

State of Arkansas *As Engrossed: S3/7/23 H3/13/23 H4/3/23*
94th General Assembly **A Bill**
Regular Session, 2023

SENATE BILL 79

By: Senator K. Hammer
By: Representative L. Johnson

For An Act To Be Entitled

AN ACT TO ALLOW FULL INDEPENDENT PRACTICE AUTHORITY
FOR CLINICAL NURSE SPECIALISTS; TO AUTHORIZE
EXPERIENCE IN ANOTHER STATE TO QUALIFY FOR FULL
INDEPENDENT PRACTICE AUTHORITY; AND FOR OTHER
PURPOSES.

Subtitle

TO ALLOW FULL INDEPENDENT PRACTICE
AUTHORITY FOR CLINICAL NURSE SPECIALISTS;
AND TO ALLOW EXPERIENCE IN ANOTHER STATE
TO QUALIFY.

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

SECTION 1. Arkansas Code § 17-87-314(a)-(c), concerning full independent practice authority of certain nurses, are amended to read as follows:

(a) As used in this section, “full independent practice authority” means the ability of a certified nurse practitioner or a clinical nurse specialist to practice with prescriptive authority without a collaborative practice agreement as described in § 17-87-310.

(b)(1) The Full Independent Practice Credentialing Committee may grant a certificate of full independent practice authority to a certified nurse practitioner or a clinical nurse specialist who submits:

- (A) An application;
- (B) An appropriate application fee as determined by the



Full Independent Practice Credentialing Committee;

(C) Proof of successful completion of six thousand two hundred forty (6,240) hours of practice;

(i) Under ~~under a collaborative practice agreement~~ a board-required agreement with a physician; or

(ii) From another state, territory, or foreign country that authorizes a certified nurse practitioner or a clinical nurse specialist to practice with prescriptive authority if the certified nurse practitioner or clinical nurse specialist:

(a) Has prescriptive authority in the state, territory, or foreign country; and

(b) Provides proof of his or her licensure in good standing from:

(1) The state, territory, or foreign country; and

(2) The Arkansas State Board of Nursing;

and

(D) Any other relevant information as determined by the Full Independent Practice Credentialing Committee.

(2) A certificate of full independent practice authority shall be renewed every three (3) years with an appropriate renewal fee as determined by the Full Independent Practice Credentialing Committee.

(c) A certified nurse practitioner or a clinical nurse specialist with a certificate of full independent practice authority may receive and prescribe drugs, medicines, or therapeutic devices appropriate to the certified nurse practitioner's area of practice or the clinical nurse specialist's area of practice.

SECTION 2. Arkansas Code § 17-87-314(e), concerning full independent practice authority of certain nurses, is amended to read as follows:

(e) The Full Independent Practice Credentialing Committee shall:

(1)(A) Review and approve or deny all applications for a certificate of full independent practice authority for certified nurse practitioners or clinical nurse specialists and for renewal of a certificate of full independent practice authority for a certified nurse practitioner or a clinical nurse specialist.

(B) If the Full Independent Practice Credentialing Committee denies an application for a certificate of full independent practice authority, the Full Independent Practice Credentialing Committee shall explain the reasons for the denial in writing to the applicant;

(2) Review complaints made against certified nurse practitioners or clinical nurse specialists who have a certificate of full independent practice authority;

(3) Review recommendations made by the Arkansas State Medical Board and the Arkansas State Board of Nursing and notify the certified nurse practitioner or the clinical nurse specialist of any action taken by the Full Independent Practice Credentialing Committee based on the recommendations;

(4)(A) If the action taken is suspension or revocation of the certificate of full independent practice authority, hold a hearing providing the certified nurse practitioner or a clinical nurse specialist who has a certificate of full independent practice authority with ten (10) days' notice in writing to appear before the Full Independent Practice Credentialing Committee, at the time and place as the Full Independent Practice Credentialing Committee may direct, to show cause as to why his or her certificate of full independent practice authority should not be suspended or revoked.

(B) At the hearing, the Full Independent Practice Credentialing Committee shall:

(i)(a) Have the power to subpoena witnesses.

(b) The Chair of the Full Independent Practice Credentialing Committee or his or her designee shall sign subpoenas and have the power to administer oaths;

(ii) Hear evidence; and

(iii)(a) Determine if the certificate of full independent practice authority should be suspended or revoked.

(b) If the Full Independent Practice Credentialing Committee determines that the certificate of full independent practice authority should be suspended or revoked, the suspension or revocation shall take place immediately.

(C) However, only the Arkansas State Board of Nursing has the authority to suspend or revoke the nursing license of a certified nurse practitioner or a clinical nurse specialist; and

(5) Provide reports quarterly and upon request regarding the number of applicants approved and denied to the Senate Committee on Public Health, Welfare, and Labor and the House Committee on Public Health, Welfare, and Labor.

SECTION 3. Arkansas Code § 17-87-314(g)-(h), concerning full independent practice authority of certain nurses, are amended to read as follows:

(g) A certified nurse practitioner or a clinical nurse specialist whose certificate of full independent practice authority has been denied, suspended, or revoked by the Full Independent Practice Credentialing Committee under this section may appeal the action of the Full Independent Practice Credentialing Committee under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(h) A certified nurse practitioner or a clinical nurse specialist with a certificate of full independent practice authority shall conspicuously identify the certificate of full independent practice authority and that the certified nurse practitioner or the clinical nurse specialist is not required to have a collaborative practice agreement on signage in the office where the certified nurse practitioner or the clinical nurse specialist practices.

/s/K. Hammer

APPROVED: 4/13/23