

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 801, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Smalley

Smalley-DC-FS-Req#2065  
3/11/2019 2:28 PM

(Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 801

By: Smalley and Scott of the  
Senate

6 and

7 McEntire, McDugle, Davis,  
8 Cornwell and Mize of the  
9 House

10 FLOOR SUBSTITUTE

11 An Act relating to Certified Registered Nurse  
12 Anesthetists; amending 59 O.S. 2011, Section 567.3a,  
13 as amended by Section 1, Chapter 281, O.S.L. 2017 (59  
14 O.S. Supp. 2018, Section 567.3a), which relates to  
15 definitions; modifying authority of Certified  
16 Registered Nurse Anesthetists to administer  
17 anesthesia and controlled substances; defining term;  
18 providing certain construction; updating statutory  
19 reference; and providing an effective date.

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

21 SECTION 1. AMENDATORY 59 O.S. 2011, Section 567.3a, as  
22 amended by Section 1, Chapter 281, O.S.L. 2017 (59 O.S. Supp. 2018,  
23 Section 567.3a), is amended to read as follows:

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

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

1           2. "The practice of nursing" means the performance of services  
2 provided for purposes of nursing diagnosis and treatment of human  
3 responses to actual or potential health problems consistent with  
4 educational preparation. Knowledge and skill are the basis for  
5 assessment, analysis, planning, intervention, and evaluation used in  
6 the promotion and maintenance of health and nursing management of  
7 illness, injury, infirmity, restoration or optimal function, or  
8 death with dignity. Practice is based on understanding the human  
9 condition across the human lifespan and understanding the  
10 relationship of the individual within the environment. This  
11 practice includes execution of the medical regime including the  
12 administration of medications and treatments prescribed by any  
13 person authorized by state law to so prescribe;

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

- 16           a. assessing the health status of individuals, families  
17                 and groups,
- 18           b. analyzing assessment data to determine nursing care  
19                 needs,
- 20           c. establishing goals to meet identified health care  
21                 needs,
- 22           d. planning a strategy of care,
- 23           e. establishing priorities of nursing intervention to  
24                 implement the strategy of care,

- f. implementing the strategy of care,
- g. delegating such tasks as may safely be performed by others, consistent with educational preparation and that do not conflict with the provisions of the Oklahoma Nursing Practice Act,
- h. providing safe and effective nursing care rendered directly or indirectly,
- i. evaluating responses to interventions,
- 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

1 four recognized advanced practice registered nurse  
2 roles,

3 b. who has passed a national certification examination  
4 recognized by the Board that measures the advanced  
5 practice registered nurse role and specialty  
6 competencies and who maintains recertification in the  
7 role and specialty through a national certification  
8 program,

9 c. who has acquired advanced clinical knowledge and  
10 skills in preparation for providing both direct and  
11 indirect care to patients; however, the defining  
12 factor for all Advanced Practice Registered Nurses is  
13 that a significant component of the education and  
14 practice focuses on direct care of individuals,

15 d. whose practice builds on the competencies of  
16 Registered Nurses by demonstrating a greater depth and  
17 breadth of knowledge, a greater synthesis of data, and  
18 increased complexity of skills and interventions, and

19 e. who has obtained a license as an Advanced Practice  
20 Registered Nurse in one of the following roles:  
21 Certified Registered Nurse Anesthetist, Certified  
22 Nurse-Midwife, Clinical Nurse Specialist, or Certified  
23 Nurse Practitioner.  
24

1        Only those persons who hold a license to practice advanced  
2 practice registered nursing in this state shall have the right to  
3 use the title "Advanced Practice Registered Nurse" and to use the  
4 abbreviation "APRN". Only those persons who have obtained a license  
5 in the following disciplines shall have the right to fulfill the  
6 roles and use the applicable titles: Certified Registered Nurse  
7 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and  
8 the abbreviation "CNM", Clinical Nurse Specialist and the  
9 abbreviation "CNS", and Certified Nurse Practitioner and the  
10 abbreviation "CNP".

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

23  
24

1       6. "Certified Nurse Practitioner" is an Advanced Practice  
2 Registered Nurse who performs in an expanded role in the delivery of  
3 health care:

- 4           a. consistent with advanced educational preparation as a  
5           Certified Nurse Practitioner in an area of specialty,
- 6           b. functions within the Certified Nurse Practitioner  
7           scope of practice for the selected area of  
8           specialization, and
- 9           c. is in accord with the standards for Certified Nurse  
10          Practitioners as identified by the certifying body and  
11          approved by the Board.

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

21       The Certified Nurse Practitioner accepts responsibility,  
22 accountability, and obligation to practice in accordance with usual  
23 and customary advanced practice registered nursing standards and  
24



1 functions as defined by the scope of practice/role definition  
2 statements for the Certified Nurse Practitioner;

3 7. a. "Clinical Nurse Specialist" is an Advanced Practice  
4 Registered Nurse who holds:

5 (1) a master's degree or higher in nursing with  
6 clinical specialization preparation to function  
7 in an expanded role,

8 (2) specialty certification from a national  
9 certifying organization recognized by the Board,

10 (3) an Advanced Practice Registered Nurse license  
11 from the Board, and

12 (4) any nurse holding a specialty certification as a  
13 Clinical Nurse Specialist valid on January 1,  
14 1994, granted by a national certifying  
15 organization recognized by the Board, shall be  
16 deemed to be a Clinical Nurse Specialist under  
17 the provisions of the Oklahoma Nursing Practice  
18 Act.

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

22 (1) practicing as an expert clinician in the  
23 provision of direct nursing care to a selected  
24

1 population of patients or clients in any setting,  
2 including private practice,

3 (2) managing the care of patients or clients with  
4 complex nursing problems,

5 (3) enhancing patient or client care by integrating  
6 the competencies of clinical practice, education,  
7 consultation, and research, and

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

9 c. A Clinical Nurse Specialist in accordance with the  
10 scope of practice of such Clinical Nurse Specialist  
11 shall be eligible to obtain recognition as authorized  
12 by the Board to prescribe, as defined by the rules  
13 promulgated by the Board pursuant to this section, and  
14 subject to the medical direction of a supervising  
15 physician. This authorization shall not include  
16 dispensing drugs, but shall not preclude, subject to  
17 federal regulations, the receipt of, the signing for,  
18 or the dispensing of professional samples to patients.

19 d. The Clinical Nurse Specialist accepts responsibility,  
20 accountability, and obligation to practice in  
21 accordance with usual and customary advanced practice  
22 nursing standards and functions as defined by the  
23 scope of practice/role definition statements for the  
24 Clinical Nurse Specialist;

1       8. "Nurse-Midwife" is a nurse who has received an Advanced  
2 Practice Registered Nurse license from the Oklahoma Board of Nursing  
3 who possesses evidence of certification according to the  
4 requirements of the American College of Nurse-Midwives.

5       A Certified Nurse-Midwife in accordance with the scope of  
6 practice of such Certified Nurse-Midwife shall be eligible to obtain  
7 recognition as authorized by the Board to prescribe, as defined by  
8 the rules promulgated by the Board pursuant to this section and  
9 subject to the medical direction of a supervising physician. This  
10 authorization shall not include the dispensing of drugs, but shall  
11 not preclude, subject to federal regulations, the receipt of, the  
12 signing for, or the dispensing of professional samples to patients.

13       The Certified Nurse-Midwife accepts responsibility,  
14 accountability, and obligation to practice in accordance with usual  
15 and customary advanced practice registered nursing standards and  
16 functions as defined by the scope of practice/role definition  
17 statements for the Certified Nurse-Midwife;

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

1 10. a. "Certified Registered Nurse Anesthetist" is an  
2 Advanced Practice Registered Nurse who:

3 (1) is certified by the National Board of  
4 Certification and Recertification for Nurse  
5 Anesthetists as a Certified Registered Nurse  
6 Anesthetist within one (1) year following  
7 completion of an approved certified registered  
8 nurse anesthetist education program, and  
9 continues to maintain such recertification by the  
10 National Board of Certification and  
11 Recertification for Nurse Anesthetists, and

12 (2) administers anesthesia under the supervision of  
13 or in collaboration with a medical doctor, an  
14 osteopathic physician, a podiatric physician or a  
15 dentist licensed in this state and under  
16 conditions in which timely onsite consultation by  
17 such doctor, osteopath, podiatric physician or  
18 dentist is available. A hospital or other  
19 medical facility shall select either the  
20 supervision model or collaboration model for  
21 Certified Registered Nurse Anesthetists and shall  
22 disclose such model upon the request of the  
23 patient. As used in this paragraph  
24 "collaboration" means the cooperative working

1                   relationship between a Certified Registered Nurse  
2                   Anesthetist and the medical doctor, osteopathic  
3                   physician, podiatric physician or dentist, each  
4                   contributing his or her respective expertise in  
5                   the provision of patient care, and such  
6                   collaborative practice includes the discussion of  
7                   patient treatment and cooperation in the  
8                   management and delivery of health care.

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

1 drugs only during the perioperative or periobstetrical  
2 period.

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

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

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

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

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

22 (1) ordered, selected, obtained or administered drugs  
23 outside of the Certified Registered Nurse  
24 Anesthetist scope of practice or ordered,

1                   selected, obtained or administered drugs for  
2                   other than therapeutic purposes, or

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

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

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

23                  g.    This paragraph shall not prohibit the administration  
24                  of local or topical anesthetics as now permitted by

1 law. Provided further, nothing in this paragraph  
2 shall limit the authority of the Board of Dentistry to  
3 establish the qualifications for dentists who direct  
4 the administration of anesthesia.

5 h. Nothing in this paragraph shall be construed to  
6 supersede the provisions of subsection E of Section  
7 650 of this title;

8 11. "Supervising physician" means an individual holding a  
9 current license to practice as a physician from the State Board of  
10 Medical Licensure and Supervision or the State Board of Osteopathic  
11 Examiners, who supervises a Certified Nurse Practitioner, a Clinical  
12 Nurse Specialist, or a Certified Nurse-Midwife, and who is not in  
13 training as an intern, resident, or fellow. To be eligible to  
14 supervise such Advanced Practice Registered Nurse, such physician  
15 shall remain in compliance with the rules promulgated by the State  
16 Board of Medical Licensure and Supervision or the State Board of  
17 Osteopathic Examiners;

18 12. "Supervision of an Advanced Practice Registered Nurse with  
19 prescriptive authority" means overseeing and accepting  
20 responsibility for the ordering and transmission by a Certified  
21 Nurse Practitioner, a Clinical Nurse Specialist, or a Certified  
22 Nurse-Midwife of written, telephonic, electronic or oral  
23 prescriptions for drugs and other medical supplies, subject to a  
24 defined formulary; and



1        13. "Advanced Unlicensed Assistant" means any person who has  
2 successfully completed a certified training program approved by the  
3 Board that trains the Advanced Unlicensed Assistant to perform  
4 specified technical skills identified by the Board in acute care  
5 settings under the direction and supervision of the Registered Nurse  
6 or Licensed Practical Nurse.

7        SECTION 2. This act shall become effective November 1, 2019.

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9        57-1-2065        DC        3/11/2019 2:28:19 PM

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