

INTERIM STUDY PROPOSAL 2023-128

State of Arkansas
94th General Assembly

A Bill

JMB/JMB
HOUSE BILL

By: Representative Pilkington

Filed with: House Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO AUTHORIZE AN ADVANCED PRACTICE REGISTERED
NURSE TO DELEGATE CERTAIN TASKS TO MEDICAL ASSISTANTS
AND OTHER UNLICENSED STAFF; AND FOR OTHER PURPOSES.

Subtitle

TO AUTHORIZE AN ADVANCED PRACTICE
REGISTERED NURSE TO DELEGATE CERTAIN
TASKS TO MEDICAL ASSISTANTS AND OTHER
UNLICENSED STAFF.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 17, Chapter 87, Subchapter 1, is
amended to add an additional section to read as follows:

17-87-107. Delegation of certain nursing tasks.

(a)(1) An advanced practice registered nurse may delegate certain
nursing tasks to a qualified and trained healthcare worker who is not
licensed or otherwise authorized by state law to perform the nursing task.

(2) A nursing task to be delegated under this section shall
include without limitation:

(A) The administration of medications and immunizations
that do not require specialized judgment and skill based on knowledge and
application of the principles of biological, physical, and social sciences as
determined by the Arkansas State Board of Nursing; and

1 (B) Phlebotomy activities.

2 (b) If an advanced practice registered nurse delegates a nursing task
3 under this section:

4 (1) The advanced practice registered nurse shall remain
5 responsible for the acts of the healthcare worker providing the delegated
6 task; and

7 (2) The healthcare worker performing the delegated task shall:

8 (A) Not be represented to the public as a licensed nurse
9 or other licensed healthcare professional; and

10 (B) Perform the delegated task under the supervision of
11 the advanced practice registered nurse.

12 (c) The board shall adopt rules regarding the delegation of the
13 nursing tasks under this section, including without limitation:

14 (1) The delegated administration of medications and
15 immunizations only within the physical boundaries of the clinical setting of
16 the advanced practice registered nurse;

17 (2) Evaluation of whether delegation is appropriate according to
18 the severity of a patient's condition;

19 (3) Training and competency requirements that shall be met by
20 the person administering medications and immunizations; and

21 (4) Other standards and procedures deemed relevant by the board.

22 (d)(1) An individual to whom a nursing task is not authorized to
23 delegate to delegate the performance of the nursing task to another
24 individual.

25 (2) A certified registered nurse anesthetist is not authorized
26 to delegate the administration of anesthesia.

27 (e) This section does not preempt or repeal any state law that
28 authorizes an individual to perform a particular task.

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31 Referred by Representative Pilkington

32 Prepared by: JMB/JMB

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