



Arkansas Department of Health

Arkansas State Board of Nursing

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Governor Sarah Huckabee Sanders

Renee Mallory, RN, BSN, Secretary of Health

Jennifer Dillaha, MD, Director

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MEMORANDUM

DATE: July 16, 2024

TO: Office of the Bureau of Legislative Research
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FROM: Leslie Suggs
Executive Assistant to the Director

RE: Proposed Changes to the *ASBN Rules*:
Chapter Four- Advanced Practice Registered Nurse
Chapter Five- Delegation

Our public comment period concerning this matter ends on August 19, 2024. A public hearing at our office is scheduled to take place on August 12, 2024, at 1:30 p.m.

Following is a summary of the proposed changes:

Chapter 4

The license type of Clinical Nurse Specialist was added as required to renew their certificate of full independent practice every three years to align with Act 872 of 2023 was added. The effective date for starting the continuing education requirement was removed as it is no longer pertinent. Section was deleted as it is duplicated. The ability of an APRN to prescribe, dispense and supply an opioid antagonist to any person authorized by ACA 20-13-1804 was added per Act 586 of 2023. Editorial changes were made. The restrictions on who an APRN can delegate checking the PDMP were removed. The APRN shall check the PDMP when prescribing a Schedule II stimulant for the first time and every six months afterwards was added. The license type of Clinical Nurse Specialist as qualified to apply for full independent practice was added per Act 872 of 2023. Eligibility for full independent practice was clarified per Act 872 of 2023. Requirements for an affidavit for practice hours was clarified per Act 872 of 2023. The license type of Clinical Nurse Specialist was added per Act 872 of 2023. We corrected the reference to correct section in the chapter. We changed "Expedited" to "automatic" and added education and national certification and removed the one-year limitation for veteran application per Act 137 of 2023.

Chapter 5

Editorial changes were made to improve readability by removing each license type and substituting with an all-inclusive term of licensed. We changed the word "must" to "shall" to be consistent with preferred language in Arkansas rules and statutes. Delegation by a nurse cannot violate statutes or rule by any regulatory agency was clarified. An exclusion to delegation restrictions, the administration of seizure rescue medication, and use of a vagus nerve stimulator magnet were added as permitted in Act 286 of 2023.

(cont. Chapter 5)

The definition of health maintenance activities was clarified. The restriction that the competent adult or caretaker had to hire to designated care aide was removed to provide greater access to care for the individual in the home setting. The inclusion of oral medication as a task that a designated care aide can provide was added. An editorial change was made by adding "registered".