

# CORRECTED

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1751

By: Dahm

## AS INTRODUCED

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. 2019, Section 353.1a), which relates to prescribing authority; providing for collaborative practice arrangement for Clinical Nurse Specialists; providing exception to collaborative practice arrangement; amending 63 O.S. 2011, Section 2-312, which relates to controlled dangerous substances; modifying prescribing authority of Clinical Nurse Specialist; updating terms; 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. 2019, 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 recognized by the Oklahoma Board of Nursing in one of the following categories: ~~advanced registered nurse practitioners, clinical nurse~~

1 ~~specialists, or certified nurse-midwives~~ Certified Nurse  
2 Practitioner or Certified Nurse-Midwife.

3 B. 1. Prescribing authority shall be allowed, under a  
4 collaborative practice agreement with a medical doctor, a doctor of  
5 osteopathy or an Advanced Practice Registered Nurse who meets the  
6 criteria in paragraph 2 of this subsection, for an Advanced Practice  
7 Registered Nurse licensed by the Board as a Clinical Nurse  
8 Specialist who has less than four thousand (4,000) practice hours of  
9 experience as a Clinical Nurse Specialist.

10 2. Prescribing authority shall be allowed without a  
11 collaborative practice agreement for an Advanced Practice Registered  
12 Nurse licensed by the Board as a Clinical Nurse Specialist who has  
13 four thousand (4,000) practice hours or more of experience as a  
14 Clinical Nurse Specialist.

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

1       ~~B.~~ D. 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 licensed in the state in which they  
5 are actively prescribing.

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

12       2. Pharmacists may only dispense prescriptions for controlled  
13 dangerous substances prescribed by a physician assistant licensed in  
14 this state and supervised by an Oklahoma-licensed practitioner.

15       SECTION 2.       AMENDATORY       63 O.S. 2011, Section 2-312, is  
16 amended to read as follows:

17       Section 2-312. A. A physician, podiatrist, optometrist or a  
18 dentist who has complied with the registration requirements of the  
19 Uniform Controlled Dangerous Substances Act, in good faith and in  
20 the course of such person's professional practice only, may  
21 prescribe and administer controlled dangerous substances, or may  
22 cause the same to be administered by medical or paramedical  
23 personnel acting under the direction and supervision of the  
24 physician, podiatrist, optometrist or dentist, and only may dispense

1 controlled dangerous substances pursuant to the provisions of  
2 Sections 355, 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

3 B. A veterinarian who has complied with the registration  
4 requirements of the Uniform Controlled Dangerous Substances Act, in  
5 good faith and in the course of the professional practice of the  
6 veterinarian only, and not for use by a human being, may prescribe,  
7 administer, and dispense controlled dangerous substances and may  
8 cause them to be administered by an assistant or orderly under the  
9 direction and supervision of the veterinarian.

10 C. An ~~advanced practice nurse~~ Advanced Practice Registered  
11 Nurse who is recognized to prescribe by the Oklahoma Board of  
12 Nursing as an ~~advanced registered nurse practitioner, clinical nurse~~  
13 ~~specialist or certified nurse-midwife, who is subject to medical~~  
14 ~~direction by a supervising physician, pursuant to Section 567.3a of~~  
15 ~~Title 59 of the Oklahoma Statutes,~~ a Certified Nurse Practitioner,  
16 Clinical Nurse Specialist or Certified Nurse-Midwife who meets the  
17 criteria in subsection A or B of Section 353.1a of Title 59 of the  
18 Oklahoma Statutes and who has complied with the registration  
19 requirements of the Uniform Controlled Dangerous Substances Act, in  
20 good faith and in the course of professional practice only, may  
21 prescribe and administer Schedule III, IV and V controlled dangerous  
22 substances.

23 D. An ~~advanced practice nurse~~ Advanced Practice Registered  
24 Nurse who is recognized to order, select, obtain and administer

1 drugs by the Oklahoma Board of Nursing as a certified registered  
2 nurse anesthetist pursuant to Section 353.1b of Title 59 of the  
3 Oklahoma Statutes and who has complied with the registration  
4 requirements of the Uniform Controlled Dangerous Substances Act, in  
5 good faith and in the course of such practitioner's professional  
6 practice only, may order, select, obtain and administer Schedules II  
7 through V controlled dangerous substances in a preanesthetic  
8 preparation or evaluation; anesthesia induction, maintenance or  
9 emergence; or postanesthesia care setting only. A certified  
10 registered nurse anesthetist may order, select, obtain and  
11 administer such drugs only during the perioperative or  
12 periobstetrical period.

13 E. A physician assistant who is recognized to prescribe by the  
14 State Board of Medical Licensure and Supervision under the medical  
15 direction of a supervising physician, pursuant to subsection D of  
16 Section 519.6 of Title 59 of the Oklahoma Statutes, and who has  
17 complied with the registration requirements of the Uniform  
18 Controlled Dangerous Substances Act, in good faith and in the course  
19 of professional practice only, may prescribe and administer Schedule  
20 II through V controlled dangerous substances.

21 SECTION 3. This act shall become effective November 1, 2020.  
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