

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 478

By: Coleman

AS INTRODUCED

An Act relating to Advanced Practice Registered Nurses; amending 59 O.S. 2011, Section 353.1, as last amended by Section 1, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2020, Section 353.1), which relates to definitions used in the Oklahoma Pharmacy Act; modifying and adding definitions; amending 59 O.S. 2011, Section 353.1a, as amended by Section 2, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2020, Section 353.1a), which relates to prescriptive authority of Advanced Practice Registered Nurses; modifying prescriptive authority of certain Certified Nurse Practitioners; amending 59 O.S. 2011, Section 567.3a, as last amended by Section 1, Chapter 11, O.S.L. 2020 (59 O.S. Supp. 2020, Section 567.3a), which relates to definitions used in the Oklahoma Nursing Practice Act; modifying and adding definitions; amending 59 O.S. 2011, Section 567.4a, as last amended by Section 8, Chapter 428, O.S.L. 2019 (59 O.S. Supp. 2020, Section 567.4a), which relates to prescriptive authority; directing the Oklahoma Board of Nursing to promulgate certain rules; providing for independent prescriptive authority of Certified Nurse Practitioners; providing application criteria; specifying duration of authority; authorizing supervision by Certified Nurse Practitioner with independent prescriptive authority; providing for application approval, reapplication, fees and prescriptive authority revocation; providing for prescriptive authority recognition by endorsement; amending 59 O.S. 2011, Section 567.5a, as amended by Section 2, Chapter 228, O.S.L. 2013 (59 O.S. Supp. 2020, Section 567.5a), which relates to Advanced Practice Registered Nurse license; providing for independent prescriptive authority by endorsement; requiring certain malpractice insurance; amending 63

1 O.S. 2011, Section 2-312, which relates to controlled
2 dangerous substances; authorizing Certified Nurse
3 Practitioners to prescribe and administer certain
4 controlled dangerous substances; updating statutory
5 reference; providing for codification; and providing
6 an effective date.

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

8 SECTION 1. AMENDATORY 59 O.S. 2011, Section 353.1, as
9 last amended by Section 1, Chapter 106, O.S.L. 2018 (59 O.S. Supp.
10 2020, Section 353.1), is amended to read as follows:

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

12 1. "Accredited program" means those seminars, classes,
13 meetings, work projects, and other educational courses approved by
14 the ~~Board~~ State Board of Pharmacy for purposes of continuing
15 professional education;

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

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

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

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

1 6. "Certify" or "certification of a prescription" means the
2 review of a filled prescription by a licensed pharmacist or a
3 licensed practitioner with dispensing authority to confirm that the
4 medication, labeling and packaging of the filled prescription are
5 accurate and meet all requirements prescribed by state and federal
6 law. For the purposes of this paragraph, "licensed practitioner"
7 shall not include optometrists with dispensing authority;

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

11 8. "Compounding" means the combining, admixing, mixing,
12 diluting, pooling, reconstituting or otherwise altering of a drug or
13 bulk drug substance to create a drug. Compounding includes the
14 preparation of drugs or devices in anticipation of prescription drug
15 orders based on routine, regularly observed prescribing patterns;

16 9. "Continuing professional education" means professional,
17 pharmaceutical education in the general areas of the socioeconomic
18 and legal aspects of health care; the properties and actions of
19 drugs and dosage forms; and the etiology, characteristics and
20 therapeutics of the diseased state;

21 10. "Dangerous drug", "legend drug", "prescription drug" or "Rx
22 Only" means a drug:

23 a. for human use subject to 21 U.S.C. 353(b)(1), or
24
25

1 b. is labeled "Prescription Only", or labeled with the
2 following statement: "Caution: Federal law restricts
3 this drug except for use by or on the order of a
4 licensed veterinarian".

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

7 12. "Dispense" or "dispensing" means the interpretation,
8 evaluation, and implementation of a prescription drug order,
9 including the preparation and delivery of a drug or device to a
10 patient or a patient's agent in a suitable container appropriately
11 labeled for subsequent administration to, or use by, a patient.
12 Dispense includes sell, distribute, leave with, give away, dispose
13 of, deliver or supply;

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

23 14. "Distribute" or "distribution" means the sale, purchase,
24 trade, delivery, handling, storage, or receipt of a product, and
25

1 does not include the dispensing of a product pursuant to a
2 prescription executed in accordance with 21 U.S.C. 353(b) (1) or the
3 dispensing of a product approved under 21 U.S.C. 360b(b); provided,
4 taking actual physical possession of a product or title shall not be
5 required;

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

11 16. "Drug outlet" means all manufacturers, repackagers,
12 outsourcing facilities, wholesale distributors, third-party
13 logistics providers, pharmacies, and all other facilities which are
14 engaged in dispensing, delivery, distribution or storage of
15 dangerous drugs;

16 17. "Drugs" means all medicinal substances and preparations
17 recognized by the United States Pharmacopoeia and National
18 Formulary, or any revision thereof, and all substances and
19 preparations intended for external and/or internal use in the cure,
20 diagnosis, mitigation, treatment or prevention of disease in humans
21 or animals and all substances and preparations, other than food,
22 intended to affect the structure or any function of the body of a
23 human or animals;

1 18. "Drug sample" means a unit of a prescription drug packaged
2 under the authority and responsibility of the manufacturer that is
3 not intended to be sold and is intended to promote the sale of the
4 drug;

5 19. "Filled prescription" means a packaged prescription
6 medication to which a label has been affixed which contains such
7 information as is required by the Oklahoma Pharmacy Act;

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

11 21. "Licensed practitioner" means:

12 a. an allopathic physician,

13 b. an osteopathic physician,

14 c. a podiatric physician,

15 d. a dentist,

16 e. a veterinarian ~~or~~,

17 f. an optometrist, or

18 g. a Certified Nurse Practitioner who has obtained
19 independent prescriptive authority,

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

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

- 1 a. a person that holds an application approved under 21
2 U.S.C. 355 or a license issued under 42 U.S.C. 262 for
3 such product, or if such product is not the subject of
4 an approved application or license, the person who
5 manufactured the product,
- 6 b. a co-licensed partner of the person described in
7 subparagraph a that obtains the product directly from
8 a person described in this subparagraph or
9 subparagraph a,
- 10 c. an affiliate of a person described in subparagraph a
11 or b who receives the product directly from a person
12 described in this subparagraph or in subparagraph a or
13 b; or
- 14 d. a person who contracts with another to manufacture a
15 product;

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

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

6 25. "Medical gas order" means an order for medical gas issued
7 by a licensed prescriber;

8 26. "Medical gas distributor" means a person licensed to
9 distribute, transfer, wholesale, deliver or sell medical gases on
10 drug orders to suppliers or other entities licensed to use,
11 administer or distribute medical gas and may also include a patient
12 or ultimate user;

13 27. "Medical gas supplier" means a person who dispenses medical
14 gases on drug orders only to a patient or ultimate user;

15 28. "Medicine" means any drug or combination of drugs which has
16 the property of curing, preventing, treating, diagnosing or
17 mitigating diseases, or which is used for that purpose;

18 29. "Nonprescription drugs" means medicines or drugs which are
19 sold without a prescription and which are prepackaged for use by the
20 consumer and labeled in accordance with the requirements of the
21 statutes and regulations of this state and the federal government.
22 Such items shall also include medical and dental supplies and
23 bottled or nonbulk chemicals which are sold or offered for sale to
24 the general public if such articles or preparations meet the

1 requirements of the Federal Food, Drug and Cosmetic Act, 21

2 U.S.C.A., Section 321 et seq.;

3 30. "Outsourcing facility", including "virtual outsourcing
4 facility" means a facility at one geographic location or address
5 that:

6 a. is engaged in the compounding of sterile drugs,

7 b. has elected to register as an outsourcing facility,

8 and

9 c. complies with all requirements of 21 U.S.C. 353b;

10 31. "Package" means the smallest individual saleable unit of
11 product for distribution by a manufacturer or repackager that is
12 intended by the manufacturer for ultimate sale to the dispenser of
13 such product. For the purposes of this paragraph, "individual
14 saleable unit" means the smallest container of a product introduced
15 into commerce by the manufacturer or repackager that is intended by
16 the manufacturer or repackager for individual sale to a dispenser;

17 32. "Person" means an individual, partnership, limited
18 liability company, corporation or association, unless the context
19 otherwise requires;

20 33. "Pharmacist-in-charge" or "PIC" means the pharmacist
21 licensed in this state responsible for the management control of a
22 pharmacy and all other aspects of the practice of pharmacy in a
23 licensed pharmacy as defined by Section 353.18 of this title;

1 34. "Pharmacy" means a place regularly licensed by the Board of
2 Pharmacy in which prescriptions, drugs, medicines, chemicals and
3 poisons are compounded or dispensed or such place where pharmacists
4 practice the profession of pharmacy, or a pharmacy operated by the
5 Oklahoma Department of Veterans Affairs;

6 35. "Pharmacy technician", "technician", "Rx tech", or "tech"
7 means a person issued a Technician permit by the State Board of
8 Pharmacy to assist the pharmacist and perform nonjudgmental,
9 technical, manipulative, non-discretionary functions in the
10 prescription department under the immediate and direct supervision
11 of a pharmacist;

12 36. "Poison" means any substance which when introduced into the
13 body, either directly or by absorption, produces violent, morbid or
14 fatal changes, or which destroys living tissue with which such
15 substance comes into contact;

16 37. "Practice of pharmacy" means:

- 17 a. the interpretation and evaluation of prescription
18 orders,
- 19 b. the compounding, dispensing, administering and
20 labeling of drugs and devices, except labeling by a
21 manufacturer, repackager or distributor of
22 nonprescription drugs and commercially packaged legend
23 drugs and devices,

- c. the participation in drug selection and drug utilization reviews,
- d. the proper and safe storage of drugs and devices and the maintenance of proper records thereof,
- e. the responsibility for advising by counseling and providing information, where professionally necessary or where regulated, of therapeutic values, content, hazards and use of drugs and devices,
- f. the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy, or
- g. the provision of those acts or services that are necessary to provide pharmaceutical care;

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

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

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

- a. by a licensed prescriber,

1 b. under the supervision of an Oklahoma licensed
2 ~~practitioner,~~ supervising physician, by an Oklahoma
3 licensed ~~advanced practice registered nurse or an~~
4 ~~Oklahoma licensed~~ Clinical Nurse Specialist, Certified
5 Nurse-Midwife or physician assistant, ~~or~~

6 c. (1) under the supervision of an Oklahoma licensed
7 supervising physician or supervising Certified
8 Nurse Practitioner, by a Certified Nurse
9 Practitioner who has not obtained independent
10 prescriptive authority under the provisions of
11 Section 5 of this act, or

12 (2) by a Certified Nurse Practitioner who has
13 obtained independent prescriptive authority under
14 the provisions of Section 5 of this act, or

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

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

23 42. "Repackager", including "virtual repackager", means a
24 person who owns or operates an establishment that repacks and

1 relabels a product or package for further sale or distribution
2 without further transaction;

3 43. "Sterile drug" means a drug that is intended for parenteral
4 administration, an ophthalmic or oral inhalation drug in aqueous
5 format, or a drug that is required to be sterile under state and
6 federal law;

7 44. "Supervising Certified Nurse Practitioner" means a
8 Certified Nurse Practitioner as defined in Section 567.3a of this
9 title who has obtained independent prescriptive authority under the
10 provisions of Section 5 of this act, who supervises a Certified
11 Nurse Practitioner who has not obtained independent prescriptive
12 authority under the provisions of Section 5 of this act;

13 45. "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, pursuant to the provisions of the
16 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
17 Act, or the State Board of Osteopathic Examiners, pursuant to the
18 provisions of the Oklahoma Osteopathic Medicine Act, who supervises
19 an advanced practice registered nurse a Certified Nurse Practitioner
20 who has not obtained independent prescriptive authority under the
21 provisions of Section 5 of this act, a Clinical Nurse Specialist or
22 a Certified Nurse-Midwife, as such terms are defined in Section
23 567.3a of this title, and who is not in training as an intern,
24 resident, or fellow. ~~To be eligible to supervise an advanced~~

1 ~~practice registered nurse, such~~ The supervising physician shall
2 remain in compliance with the rules promulgated by the State Board
3 of Medical Licensure and Supervision or the State Board of
4 Osteopathic Examiners;

5 ~~45.~~ 46. "Supportive personnel" means technicians and auxiliary
6 supportive persons who are regularly paid employees of a pharmacy
7 who work and perform tasks in the pharmacy as authorized by Section
8 353.18A of this title;

9 ~~46.~~ 47. "Third-party logistics provider", including "virtual
10 third-party logistics provider" means an entity that provides or
11 coordinates warehousing, or other logistics services of a product in
12 interstate commerce on behalf of a manufacturer, wholesale
13 distributor, or dispenser of a product but does not take ownership
14 of the product, nor have responsibility to direct the sale or
15 disposition of the product. For the purposes of this paragraph,
16 "third-party logistics provider" does not include shippers and the
17 United States Postal Service;

18 ~~47.~~ 48. "Wholesale distributor", including "virtual wholesale
19 distributor" means a person other than a manufacturer, a
20 manufacturer's co-licensed partner, a third-party logistics
21 provider, or repackager engaged in wholesale distribution as defined
22 by 21 U.S.C. 353(e) (4) as amended by the Drug Supply Chain Security
23 Act;

1 ~~48.~~ 49. "County jail" means a facility operated by a county for
2 the physical detention and correction of persons charged with, or
3 convicted of, criminal offenses or ordinance violations or persons
4 found guilty of civil or criminal contempt;

5 ~~49.~~ 50. "State correctional facility" means a facility or
6 institution that houses a prisoner population under the jurisdiction
7 of the Department of Corrections;

8 ~~50.~~ 51. "Unit dose package" means a package that contains a
9 single dose drug with the name, strength, control number, and
10 expiration date of that drug on the label; and

11 ~~51.~~ 52. "Unit of issue package" means a package that provides
12 multiple doses of the same drug, but each drug is individually
13 separated and includes the name, lot number, and expiration date.

14 SECTION 2. AMENDATORY 59 O.S. 2011, Section 353.1a, as
15 amended by Section 2, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2020,
16 Section 353.1a), is amended to read as follows:

17 Section 353.1a. A. ~~Prescribing~~ Prescriptive authority shall be
18 allowed, under the medical direction of a supervising physician, for
19 an ~~advanced practice nurse~~ Advanced Practice Registered Nurse
20 recognized by the Oklahoma Board of Nursing ~~in one of the following~~
21 ~~categories: advanced registered nurse practitioners, clinical nurse~~
22 ~~specialists, or certified nurse-midwives~~ as a Clinical Nurse
23 Specialist or Certified Nurse-Midwife.

1 B. 1. Prescriptive authority shall be allowed, under the
2 medical direction of a supervising physician, for an Advanced
3 Practice Registered Nurse recognized by the Board as a Certified
4 Nurse Practitioner who has not obtained independent prescriptive
5 authority under the provisions of Section 5 of this act.

6 2. Prescriptive authority shall be allowed, independent of the
7 medical direction of a supervising physician, for an Advanced
8 Practice Registered Nurse recognized by the Board as a Certified
9 Nurse Practitioner who has obtained independent prescriptive
10 authority under the provisions of Section 5 of this act.

11 C. The ~~advanced practice nurse~~ Advanced Practice Registered
12 Nurse may write or sign, or transmit by word of mouth, telephone or
13 other means of communication an order for drugs or medical supplies
14 that is intended to be filled, compounded, or dispensed by a
15 pharmacist. The supervising physician, if applicable, and the
16 ~~advanced practice nurse~~ Advanced Practice Registered Nurse shall be
17 identified at the time of origination of the prescription and the
18 name of the ~~advanced practice nurse~~ Advanced Practice Registered
19 Nurse shall be printed on the prescription label.

20 ~~B.~~ D. Pharmacists may dispense prescriptions for non-controlled
21 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
22 Practice Registered Nurse or physician assistant, not located in
23 Oklahoma, provided that they are licensed in the state in which they
24 are actively prescribing.

1 ~~C. E.~~ 1. Pharmacists may only dispense prescriptions for
2 controlled dangerous substances prescribed by an ~~advanced practice~~
3 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
4 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~
5 ~~licensed practitioner~~ this state who meets the criteria in
6 subsection A or B of this section.

7 2. Pharmacists may only dispense prescriptions for controlled
8 dangerous substances prescribed by a physician assistant licensed in
9 this state and supervised by an Oklahoma-licensed supervising
10 physician.

11 SECTION 3. AMENDATORY 59 O.S. 2011, Section 567.3a, as
12 last amended by Section 1, Chapter 11, O.S.L. 2020 (59 O.S. Supp.
13 2020, Section 567.3a), is amended to read as follows:

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

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

16 2. "The practice of nursing" means the performance of services
17 provided for purposes of nursing diagnosis and treatment of human
18 responses to actual or potential health problems consistent with
19 educational preparation. Knowledge and skill are the basis for
20 assessment, analysis, planning, intervention, and evaluation used in
21 the promotion and maintenance of health and nursing management of
22 illness, injury, infirmity, restoration or optimal function, or
23 death with dignity. Practice is based on understanding the human
24 condition across the human lifespan and understanding the

1 relationship of the individual within the environment. This
2 practice includes execution of the medical regime including the
3 administration of medications and treatments prescribed by any
4 person authorized by state law to so prescribe;

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

- 7 a. assessing the health status of individuals, families
8 and groups,
- 9 b. analyzing assessment data to determine nursing care
10 needs,
- 11 c. establishing goals to meet identified health care
12 needs,
- 13 d. planning a strategy of care,
- 14 e. establishing priorities of nursing intervention to
15 implement the strategy of care,
- 16 f. implementing the strategy of care,
- 17 g. delegating such tasks as may safely be performed by
18 others, consistent with educational preparation and
19 that do not conflict with the provisions of the
20 Oklahoma Nursing Practice Act,
- 21 h. providing safe and effective nursing care rendered
22 directly or indirectly,
- 23 i. evaluating responses to interventions,
- 24 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 four recognized ~~advanced practice registered nurse~~ Advanced Practice Registered Nurse roles,
- b. who has passed a national certification examination recognized by the Board that measures the ~~advanced practice registered nurse~~ Advanced Practice Registered Nurse role and specialty competencies and who maintains recertification in the role and specialty through a national certification program,

- 1 c. who has acquired advanced clinical knowledge and
2 skills in preparation for providing both direct and
3 indirect care to patients; however, the defining
4 factor for all Advanced Practice Registered Nurses is
5 that a significant component of the education and
6 practice focuses on direct care of individuals,
- 7 d. whose practice builds on the competencies of
8 Registered Nurses by demonstrating a greater depth and
9 breadth of knowledge, a greater synthesis of data, and
10 increased complexity of skills and interventions, and
- 11 e. who has obtained a license as an Advanced Practice
12 Registered Nurse in one of the following roles:
13 Certified Registered Nurse Anesthetist, Certified
14 Nurse-Midwife, Clinical Nurse Specialist, or Certified
15 Nurse Practitioner.

16 Only those persons who hold a license to practice advanced
17 practice registered nursing in this state shall have the right to
18 use the title "Advanced Practice Registered Nurse" and to use the
19 abbreviation "APRN". Only those persons who have obtained a license
20 in the following disciplines shall have the right to fulfill the
21 roles and use the applicable titles: Certified Registered Nurse
22 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and
23 the abbreviation "CNM", Clinical Nurse Specialist and the
24

1 abbreviation "CNS", and Certified Nurse Practitioner and the
2 abbreviation "CNP".

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

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

- 17 a. consistent with advanced educational preparation as a
18 Certified Nurse Practitioner in an area of specialty,
- 19 b. functions within the Certified Nurse Practitioner
20 scope of practice for the selected area of
21 specialization, and
- 22 c. is in accord with the standards for Certified Nurse
23 Practitioners as identified by the certifying body and
24 approved by the Board.

1 A Certified Nurse Practitioner shall be eligible, in accordance
2 with the scope of practice of the Certified Nurse Practitioner, to
3 obtain recognition as authorized by the Board to prescribe, as
4 defined by the rules promulgated by the Board pursuant to ~~this~~
5 ~~section and subject to the medical direction of a supervising~~
6 ~~physician~~ Section 567.4a of this title and Section 5 of this act.

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

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

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

- 17 (1) a master's degree or higher in nursing with
18 clinical specialization preparation to function
19 in an expanded role,
20 (2) specialty certification from a national
21 certifying organization recognized by the Board,
22 (3) an Advanced Practice Registered Nurse license
23 from the Board, and
24

1 (4) any nurse holding a specialty certification as a
2 Clinical Nurse Specialist valid on January 1,
3 1994, granted by a national certifying
4 organization recognized by the Board, shall be
5 deemed to be a Clinical Nurse Specialist under
6 the provisions of the Oklahoma Nursing Practice
7 Act.

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

11 (1) practicing as an expert clinician in the
12 provision of direct nursing care to a selected
13 population of patients or clients in any setting,
14 including private practice,

15 (2) managing the care of patients or clients with
16 complex nursing problems,

17 (3) enhancing patient or client care by integrating
18 the competencies of clinical practice, education,
19 consultation, and research, and

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

21 c. A Clinical Nurse Specialist in accordance with the
22 scope of practice of such Clinical Nurse Specialist
23 shall be eligible to obtain recognition as authorized
24 by the Board to prescribe, as defined by the rules

1 promulgated by the Board pursuant to this section, and
2 subject to the medical direction of a supervising
3 physician. This authorization shall not include
4 dispensing drugs, but shall not preclude, subject to
5 federal regulations, the receipt of, the signing for,
6 or the dispensing of professional samples to patients.

7 d. The Clinical Nurse Specialist accepts responsibility,
8 accountability, and obligation to practice in
9 accordance with usual and customary advanced practice
10 nursing standards and functions as defined by the
11 scope of practice/role definition statements for the
12 Clinical Nurse Specialist;

13 8. "Nurse-Midwife" ~~is~~ means a nurse who has received an
14 Advanced Practice Registered Nurse license from the Oklahoma Board
15 of Nursing who possesses evidence of certification according to the
16 requirements of the American College of Nurse-Midwives.

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

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

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

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

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

1 (2) administers anesthesia in collaboration with a
2 medical doctor, an osteopathic physician, a
3 podiatric physician or a dentist licensed in this
4 state and under conditions in which timely onsite
5 consultation by such doctor, osteopath, podiatric
6 physician or dentist is available.

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

1 c. A Certified Registered Nurse Anesthetist who applies
2 for authorization to order, select, obtain and
3 administer drugs shall:

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

6 (2) provide evidence of completion, within the two-
7 year period immediately preceding the date of
8 application, of a minimum of fifteen (15) units
9 of continuing education in advanced pharmacology
10 related to the administration of anesthesia as
11 recognized by the National Board of Certification
12 and Recertification for Nurse Anesthetists, and

13 (3) complete and submit a notarized application, on a
14 form prescribed by the Board, accompanied by the
15 application fee established pursuant to this
16 section.

17 d. The authority to order, select, obtain and administer
18 drugs shall be terminated if a Certified Registered
19 Nurse Anesthetist has:

20 (1) ordered, selected, obtained or administered drugs
21 outside of the Certified Registered Nurse
22 Anesthetist scope of practice or ordered,
23 selected, obtained or administered drugs for
24 other than therapeutic purposes, or
25

1 (2) violated any provision of state laws or rules or
2 federal laws or regulations pertaining to the
3 practice of nursing or the authority to order,
4 select, obtain and administer drugs.

5 e. The Oklahoma Board of Nursing shall notify the Board
6 of Pharmacy after termination of or a change in the
7 authority to order, select, obtain and administer
8 drugs for a Certified Registered Nurse Anesthetist.

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

21 g. This paragraph shall not prohibit the administration
22 of local or topical anesthetics as now permitted by
23 law. Provided further, nothing in this paragraph
24 shall limit the authority of the Board of Dentistry to

1 establish the qualifications for dentists who direct
2 the administration of anesthesia.

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

19 11. "Supervising Certified Nurse Practitioner" means a
20 Certified Nurse Practitioner who has obtained independent
21 prescriptive authority under the provisions of Section 5 of this
22 act, who supervises a Certified Nurse Practitioner who has not
23 obtained independent prescriptive authority under the provisions of
24 Section 5 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 who has not
5 obtained independent prescriptive authority under the provisions of
6 Section 5 of this act, a Clinical Nurse Specialist, or a Certified
7 Nurse-Midwife, and who is not in training as an intern, resident, or
8 fellow. ~~To be eligible to supervise such Advanced Practice~~
9 ~~Registered Nurse, such~~ The supervising physician shall remain in
10 compliance with the rules promulgated by the State Board of Medical
11 Licensure and Supervision or the State Board of Osteopathic
12 Examiners;

13 ~~12.~~ 13. "Supervision of an Advanced Practice Registered Nurse
14 with prescriptive authority" means overseeing and accepting
15 responsibility for the ordering and transmission by a Certified
16 Nurse Practitioner who has not obtained independent prescriptive
17 authority under the provisions of Section 5 of this act, a Clinical
18 Nurse Specialist, or a Certified Nurse-Midwife of written,
19 telephonic, electronic or oral prescriptions for drugs and other
20 medical supplies, subject to a defined formulary; and

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

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

3 SECTION 4. AMENDATORY 59 O.S. 2011, Section 567.4a, as
4 last amended by Section 8, Chapter 428, O.S.L. 2019 (59 O.S. Supp.
5 2020, Section 567.4a), is amended to read as follows:

6 Section 567.4a. The Oklahoma Board of Nursing may grant
7 prescriptive authority through the Advanced Practice Registered
8 Nurse license to Certified Nurse Practitioners, Certified Nurse-
9 Midwives and Clinical Nurse Specialists who meet the requirements
10 for prescriptive authority identified by law and in the Board's

11 rules. The rules regarding prescriptive authority recognition
12 promulgated by the Oklahoma Board of Nursing pursuant to ~~paragraphs~~
13 ~~6 through 9, 11 and 12 of~~ Section 567.3a of this title 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 or by a supervising Certified Nurse
18 Practitioner. Such procedure shall include a written statement that
19 defines appropriate referral, consultation, and collaboration
20 between the Advanced Practice Registered Nurse, recognized to
21 prescribe as defined in ~~paragraphs 6 through 9, 11 and 12 of~~ Section
22 567.3a of this title, and the supervising physician. The written
23 statement shall include a method of assuring availability of the
24 supervising physician or supervising Certified Nurse Practitioner

1 through direct contact, telecommunications or other appropriate
2 electronic means for consultation, assistance with medical
3 emergencies, or patient referral. The written statement shall be
4 part of the initial application and the renewal application
5 submitted to the Board for recognition for prescriptive authority
6 for the Advanced Practice Registered Nurse. Changes to the written
7 statement shall be filed with the Board within thirty (30) days of
8 the change and shall be effective on filing;

9 2. Define the procedure for documenting independent
10 prescriptive authority for Certified Nurse Practitioners who have
11 obtained independent prescriptive authority under the provisions of
12 Section 5 of this act;

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

1 ~~3.~~ 4. Define minimal requirements for application for renewal
2 of prescriptive authority which shall include, but not be limited
3 to, documentation of a minimum of:

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

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

17 approved by the Board, within the two-year period immediately
18 preceding the effective date of application for renewal of
19 prescriptive authority;

20 4. 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice
21 Registered Nurse ~~shall demonstrate~~ demonstrates successful
22 completion of a master's degree or higher in a ~~clinical nurse~~
23 ~~specialty~~ one of the four Advanced Practice Registered Nurse roles

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

3 ~~5.~~ 6. Require an Advanced Practice Registered Nurse to have
4 graduated from a program accredited by the Accreditation Commission
5 for Education in Nursing (ACEN) or the Commission of Collegiate
6 Nursing Education (CCNE), or a substantially equivalent program
7 approved by the Board in order to be eligible for initial
8 application for prescriptive authority under the provisions of the
9 Oklahoma Nursing Practice Act. As a condition of obtaining
10 prescriptive authority, an Advanced Practice Registered Nurse shall
11 show evidence of annual on-campus attendance for assessment and
12 evaluation of student progress and competence in addition to
13 completing the required clinical hours in the graduate program
14 consistent with the national standard;

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

18 ~~6.~~ 8. Define terminology used in such rules;

19 ~~7.~~ 9. Define the parameters for the prescribing practices of
20 the Advanced Practice Registered Nurse;

21 ~~8.~~ 10. Define the methods for termination of prescriptive
22 authority for the Advanced Practice Registered Nurse; and

23 ~~9.~~ 11.
24
25

1 a. Establish a Formulary Advisory Council that shall
2 develop and submit to the Board recommendations for an
3 exclusionary formulary that shall list drugs or
4 categories of drugs that shall not be prescribed by
5 Advanced Practice Registered Nurse recognized to
6 prescribe by the Oklahoma Board of Nursing. The
7 Formulary Advisory Council shall also develop and
8 submit to the Board recommendations for practice-
9 specific prescriptive standards for each category of
10 Advanced Practice Registered Nurse recognized to
11 prescribe by the Oklahoma Board of Nursing pursuant to
12 the provisions of the Oklahoma Nursing Practice Act.
13 The Board shall either accept or reject the
14 recommendations made by the Council. No amendments to
15 the recommended exclusionary formulary may be made by
16 the Board without the approval of the Formulary
17 Advisory Council.

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

20 (1) four members, to include a pediatrician, an
21 obstetrician-gynecological physician, a general
22 internist, and a family practice physician;
23 provided that three of such members shall be
24 appointed by the Oklahoma State Medical
25

1 Association, and one shall be appointed by the
2 Oklahoma Osteopathic Association,

3 (2) four members who are registered pharmacists,
4 appointed by the Oklahoma Pharmaceutical
5 Association, and

6 (3) four members, one of whom shall be a Certified
7 Nurse Practitioner, one of whom shall be a
8 Clinical Nurse Specialist, one of whom shall be a
9 Certified Nurse-Midwife, and one of whom shall be
10 a current member of the Oklahoma Board of
11 Nursing, all of whom shall be appointed by the
12 Oklahoma Board of Nursing.

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

1 d. Members of the Council shall elect a chair and a vice-
2 chair from among the membership of the Council. For
3 the transaction of business, at least seven members,
4 with a minimum of two members present from each of the
5 identified categories of physicians, pharmacists and
6 ~~advanced practice registered nurses~~ Advanced Practice
7 Registered Nurses, shall constitute a quorum. The
8 Council shall recommend and the Board shall approve
9 and implement an initial exclusionary formulary on or
10 before January 1, 1997. The Council and the Board
11 shall annually review the approved exclusionary
12 formulary and shall make any necessary revisions
13 utilizing the same procedures used to develop the
14 initial exclusionary formulary.

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

18 A. An Advanced Practice Registered Nurse recognized by the
19 Oklahoma Board of Nursing as a Certified Nurse Practitioner who has
20 completed a minimum of one (1) year of practice with prescriptive
21 authority supervised by a physician or a supervising Certified Nurse
22 Practitioner may apply to the Oklahoma Board of Nursing for
23 authority to prescribe and order independent of supervision. The
24

1 application shall include proof that the Certified Nurse
2 Practitioner:

3 1. Has satisfied the educational requirements enumerated in
4 Section 567.5a of Title 59 of the Oklahoma Statutes;

5 2. Holds a valid, current Certified Nurse Practitioner license
6 issued by the Board and is in good standing with the Board; and

7 3. Has completed a minimum of one (1) year of prescriptive
8 authority supervised by a physician or supervising Certified Nurse
9 Practitioner.

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

15 B. A Certified Nurse Practitioner who has been granted
16 independent prescriptive authority under the provisions of
17 subsection A of this section is hereby authorized to act as a
18 supervising Certified Nurse Practitioner.

19 C. The Board shall review any application submitted under the
20 provisions of this section and shall approve or deny the
21 application, stating the reason or reasons for denial, if denied.
22 The Board shall mail the approval or denial letter to the applicant
23 within fourteen (14) calendar days of receipt of the application.
24

1 If denied, the applicant may reapply using the process prescribed by
2 subsection A of this section.

3 D. The Board may revoke independent prescriptive authority
4 granted under this section for good cause at any time.

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

7 SECTION 6. AMENDATORY 59 O.S. 2011, Section 567.5a, as
8 amended by Section 2, Chapter 228, O.S.L. 2013 (59 O.S. Supp. 2020,
9 Section 567.5a), is amended to read as follows:

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

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

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

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

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

20 4. Have completed an advanced practice registered nursing
21 education program in one of the four ~~advanced practice registered~~
22 ~~nurse~~ Advanced Practice Registered Nurse 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; and

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

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

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

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

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

19 4. Have completed an advanced practice registered nursing
20 education program in one of the four roles and a specialty area
21 recognized by the Board. Effective January 1, 2016, the applicant
22 shall have completed an accredited graduate level advanced practice
23 registered nursing education program in at least one of the
24 following population foci: family/individual across the lifespan,

1 adult-gerontology, neonatal, pediatrics, women's health/gender-
2 related, or psychiatric/mental health;

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

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

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

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

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

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

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

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

6 5. Submit a written statement from an Oklahoma licensed
7 physician or supervising Certified Nurse Practitioner supervising
8 prescriptive authority as required by the Board in its rules, or
9 submit documentation that a Certified Nurse Practitioner has
10 obtained independent prescriptive authority under the provisions of
11 Section 5 of this act;

12 6. Meet continued competency requirements as set forth in Board
13 rules; and

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

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

19 F. The Board may reinstate a license as set forth in Board
20 rules.

21 SECTION 7. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 567.27 of Title 59, unless there
23 is created a duplication in numbering, reads as follows:
24

1 An Advanced Practice Registered Nurse, or his or her employer on
2 his or her behalf, shall be required to carry malpractice insurance
3 or demonstrate proof of financial responsibility in a minimum amount
4 of One Million Dollars (\$1,000,000.00) per occurrence and Three
5 Million Dollars (\$3,000,000.00) in the aggregate per year.

6 SECTION 8. AMENDATORY 63 O.S. 2011, Section 2-312, is
7 amended to read as follows:

8 Section 2-312. A. A physician, podiatrist, optometrist or a
9 dentist who has complied with the registration requirements of the
10 Uniform Controlled Dangerous Substances Act, in good faith and in
11 the course of such person's professional practice only, may
12 prescribe and administer controlled dangerous substances, or may
13 cause the same to be administered by medical or paramedical
14 personnel acting under the direction and supervision of the
15 physician, podiatrist, optometrist or dentist, and only may dispense
16 controlled dangerous substances pursuant to the provisions of
17 Sections ~~355~~, 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

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

1 C. An ~~advanced practice nurse~~ Advanced Practice Registered
2 Nurse who is recognized to prescribe by the Oklahoma Board of
3 Nursing as ~~an advanced registered nurse practitioner, clinical nurse~~
4 ~~specialist or certified nurse-midwife,~~ a Clinical Nurse Specialist
5 or a Certified Nurse-Midwife who is subject to medical direction by
6 a supervising physician, pursuant to Section 567.3a of Title 59 of
7 the Oklahoma Statutes, and who has complied with the registration
8 requirements of the Uniform Controlled Dangerous Substances Act, in
9 good faith and in the course of professional practice only, may
10 prescribe and administer Schedule III, IV and V controlled dangerous
11 substances.

12 D. 1. An Advanced Practice Registered Nurse who is recognized
13 to prescribe by the Oklahoma Board of Nursing as a Certified Nurse
14 Practitioner but has not obtained independent prescriptive authority
15 under the provisions of Section 5 of this act and therefore is
16 subject to medical direction by a supervising physician pursuant to
17 Section 567.3a of Title 59 of the Oklahoma Statutes, and has
18 complied with the registration requirements of the Uniform
19 Controlled Dangerous Substances Act, in good faith and in the course
20 of professional practice only, may prescribe and administer Schedule
21 III, IV and V controlled dangerous substances.

22 2. An Advanced Practice Registered Nurse who is recognized to
23 prescribe by the Oklahoma Board of Nursing as a Certified Nurse
24 Practitioner and has obtained independent prescriptive authority

1 under the provisions of Section 5 of this act, and has complied with
2 the registration requirements of the Uniform Controlled Dangerous
3 Substances Act, in good faith and in the course of professional
4 practice only, may prescribe and administer Schedule II, III, IV and
5 V controlled dangerous substances.

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

21 ~~E.~~ F. A physician assistant who is recognized to prescribe by
22 the State Board of Medical Licensure and Supervision under the
23 medical direction of a supervising physician, pursuant to subsection
24 D of Section 519.6 of Title 59 of the Oklahoma Statutes, and who has

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

5 SECTION 9. This act shall become effective November 1, 2021.

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