

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S2/14/19

A Bill

SENATE BILL 189

5 By: Senators D. Wallace, B. Ballinger
6 By: Representatives Lundstrum, Gonzales, Beck, Bentley, Bragg, Coleman, C. Cooper, D. Douglas,
7 Lynch, Murdock, B. Smith, Sullivan, Payton, Jett
8

For An Act To Be Entitled

9
10 AN ACT TO REMOVE THE REQUIREMENT FOR A MANDATORY
11 COLLABORATIVE PRACTICE AGREEMENT FOR AN ADVANCED
12 PRACTICE REGISTERED NURSE TO HAVE PRESCRIPTIVE
13 AUTHORITY IN ORDER TO IMPROVE HEALTHCARE
14 ACCESSIBILITY IN ARKANSAS; TO CLARIFY THE PROCESS
15 NECESSARY FOR AN ADVANCED PRACTICE REGISTERED NURSE
16 TO QUALIFY FOR PRESCRIPTIVE AUTHORITY; AND FOR OTHER
17 PURPOSES.
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Subtitle

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20
21 TO REMOVE THE REQUIREMENT FOR A MANDATORY
22 COLLABORATIVE PRACTICE AGREEMENT FOR AN
23 ADVANCED PRACTICE REGISTERED NURSE TO
24 HAVE PRESCRIPTIVE AUTHORITY.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 17-87-310 is amended to read as follows:
30 17-87-310. Prescriptive authority.

31 (a) The Arkansas State Board of Nursing may grant a certificate of
32 prescriptive authority to an advanced practice registered nurse who:

33 (1) Submits proof of successful completion of an Arkansas State
34 Board of Nursing-approved advanced pharmacology course that shall include
35 preceptorial experience in the prescription of drugs, medicines, and
36 therapeutic devices; ~~and~~



1 (2) Either:

2 (A) Has a collaborative practice agreement with a
3 practicing physician who is licensed under the Arkansas Medical Practices
4 Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq., and
5 who has training in scope, specialty, or expertise to that of the advanced
6 practice registered nurse on file with the Arkansas State Board of Nursing;

7 (B) Completes at least two thousand (2,000) hours approved
8 by the Arkansas State Board of Nursing, in conjunction with:

9 (i) A physician; or

10 (ii) An advanced practice registered nurse who has
11 two thousand (2,000) hours or more of practice and a certificate of
12 prescriptive authority in good standing with the Arkansas State Board of
13 Nursing; or

14 (C) Either holds:

15 (i) A certificate of prescriptive authority issued
16 by the Arkansas State Board of Nursing for two thousand (2,000) hours or more
17 and is in good standing with the Arkansas State Board of Nursing; or

18 (ii) If the state laws regarding prescriptive
19 authority are substantially similar to or more strict than the laws of
20 Arkansas pertaining to prescriptive authority, as determined by the Arkansas
21 State Board of Nursing, an advanced practice nursing license with
22 prescriptive authority in another state or an advanced practice nursing
23 license with a certificate of prescriptive authority in another state, for
24 two thousand (2,000) hours or more and is in good standing with the
25 respective state board or licensing authority; and

26 (3) Completes education hours and continuing education hours as
27 required by the Arkansas State Board of Nursing.

28 (b)(1) An advanced practice registered nurse with a certificate of
29 prescriptive authority may receive and prescribe drugs, medicines, or
30 therapeutic devices appropriate to the advanced practice registered nurse's
31 area of practice in accordance with rules established by the Arkansas State
32 Board of Nursing.

33 (2) An advanced practice registered nurse's prescriptive
34 authority shall extend only to drugs listed in Schedules III – V and, ~~if~~
35 ~~expressly authorized by the collaborative practice agreement,~~ also to those
36 hydrocodone combination products reclassified from Schedule III to Schedule

1 II as of October 6, 2014.

2 (3)(A) The Arkansas State Board of Nursing shall promptly adopt
3 rules applicable to an ~~advance~~ advanced practice registered nurse that are
4 consistent with the Arkansas State Medical Board's rules governing the
5 prescription of dangerous drugs and controlled substances.

6 (B) ~~Prior to~~ Before approval of the Arkansas State Board
7 of Nursing's rules, the Arkansas State Medical Board shall review the
8 proposed rules and verify that the proposed rules are consistent with the
9 Arkansas State Medical Board's rules concerning the prescription of dangerous
10 drugs and controlled substances.

11 (c) A collaborative practice agreement shall include, but not be
12 limited to, provisions addressing:

13 (1) The availability of the collaborating physician or
14 collaborating advanced practice registered nurse for consultation or
15 referral, or both;

16 (2) Methods of management of the collaborative practice, which
17 shall include protocols for prescriptive authority;

18 (3) Coverage of the healthcare needs of a patient in the
19 emergency absence of the advanced practice registered nurse or collaborating
20 physician or collaborating advanced practice registered nurse; and

21 (4) Quality assurance.

22 (d) If a collaborative practice results in complaints of violations of
23 the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq.,
24 and § 17-95-401 et seq., the Arkansas State Medical Board may review the role
25 of the physician in the collaborative practice to determine if the physician
26 is unable to manage his or her responsibilities under the agreement without
27 an adverse effect on the quality of care of the patient.

28 (e) If a collaborative practice results in complaints of violations of
29 this chapter, the Arkansas State Board of Nursing may review the role of the
30 advanced practice registered nurse in the collaborative practice to determine
31 if the nurse is unable to manage his or her responsibilities under the
32 agreement without an adverse effect on the quality of care of the patient.

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/s/D. Wallace

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