

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

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S2/14/19  
**A Bill**

SENATE BILL 189

By: Senators D. Wallace, B. Ballinger

By: Representatives Lundstrum, Gonzales, Beck, Bentley, Bragg, Coleman, C. Cooper, D. Douglas,  
Lynch, Murdock, B. Smith, Sullivan, Payton, Jett

### **For An Act To Be Entitled**

AN ACT TO REMOVE THE REQUIREMENT FOR A MANDATORY COLLABORATIVE PRACTICE AGREEMENT FOR AN ADVANCED PRACTICE REGISTERED NURSE TO HAVE PRESCRIPTIVE AUTHORITY IN ORDER TO IMPROVE HEALTHCARE ACCESSIBILITY IN ARKANSAS; TO CLARIFY THE PROCESS NECESSARY FOR AN ADVANCED PRACTICE REGISTERED NURSE TO QUALIFY FOR PRESCRIPTIVE AUTHORITY; AND FOR OTHER PURPOSES.

### **Subtitle**

TO REMOVE THE REQUIREMENT FOR A MANDATORY COLLABORATIVE PRACTICE AGREEMENT FOR AN ADVANCED PRACTICE REGISTERED NURSE TO HAVE PRESCRIPTIVE AUTHORITY.

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

SECTION 1. Arkansas Code § 17-87-310 is amended to read as follows:  
17-87-310. Prescriptive authority.

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

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



(2) Either:

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

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

(i) A physician; or

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

(C) Either holds:

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

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

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

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

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

II as of October 6, 2014.

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

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

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

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

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

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

(4) Quality assurance.

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

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

*/s/D. Wallace*