

1 **SENATE FLOOR VERSION**

2 February 9, 2023

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 458

6 By: Stanley, Green, Hamilton,
7 and Young

8 [nursing - prescriptive authority - application -
9 supervision - controlled dangerous substances -
10 supervision requirement - codification - effective
11 date]

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

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

16 A. 1. An Advanced Practice Registered Nurse recognized by the
17 Oklahoma Board of Nursing as a Certified Nurse Practitioner,
18 Clinical Nurse Specialist, or Certified Nurse-Midwife who has
19 completed a minimum of two thousand (2,000) hours of practice with
20 prescriptive authority supervised by a physician or a supervising
21 Advanced Practice Registered Nurse may apply to the Oklahoma Board
22 of Nursing for authority to prescribe and order independent of
23 supervision. This paragraph shall not be construed to exclude
24 practice hours with supervised prescriptive authority obtained prior

1 to the effective date of this act from being counted toward the two-
2 thousand-hour requirement of this paragraph.

3 2. The application for independent prescriptive authority shall
4 include proof that the Certified Nurse Practitioner, Clinical Nurse
5 Specialist, or Certified Nurse-Midwife:

6 a. holds a valid, current license in the appropriate
7 Advanced Practice Registered Nurse role issued by the
8 Board and is in good standing with the Board, and

9 b. has completed a minimum of two thousand (2,000) hours
10 of practice with prescriptive authority supervised by
11 a physician or supervising Advanced Practice
12 Registered Nurse.

13 3. Independent prescriptive authority granted under this
14 subsection shall be valid until the expiration of the current
15 license to practice and may be renewed upon application to the Board
16 at the same time and for the same period as the renewal of the
17 license to practice.

18 B. 1. A Certified Nurse Practitioner, Clinical Nurse
19 Specialist, or Certified Nurse-Midwife who has obtained independent
20 prescriptive authority under subsection A of this section and who
21 has completed a minimum of eight thousand (8,000) hours of practice
22 with independent prescriptive authority may serve as a supervising
23 Advanced Practice Registered Nurse.

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

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

11 C. The Board shall review any application submitted under this
12 section and shall approve or deny the application, stating the
13 reason or reasons for denial, if denied. If denied, the applicant
14 may reapply using the process prescribed by subsection A of this
15 section.

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

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

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

23 Section 353.1. For the purposes of the Oklahoma Pharmacy Act:
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1 1. "Accredited program" means those seminars, classes,
2 meetings, work projects, and other educational courses approved by
3 the ~~Board~~ State Board of Pharmacy for purposes of continuing
4 professional education;

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

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

9 4. "Assistant pharmacist" means any person presently licensed
10 as an assistant pharmacist in ~~the State of Oklahoma~~ this state by
11 the Board pursuant to Section 353.10 of this title and for the
12 purposes of the Oklahoma Pharmacy Act shall be considered the same
13 as a pharmacist, except where otherwise specified;

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

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

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

1 8. "Compounding" means the combining, admixing, mixing,
2 diluting, pooling, reconstituting or otherwise altering of a drug or
3 bulk drug substance to create a drug. Compounding includes the
4 preparation of drugs or devices in anticipation of prescription drug
5 orders based on routine, regularly observed prescribing patterns;

6 9. "Continuing professional education" means professional,
7 pharmaceutical education in the general areas of the socioeconomic
8 and legal aspects of health care; the properties and actions of
9 drugs and dosage forms; and the etiology, characteristics and
10 therapeutics of the diseased state;

11 10. "Dangerous drug", "legend drug", "prescription drug" or "Rx
12 Only" means a drug:

- 13 a. for human use subject to 21 U.S.C. 353(b)(1), or
- 14 b. is labeled "Prescription Only", or labeled with the
15 following statement: "Caution: Federal law restricts
16 this drug ~~except for~~ to use by or on the order of a
17 licensed veterinarian.";

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

20 12. "Dispense" or "dispensing" means the interpretation,
21 evaluation, and implementation of a prescription drug order
22 including the preparation and delivery of a drug or device to a
23 patient or a patient's agent in a suitable container appropriately
24 labeled for subsequent administration to, or use by, a patient.

1 Dispense includes sell, distribute, leave with, give away, dispose
2 of, deliver or supply;

3 13. "Dispenser" means a retail pharmacy, hospital pharmacy, a
4 group of chain pharmacies under common ownership and control that do
5 not act as a wholesale distributor, or any other person authorized
6 by law to dispense or administer prescription drugs, and the
7 affiliated warehouses or distributions of such entities under common
8 ownership and control that do not act as a wholesale distributor.
9 For the purposes of this paragraph, ~~"dispenser"~~ dispenser does not
10 mean a person who dispenses only products to be used in animals in
11 accordance with 21 U.S.C. 360b(a) (5);

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

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

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1 16. "Drug outlet" means all manufacturers, repackagers,
2 outsourcing facilities, wholesale distributors, third-party
3 logistics providers, pharmacies, and all other facilities which are
4 engaged in dispensing, delivery, distribution or storage of
5 dangerous drugs;

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

14 18. "Drug sample" means a unit of a prescription drug packaged
15 under the authority and responsibility of the manufacturer that is
16 not intended to be sold and is intended to promote the sale of the
17 drug;

18 19. "Durable medical equipment" has the same meaning as
19 provided by ~~Section 2 of this act~~ Section 375.2 of this title;

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

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

4 22. "Licensed practitioner" means:

5 a. an allopathic physician,

6 b. an osteopathic physician,

7 c. a podiatric physician,

8 d. a dentist,

9 e. a veterinarian ~~or~~,

10 f. an optometrist, or

11 g. a Certified Nurse Practitioner, Clinical Nurse

12 Specialist, or Certified Nurse-Midwife who has

13 obtained independent prescriptive authority under

14 Section 1 of this act,

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

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

19 a. a person that holds an application approved under 21
20 U.S.C. 355 or a license issued under 42 U.S.C. 262 for
21 such product, or if such product is not the subject of
22 an approved application or license, the person who
23 manufactured the product,

- 1 b. a co-licensed partner of the person described in
2 subparagraph a of this paragraph that obtains the
3 product directly from a person described in this
4 subparagraph or subparagraph a of this paragraph,
5 c. an affiliate of a person described in subparagraph a
6 or b of this paragraph who receives the product
7 directly from a person described in this subparagraph
8 or in subparagraph a or b of this paragraph, or
9 d. a person who contracts with another to manufacture a
10 product;

11 24. "Manufacturing" means the production, preparation,
12 propagation, compounding, conversion or processing of a device or a
13 drug, either directly or indirectly by extraction from substances of
14 natural origin or independently by means of chemical or biological
15 synthesis and includes any packaging or repackaging of the
16 substances or labeling or relabeling of its container, and the
17 promotion and marketing of such drugs or devices. The term
18 ~~"manufacturing"~~ manufacturing also includes the preparation and
19 promotion of commercially available products from bulk compounds for
20 resale by licensed pharmacies, licensed practitioners or other
21 persons;

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

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

3 27. "Medical gas distributor" means a person licensed to
4 distribute, transfer, wholesale, deliver or sell medical gases on
5 drug orders to suppliers or other entities licensed to use,
6 administer or distribute medical gas and may also include a patient
7 or ultimate user;

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

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

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

22 31. "Outsourcing facility" including "virtual outsourcing
23 facility" means a facility at one geographic location or address
24 that:

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

5 32. "Package" means the smallest individual saleable unit of
6 product for distribution by a manufacturer or repackager that is
7 intended by the manufacturer for ultimate sale to the dispenser of
8 such product. For the purposes of this paragraph, "individual
9 saleable unit" means the smallest container of a product introduced
10 into commerce by the manufacturer or repackager that is intended by
11 the manufacturer or repackager for individual sale to a dispenser;

12 33. "Person" means an individual, partnership, limited
13 liability company, corporation or association, unless the context
14 otherwise requires;

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

19 35. "Pharmacy" means a place regularly licensed by the State
20 Board of Pharmacy in which prescriptions, drugs, medicines,
21 chemicals and poisons are compounded or dispensed or such place
22 where pharmacists practice the profession of pharmacy, or a pharmacy
23 operated by the Oklahoma Department of Veterans Affairs;

1 36. "Pharmacy technician", "technician", "Rx tech", or "tech"
2 means a person issued a Technician permit by the State Board of
3 Pharmacy to assist the pharmacist and perform nonjudgmental,
4 technical, manipulative, non-discretionary functions in the
5 prescription department under the immediate and direct supervision
6 of a pharmacist;

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

11 38. "Practice of pharmacy" means:

- 12 a. the interpretation and evaluation of prescription
13 orders,
- 14 b. the compounding, dispensing, administering and
15 labeling of drugs and devices, except labeling by a
16 manufacturer, repackager or distributor of
17 nonprescription drugs and commercially packaged legend
18 drugs and devices,
- 19 c. the participation in drug selection and drug
20 utilization reviews,
- 21 d. the proper and safe storage of drugs and devices and
22 the maintenance of proper records thereof,
- 23 e. the responsibility for advising by counseling and
24 providing information, where professionally necessary

1 or where regulated, of therapeutic values, content,
2 hazards and use of drugs and devices,

3 f. the offering or performing of those acts, services,
4 operations or transactions necessary in the conduct,
5 operation, management and control of a pharmacy, or

6 g. the provision of those acts or services that are
7 necessary to provide pharmaceutical care;

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

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

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

17 a. by a licensed prescriber,

18 b. under the supervision of ~~an Oklahoma licensed~~
19 ~~practitioner, an Oklahoma licensed advanced practice~~
20 ~~registered nurse or an Oklahoma licensed~~ a supervising
21 physician, by a physician assistant licensed in this
22 state, or

23 c. (1) under the supervision of a supervising physician
24 or supervising Advanced Practice Registered

1 Nurse, by a Certified Nurse Practitioner,
2 Clinical Nurse Specialist, or Certified Nurse-
3 Midwife licensed in this state who has not
4 obtained independent prescriptive authority under
5 Section 1 of this act, or

6 (2) by a Certified Nurse Practitioner, Clinical Nurse
7 Specialist, or Certified Nurse-Midwife licensed
8 in this state who has obtained independent
9 prescriptive authority under Section 1 of this
10 act, or

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

13 42. "Product" means a prescription drug in a finished dosage
14 form for administration to a patient without substantial further
15 manufacturing, such as capsules, tablets, and lyophilized products
16 before reconstitution. "Product" does not include blood components
17 intended for transfusion, radioactive drugs or biologics and medical
18 gas;

19 43. "Repackager", including "virtual repackager", means a
20 person who owns or operates an establishment that repacks and
21 relabels a product or package for further sale or distribution
22 without further transaction;

23 44. "Sterile drug" means a drug that is intended for parenteral
24 administration, an ophthalmic or oral inhalation drug in aqueous

1 format, or a drug that is required to be sterile under state and
2 federal law;

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

5 46. "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, pursuant to the provisions of the
8 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
9 Act, or the State Board of Osteopathic Examiners, pursuant to the
10 provisions of the Oklahoma Osteopathic Medicine Act, who supervises
11 ~~an advanced practice registered nurse~~ a Certified Nurse
12 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
13 as defined in Section 567.3a of this title who has not obtained
14 independent prescriptive authority under Section 1 of this act,
15 and who is not in training as an intern, resident, or fellow. ~~To be~~
16 ~~eligible to supervise an advanced practice registered nurse, such~~
17 The supervising physician shall remain in compliance with the rules
18 promulgated by the State Board of Medical Licensure and Supervision
19 or the State Board of Osteopathic Examiners;

20 ~~46.~~ 47. "Supportive personnel" means technicians and auxiliary
21 supportive persons who are regularly paid employees of a pharmacy
22 who work and perform tasks in the pharmacy as authorized by Section
23 353.18A of this title;

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1 ~~47.~~ 48. "Third-party logistics provider" including "virtual
2 third-party logistics provider" means an entity that provides or
3 coordinates warehousing, or other logistics services of a product in
4 interstate commerce on behalf of a manufacturer, wholesale
5 distributor, or dispenser of a product but does not take ownership
6 of the product, nor have responsibility to direct the sale or
7 disposition of the product. For the purposes of this paragraph,
8 "third-party logistics provider" does not include shippers and the
9 United States Postal Service;

10 ~~48.~~ 49. "Wholesale distributor" including "virtual wholesale
11 distributor" means a person other than a manufacturer, a
12 manufacturer's co-licensed partner, a third-party logistics
13 provider, or repackager engaged in wholesale distribution as defined
14 by 21 U.S.C. 353(e) (4) as amended by the Drug Supply Chain Security
15 Act;

16 ~~49.~~ 50. "County jail" means a facility operated by a county for
17 the physical detention and correction of persons charged with, or
18 convicted of, criminal offenses or ordinance violations or persons
19 found guilty of civil or criminal contempt;

20 ~~50.~~ 51. "State correctional facility" means a facility or
21 institution that houses a prisoner population under the jurisdiction
22 of the Department of Corrections;

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1 ~~51.~~ 52. "Unit dose package" means a package that contains a
2 single dose drug with the name, strength, control number, and
3 expiration date of that drug on the label; and

4 ~~52.~~ 53. "Unit of issue package" means a package that provides
5 multiple doses of the same drug, but each drug is individually
6 separated and includes the name, lot number, and expiration date.

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

9 Section 353.1a. A. ~~Prescribing~~ 1. Prescriptive authority
10 shall be allowed, under the medical direction of a supervising
11 physician or supervising Advanced Practice Registered Nurse, for ~~an~~
12 ~~advanced practice nurse~~ a licensed Advanced Practice Registered
13 Nurse recognized by the Oklahoma Board of Nursing ~~in one of the~~
14 ~~following categories: advanced registered nurse practitioners,~~
15 ~~clinical nurse specialists, or certified nurse-midwives~~ as a
16 Certified Nurse Practitioner, Clinical Nurse Specialist, or
17 Certified Nurse-Midwife who has not obtained independent
18 prescriptive authority under Section 1 of this act.

19 2. Prescriptive authority shall be allowed, independent of the
20 medical direction of a supervising physician or supervising Advanced
21 Practice Registered Nurse, for a licensed Advanced Practice
22 Registered Nurse recognized by the Oklahoma Board of Nursing as a
23 Certified Nurse Practitioner, Clinical Nurse Specialist, or
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1 Certified Nurse-Midwife who has obtained independent prescriptive
2 authority under Section 1 of this act.

3 B. The ~~advanced practice nurse~~ Advanced Practice Registered
4 Nurse may write or sign, or transmit by word of mouth, telephone or
5 other means of communication an order for drugs or medical supplies
6 that is intended to be filled, compounded, or dispensed by a
7 pharmacist. The supervising physician or supervising Advanced
8 Practice Registered Nurse, if applicable, and the ~~advanced practice~~
9 ~~nurse~~ prescribing Advanced Practice Registered Nurse shall be
10 identified at the time of origination of the prescription and the
11 name of the ~~advanced practice nurse~~ prescribing Advanced Practice
12 Registered Nurse shall be printed on the prescription label.

13 ~~B.~~ C. Pharmacists may dispense prescriptions for non-controlled
14 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
15 Practice Registered Nurse or physician assistant, not located in
16 ~~Oklahoma~~ this state, provided that they are licensed in the state in
17 which they are actively prescribing.

18 ~~C.~~ D. 1. Pharmacists may only dispense prescriptions for
19 controlled dangerous substances prescribed by an ~~advanced practice~~
20 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
21 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~
22 ~~licensed practitioner~~ this state who meets the criteria in paragraph
23 1 or 2 of subsection A of this section.

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1 2. Pharmacists may only dispense prescriptions for controlled
2 dangerous substances prescribed by a physician assistant licensed in
3 this state and supervised by a supervising physician licensed in
4 this state.

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

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

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

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

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

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- a. assessing the health status of individuals, families and groups,
- 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,
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- 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 Advanced Practice Registered Nurse roles,
13 b. who has passed a national certification examination
14 recognized by the Board that measures the ~~advanced~~
15 ~~practice registered nurse~~ Advanced Practice Registered
16 Nurse role and specialty competencies and who
17 maintains recertification in the role and specialty
18 through a national certification 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 obtained a license as an Advanced Practice
6 Registered Nurse in one of the following roles:
7 Certified Registered Nurse Anesthetist, Certified
8 Nurse-Midwife, Clinical Nurse Specialist, or Certified
9 Nurse Practitioner.

10 Only those persons who hold a license to practice advanced
11 practice registered nursing in this state shall have the right to
12 use the title "Advanced Practice Registered Nurse" and to use the
13 abbreviation "APRN". Only those persons who have obtained a license
14 in the following disciplines shall have the right to fulfill the
15 roles and use the applicable titles: Certified Registered Nurse
16 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and
17 the abbreviation "CNM", Clinical Nurse Specialist and the
18 abbreviation "CNS", and Certified Nurse Practitioner and the
19 abbreviation "CNP".

20 It shall be unlawful for any person to assume the role or use
21 the title Advanced Practice Registered Nurse or use the abbreviation
22 "APRN" or use the respective specialty role titles and abbreviations
23 or to use any other titles or abbreviations that would reasonably
24 lead a person to believe the user is an Advanced Practice Registered

1 Nurse, unless permitted by the Oklahoma Nursing Practice Act. Any
2 individual doing so shall be guilty of a misdemeanor, which shall be
3 punishable, upon conviction, by imprisonment in the county jail for
4 not more than one (1) year or by a fine ~~of~~ not less than One Hundred
5 Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or
6 by both such imprisonment and fine for each offense;

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

- 10 a. consistent with advanced educational preparation as a
11 Certified Nurse Practitioner in an area of specialty,
- 12 b. functions within the Certified Nurse Practitioner
13 scope of practice for the selected area of
14 specialization, and
- 15 c. is in accord with the standards for Certified Nurse
16 Practitioners as identified by the certifying body and
17 approved by the Board.

18 A Certified Nurse Practitioner shall be eligible, in accordance
19 with the scope of practice of the Certified Nurse Practitioner, to
20 obtain recognition as authorized by the Board to prescribe, as
21 defined by the rules promulgated by the Board pursuant to ~~this~~
22 ~~section and subject to the medical direction of a supervising~~
23 ~~physician~~ Section 567.4a of this title and Section 1 of this act.

24 This authorization shall not include dispensing drugs, but shall not

1 preclude, subject to federal regulations, the receipt of, the
2 signing for, or the dispensing of professional samples to patients.

3 The Certified Nurse Practitioner accepts responsibility,
4 accountability, and obligation to practice in accordance with usual
5 and customary advanced practice registered nursing standards and
6 functions as defined by the scope of practice/role definition
7 statements for the Certified Nurse Practitioner;

8 7. a. "Clinical Nurse Specialist" ~~is~~ means an Advanced
9 Practice Registered Nurse who holds:

- 10 (1) a master's degree or higher in nursing with
11 clinical specialization preparation to function
12 in an expanded role,
13 (2) specialty certification from a national
14 certifying organization recognized by the Board,
15 (3) an Advanced Practice Registered Nurse license
16 from the Board, and
17 (4) any nurse holding a specialty certification as a
18 Clinical Nurse Specialist valid on January 1,
19 1994, granted by a national certifying
20 organization recognized by the Board, shall be
21 deemed to be a Clinical Nurse Specialist under
22 the provisions of the Oklahoma Nursing Practice
23 Act.

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

4 (1) practicing as an expert clinician in the
5 provision of direct nursing care to a selected
6 population of patients or clients in any setting,
7 including private practice,

8 (2) managing the care of patients or clients with
9 complex nursing problems,

10 (3) enhancing patient or client care by integrating
11 the competencies of clinical practice, education,
12 consultation, and research, and

13 (4) referring patients or clients to other services.

14 c. A Clinical Nurse Specialist in accordance with the
15 scope of practice of such Clinical Nurse Specialist
16 shall be eligible to obtain recognition as authorized
17 by the Board to prescribe, as defined by the rules
18 promulgated by the Board pursuant to ~~this section, and~~
19 ~~subject to the medical direction of a supervising~~
20 ~~physician~~ Section 567.4a of this title and Section 1
21 of this act. This authorization shall not include
22 dispensing drugs, but shall not preclude, subject to
23 federal regulations, the receipt of, the signing for,
24 or the dispensing of professional samples to patients.

1 d. The Clinical Nurse Specialist accepts responsibility,
2 accountability, and obligation to practice in
3 accordance with usual and customary advanced practice
4 nursing standards and functions as defined by the
5 scope of practice/role definition statements for the
6 Clinical Nurse Specialist;

7 8. ~~"Nurse-Midwife" is~~ "Certified Nurse-Midwife" means a nurse
8 who has received an Advanced Practice Registered Nurse license from
9 the Oklahoma Board of Nursing who possesses evidence of
10 certification according to the requirements of the American College
11 of Nurse-Midwives.

12 A Certified Nurse-Midwife in accordance with the scope of
13 practice of such Certified Nurse-Midwife shall be eligible to obtain
14 recognition as authorized by the Board to prescribe, as defined by
15 the rules promulgated by the Board pursuant to ~~this section and~~
16 ~~subject to the medical direction of a supervising physician~~ Section
17 567.4a of this title and Section 1 of this act. This authorization
18 shall not include the dispensing of drugs, but shall not preclude,
19 subject to federal regulations, the receipt of, the signing for, or
20 the dispensing of professional samples to patients.

21 The Certified Nurse-Midwife accepts responsibility,
22 accountability, and obligation to practice in accordance with usual
23 and customary advanced practice registered nursing standards and
24

1 functions as defined by the scope of practice/role definition
2 statements for the Certified Nurse-Midwife;

3 9. "Nurse-midwifery practice" means providing management of
4 care of normal newborns and women, antepartally, intrapartally,
5 postpartally and gynecologically, occurring within a health care
6 system which provides for medical consultation, medical management
7 or referral, and is in accord with the standards for nurse-midwifery
8 practice as defined by the American College of Nurse-Midwives;

9 10. a. "Certified Registered Nurse Anesthetist" is an
10 Advanced Practice Registered Nurse who:

11 (1) is certified by the National Board of
12 Certification and Recertification for Nurse
13 Anesthetists as a Certified Registered Nurse
14 Anesthetist within one (1) year following
15 completion of an approved ~~certified registered~~
16 ~~nurse-anesthetist~~ Certified Registered Nurse
17 Anesthetist education program, and continues to
18 maintain such recertification by the National
19 Board of Certification and Recertification for
20 Nurse Anesthetists, and

21 (2) administers anesthesia in collaboration with a
22 medical doctor, an osteopathic physician, a
23 podiatric physician or a dentist licensed in this
24 state and under conditions in which timely onsite

1 consultation by such doctor, osteopath, podiatric
2 physician or dentist is available.

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

19 c. A Certified Registered Nurse Anesthetist who applies
20 for authorization to order, select, obtain and
21 administer drugs shall:

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

24

- 1 (2) provide evidence of completion, within the two-
2 year period immediately preceding the date of
3 application, of a minimum of fifteen (15) units
4 of continuing education in advanced pharmacology
5 related to the administration of anesthesia as
6 recognized by the National Board of Certification
7 and Recertification for Nurse Anesthetists, and
8 (3) complete and submit a notarized application, on a
9 form prescribed by the Board, accompanied by the
10 application fee established pursuant to this
11 section.

12 d. The authority to order, select, obtain and administer
13 drugs shall be terminated if a Certified Registered
14 Nurse Anesthetist has:

- 15 (1) ordered, selected, obtained or administered drugs
16 outside of the Certified Registered Nurse
17 Anesthetist scope of practice or ordered,
18 selected, obtained or administered drugs for
19 other than therapeutic purposes, or
20 (2) violated any provision of state laws or rules or
21 federal laws or regulations pertaining to the
22 practice of nursing or the authority to order,
23 select, obtain and administer drugs.
24

1 e. The Oklahoma Board of Nursing shall notify the State
2 Board of Pharmacy after termination of or a change in
3 the authority to order, select, obtain and administer
4 drugs for a Certified Registered Nurse Anesthetist.

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

19 g. This paragraph shall not prohibit the administration
20 of local or topical anesthetics as now permitted by
21 law. Provided further, nothing in this paragraph
22 shall limit the authority of the Board of Dentistry to
23 establish the qualifications for dentists who direct
24 the administration of anesthesia.

1 h. As used in this paragraph, "collaboration" means an
2 agreement between a medical doctor, osteopathic
3 physician, podiatric physician or dentist performing
4 the procedure or directly involved with the procedure
5 and the Certified Registered Nurse Anesthetist working
6 jointly toward a common goal providing services for
7 the same patient. This collaboration involves the
8 joint formulation, discussion and agreement of the
9 anesthesia plan by both parties, and the collaborating
10 medical doctor, osteopathic physician, podiatric
11 physician or dentist performing the procedure or
12 directly involved with the procedure and that
13 collaborating physician shall remain available for
14 timely onsite consultation during the delivery of
15 anesthesia for diagnosis, consultation, and treatment
16 of medical conditions;

17 11. "Supervising Advanced Practice Registered Nurse" means an
18 Advanced Practice Registered Nurse holding a current license to
19 practice who has obtained independent prescriptive authority under
20 Section 1 of this act and who otherwise meets the qualifications of
21 a supervising Advanced Practice Registered Nurse under Section 1 of
22 this act who supervises a Certified Nurse Practitioner, a Clinical
23 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
24 independent prescriptive authority under Section 1 of this act;

1 12. "Supervising physician" means an individual holding a
2 current license to practice as a physician from the State Board of
3 Medical Licensure and Supervision or the State Board of Osteopathic
4 Examiners, who supervises a Certified Nurse Practitioner, a Clinical
5 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
6 independent prescriptive authority under Section 1 of this act, and
7 who is not in training as an intern, resident, or fellow. ~~To be~~
8 ~~eligible to supervise such 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 ~~12.~~ 13. "Supervision of an Advanced Practice Registered Nurse
13 with prescriptive authority" means overseeing and accepting
14 responsibility for the ordering and transmission by a Certified
15 Nurse Practitioner, a Clinical Nurse Specialist, or a Certified
16 Nurse-Midwife who has not obtained independent prescriptive
17 authority under Section 1 of this act of written, telephonic,
18 electronic or oral prescriptions for drugs and other medical
19 supplies, subject to a defined formulary; and

20 ~~13.~~ 14. "Advanced Unlicensed Assistant" means any person who
21 has successfully completed a certified training program approved by
22 the Board that trains the Advanced Unlicensed Assistant to perform
23 specified technical skills identified by the Board in acute care
24

1 settings under the direction and supervision of the Registered Nurse
2 or Licensed Practical Nurse.

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

5 Section 567.4a. The Oklahoma Board of Nursing may grant
6 prescriptive authority through the Advanced Practice Registered
7 Nurse license to Certified Nurse Practitioners, Clinical Nurse
8 Specialists, and Certified Nurse-Midwives who meet the requirements
9 for prescriptive authority identified by law and in the Board's
10 rules. The rules regarding prescriptive authority recognition
11 promulgated by the Oklahoma Board of Nursing pursuant to ~~paragraphs~~
12 ~~6 through 9, 11 and 12 of this section,~~ Section 567.3a of this
13 title, and Section 1 of this act shall:

14 1. Define the procedure for documenting supervision by a
15 supervising physician licensed in Oklahoma to practice by the State
16 Board of Medical Licensure and Supervision or the State Board of
17 Osteopathic Examiners as defined in Section 567.3a of this title or
18 by a supervising Advanced Practice Registered Nurse as defined in
19 Section 567.3a of this title of a Certified Nurse Practitioner,
20 Clinical Nurse Specialist, or Certified Nurse-Midwife who has not
21 obtained independent prescriptive authority under Section 1 of this
22 act. Such procedure shall include a written statement that defines
23 appropriate referral, consultation, and collaboration between the
24 Advanced Practice Registered Nurse, recognized to prescribe as

1 defined in ~~paragraphs 6 through 9, 11 and 12~~ of Section 567.3a of
2 this title, and the supervising physician or supervising Advanced
3 Practice Registered Nurse. The written statement shall include a
4 method of assuring availability of the supervising physician or
5 supervising Advanced Practice Registered Nurse through direct
6 contact, telecommunications or other appropriate electronic means
7 for consultation, assistance with medical emergencies, or patient
8 referral. The written statement shall be part of the initial
9 application and the renewal application submitted to the Board for
10 recognition for prescriptive authority for the Advanced Practice
11 Registered Nurse. Changes to the written statement shall be filed
12 with the Board within thirty (30) days of the change and shall be
13 effective on filing;

14 2. Define the procedure for documenting independent
15 prescriptive authority for Certified Nurse Practitioners, Clinical
16 Nurse Specialists, and Certified Nurse-Midwives who have obtained
17 independent prescriptive authority under Section 1 of this act;

18 3. Define minimal requirements for initial application for
19 prescriptive authority which shall include, but not be limited to,
20 evidence of completion of a minimum of forty-five (45) contact hours
21 or three (3) academic credit hours of education in
22 pharmacotherapeutics, clinical application, and use of
23 pharmacological agents in the prevention of illness, and in the
24 restoration and maintenance of health in a program beyond basic

1 registered nurse preparation, approved by the Board. Such contact
2 hours or academic credits shall be obtained within a time period of
3 three (3) years immediately preceding the date of application for
4 prescriptive authority;

5 ~~3.~~ 4. Define minimal requirements for application for renewal
6 of prescriptive authority which shall include, but not be limited
7 to, documentation of a minimum of:

8 a. fifteen (15) contact hours or one (1) academic credit
9 hour of education in pharmacotherapeutics, clinical
10 application, and use of pharmacological agents in the
11 prevention of illness, and in the restoration and
12 maintenance of health in a program beyond basic
13 registered nurse preparation, and

14 b. two (2) hours of education in pain management or two
15 (2) hours of education in opioid use or addiction,
16 unless the Advanced Practice Registered Nurse has
17 demonstrated to the satisfaction of the Board that the
18 Advanced Practice Registered Nurse does not currently
19 hold a valid federal Drug Enforcement Administration
20 registration number,

21 approved by the Board, within the two-year period immediately
22 preceding the effective date of application for renewal of
23 prescriptive authority;

24

1 ~~4.~~ 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice
2 Registered Nurse ~~shall demonstrate~~ demonstrates successful
3 completion of a master's degree or higher in ~~a clinical nurse~~
4 ~~specialty~~ one of the following Advanced Practice Registered Nurse
5 roles:

6 a. Certified Nurse Practitioner,

7 b. Clinical Nurse Specialist, or

8 c. Certified Nurse-Midwife,

9 in order to be eligible for initial application for prescriptive
10 authority under the provisions of the Oklahoma Nursing Practice Act;

11 ~~5.~~ 6. Define the method for communicating authority to
12 prescribe or termination of same, and the formulary to the State
13 Board of Pharmacy, all pharmacies, and all registered pharmacists;

14 ~~6.~~ 7. Define terminology used in such rules;

15 ~~7.~~ 8. Define the parameters for the prescribing practices of
16 the Advanced Practice Registered Nurse;

17 ~~8.~~ 9. Define the methods for termination of prescriptive
18 authority for the Advanced Practice Registered Nurse; and

19 ~~9.~~ 10. a. Establish a Formulary Advisory Council that shall
20 develop and submit to the Board recommendations for an
21 exclusionary formulary that shall list drugs or
22 categories of drugs that shall not be prescribed by an
23 Advanced Practice Registered Nurse recognized to
24 prescribe by the Oklahoma Board of Nursing. The

1 Formulary Advisory Council shall also develop and
2 submit to the Board recommendations for practice-
3 specific prescriptive standards for each category of
4 Advanced Practice Registered Nurse recognized to
5 prescribe by the Oklahoma Board of Nursing pursuant to
6 the provisions of the Oklahoma Nursing Practice Act.
7 The Board shall either accept or reject the
8 recommendations made by the Council. No amendments to
9 the recommended exclusionary formulary may be made by
10 the Board without the approval of the Formulary
11 Advisory Council.

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

14 (1) four members, to include a pediatrician, an
15 obstetrician-gynecological physician, a general
16 internist, and a family practice physician;
17 provided, that three of such members shall be
18 appointed by the Oklahoma State Medical
19 Association, and one shall be appointed by the
20 Oklahoma Osteopathic Association,

21 (2) four members who are registered pharmacists,
22 appointed by the Oklahoma Pharmaceutical
23 Association, and
24

1 (3) four members, one of whom shall be a Certified
2 Nurse Practitioner, one of whom shall be a
3 Clinical Nurse Specialist, one of whom shall be a
4 Certified Nurse-Midwife, and one of whom shall be
5 a current member of the Oklahoma Board of
6 Nursing, all of whom shall be appointed by the
7 Oklahoma Board of Nursing.

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

20 d. Members of the Council shall elect a chair and a ~~vice-~~
21 ~~chair~~ vice chair from among the membership of the
22 Council. For the transaction of business, at least
23 seven members, with a minimum of two members present
24 from each of the identified categories of physicians,

1 pharmacists and ~~advanced practice registered nurses~~
2 Advanced Practice Registered Nurses, shall constitute
3 a quorum. The Council shall recommend and the Board
4 shall approve and implement an initial exclusionary
5 formulary on or before January 1, 1997. The Council
6 and the Board shall annually review the approved
7 exclusionary formulary and shall make any necessary
8 revisions utilizing the same procedures used to
9 develop the initial exclusionary formulary.

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

12 Section 567.5a. A. All applicants for a license to practice as
13 an Advanced Practice Registered Nurse shall be subject to Section
14 567.8 of this title.

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

17 1. Submit a completed written application and appropriate fees
18 as established by the Oklahoma Board of Nursing;

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

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

22 4. Have completed an advanced practice registered nursing
23 education program in one of the four ~~advanced practice registered~~
24 ~~nurse~~ Advanced Practice Registered Nurse roles and a specialty area

1 recognized by the Board. Effective January 1, 2016, the applicant
2 shall have completed an accredited graduate level advanced practice
3 registered nursing education program in at least one of the
4 following population foci: family/individual across the lifespan,
5 adult-gerontology, neonatal, pediatrics, women's health/gender-
6 related, or psychiatric/mental health;

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

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

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

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

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

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

21 4. Have completed an advanced practice registered nursing
22 education program in one of the four roles and a specialty area
23 recognized by the Board. Effective January 1, 2016, the applicant
24 shall have completed an accredited graduate level advanced practice

1 registered nursing education program in at least one of the
2 following population foci: family/individual across the lifespan,
3 adult-gerontology, neonatal, pediatrics, women's health/gender-
4 related, or psychiatric/mental health;

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

8 6. Meet continued competency requirements as set forth in Board
9 rules; and

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

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

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

20 2. Hold current Registered Nurse and Advanced Practice
21 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the
22 state;

23

24

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

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

9 5. Submit a written statement from an Oklahoma licensed
10 physician or supervising Advanced Practice Registered Nurse
11 supervising prescriptive authority as required by the Board in its
12 rules, or submit documentation that the applicant meets the
13 requirements for independent prescriptive authority under Section 1
14 of this act;

15 6. Meet continued competency requirements as set forth in Board
16 rules; and

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

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

22 F. The Board may reinstate a license as set forth in Board
23 rules.

24

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

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

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

21 C. 1. An ~~advanced practice nurse~~ Advanced Practice Registered
22 Nurse who is recognized to prescribe by the Oklahoma Board of
23 Nursing as an ~~advanced registered nurse practitioner, clinical nurse~~
24 ~~specialist or certified nurse-midwife,~~ a Certified Nurse

1 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
2 but who has not obtained independent prescriptive authority under
3 Section 1 of this act and therefore is subject to medical direction
4 by a supervising physician, or supervising Advanced Practice
5 Registered Nurse pursuant to Section 567.3a of Title 59 of the
6 Oklahoma Statutes, and who has complied with the registration
7 requirements of the Uniform Controlled Dangerous Substances Act, in
8 good faith and in the course of professional practice only, may
9 prescribe and administer Schedule III, IV and V controlled dangerous
10 substances.

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

19 D. An ~~advanced practice nurse~~ Advanced Practice Registered
20 Nurse who is recognized to order, select, obtain and administer
21 drugs by the Oklahoma Board of Nursing as a ~~certified registered~~
22 ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to
23 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
24 complied with the registration requirements of the Uniform

1 Controlled Dangerous Substances Act, in good faith and in the course
2 of such practitioner's professional practice only, may order,
3 select, obtain and administer Schedules II through V controlled
4 dangerous substances in a preanesthetic preparation or evaluation;
5 anesthesia induction, maintenance or emergence; or postanesthesia
6 care setting only. A ~~certified registered nurse anesthetist~~
7 Certified Registered Nurse Anesthetist may order, select, obtain and
8 administer such drugs only during the perioperative or
9 periobstetrical period.

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
20 February 9, 2023 - DO PASS AS AMENDED BY CS

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