

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 839

By: Smalley

COMMITTEE SUBSTITUTE

An Act relating to Advanced Practice Registered Nurses; amending 59 O.S. 2011, Section 353.1a, as amended by Section 2, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2018, Section 353.1a), which relates to prescribing authority; transferring certain authority to the Committee of the Joint Boards of Nursing and Medicine; modifying requirements for prescribing authority of certain Advanced Practice Registered Nurses; updating terms; providing certain limitation; creating the Committee of the Joint Boards of Nursing and Medicine; providing for membership; stating purpose of Committee; providing for certain advisory committee; directing promulgation of rules; requiring certain malpractice insurance; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 59 O.S. 2011, Section 353.1a, as amended by Section 2, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2018, Section 353.1a), is amended to read as follows:

Section 353.1a. A. Prescribing authority shall be allowed, under the medical direction of a supervising physician, for an ~~advanced practice nurse~~ Advanced Practice Registered Nurse

1 recognized by the ~~Oklahoma Board of Nursing~~ Committee of the Joint
2 Board of Nursing and Medicine in one of the following categories:
3 ~~advanced registered nurse practitioners, clinical nurse specialists,~~
4 ~~or certified nurse-midwives~~ Certified Nurse Practitioners, Clinical
5 Nurse Specialists and Certified Nurse-Midwives; provided, however,
6 prescribing authority shall be allowed without the medical direction
7 of a supervising physician for a Certified Nurse Practitioner or
8 Clinical Nurse Specialist who:

9 1. Has at least seven (7) years of experience as a Certified
10 Nurse Practitioner or Clinical Nurse Specialist; and

11 2. After completing such seven (7) years of supervised
12 practice, has practiced for not less than three (3) years in a
13 medically underserved area (MUA) as determined by the Health
14 Resources and Services Administration (HRSA). The ~~advanced practice~~
15 nurse ~~Advanced Practice Registered Nurse~~ may write or sign, or
16 transmit by word of mouth, telephone or other means of communication
17 an order for drugs ~~or medical supplies~~ that is intended to be
18 filled, compounded, or dispensed by a pharmacist. The supervising
19 physician, if applicable, and the ~~advanced practice nurse~~ Advanced
20 Practice Registered Nurse shall be identified at the time of
21 origination of the prescription and the name of the ~~advanced~~
22 ~~practice nurse~~ Advanced Practice Registered Nurse shall be printed
23 on the prescription label.
24

1 B. Pharmacists may dispense prescriptions for non-controlled
2 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
3 Practice Registered Nurse or physician assistant, not located in
4 Oklahoma, provided that ~~they are~~ the Advanced Practice Registered
5 Nurse is licensed in the state in which ~~they are~~ the Advanced
6 Practice Registered Nurse is actively prescribing.

7 C. Pharmacists may only dispense prescriptions for controlled
8 dangerous substances prescribed ~~by an advanced practice nurse or:~~

9 1. A physician assistant licensed and located in the State of
10 Oklahoma and supervised by an Oklahoma-licensed practitioner; or

11 2. An Advanced Practice Registered Nurse licensed and located
12 in the state of Oklahoma who is:

13 a. supervised by an Oklahoma licensed practitioner, or

14 b. exempt from supervision pursuant to the provisions of
15 subsection A of this section.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 567.4c of Title 59, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created the Committee of the Joint Boards of
20 Nursing and Medicine. The Executive Directors of the Oklahoma Board
21 of Nursing and the State Board of Medical Licensure and Supervision
22 shall each appoint three members from their boards to the Committee
23 of the Joint Boards of Nursing and Medicine. At least one of the
24 appointees from the Board of Nursing shall be a licensed Advanced

1 Practice Registered Nurse. The purpose of the Committee shall be to
2 license Advanced Practice Registered Nurses and oversee the practice
3 of Advanced Practice Registered Nurses, including prescriptive
4 authority.

5 B. The Committee, in its discretion, may appoint an advisory
6 committee. Such advisory committee shall be comprised of four
7 licensed physicians and four licensed Advanced Practice Registered
8 Nurses. Appointment to the advisory committee shall be for four (4)
9 years; members may be appointed for one additional four-year period.

10 C. The Committee shall promulgate such rules as are necessary
11 to implement the provisions of this act.

12 SECTION 3. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 567.27 of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 Either an Advanced Practice Registered Nurse or his or her
16 employer shall be required to carry not less than One Million
17 Dollars (\$1,000,000.00) of malpractice insurance with an aggregate
18 of not less than Three Million Dollars (\$3,000,000.00).

19 SECTION 4. This act shall become effective November 1, 2019.
20

21 57-1-1786 DC 9/30/2019 9:32:47 AM
22
23
24