahoma Pharmacy Act:

20 1. "Accredited program" means those seminars, classes,
21 meetings, work projects, and other educational courses approved by
22 the ~~Board~~ State Board of Pharmacy for purposes of continuing
23 professional education;

24 2. "Act" means the Oklahoma Pharmacy Act;

1 3. "Administer" means the direct application of a drug, whether
2 by injection, inhalation, ingestion or any other means, to the body
3 of a patient;

4 4. "Assistant pharmacist" means any person presently licensed
5 as an assistant pharmacist in the State of Oklahoma by the Board
6 pursuant to Section 353.10 of this title and for the purposes of the
7 Oklahoma Pharmacy Act shall be considered the same as a pharmacist,
8 except where otherwise specified;

9 5. "Board" or "State Board" means the State Board of Pharmacy;

10 6. "Certify" or "certification of a prescription" means the
11 review of a filled prescription by a licensed pharmacist or a
12 licensed practitioner with dispensing authority to confirm that the
13 medication, labeling and packaging of the filled prescription are
14 accurate and meet all requirements prescribed by state and federal
15 law. For the purposes of this paragraph, "licensed practitioner"
16 shall not include optometrists with dispensing authority;

17 7. "Chemical" means any medicinal substance, whether simple or
18 compound or obtained through the process of the science and art of
19 chemistry, whether of organic or inorganic origin;

20 8. "Compounding" means the combining, admixing, mixing,
21 diluting, pooling, reconstituting or otherwise altering of a drug or
22 bulk drug substance to create a drug. Compounding includes the
23 preparation of drugs or devices in anticipation of prescription drug
24 orders based on routine, regularly observed prescribing patterns;

1 9. "Continuing professional education" means professional,
2 pharmaceutical education in the general areas of the socioeconomic
3 and legal aspects of health care; the properties and actions of
4 drugs and dosage forms; and the etiology, characteristics and
5 therapeutics of the diseased state;

6 10. "Dangerous drug", "legend drug", "prescription drug" or "Rx
7 Only" means a drug:

- 8 a. for human use subject to 21 U.S.C. 353(b)(1), or
- 9 b. is labeled "Prescription Only", or labeled with the
10 following statement: "Caution: Federal law restricts
11 this drug except for use by or on the order of a
12 licensed veterinarian.";

13 11. "Director" means the Executive Director of the State Board
14 of Pharmacy unless context clearly indicates otherwise;

15 12. "Dispense" or "dispensing" means the interpretation,
16 evaluation, and implementation of a prescription drug order
17 including the preparation and delivery of a drug or device to a
18 patient or a patient's agent in a suitable container appropriately
19 labeled for subsequent administration to, or use by, a patient.
20 Dispense includes sell, distribute, leave with, give away, dispose
21 of, deliver or supply;

22 13. "Dispenser" means a retail pharmacy, hospital pharmacy, a
23 group of chain pharmacies under common ownership and control that do
24 not act as a wholesale distributor, or any other person authorized

1 by law to dispense or administer prescription drugs, and the
2 affiliated warehouses or distributions of such entities under common
3 ownership and control that do not act as a wholesale distributor.
4 For the purposes of this paragraph, "dispenser" does not mean a
5 person who dispenses only products to be used in animals in
6 accordance with 21 U.S.C. 360b(a) (5);

7 14. "Distribute" or "distribution" means the sale, purchase,
8 trade, delivery, handling, storage, or receipt of a product, and
9 does not include the dispensing of a product pursuant to a
10 prescription executed in accordance with 21 U.S.C. 353(b) (1) or the
11 dispensing of a product approved under 21 U.S.C. 360b(b); provided,
12 taking actual physical possession of a product or title shall not be
13 required;

14 15. "Doctor of Pharmacy" means a person licensed by the Board
15 to engage in the practice of pharmacy. The terms "pharmacist",
16 "D.Ph.", and "Doctor of Pharmacy" shall be interchangeable and shall
17 have the same meaning wherever they appear in the Oklahoma Statutes
18 and the rules promulgated by the Board;

19 16. "Drug outlet" means all manufacturers, repackagers,
20 outsourcing facilities, wholesale distributors, third-party
21 logistics providers, pharmacies, and all other facilities which are
22 engaged in dispensing, delivery, distribution or storage of
23 dangerous drugs;

1 17. "Drugs" means all medicinal substances and preparations
2 recognized by the United States Pharmacopoeia and National
3 Formulary, or any revision thereof, and all substances and
4 preparations intended for external and/or internal use in the cure,
5 diagnosis, mitigation, treatment or prevention of disease in humans
6 or animals and all substances and preparations, other than food,
7 intended to affect the structure or any function of the body of a
8 human or animals;

9 18. "Drug sample" means a unit of a prescription drug packaged
10 under the authority and responsibility of the manufacturer that is
11 not intended to be sold and is intended to promote the sale of the
12 drug;

13 19. "Durable medical equipment" has the same meaning as
14 provided by Section 2 of this act;

15 20. "Filled prescription" means a packaged prescription
16 medication to which a label has been affixed which contains such
17 information as is required by the Oklahoma Pharmacy Act;

18 21. "Hospital" means any institution licensed as a hospital by
19 this state for the care and treatment of patients, or a pharmacy
20 operated by the Oklahoma Department of Veterans Affairs;

21 22. "Licensed practitioner" means:

- 22 a. an allopathic physician,
- 23 b. an osteopathic physician,
- 24 c. a podiatric physician,

- d. a dentist,
- e. a veterinarian ~~or~~,
- f. an optometrist, or
- g. a Certified Nurse Practitioner or Clinical Nurse Specialist who has obtained independent prescriptive authority under Section 1 of this act,

licensed to practice and authorized to prescribe dangerous drugs within the scope of practice of such practitioner;

23. "Manufacturer" or "virtual manufacturer" means with respect to a product:

- a. a person that holds an application approved under 21 U.S.C. 355 or a license issued under 42 U.S.C. 262 for such product, or if such product is not the subject of an approved application or license, the person who manufactured the product,
- b. a co-licensed partner of the person described in subparagraph a that obtains the product directly from a person described in this subparagraph or subparagraph a of this paragraph,
- c. an affiliate of a person described in subparagraph a or b who receives the product directly from a person described in this subparagraph or in subparagraph a or b of this paragraph, or

1 d. a person who contracts with another to manufacture a
2 product;

3 24. "Manufacturing" means the production, preparation,
4 propagation, compounding, conversion or processing of a device or a
5 drug, either directly or indirectly by extraction from substances of
6 natural origin or independently by means of chemical or biological
7 synthesis and includes any packaging or repackaging of the
8 substances or labeling or relabeling of its container, and the
9 promotion and marketing of such drugs or devices. The term
10 "manufacturing" also includes the preparation and promotion of
11 commercially available products from bulk compounds for resale by
12 licensed pharmacies, licensed practitioners or other persons;

13 25. "Medical gas" means those gases including those in liquid
14 state upon which the manufacturer or distributor has placed one of
15 several cautions, such as "Rx Only", in compliance with federal law;

16 26. "Medical gas order" means an order for medical gas issued
17 by a licensed prescriber;

18 27. "Medical gas distributor" means a person licensed to
19 distribute, transfer, wholesale, deliver or sell medical gases on
20 drug orders to suppliers or other entities licensed to use,
21 administer or distribute medical gas and may also include a patient
22 or ultimate user;

23 28. "Medical gas supplier" means a person who dispenses medical
24 gases on drug orders only to a patient or ultimate user;

1 29. "Medicine" means any drug or combination of drugs which has
2 the property of curing, preventing, treating, diagnosing or
3 mitigating diseases, or which is used for that purpose;

4 30. "Nonprescription drugs" means medicines or drugs which are
5 sold without a prescription and which are prepackaged for use by the
6 consumer and labeled in accordance with the requirements of the
7 statutes and regulations of this state and the federal government.
8 Such items shall also include medical and dental supplies and
9 bottled or nonbulk chemicals which are sold or offered for sale to
10 the general public if such articles or preparations meet the
11 requirements of the Federal Food, Drug and Cosmetic Act, 21
12 U.S.C.A., Section 321 et seq.;

13 31. "Outsourcing facility" including "virtual outsourcing
14 facility" means a facility at one geographic location or address
15 that:

- 16 a. is engaged in the compounding of sterile drugs,
- 17 b. has elected to register as an outsourcing facility,
- 18 and
- 19 c. complies with all requirements of 21 U.S.C. 353b;

20 32. "Package" means the smallest individual saleable unit of
21 product for distribution by a manufacturer or repackager that is
22 intended by the manufacturer for ultimate sale to the dispenser of
23 such product. For the purposes of this paragraph, "individual
24 saleable unit" means the smallest container of a product introduced

1 into commerce by the manufacturer or repackager that is intended by
2 the manufacturer or repackager for individual sale to a dispenser;

3 33. "Person" means an individual, partnership, limited
4 liability company, corporation or association, unless the context
5 otherwise requires;

6 34. "Pharmacist-in-charge" or "PIC" means the pharmacist
7 licensed in this state responsible for the management control of a
8 pharmacy and all other aspects of the practice of pharmacy in a
9 licensed pharmacy as defined by Section 353.18 of this title;

10 35. "Pharmacy" means a place regularly licensed by the Board of
11 Pharmacy in which prescriptions, drugs, medicines, chemicals and
12 poisons are compounded or dispensed or such place where pharmacists
13 practice the profession of pharmacy, or a pharmacy operated by the
14 Oklahoma Department of Veterans Affairs;

15 36. "Pharmacy technician", "technician", "Rx tech", or "tech"
16 means a person issued a Technician permit by the State Board of
17 Pharmacy to assist the pharmacist and perform nonjudgmental,
18 technical, manipulative, non-discretionary functions in the
19 prescription department under the immediate and direct supervision
20 of a pharmacist;

21 37. "Poison" means any substance which when introduced into the
22 body, either directly or by absorption, produces violent, morbid or
23 fatal changes, or which destroys living tissue with which such
24 substance comes into contact;

1 38. "Practice of pharmacy" means:

- 2 a. the interpretation and evaluation of prescription
3 orders,
- 4 b. the compounding, dispensing, administering and
5 labeling of drugs and devices, except labeling by a
6 manufacturer, repackager or distributor of
7 nonprescription drugs and commercially packaged legend
8 drugs and devices,
- 9 c. the participation in drug selection and drug
10 utilization reviews,
- 11 d. the proper and safe storage of drugs and devices and
12 the maintenance of proper records thereof,
- 13 e. the responsibility for advising by counseling and
14 providing information, where professionally necessary
15 or where regulated, of therapeutic values, content,
16 hazards and use of drugs and devices,
- 17 f. the offering or performing of those acts, services,
18 operations or transactions necessary in the conduct,
19 operation, management and control of a pharmacy, or
20 g. the provision of those acts or services that are
21 necessary to provide pharmaceutical care;

22 39. "Preparation" means an article which may or may not contain
23 sterile products compounded in a licensed pharmacy pursuant to the
24 order of a licensed prescriber;

1 40. "Prescriber" means a person licensed in this state who is
2 authorized to prescribe dangerous drugs within the scope of practice
3 of the person's profession;

4 41. "Prescription" means and includes any order for drug or
5 medical supplies written or signed, or transmitted by word of mouth,
6 telephone or other means of communication:

7 a. by a licensed prescriber,

8 b. under the supervision of ~~an Oklahoma licensed~~
9 ~~practitioner, an Oklahoma licensed advanced practice~~
10 ~~registered nurse or an Oklahoma licensed~~ a supervising
11 physician, by a physician assistant or a Certified
12 Nurse-Midwife licensed in this state, or

13 c. (1) under the supervision of a supervising physician
14 or supervising Advanced Practice Registered
15 Nurse, by a Certified Nurse Practitioner or
16 Clinical Nurse Specialist licensed in this state
17 who has not obtained independent prescriptive
18 authority under Section 1 of this act, or

19 (2) by a Certified Nurse Practitioner or Clinical
20 Nurse Specialist licensed in this state who has
21 obtained independent prescriptive authority under
22 Section 1 of this act, or

23 d. by an Oklahoma licensed wholesaler or distributor as
24 authorized in Section 353.29.1 of this title;

1 42. "Product" means a prescription drug in a finished dosage
2 form for administration to a patient without substantial further
3 manufacturing, such as capsules, tablets, and lyophilized products
4 before reconstitution. "Product" does not include blood components
5 intended for transfusion, radioactive drugs or biologics and medical
6 gas;

7 43. "Repackager", including "virtual repackager", means a
8 person who owns or operates an establishment that repacks and
9 relabels a product or package for further sale or distribution
10 without further transaction;

11 44. "Sterile drug" means a drug that is intended for parenteral
12 administration, an ophthalmic or oral inhalation drug in aqueous
13 format, or a drug that is required to be sterile under state and
14 federal law;

15 45. "Supervising Advanced Practice Registered Nurse" has the
16 same meaning as provided by Section 567.3a of this title;

17 46. "Supervising physician" means an individual holding a
18 current license to practice as a physician from the State Board of
19 Medical Licensure and Supervision, pursuant to the provisions of the
20 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
21 Act, or the State Board of Osteopathic Examiners, pursuant to the
22 provisions of the Oklahoma Osteopathic Medicine Act, who supervises
23 an advanced practice registered nurse:

1 a. a Certified Nurse Practitioner or Clinical Nurse
2 Specialist as defined in Section 567.3a of this title
3 who has not obtained independent prescriptive
4 authority under Section 1 of this act, or

5 b. a Certified Nurse-Midwife as defined in Section 567.3a
6 of this title,

7 and who is not in training as an intern, resident, or fellow. ~~To be~~
8 ~~eligible to supervise an advanced practice registered nurse, such~~

9 The supervising physician shall remain in compliance with the rules
10 promulgated by the State Board of Medical Licensure and Supervision
11 or the State Board of Osteopathic Examiners;

12 ~~46.~~ 47. "Supportive personnel" means technicians and auxiliary
13 supportive persons who are regularly paid employees of a pharmacy
14 who work and perform tasks in the pharmacy as authorized by Section
15 353.18A of this title;

16 ~~47.~~ 48. "Third-party logistics provider" including "virtual
17 third-party logistics provider" means an entity that provides or
18 coordinates warehousing, or other logistics services of a product in
19 interstate commerce on behalf of a manufacturer, wholesale
20 distributor, or dispenser of a product but does not take ownership
21 of the product, nor have responsibility to direct the sale or
22 disposition of the product. For the purposes of this paragraph,
23 "third-party logistics provider" does not include shippers and the
24 United States Postal Service;

1 ~~48.~~ 49. "Wholesale distributor" including "virtual wholesale
2 distributor" means a person other than a manufacturer, a
3 manufacturer's co-licensed partner, a third-party logistics
4 provider, or repackager engaged in wholesale distribution as defined
5 by 21 U.S.C. 353(e) (4) as amended by the Drug Supply Chain Security
6 Act;

7 ~~49.~~ 50. "County jail" means a facility operated by a county for
8 the physical detention and correction of persons charged with, or
9 convicted of, criminal offenses or ordinance violations or persons
10 found guilty of civil or criminal contempt;

11 ~~50.~~ 51. "State correctional facility" means a facility or
12 institution that houses a prisoner population under the jurisdiction
13 of the Department of Corrections;

14 ~~51.~~ 52. "Unit dose package" means a package that contains a
15 single dose drug with the name, strength, control number, and
16 expiration date of that drug on the label; and

17 ~~52.~~ 53. "Unit of issue package" means a package that provides
18 multiple doses of the same drug, but each drug is individually
19 separated and includes the name, lot number, and expiration date.

20 SECTION 3. AMENDATORY 59 O.S. 2021, Section 353.1a, is
21 amended to read as follows:

22 Section 353.1a. A. ~~Prescribing~~ 1. Prescriptive authority
23 shall be allowed, under the medical direction of a supervising
24 physician or supervising Advanced Practice Registered Nurse, for ~~an~~

1 ~~advanced practice nurse~~ a licensed Advanced Practice Registered
2 Nurse recognized by the Oklahoma Board of Nursing ~~in one of the~~
3 ~~following categories: advanced registered nurse practitioners,~~
4 ~~clinical nurse specialists, or certified nurse-midwives~~ as a
5 Certified Nurse Practitioner or Clinical Nurse Specialist who has
6 not obtained independent prescriptive authority under Section 1 of
7 this act.

8 2. Prescriptive authority shall be allowed, independent of the
9 medical direction of a supervising physician or supervising Advanced
10 Practice Registered Nurse, for a licensed Advanced Practice
11 Registered Nurse recognized by the Oklahoma Board of Nursing as a
12 Certified Nurse Practitioner or Clinical Nurse Specialist who has
13 obtained independent prescriptive authority under Section 1 of this
14 act.

15 B. Prescriptive authority shall be allowed, under the medical
16 direction of a supervising physician, for a licensed Advanced
17 Practice Registered Nurse recognized by the Oklahoma Board of
18 Nursing as a Certified Nurse Practitioner.

19 C. The ~~advanced practice nurse~~ Advanced Practice Registered
20 Nurse may write or sign, or transmit by word of mouth, telephone or
21 other means of communication an order for drugs or medical supplies
22 that is intended to be filled, compounded, or dispensed by a
23 pharmacist. The supervising physician or supervising Advanced
24 Practice Registered Nurse, if applicable, and the ~~advanced practice~~

1 nurse prescribing Advanced Practice Registered Nurse shall be
2 identified at the time of origination of the prescription and the
3 name of the ~~advanced practice nurse~~ prescribing Advanced Practice
4 Registered Nurse shall be printed on the prescription label.

5 ~~B.~~ D. Pharmacists may dispense prescriptions for non-controlled
6 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
7 Practice Registered Nurse or physician assistant, not located in
8 ~~Oklahoma~~ this state, provided that they are licensed in the state in
9 which they are actively prescribing.

10 ~~C.~~ E. 1. Pharmacists may only dispense prescriptions for
11 controlled dangerous substances prescribed by an ~~advanced practice~~
12 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
13 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~
14 ~~licensed practitioner~~ this state who meets the criteria in paragraph
15 1 or 2 of subsection A of this section or who meets the criteria in
16 subsection B of this section.

17 2. Pharmacists may only dispense prescriptions for controlled
18 dangerous substances prescribed by a physician assistant licensed in
19 this state and supervised by a supervising physician licensed in
20 this state.

21 SECTION 4. AMENDATORY 59 O.S. 2021, Section 567.3a, is
22 amended to read as follows:

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

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

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

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

- 16 a. assessing the health status of individuals, families
17 and groups,
- 18 b. analyzing assessment data to determine nursing care
19 needs,
- 20 c. establishing goals to meet identified health care
21 needs,
- 22 d. planning a strategy of care,
- 23 e. establishing priorities of nursing intervention to
24 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
- n. delegating those nursing tasks as defined in the rules of the Board that may be performed by an advanced unlicensed assistive person;

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

- a. contributing to the assessment of the health status of individuals and groups,

- b. participating in the development and modification of the plan of care,
- c. implementing the appropriate aspects of the plan of care,
- d. delegating such tasks as may safely be performed by others, consistent with educational preparation and that do not conflict with the Oklahoma Nursing Practice Act,
- e. providing safe and effective nursing care rendered directly or indirectly,
- f. participating in the evaluation of responses to interventions,
- g. teaching basic nursing skills and related principles,
- h. performing additional nursing procedures in accordance with knowledge and skills acquired through education beyond nursing preparation, and
- i. delegating those nursing tasks as defined in the rules of the Board that may be performed by an advanced unlicensed assistive person;

5. "Advanced Practice Registered Nurse" means a licensed

Registered Nurse:

- a. who has completed an advanced practice registered nursing education program in preparation for one of

1 four recognized ~~advanced practice registered nurse~~
2 Advanced Practice Registered Nurse roles,

3 b. who has passed a national certification examination
4 recognized by the Board that measures the ~~advanced~~
5 ~~practice registered nurse~~ Advanced Practice Registered
6 Nurse role and specialty competencies and who
7 maintains recertification in the role and specialty
8 through a national certification program,

9 c. who has acquired advanced clinical knowledge and
10 skills in preparation for providing both direct and
11 indirect care to patients; however, the defining
12 factor for all Advanced Practice Registered Nurses is
13 that a significant component of the education and
14 practice focuses on direct care of individuals,

15 d. whose practice builds on the competencies of
16 Registered Nurses by demonstrating a greater depth and
17 breadth of knowledge, a greater synthesis of data, and
18 increased complexity of skills and interventions, and

19 e. who has obtained a license as an Advanced Practice
20 Registered Nurse in one of the following roles:
21 Certified Registered Nurse Anesthetist, Certified
22 Nurse-Midwife, Clinical Nurse Specialist, or Certified
23 Nurse Practitioner.

1 Only those persons who hold a license to practice advanced
2 practice registered nursing in this state shall have the right to
3 use the title "Advanced Practice Registered Nurse" and to use the
4 abbreviation "APRN". Only those persons who have obtained a license
5 in the following disciplines shall have the right to fulfill the
6 roles and use the applicable titles: Certified Registered Nurse
7 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and
8 the abbreviation "CNM", Clinical Nurse Specialist and the
9 abbreviation "CNS", and Certified Nurse Practitioner and the
10 abbreviation "CNP".

11 It shall be unlawful for any person to assume the role or use
12 the title Advanced Practice Registered Nurse or use the abbreviation
13 "APRN" or use the respective specialty role titles and abbreviations
14 or to use any other titles or abbreviations that would reasonably
15 lead a person to believe the user is an Advanced Practice Registered
16 Nurse, unless permitted by the Oklahoma Nursing Practice Act. Any
17 individual doing so shall be guilty of a misdemeanor, which shall be
18 punishable, upon conviction, by imprisonment in the county jail for
19 not more than one (1) year or by a fine of not less than One Hundred
20 Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or
21 by both such imprisonment and fine for each offense;

22 6. "Certified Nurse Practitioner" ~~is~~ means an Advanced Practice
23 Registered Nurse who performs in an expanded role in the delivery of
24 health care:

- 1 a. consistent with advanced educational preparation as a
2 Certified Nurse Practitioner in an area of specialty,
3 b. functions within the Certified Nurse Practitioner
4 scope of practice for the selected area of
5 specialization, and
6 c. is in accord with the standards for Certified Nurse
7 Practitioners as identified by the certifying body and
8 approved by the Board.

9 A Certified Nurse Practitioner shall be eligible, in accordance
10 with the scope of practice of the Certified Nurse Practitioner, to
11 obtain recognition as authorized by the Board to prescribe, as
12 defined by the rules promulgated by the Board pursuant to ~~this~~
13 ~~section and subject to the medical direction of a supervising~~
14 ~~physician~~ Section 567.4a of this title and Section 1 of this act.

15 This authorization shall not include dispensing drugs, but shall not
16 preclude, subject to federal regulations, the receipt of, the
17 signing for, or the dispensing of professional samples to patients.

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

- 23 7. a. "Clinical Nurse Specialist" ~~is~~ means an Advanced
24 Practice Registered Nurse who holds:

- (1) a master's degree or higher in nursing with clinical specialization preparation to function in an expanded role,
- (2) specialty certification from a national certifying organization recognized by the Board,
- (3) an Advanced Practice Registered Nurse license from the Board, and
- (4) any nurse holding a specialty certification as a Clinical Nurse Specialist valid on January 1, 1994, granted by a national certifying organization recognized by the Board, shall be deemed to be a Clinical Nurse Specialist under the provisions of the Oklahoma Nursing Practice Act.

b. In the expanded role, the Clinical Nurse Specialist performs at an advanced practice level which shall include, but not be limited to:

- (1) practicing as an expert clinician in the provision of direct nursing care to a selected population of patients or clients in any setting, including private practice,
- (2) managing the care of patients or clients with 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 c. A Clinical Nurse Specialist in accordance with the
6 scope of practice of such Clinical Nurse Specialist
7 shall be eligible to obtain recognition as authorized
8 by the Board to prescribe, as defined by the rules
9 promulgated by the Board pursuant to ~~this section, and~~
10 ~~subject to the medical direction of a supervising~~
11 ~~physician~~ Section 567.4a of this title and Section 1
12 of this act. This authorization shall not include
13 dispensing drugs, but shall not preclude, subject to
14 federal regulations, the receipt of, the signing for,
15 or the dispensing of professional samples to patients.

16 d. The Clinical Nurse Specialist accepts responsibility,
17 accountability, and obligation to practice in
18 accordance with usual and customary advanced practice
19 nursing standards and functions as defined by the
20 scope of practice/role definition statements for the
21 Clinical Nurse Specialist;

22 8. "Nurse-Midwife" ~~is~~ means a nurse who has received an
23 Advanced Practice Registered Nurse license from the Oklahoma Board
24

1 of Nursing who possesses evidence of certification according to the
2 requirements of the American College of Nurse-Midwives.

3 A Certified Nurse-Midwife in accordance with the scope of
4 practice of such Certified Nurse-Midwife shall be eligible to obtain
5 recognition as authorized by the Board to prescribe, as defined by
6 the rules promulgated by the Board pursuant to this section and
7 subject to the medical direction of a supervising physician. This
8 authorization shall not include the dispensing of drugs, but shall
9 not preclude, subject to federal regulations, the receipt of, the
10 signing for, or the dispensing of professional samples to patients.

11 The Certified Nurse-Midwife accepts responsibility,
12 accountability, and obligation to practice in accordance with usual
13 and customary advanced practice registered nursing standards and
14 functions as defined by the scope of practice/role definition
15 statements for the Certified Nurse-Midwife;

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

22 10. a. "Certified Registered Nurse Anesthetist" is an
23 Advanced Practice Registered Nurse who:
24

1 (1) is certified by the National Board of
2 Certification and Recertification for Nurse
3 Anesthetists as a Certified Registered Nurse
4 Anesthetist within one (1) year following
5 completion of an approved ~~certified registered~~
6 ~~nurse anesthetist~~ Certified Registered Nurse
7 Anesthetist education program, and continues to
8 maintain such recertification by the National
9 Board of Certification and Recertification for
10 Nurse Anesthetists, and

11 (2) administers anesthesia in collaboration with a
12 medical doctor, an osteopathic physician, a
13 podiatric physician or a dentist licensed in this
14 state and under conditions in which timely onsite
15 consultation by such doctor, osteopath, podiatric
16 physician or dentist is available.

17 b. A Certified Registered Nurse Anesthetist, in
18 collaboration with a medical doctor, osteopathic
19 physician, podiatric physician or dentist licensed in
20 this state, and under conditions in which timely, on-
21 site consultation by such medical doctor, osteopathic
22 physician, podiatric physician or dentist is
23 available, shall be authorized, pursuant to rules
24 adopted by the Oklahoma Board of Nursing, to order,

1 select, obtain and administer legend drugs, Schedules
2 ~~II through~~, III, IV, and V controlled substances,
3 devices, and medical gases only when engaged in the
4 preanesthetic preparation and evaluation; anesthesia
5 induction, maintenance and emergence; and
6 postanesthesia care. A Certified Registered Nurse
7 Anesthetist may order, select, obtain and administer
8 drugs only during the perioperative or periobstetrical
9 period.

10 c. A Certified Registered Nurse Anesthetist who applies
11 for authorization to order, select, obtain and
12 administer drugs shall:

- 13 (1) be currently recognized as a Certified Registered
14 Nurse Anesthetist in this state,
- 15 (2) provide evidence of completion, within the two-
16 year period immediately preceding the date of
17 application, of a minimum of fifteen (15) units
18 of continuing education in advanced pharmacology
19 related to the administration of anesthesia as
20 recognized by the National Board of Certification
21 and Recertification for Nurse Anesthetists, and
- 22 (3) complete and submit a notarized application, on a
23 form prescribed by the Board, accompanied by the
24

1 application fee established pursuant to this
2 section.

3 d. The authority to order, select, obtain and administer
4 drugs shall be terminated if a Certified Registered
5 Nurse Anesthetist has:

6 (1) ordered, selected, obtained or administered drugs
7 outside of the Certified Registered Nurse
8 Anesthetist scope of practice or ordered,
9 selected, obtained or administered drugs for
10 other than therapeutic purposes, or

11 (2) violated any provision of state laws or rules or
12 federal laws or regulations pertaining to the
13 practice of nursing or the authority to order,
14 select, obtain and administer drugs.

15 e. The Oklahoma Board of Nursing shall notify the Board
16 of Pharmacy after termination of or a change in the
17 authority to order, select, obtain and administer
18 drugs for a Certified Registered Nurse Anesthetist.

19 f. The Board shall provide by rule for biennial
20 application renewal and reauthorization of authority
21 to order, select, obtain and administer drugs for
22 Certified Registered Nurse Anesthetists. At the time
23 of application renewal, a Certified Registered Nurse
24 Anesthetist shall submit documentation of a minimum of

1 eight (8) units of continuing education, completed
2 during the previous two (2) years, in advanced
3 pharmacology relating to the administration of
4 anesthesia, as recognized by the Council on
5 Recertification of Nurse Anesthetists or the Council
6 on Certification of Nurse Anesthetists.

7 g. This paragraph shall not prohibit the administration
8 of local or topical anesthetics as now permitted by
9 law. Provided further, nothing in this paragraph
10 shall limit the authority of the Board of Dentistry to
11 establish the qualifications for dentists who direct
12 the administration of anesthesia.

13 h. As used in this paragraph, "collaboration" means an
14 agreement between a medical doctor, osteopathic
15 physician, podiatric physician or dentist performing
16 the procedure or directly involved with the procedure
17 and the Certified Registered Nurse Anesthetist working
18 jointly toward a common goal providing services for
19 the same patient. This collaboration involves the
20 joint formulation, discussion and agreement of the
21 anesthesia plan by both parties, and the collaborating
22 medical doctor, osteopathic physician, podiatric
23 physician or dentist performing the procedure or
24 directly involved with the procedure ~~and that~~. The

1 collaborating physician shall remain available for
2 timely onsite consultation during the delivery of
3 anesthesia for diagnosis, consultation, and treatment
4 of medical conditions;

5 11. "Supervising Advanced Practice Registered Nurse" means an
6 Advanced Practice Registered Nurse holding a current license to
7 practice who has obtained independent prescriptive authority under
8 Section 1 of this act and who otherwise meets the qualifications of
9 a supervising Advanced Practice Registered Nurse under Section 1 of
10 this act who supervises a Certified Nurse Practitioner or a Clinical
11 Nurse Specialist who has not obtained independent prescriptive
12 authority under Section 1 of this act;

13 12. "Supervising physician" means an individual holding a
14 current license to practice as a physician from the State Board of
15 Medical Licensure and Supervision or the State Board of Osteopathic
16 Examiners, who supervises:

17 a. a Certified Nurse Practitioner, or a Clinical Nurse
18 Specialist who has not obtained independent
19 prescriptive authority under Section 1 of this act, or

20 b. a Certified Nurse-Midwife,

21 and who is not in training as an intern, resident, or fellow. ~~To be~~
22 ~~eligible to supervise such Advanced Practice Registered Nurse, such~~
23 The supervising physician shall remain in compliance with the rules
24

1 promulgated by the State Board of Medical Licensure and Supervision
2 or the State Board of Osteopathic Examiners;

3 ~~12.~~ 13. "Supervision of an Advanced Practice Registered Nurse
4 with prescriptive authority" means overseeing and accepting
5 responsibility for the ordering and transmission by:

6 a. a Certified Nurse Practitioner, ~~or~~ or a Clinical Nurse
7 Specialist who has not obtained independent
8 prescriptive authority under Section 1 of this act, or

9 b. a Certified Nurse-Midwife,
10 of written, telephonic, electronic or oral prescriptions for drugs
11 and other medical supplies, subject to a defined formulary; and

12 ~~13.~~ 14. "Advanced Unlicensed Assistant" means any person who
13 has successfully completed a certified training program approved by
14 the Board that trains the Advanced Unlicensed Assistant to perform
15 specified technical skills identified by the Board in acute care
16 settings under the direction and supervision of the Registered Nurse
17 or Licensed Practical Nurse.

18 SECTION 5. AMENDATORY 59 O.S. 2021, Section 567.4a, is
19 amended to read as follows:

20 Section 567.4a. The Oklahoma Board of Nursing may grant
21 prescriptive authority through the Advanced Practice Registered
22 Nurse license to Certified Nurse Practitioners, Certified Nurse-
23 Midwives, and Clinical Nurse Specialists who meet the requirements
24 for prescriptive authority identified by law and in the Board's

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

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

1 2. Define the procedure for documenting independent
2 prescriptive authority for Certified Nurse Practitioners and
3 Clinical Nurse Specialists who have obtained independent
4 prescriptive authority under the Section 1 of this act;

5 3. Define minimal requirements for initial application for
6 prescriptive authority which shall include, but not be limited to,
7 evidence of completion of a minimum of forty-five (45) contact hours
8 or three (3) academic credit hours of education in
9 pharmacotherapeutics, clinical application, and use of
10 pharmacological agents in the prevention of illness, and in the
11 restoration and maintenance of health in a program beyond basic
12 registered nurse preparation, approved by the Board. Such contact
13 hours or academic credits shall be obtained within a time period of
14 three (3) years immediately preceding the date of application for
15 prescriptive authority;

16 ~~3.~~ 4. Define minimal requirements for application for renewal
17 of prescriptive authority which shall include, but not be limited
18 to, documentation of a minimum of:

- 19 a. fifteen (15) contact hours or one (1) academic credit
20 hour of education in pharmacotherapeutics, clinical
21 application, and use of pharmacological agents in the
22 prevention of illness, and in the restoration and
23 maintenance of health in a program beyond basic
24 registered nurse preparation, and

1 b. two (2) hours of education in pain management or two
2 (2) hours of education in opioid use or addiction,
3 unless the Advanced Practice Registered Nurse has
4 demonstrated to the satisfaction of the Board that the
5 Advanced Practice Registered Nurse does not currently
6 hold a valid federal Drug Enforcement Administration
7 registration number,

8 approved by the Board, within the two-year period immediately
9 preceding the effective date of application for renewal of
10 prescriptive authority;

11 ~~4.~~ 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice
12 Registered Nurse ~~shall demonstrate~~ demonstrates successful
13 completion of a master's degree or higher in ~~a clinical nurse~~
14 ~~specialty~~ one of the four Advanced Practice Registered Nurse roles
15 in order to be eligible for initial application for prescriptive
16 authority under the provisions of the Oklahoma Nursing Practice Act;

17 ~~5.~~ 6. Require an Advanced Practice Registered Nurse to have
18 graduated from a program accredited by the Accreditation Commission
19 for Education in Nursing (ACEN) or the Commission on Collegiate
20 Nursing Education (CCNE), or a substantially equivalent program
21 approved by the Board in order to be eligible for initial
22 application for prescriptive authority under the provisions of the
23 Oklahoma Nursing Practice Act. As a condition of obtaining
24 prescriptive authority, an Advanced Practice Registered Nurse shall

1 show evidence of annual on-campus attendance for assessment and
2 evaluation of student progress and competence in addition to
3 completing the required clinical hours in the graduate program
4 consistent with the national standard;

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

8 ~~6.~~ 8. Define terminology used in such rules;

9 ~~7.~~ 9. Define the parameters for the prescribing practices of
10 the Advanced Practice Registered Nurse;

11 ~~8.~~ 10. Define the methods for termination of prescriptive
12 authority for the Advanced Practice Registered Nurse; and

13 ~~9.~~ 11. a. Establish a Formulary Advisory Council that shall
14 develop and submit to the Board recommendations for an
15 exclusionary formulary that shall list drugs or
16 categories of drugs that shall not be prescribed by
17 Advanced Practice Registered Nurse recognized to
18 prescribe by the Oklahoma Board of Nursing. The
19 Formulary Advisory Council shall also develop and
20 submit to the Board recommendations for practice-
21 specific prescriptive standards for each category of
22 Advanced Practice Registered Nurse recognized to
23 prescribe by the Oklahoma Board of Nursing pursuant to
24 the provisions of the Oklahoma Nursing Practice Act.

1 The Board shall either accept or reject the
2 recommendations made by the Council. No amendments to
3 the recommended exclusionary formulary may be made by
4 the Board without the approval of the Formulary
5 Advisory Council.

6 b. The Formulary Advisory Council shall be composed of
7 twelve (12) members as follows:

8 (1) four members, to include a pediatrician, an
9 obstetrician-gynecological physician, a general
10 internist, and a family practice physician;
11 provided that three of such members shall be
12 appointed by the Oklahoma State Medical
13 Association, and one shall be appointed by the
14 Oklahoma Osteopathic Association,

15 (2) four members who are registered pharmacists,
16 appointed by the Oklahoma Pharmaceutical
17 Association, and

18 (3) four members, one of whom shall be a Certified
19 Nurse Practitioner, one of whom shall be a
20 Clinical Nurse Specialist, one of whom shall be a
21 Certified Nurse-Midwife, and one of whom shall be
22 a current member of the Oklahoma Board of
23 Nursing, all of whom shall be appointed by the
24 Oklahoma Board of Nursing.

1 c. All professional members of the Formulary Advisory
2 Council shall be in active clinical practice, at least
3 fifty percent (50%) of the time, within their defined
4 area of specialty. The members of the Formulary
5 Advisory Council shall serve at the pleasure of the
6 appointing authority for a term of three (3) years.
7 The terms of the members shall be staggered. Members
8 of the Council may serve beyond the expiration of
9 their term of office until a successor is appointed by
10 the original appointing authority. A vacancy on the
11 Council shall be filled for the balance of the
12 unexpired term by the original appointing authority.

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

1 utilizing the same procedures used to develop the
2 initial exclusionary formulary.

3 SECTION 6. AMENDATORY 59 O.S. 2021, Section 567.5a, is
4 amended to read as follows:

5 Section 567.5a. A. All applicants for a license to practice as
6 an Advanced Practice Registered Nurse shall be subject to Section
7 567.8 of this title.

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

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

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

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

15 4. Have completed an advanced practice registered nursing
16 education program in one of the four ~~advanced practice registered~~
17 ~~nurse~~ Advanced Practice Registered Nurse roles and a specialty area
18 recognized by the Board. Effective January 1, 2016, the applicant
19 shall have completed an accredited graduate level advanced practice
20 registered nursing education program in at least one of the
21 following population foci: family/individual across the lifespan,
22 adult-gerontology, neonatal, pediatrics, women's health/gender-
23 related, or psychiatric/mental health;

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

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

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

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

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

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

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

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

4 6. Meet continued competency requirements as set forth in Board
5 rules; and

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

8 D. The Board may issue prescriptive authority recognition by
9 endorsement to an Advanced Practice Registered Nurse licensed as an
10 APRN-CNP, APRN-CNS, or APRN-CNM under the laws of another state if
11 the applicant meets the requirements set forth in this section. An
12 applicant for prescriptive authority recognition by endorsement
13 shall:

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

16 2. Hold current Registered Nurse and Advanced Practice
17 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the
18 state;

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

22 4. Submit documentation verifying successful completion of a
23 graduate level advanced practice registered nursing education
24 program that included an academic course in pharmacotherapeutic

1 management, and didactic and clinical preparation for prescribing
2 incorporated throughout the program;

3 5. Submit:

4 a. a written statement from an Oklahoma licensed
5 physician or supervising Advanced Practice Registered
6 Nurse supervising prescriptive authority as required
7 by the Board in its rules, if the applicant is a
8 Certified Nurse Practitioner or Clinical Nurse
9 Specialist,

10 b. a written statement from an Oklahoma licensed
11 physician supervising prescriptive authority as
12 required by the Board in its rules, if the applicant
13 is a Certified Nurse-Midwife, or

14 c. submit documentation that the applicant meets the
15 requirements for independent prescriptive authority
16 under Section 1 of this act;

17 6. Meet continued competency requirements as set forth in Board
18 rules; and

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

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

1 F. The Board may reinstate a license as set forth in Board
2 rules.

3 SECTION 7. AMENDATORY 63 O.S. 2021, Section 2-312, as
4 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022,
5 Section 2-312), is amended to read as follows:

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

16 B. A veterinarian who has complied with the registration
17 requirements of the Uniform Controlled Dangerous Substances Act, in
18 good faith and in the course of the professional practice of the
19 veterinarian only, and not for use by a human being, may prescribe,
20 administer, and dispense controlled dangerous substances and may
21 cause them to be administered by an assistant or orderly under the
22 direction and supervision of the veterinarian.

23 C. 1. An ~~advanced practice nurse~~ Advanced Practice Registered
24 Nurse who is recognized to prescribe by the Oklahoma Board of

1 Nursing as ~~an advanced registered nurse practitioner, clinical nurse~~
2 ~~specialist or certified nurse-midwife,~~ a Certified Nurse
3 Practitioner or Clinical Nurse Specialist but who has not obtained
4 independent prescriptive authority under Section 1 of this act and
5 therefore is subject to medical direction by a supervising
6 physician, or supervising Advanced Practice Registered Nurse
7 pursuant to Section 567.3a of Title 59 of the Oklahoma Statutes, and
8 who has 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 III, IV and V controlled dangerous substances.

12 2. An Advanced Practice Registered Nurse who is recognized to
13 prescribe by the Oklahoma Board of Nursing as a Certified Nurse
14 Practitioner or Clinical Nurse Specialist who has obtained
15 independent prescriptive authority under Section 1 of this act, and
16 who has complied with the registration requirements of the Uniform
17 Controlled Dangerous Substances Act, in good faith and in the course
18 of professional practice only, may prescribe and administer Schedule
19 III, IV, and V controlled dangerous substances.

20 D. An Advanced Practice Registered Nurse who is recognized to
21 prescribe by the Oklahoma Board of Nursing as a Certified Nurse-
22 Midwife, who is subject to medical direction by a supervising
23 physician pursuant to Section 567.3a of Title 59 of the Oklahoma
24 Statutes, and who has complied with the registration requirements of

1 the Uniform Controlled Dangerous Substances Act, in good faith and
2 in the course of professional practice only, may prescribe and
3 administer Schedule III, IV, and V controlled dangerous substances.

4 E. An ~~advanced practice nurse~~ Advanced Practice Registered
5 Nurse who is recognized to order, select, obtain and administer
6 drugs by the Oklahoma Board of Nursing as a ~~certified registered~~
7 ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to
8 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
9 complied with the registration requirements of the Uniform
10 Controlled Dangerous Substances Act, in good faith and in the course
11 of such practitioner's professional practice only, may order,
12 select, obtain and administer Schedules II ~~through,~~ III, IV, and V
13 controlled dangerous substances in a preanesthetic preparation or
14 evaluation; anesthesia induction, maintenance or emergence; or
15 postanesthesia care setting only. A ~~certified registered nurse~~
16 ~~anesthetist~~ Certified Registered Nurse Anesthetist may order,
17 select, obtain and administer such drugs only during the
18 perioperative or periobstetrical period.

19 ~~E.~~ F. A physician assistant who is recognized to prescribe by
20 the State Board of Medical Licensure and Supervision under the
21 medical direction of a supervising physician, pursuant to Section
22 519.6 of Title 59 of the Oklahoma Statutes, and who has complied
23 with the registration requirements of the Uniform Controlled
24 Dangerous Substances Act, in good faith and in the course of

1 professional practice only, may prescribe and administer ~~Schedule II~~
2 ~~through V~~ Schedules II, III, IV, and V controlled dangerous
3 substances.

4 SECTION 8. This act shall become effective November 1, 2023.

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