

1 ENGROSSED SENATE
2 BILL NO. 458

By: Stanley, Green, Hamilton,
Young, Murdock, Coleman,
Rogers, Daniels, Paxton,
and Dahm of the Senate

4 and

5 McEntire of the House

6
7 [nursing - prescriptive authority - application -
8 supervision - controlled dangerous substances -
supervision requirement - codification - effective
9 date]
10

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 567.4c of Title 59, unless there
14 is created a duplication in numbering, reads as follows:

15 A. 1. An Advanced Practice Registered Nurse recognized by the
16 Oklahoma Board of Nursing as a Certified Nurse Practitioner,
17 Clinical Nurse Specialist, or Certified Nurse-Midwife who has
18 completed a minimum of six thousand two hundred forty (6,240) hours
19 of practice with prescriptive authority supervised by a physician or
20 a supervising Advanced Practice Registered Nurse may apply to the
21 Oklahoma Board of Nursing for authority to prescribe and order
22 independent of supervision. This paragraph shall not be construed
23 to exclude practice hours with supervised prescriptive authority
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1 obtained prior to the effective date of this act from being counted
2 toward the two-thousand-hour requirement of this paragraph.

3 2. The application for independent prescriptive authority shall
4 include proof that the Certified Nurse Practitioner, Clinical Nurse
5 Specialist, or Certified Nurse-Midwife:

6 a. holds a valid, current license in the appropriate
7 Advanced Practice Registered Nurse role issued by the
8 Board and is in good standing with the Board, and

9 b. has completed a minimum of two thousand (2,000) hours
10 of practice with prescriptive authority supervised by
11 a physician or supervising Advanced Practice
12 Registered Nurse.

13 3. Independent prescriptive authority granted under this
14 subsection shall be valid until the expiration of the current
15 license to practice and may be renewed upon application to the Board
16 at the same time and for the same period as the renewal of the
17 license to practice.

18 B. 1. A Certified Nurse Practitioner, Clinical Nurse
19 Specialist, or Certified Nurse-Midwife who has obtained independent
20 prescriptive authority under subsection A of this section and who
21 has completed a minimum of eight thousand (8,000) hours of practice
22 with independent prescriptive authority may serve as a supervising
23 Advanced Practice Registered Nurse.

1 2. Notwithstanding paragraph 1 of this subsection, an Advanced
2 Practice Registered Nurse who has been licensed and in practice for
3 a minimum of five (5) years as of the effective date of this act
4 without a lapse of work, upon obtainment of independent prescriptive
5 authority under subsection A of this section, may serve as a
6 supervising Advanced Practice Registered Nurse.

7 3. The Board may at its discretion prescribe by rule additional
8 qualifications for supervising Advanced Practice Registered Nurses
9 including, but not limited to, qualifications pertaining to the
10 Advanced Practice Registered Nurse role or specialty.

11 C. The Board shall review any application submitted under this
12 section and shall approve or deny the application, stating the
13 reason or reasons for denial, if denied. If denied, the applicant
14 may reapply using the process prescribed by subsection A of this
15 section.

16 D. The Board may suspend or revoke independent prescriptive
17 authority granted under this section for good cause at any time.

18 E. The Board may establish a fee for the review of initial and
19 renewal applications under the provisions of this section.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 355.5 of Title 59, unless there
22 is created a duplication in numbering, reads as follows:

23 A. A licensed practitioner, or the employer of the licensed
24 practitioner on his or her behalf, shall carry malpractice insurance

1 or demonstrate proof of financial responsibility in a minimum amount
2 of One Million Dollars (\$1,000,000.00) per occurrence and Three
3 Million Dollars (\$3,000,000.00) in the aggregate per year.

4 B. A licensed practitioner who is employed by or under contract
5 with a federal agency that carries malpractice insurance in any
6 amount on behalf of the licensed practitioner shall be deemed in
7 compliance with subsection A of this section when practicing under
8 such federal employment or contract. However, to the extent the
9 licensed practitioner practices outside of such federal employment
10 or contract, the licensed practitioner, or the employer of the
11 licensed practitioner, shall comply with subsection A of this
12 section.

13 SECTION 3. AMENDATORY 59 O.S. 2021, Section 353.1, as
14 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2022,
15 Section 353.1), is amended to read as follows:

16 Section 353.1. For the purposes of the Oklahoma Pharmacy Act:

17 1. "Accredited program" means those seminars, classes,
18 meetings, work projects, and other educational courses approved by
19 the ~~Board~~ State Board of Pharmacy for purposes of continuing
20 professional education;

21 2. "Act" means the Oklahoma Pharmacy Act;

22 3. "Administer" means the direct application of a drug, whether
23 by injection, inhalation, ingestion or any other means, to the body
24 of a patient;

1 4. "Assistant pharmacist" means any person presently licensed
2 as an assistant pharmacist in ~~the State of Oklahoma~~ this state by
3 the Board pursuant to Section 353.10 of this title and for the
4 purposes of the Oklahoma Pharmacy Act shall be considered the same
5 as a pharmacist, except where otherwise specified;

6 5. "Board" or "State Board" means the State Board of Pharmacy;

7 6. "Certify" or "certification of a prescription" means the
8 review of a filled prescription by a licensed pharmacist or a
9 licensed practitioner with dispensing authority to confirm that the
10 medication, labeling and packaging of the filled prescription are
11 accurate and meet all requirements prescribed by state and federal
12 law. For the purposes of this paragraph, "licensed practitioner"
13 shall not include optometrists with dispensing authority;

14 7. "Chemical" means any medicinal substance, whether simple or
15 compound or obtained through the process of the science and art of
16 chemistry, whether of organic or inorganic origin;

17 8. "Compounding" means the combining, admixing, mixing,
18 diluting, pooling, reconstituting or otherwise altering of a drug or
19 bulk drug substance to create a drug. Compounding includes the
20 preparation of drugs or devices in anticipation of prescription drug
21 orders based on routine, regularly observed prescribing patterns;

22 9. "Continuing professional education" means professional,
23 pharmaceutical education in the general areas of the socioeconomic
24 and legal aspects of health care; the properties and actions of

1 drugs and dosage forms; and the etiology, characteristics and
2 therapeutics of the diseased state;

3 10. "Dangerous drug", "legend drug", "prescription drug" or "Rx
4 Only" means a drug:

5 a. for human use subject to 21 U.S.C. 353(b)(1), or

6 b. is labeled "Prescription Only", or labeled with the
7 following statement: "Caution: Federal law restricts
8 this drug ~~except for~~ to use by or on the order of a
9 licensed veterinarian.";

10 11. "Director" means the Executive Director of the State Board
11 of Pharmacy unless context clearly indicates otherwise;

12 12. "Dispense" or "dispensing" means the interpretation,
13 evaluation, and implementation of a prescription drug order
14 including the preparation and delivery of a drug or device to a
15 patient or a patient's agent in a suitable container appropriately
16 labeled for subsequent administration to, or use by, a patient.
17 Dispense includes sell, distribute, leave with, give away, dispose
18 of, deliver or supply;

19 13. "Dispenser" means a retail pharmacy, hospital pharmacy, a
20 group of chain pharmacies under common ownership and control that do
21 not act as a wholesale distributor, or any other person authorized
22 by law to dispense or administer prescription drugs, and the
23 affiliated warehouses or distributions of such entities under common
24 ownership and control that do not act as a wholesale distributor.

1 For the purposes of this paragraph, ~~"dispenser"~~ dispenser does not
2 mean a person who dispenses only products to be used in animals in
3 accordance with 21 U.S.C. 360b(a) (5);

4 14. "Distribute" or "distribution" means the sale, purchase,
5 trade, delivery, handling, storage, or receipt of a product, and
6 does not include the dispensing of a product pursuant to a
7 prescription executed in accordance with 21 U.S.C. 353(b) (1) or the
8 dispensing of a product approved under 21 U.S.C. 360b(b); provided,
9 taking actual physical possession of a product or title shall not be
10 required;

11 15. "Doctor of Pharmacy" means a person licensed by the Board
12 to engage in the practice of pharmacy. The terms "pharmacist",
13 "D.Ph.", and "Doctor of Pharmacy" shall be interchangeable and shall
14 have the same meaning wherever they appear in the Oklahoma Statutes
15 and the rules promulgated by the Board;

16 16. "Drug outlet" means all manufacturers, repackagers,
17 outsourcing facilities, wholesale distributors, third-party
18 logistics providers, pharmacies, and all other facilities which are
19 engaged in dispensing, delivery, distribution or storage of
20 dangerous drugs;

21 17. "Drugs" means all medicinal substances and preparations
22 recognized by the United States ~~Pharmacopeia~~ Pharmacopeia and
23 National Formulary, or any revision thereof, and all substances and
24 preparations intended for external and/or internal use in the cure,

1 diagnosis, mitigation, treatment or prevention of disease in humans
2 or animals and all substances and preparations, other than food,
3 intended to affect the structure or any function of the body of a
4 human or animals;

5 18. "Drug sample" means a unit of a prescription drug packaged
6 under the authority and responsibility of the manufacturer that is
7 not intended to be sold and is intended to promote the sale of the
8 drug;

9 19. "Durable medical equipment" has the same meaning as
10 provided by ~~Section 2 of this act~~ Section 375.2 of this title;

11 20. "Filled prescription" means a packaged prescription
12 medication to which a label has been affixed which contains such
13 information as is required by the Oklahoma Pharmacy Act;

14 21. "Hospital" means any institution licensed as a hospital by
15 this state for the care and treatment of patients, or a pharmacy
16 operated by the Oklahoma Department of Veterans Affairs;

17 22. "Licensed practitioner" means:

- 18 a. an allopathic physician,
- 19 b. an osteopathic physician,
- 20 c. a podiatric physician,
- 21 d. a dentist,
- 22 e. a veterinarian ~~or~~,
- 23 f. an optometrist, or

24

1 g. a Certified Nurse Practitioner, Clinical Nurse
2 Specialist, or Certified Nurse-Midwife who has
3 obtained independent prescriptive authority under
4 Section 1 of this act,

5 licensed to practice and authorized to prescribe dangerous drugs
6 within the scope of practice of such practitioner;

7 23. "Manufacturer" or "virtual manufacturer" means with respect
8 to a product:

- 9 a. a person that holds an application approved under 21
10 U.S.C. 355 or a license issued under 42 U.S.C. 262 for
11 such product, or if such product is not the subject of
12 an approved application or license, the person who
13 manufactured the product,
- 14 b. a co-licensed partner of the person described in
15 subparagraph a of this paragraph that obtains the
16 product directly from a person described in this
17 subparagraph or subparagraph a of this paragraph,
- 18 c. an affiliate of a person described in subparagraph a
19 or b of this paragraph who receives the product
20 directly from a person described in this subparagraph
21 or in subparagraph a or b of this paragraph, or
- 22 d. a person who contracts with another to manufacture a
23 product;
- 24

1 24. "Manufacturing" means the production, preparation,
2 propagation, compounding, conversion or processing of a device or a
3 drug, either directly or indirectly by extraction from substances of
4 natural origin or independently by means of chemical or biological
5 synthesis and includes any packaging or repackaging of the
6 substances or labeling or relabeling of its container, and the
7 promotion and marketing of such drugs or devices. The term
8 ~~"manufacturing"~~ manufacturing also includes the preparation and
9 promotion of commercially available products from bulk compounds for
10 resale by licensed pharmacies, licensed practitioners or other
11 persons;

12 25. "Medical gas" means those gases including those in liquid
13 state upon which the manufacturer or distributor has placed one of
14 several cautions, such as "Rx Only", in compliance with federal law;

15 26. "Medical gas order" means an order for medical gas issued
16 by a licensed prescriber;

17 27. "Medical gas distributor" means a person licensed to
18 distribute, transfer, wholesale, deliver or sell medical gases on
19 drug orders to suppliers or other entities licensed to use,
20 administer or distribute medical gas and may also include a patient
21 or ultimate user;

22 28. "Medical gas supplier" means a person who dispenses medical
23 gases on drug orders only to a patient or ultimate user;

1 29. "Medicine" means any drug or combination of drugs which has
2 the property of curing, preventing, treating, diagnosing or
3 mitigating diseases, or which is used for that purpose;

4 30. "Nonprescription drugs" means medicines or drugs which are
5 sold without a prescription and which are prepackaged for use by the
6 consumer and labeled in accordance with the requirements of the
7 statutes and regulations of this state and the federal government.
8 Such items shall also include medical and dental supplies and
9 bottled or nonbulk chemicals which are sold or offered for sale to
10 the general public if such articles or preparations meet the
11 requirements of the Federal Food, Drug, and Cosmetic Act, 21
12 U.S.C.A., Section 321 et seq.;

13 31. "Outsourcing facility" including "virtual outsourcing
14 facility" means a facility at one geographic location or address
15 that:

- 16 a. is engaged in the compounding of sterile drugs,
- 17 b. has elected to register as an outsourcing facility,
- 18 and
- 19 c. complies with all requirements of 21 U.S.C. 353b;

20 32. "Package" means the smallest individual saleable unit of
21 product for distribution by a manufacturer or repackager that is
22 intended by the manufacturer for ultimate sale to the dispenser of
23 such product. For the purposes of this paragraph, "individual
24 saleable unit" means the smallest container of a product introduced

1 into commerce by the manufacturer or repackager that is intended by
2 the manufacturer or repackager for individual sale to a dispenser;

3 33. "Person" means an individual, partnership, limited
4 liability company, corporation or association, unless the context
5 otherwise requires;

6 34. "Pharmacist-in-charge" or "PIC" means the pharmacist
7 licensed in this state responsible for the management control of a
8 pharmacy and all other aspects of the practice of pharmacy in a
9 licensed pharmacy as defined by Section 353.18 of this title;

10 35. "Pharmacy" means a place regularly licensed by the State
11 Board of Pharmacy in which prescriptions, drugs, medicines,
12 chemicals and poisons are compounded or dispensed or such place
13 where pharmacists practice the profession of pharmacy, or a pharmacy
14 operated by the Oklahoma Department of Veterans Affairs;

15 36. "Pharmacy technician", "technician", "Rx tech", or "tech"
16 means a person issued a Technician permit by the State Board of
17 Pharmacy to assist the pharmacist and perform nonjudgmental,
18 technical, manipulative, non-discretionary functions in the
19 prescription department under the immediate and direct supervision
20 of a pharmacist;

21 37. "Poison" means any substance which when introduced into the
22 body, either directly or by absorption, produces violent, morbid or
23 fatal changes, or which destroys living tissue with which such
24 substance comes into contact;

1 38. "Practice of pharmacy" means:

- 2 a. the interpretation and evaluation of prescription
- 3 orders,
- 4 b. the compounding, dispensing, administering and
- 5 labeling of drugs and devices, except labeling by a
- 6 manufacturer, repackager or distributor of
- 7 nonprescription drugs and commercially packaged legend
- 8 drugs and devices,
- 9 c. the participation in drug selection and drug
- 10 utilization reviews,
- 11 d. the proper and safe storage of drugs and devices and
- 12 the maintenance of proper records thereof,
- 13 e. the responsibility for advising by counseling and
- 14 providing information, where professionally necessary
- 15 or where regulated, of therapeutic values, content,
- 16 hazards and use of drugs and devices,
- 17 f. the offering or performing of those acts, services,
- 18 operations or transactions necessary in the conduct,
- 19 operation, management and control of a pharmacy, or
- 20 g. the provision of those acts or services that are
- 21 necessary to provide pharmaceutical care;

22 39. "Preparation" means an article which may or may not contain
23 sterile products compounded in a licensed pharmacy pursuant to the
24 order of a licensed prescriber;

1 40. "Prescriber" means a person licensed in this state who is
2 authorized to prescribe dangerous drugs within the scope of practice
3 of the person's profession;

4 41. "Prescription" means and includes any order for drug or
5 medical supplies written or signed, or transmitted by word of mouth,
6 telephone or other means of communication:

7 a. by a licensed prescriber,

8 b. under the supervision of ~~an Oklahoma licensed~~
9 ~~practitioner, an Oklahoma licensed advanced practice~~
10 ~~registered nurse or an Oklahoma licensed a supervising~~
11 ~~physician, by a physician assistant licensed in this~~
12 ~~state, or~~

13 c. (1) under the supervision of a supervising physician
14 or supervising Advanced Practice Registered
15 Nurse, by a Certified Nurse Practitioner,
16 Clinical Nurse Specialist, or Certified Nurse-
17 Midwife licensed in this state who has not
18 obtained independent prescriptive authority under
19 Section 1 of this act, or

20 (2) by a Certified Nurse Practitioner, Clinical Nurse
21 Specialist, or Certified Nurse-Midwife licensed
22 in this state who has obtained independent
23 prescriptive authority under Section 1 of this
24 act, or

1 d. by an Oklahoma licensed wholesaler or distributor as
2 authorized in Section 353.29.1 of this title;

3 42. "Product" means a prescription drug in a finished dosage
4 form for administration to a patient without substantial further
5 manufacturing, such as capsules, tablets, and lyophilized products
6 before reconstitution. "Product" does not include blood components
7 intended for transfusion, radioactive drugs or biologics and medical
8 gas;

9 43. "Repackager", including "virtual repackager", means a
10 person who owns or operates an establishment that repacks and
11 relabels a product or package for further sale or distribution
12 without further transaction;

13 44. "Sterile drug" means a drug that is intended for parenteral
14 administration, an ophthalmic or oral inhalation drug in aqueous
15 format, or a drug that is required to be sterile under state and
16 federal law;

17 45. "Supervising Advanced Practice Registered Nurse" has the
18 same meaning as provided by Section 567.3a of this title;

19 46. "Supervising physician" means an individual holding a
20 current license to practice as a physician from the State Board of
21 Medical Licensure and Supervision, pursuant to the provisions of the
22 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
23 Act, or the State Board of Osteopathic Examiners, pursuant to the
24 provisions of the Oklahoma Osteopathic Medicine Act, who supervises

1 ~~an advanced practice registered nurse~~ a Certified Nurse
2 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
3 as defined in Section 567.3a of this title who has not obtained
4 independent prescriptive authority under Section 1 of this act,
5 and who is not in training as an intern, resident, or fellow. ~~To be~~
6 ~~eligible to supervise an advanced practice registered nurse, such~~
7 The supervising physician shall remain in compliance with the rules
8 promulgated by the State Board of Medical Licensure and Supervision
9 or the State Board of Osteopathic Examiners;

10 ~~46.~~ 47. "Supportive personnel" means technicians and auxiliary
11 supportive persons who are regularly paid employees of a pharmacy
12 who work and perform tasks in the pharmacy as authorized by Section
13 353.18A of this title;

14 ~~47.~~ 48. "Third-party logistics provider" including "virtual
15 third-party logistics provider" means an entity that provides or
16 coordinates warehousing, or other logistics services of a product in
17 interstate commerce on behalf of a manufacturer, wholesale
18 distributor, or dispenser of a product but does not take ownership
19 of the product, nor have responsibility to direct the sale or
20 disposition of the product. For the purposes of this paragraph,
21 "third-party logistics provider" does not include shippers and the
22 United States Postal Service;

23 ~~48.~~ 49. "Wholesale distributor" including "virtual wholesale
24 distributor" means a person other than a manufacturer, a

1 manufacturer's co-licensed partner, a third-party logistics
2 provider, or repackager engaged in wholesale distribution as defined
3 by 21 U.S.C. 353(e)(4) as amended by the Drug Supply Chain Security
4 Act;

5 ~~49.~~ 50. "County jail" means a facility operated by a county for
6 the physical detention and correction of persons charged with, or
7 convicted of, criminal offenses or ordinance violations or persons
8 found guilty of civil or criminal contempt;

9 ~~50.~~ 51. "State correctional facility" means a facility or
10 institution that houses a prisoner population under the jurisdiction
11 of the Department of Corrections;

12 ~~51.~~ 52. "Unit dose package" means a package that contains a
13 single dose drug with the name, strength, control number, and
14 expiration date of that drug on the label; and

15 ~~52.~~ 53. "Unit of issue package" means a package that provides
16 multiple doses of the same drug, but each drug is individually
17 separated and includes the name, lot number, and expiration date.

18 SECTION 4. AMENDATORY 59 O.S. 2021, Section 353.1a, is
19 amended to read as follows:

20 Section 353.1a. A. ~~Prescribing~~ 1. Prescriptive authority
21 shall be allowed, under the medical direction of a supervising
22 physician or supervising Advanced Practice Registered Nurse, for ~~an~~
23 ~~advanced practice nurse~~ a licensed Advanced Practice Registered
24 Nurse recognized by the Oklahoma Board of Nursing ~~in one of the~~

1 ~~following categories: advanced registered nurse practitioners,~~
2 ~~clinical nurse specialists, or certified nurse midwives as a~~
3 Certified Nurse Practitioner, Clinical Nurse Specialist, or
4 Certified Nurse-Midwife who has not obtained independent
5 prescriptive authority under Section 1 of this act.

6 2. Prescriptive authority shall be allowed, independent of the
7 medical direction of a supervising physician or supervising Advanced
8 Practice Registered Nurse, for a licensed Advanced Practice
9 Registered Nurse recognized by the Oklahoma Board of Nursing as a
10 Certified Nurse Practitioner, Clinical Nurse Specialist, or
11 Certified Nurse-Midwife who has obtained independent prescriptive
12 authority under Section 1 of this act.

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

23 ~~B.~~ C. Pharmacists may dispense prescriptions for non-controlled
24 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced

1 Practice Registered Nurse or physician assistant, not located in
2 ~~Oklahoma~~ this state, provided that they are licensed in the state in
3 which they are actively prescribing.

4 ~~C. D. 1.~~ Pharmacists may only dispense prescriptions for
5 controlled dangerous substances prescribed by an ~~advanced practice~~
6 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
7 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~
8 ~~licensed practitioner~~ this state who meets the criteria in paragraph
9 1 or 2 of subsection A of this section.

10 2. Pharmacists may only dispense prescriptions for controlled
11 dangerous substances prescribed by a physician assistant licensed in
12 this state and supervised by a supervising physician licensed in
13 this state.

14 SECTION 5. AMENDATORY 59 O.S. 2021, Section 567.3a, is
15 amended to read as follows:

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

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

18 2. "The practice of nursing" means the performance of services
19 provided for purposes of nursing diagnosis and treatment of human
20 responses to actual or potential health problems consistent with
21 educational preparation. Knowledge and skill are the basis for
22 assessment, analysis, planning, intervention, and evaluation used in
23 the promotion and maintenance of health and nursing management of
24 illness, injury, infirmity, restoration or optimal function, or

1 death with dignity. Practice is based on understanding the human
2 condition across the human lifespan and understanding the
3 relationship of the individual within the environment. This
4 practice includes execution of the medical regime including the
5 administration of medications and treatments prescribed by any
6 person authorized by state law to so prescribe;

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

- 9 a. assessing the health status of individuals, families
10 and groups,
- 11 b. analyzing assessment data to determine nursing care
12 needs,
- 13 c. establishing goals to meet identified health care
14 needs,
- 15 d. planning a strategy of care,
- 16 e. establishing priorities of nursing intervention to
17 implement the strategy of care,
- 18 f. implementing the strategy of care,
- 19 g. delegating such tasks as may safely be performed by
20 others, consistent with educational preparation and
21 that do not conflict with the provisions of the
22 Oklahoma Nursing Practice Act,
- 23 h. providing safe and effective nursing care rendered
24 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

- 1 that do not conflict with the Oklahoma Nursing
2 Practice Act,
- 3 e. providing safe and effective nursing care rendered
4 directly or indirectly,
- 5 f. participating in the evaluation of responses to
6 interventions,
- 7 g. teaching basic nursing skills and related principles,
- 8 h. performing additional nursing procedures in accordance
9 with knowledge and skills acquired through education
10 beyond nursing preparation, and
- 11 i. delegating those nursing tasks as defined in the rules
12 of the Board that may be performed by an advanced
13 unlicensed assistive person;

14 5. "Advanced Practice Registered Nurse" means a licensed
15 Registered Nurse:

- 16 a. who has completed an advanced practice registered
17 nursing education program in preparation for one of
18 four recognized ~~advanced practice registered nurse~~
19 Advanced Practice Registered Nurse roles,
- 20 b. who has passed a national certification examination
21 recognized by the Board that measures the ~~advanced~~
22 ~~practice registered nurse~~ Advanced Practice Registered
23 Nurse role and specialty competencies and who
24

- 1 maintains recertification in the role and specialty
2 through a national certification program,
- 3 c. who has acquired advanced clinical knowledge and
4 skills in preparation for providing both direct and
5 indirect care to patients; however, the defining
6 factor for all Advanced Practice Registered Nurses is
7 that a significant component of the education and
8 practice focuses on direct care of individuals,
- 9 d. whose practice builds on the competencies of
10 Registered Nurses by demonstrating a greater depth and
11 breadth of knowledge, a greater synthesis of data, and
12 increased complexity of skills and interventions, and
- 13 e. who has obtained a license as an Advanced Practice
14 Registered Nurse in one of the following roles:
15 Certified Registered Nurse Anesthetist, Certified
16 Nurse-Midwife, Clinical Nurse Specialist, or Certified
17 Nurse Practitioner.

18 Only those persons who hold a license to practice advanced
19 practice registered nursing in this state shall have the right to
20 use the title "Advanced Practice Registered Nurse" and to use the
21 abbreviation "APRN". Only those persons who have obtained a license
22 in the following disciplines shall have the right to fulfill the
23 roles and use the applicable titles: Certified Registered Nurse
24 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and

1 the abbreviation "CNM", Clinical Nurse Specialist and the
2 abbreviation "CNS", and Certified Nurse Practitioner and the
3 abbreviation "CNP".

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

15 6. "Certified Nurse Practitioner" ~~is~~ means an Advanced Practice
16 Registered Nurse who performs in an expanded role in the delivery of
17 health care:

- 18 a. consistent with advanced educational preparation as a
19 Certified Nurse Practitioner in an area of specialty,
 - 20 b. functions within the Certified Nurse Practitioner
21 scope of practice for the selected area of
22 specialization, and
- 23
24

1 c. is in accord with the standards for Certified Nurse
2 Practitioners as identified by the certifying body and
3 approved by the Board.

4 A Certified Nurse Practitioner shall be eligible, in accordance
5 with the scope of practice of the Certified Nurse Practitioner, to
6 obtain recognition as authorized by the Board to prescribe, as
7 defined by the rules promulgated by the Board pursuant to ~~this~~
8 ~~section and subject to the medical direction of a supervising~~
9 ~~physician~~ Section 567.4a of this title and Section 1 of this act.

10 This authorization shall not include dispensing drugs, but shall not
11 preclude, subject to federal regulations, the receipt of, the
12 signing for, or the dispensing of professional samples to patients.

13 The Certified Nurse Practitioner 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 Practitioner;

18 7. a. "Clinical Nurse Specialist" ~~is~~ means an Advanced
19 Practice Registered Nurse who holds:

20 (1) a master's degree or higher in nursing with
21 clinical specialization preparation to function
22 in an expanded role,

23 (2) specialty certification from a national
24 certifying organization recognized by the Board,

- 1 (3) an Advanced Practice Registered Nurse license
2 from the Board, and
3 (4) any nurse holding a specialty certification as a
4 Clinical Nurse Specialist valid on January 1,
5 1994, granted by a national certifying
6 organization recognized by the Board, shall be
7 deemed to be a Clinical Nurse Specialist under
8 the provisions of the Oklahoma Nursing Practice
9 Act.

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

- 13 (1) practicing as an expert clinician in the
14 provision of direct nursing care to a selected
15 population of patients or clients in any setting,
16 including private practice,
17 (2) managing the care of patients or clients with
18 complex nursing problems,
19 (3) enhancing patient or client care by integrating
20 the competencies of clinical practice, education,
21 consultation, and research, and
22 (4) referring patients or clients to other services.

23 c. A Clinical Nurse Specialist in accordance with the
24 scope of practice of such Clinical Nurse Specialist

1 shall be eligible to obtain recognition as authorized
2 by the Board to prescribe, as defined by the rules
3 promulgated by the Board pursuant to ~~this section, and~~
4 ~~subject to the medical direction of a supervising~~
5 ~~physician~~ Section 567.4a of this title and Section 1
6 of this act. This authorization shall not include
7 dispensing drugs, but shall not preclude, subject to
8 federal regulations, the receipt of, the signing for,
9 or the dispensing of professional samples to patients.

10 d. The Clinical Nurse Specialist accepts responsibility,
11 accountability, and obligation to practice in
12 accordance with usual and customary advanced practice
13 nursing standards and functions as defined by the
14 scope of practice/role definition statements for the
15 Clinical Nurse Specialist;

16 8. ~~"Nurse-Midwife" is~~ "Certified Nurse-Midwife" means a nurse
17 who has received an Advanced Practice Registered Nurse license from
18 the Oklahoma Board of Nursing who possesses evidence of
19 certification according to the requirements of the American College
20 of Nurse-Midwives.

21 A Certified Nurse-Midwife in accordance with the scope of
22 practice of such Certified Nurse-Midwife shall be eligible to obtain
23 recognition as authorized by the Board to prescribe, as defined by
24 the rules promulgated by the Board pursuant to ~~this section and~~

1 ~~subject to the medical direction of a supervising physician~~ Section
2 567.4a of this title and Section 1 of this act. This authorization
3 shall not include the dispensing of drugs, but shall not preclude,
4 subject to federal regulations, the receipt of, the signing for, or
5 the dispensing of professional samples to patients.

6 The Certified Nurse-Midwife accepts responsibility,
7 accountability, and obligation to practice in accordance with usual
8 and customary advanced practice registered nursing standards and
9 functions as defined by the scope of practice/role definition
10 statements for the Certified Nurse-Midwife;

11 9. "Nurse-midwifery practice" means providing management of
12 care of normal newborns and women, antepartally, intrapartally,
13 postpartally and gynecologically, occurring within a health care
14 system which provides for medical consultation, medical management
15 or referral, and is in accord with the standards for nurse-midwifery
16 practice as defined by the American College of Nurse-Midwives;

17 10. a. "Certified Registered Nurse Anesthetist" is an
18 Advanced Practice Registered Nurse who:

19 (1) is certified by the National Board of
20 Certification and Recertification for Nurse
21 Anesthetists as a Certified Registered Nurse
22 Anesthetist within one (1) year following
23 completion of an approved ~~certified registered~~
24 ~~nurse-anesthetist~~ Certified Registered Nurse

1 Anesthetist education program, and continues to
2 maintain such recertification by the National
3 Board of Certification and Recertification for
4 Nurse Anesthetists, and

5 (2) administers anesthesia in collaboration with a
6 medical doctor, an osteopathic physician, a
7 podiatric physician or a dentist licensed in this
8 state and under conditions in which timely onsite
9 consultation by such doctor, osteopath, podiatric
10 physician or dentist is available.

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

1 select, obtain and administer drugs only during the
2 perioperative or periobstetrical 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,

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

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

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

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

1 g. This paragraph shall not prohibit the administration
2 of local or topical anesthetics as now permitted by
3 law. Provided further, nothing in this paragraph
4 shall limit the authority of the Board of Dentistry to
5 establish the qualifications for dentists who direct
6 the administration of anesthesia.

7 h. As used in this paragraph, "collaboration" means an
8 agreement between a medical doctor, osteopathic
9 physician, podiatric physician or dentist performing
10 the procedure or directly involved with the procedure
11 and the Certified Registered Nurse Anesthetist working
12 jointly toward a common goal providing services for
13 the same patient. This collaboration involves the
14 joint formulation, discussion and agreement of the
15 anesthesia plan by both parties, and the collaborating
16 medical doctor, osteopathic physician, podiatric
17 physician or dentist performing the procedure or
18 directly involved with the procedure and that
19 collaborating physician shall remain available for
20 timely onsite consultation during the delivery of
21 anesthesia for diagnosis, consultation, and treatment
22 of medical conditions;

23 11. "Supervising Advanced Practice Registered Nurse" means an
24 Advanced Practice Registered Nurse holding a current license to

1 practice who has obtained independent prescriptive authority under
2 Section 1 of this act and who otherwise meets the qualifications of
3 a supervising Advanced Practice Registered Nurse under Section 1 of
4 this act who supervises a Certified Nurse Practitioner, a Clinical
5 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
6 independent prescriptive authority under Section 1 of this act;

7 12. "Supervising physician" means an individual holding a
8 current license to practice as a physician from the State Board of
9 Medical Licensure and Supervision or the State Board of Osteopathic
10 Examiners, who supervises a Certified Nurse Practitioner, a Clinical
11 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
12 independent prescriptive authority under Section 1 of this act, and
13 who is not in training as an intern, resident, or fellow. To be
14 ~~eligible to supervise such Advanced Practice Registered Nurse, such~~
15 The supervising physician shall remain in compliance with the rules
16 promulgated by the State Board of Medical Licensure and Supervision
17 or the State Board of Osteopathic Examiners;

18 ~~12.~~ 13. "Supervision of an Advanced Practice Registered Nurse
19 with 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 who has not obtained independent prescriptive
23 authority under Section 1 of this act of written, telephonic,
24

1 electronic or oral prescriptions for drugs and other medical
2 supplies, subject to a defined formulary; and

3 ~~13.~~ 14. "Advanced Unlicensed Assistant" means any person who
4 has successfully completed a certified training program approved by
5 the Board that trains the Advanced Unlicensed Assistant to perform
6 specified technical skills identified by the Board in acute care
7 settings under the direction and supervision of the Registered Nurse
8 or Licensed Practical Nurse.

9 SECTION 6. AMENDATORY 59 O.S. 2021, Section 567.4a, is
10 amended to read as follows:

11 Section 567.4a. The Oklahoma Board of Nursing may grant
12 prescriptive authority through the Advanced Practice Registered
13 Nurse license to Certified Nurse Practitioners, Clinical Nurse
14 Specialists, and Certified Nurse-Midwives who meet the requirements
15 for prescriptive authority identified by law and in the Board's
16 rules. The rules regarding prescriptive authority recognition
17 promulgated by the Oklahoma Board of Nursing pursuant to ~~paragraphs~~
18 ~~6 through 9, 11 and 12 of this section,~~ Section 567.3a of this
19 title, and Section 1 of this act shall:

20 1. Define the procedure for documenting supervision by a
21 supervising physician licensed in Oklahoma to practice by the State
22 Board of Medical Licensure and Supervision or the State Board of
23 Osteopathic Examiners as defined in Section 567.3a of this title or
24 by a supervising Advanced Practice Registered Nurse as defined in

1 Section 567.3a of this title of a Certified Nurse Practitioner,
2 Clinical Nurse Specialist, or Certified Nurse-Midwife who has not
3 obtained independent prescriptive authority under Section 1 of this
4 act. Such procedure shall include a written statement that defines
5 appropriate referral, consultation, and collaboration between the
6 Advanced Practice Registered Nurse, recognized to prescribe as
7 defined in ~~paragraphs 6 through 9, 11 and 12 of~~ Section 567.3a of
8 this title, and the supervising physician or supervising Advanced
9 Practice Registered Nurse. The written statement shall include a
10 method of assuring availability of the supervising physician or
11 supervising Advanced Practice Registered Nurse through direct
12 contact, telecommunications or other appropriate electronic means
13 for consultation, assistance with medical emergencies, or patient
14 referral. The written statement shall be part of the initial
15 application and the renewal application submitted to the Board for
16 recognition for prescriptive authority for the Advanced Practice
17 Registered Nurse. Changes to the written statement shall be filed
18 with the Board within thirty (30) days of the change and shall be
19 effective on filing;

20 2. Define the procedure for documenting independent
21 prescriptive authority for Certified Nurse Practitioners, Clinical
22 Nurse Specialists, and Certified Nurse-Midwives who have obtained
23 independent prescriptive authority under Section 1 of this act;
24

1 3. Define minimal requirements for initial application for
2 prescriptive authority which shall include, but not be limited to,
3 evidence of completion of a minimum of forty-five (45) contact hours
4 or three (3) academic credit hours of education in
5 pharmacotherapeutics, clinical application, and use of
6 pharmacological agents in the prevention of illness, and in the
7 restoration and maintenance of health in a program beyond basic
8 registered nurse preparation, approved by the Board. Such contact
9 hours or academic credits shall be obtained within a time period of
10 three (3) years immediately preceding the date of application for
11 prescriptive authority;

12 ~~3.~~ 4. Define minimal requirements for application for renewal
13 of prescriptive authority which shall include, but not be limited
14 to, documentation of a minimum of:

15 a. fifteen (15) contact hours or one (1) academic credit
16 hour of education in pharmacotherapeutics, clinical
17 application, and use of pharmacological agents in the
18 prevention of illness, and in the restoration and
19 maintenance of health in a program beyond basic
20 registered nurse preparation, and

21 b. two (2) hours of education in pain management or two
22 (2) hours of education in opioid use or addiction,
23 unless the Advanced Practice Registered Nurse has
24 demonstrated to the satisfaction of the Board that the

Advanced Practice Registered Nurse does not currently hold a valid federal Drug Enforcement Administration registration number, approved by the Board, within the two-year period immediately preceding the effective date of application for renewal of prescriptive authority;

~~4.~~ 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice Registered Nurse ~~shall demonstrate~~ demonstrates successful completion of a master's degree or higher in ~~a clinical nurse specialty~~ one of the following Advanced Practice Registered Nurse roles:

- a. Certified Nurse Practitioner,
- b. Clinical Nurse Specialist, or
- c. Certified Nurse-Midwife,

in order to be eligible for initial application for prescriptive authority under the provisions of the Oklahoma Nursing Practice Act;

~~5.~~ 6. Define the method for communicating authority to prescribe or termination of same, and the formulary to the State Board of Pharmacy, all pharmacies, and all registered pharmacists;

~~6.~~ 7. Define terminology used in such rules;

~~7.~~ 8. Define the parameters for the prescribing practices of the Advanced Practice Registered Nurse;

~~8.~~ 9. Define the methods for termination of prescriptive authority for the Advanced Practice Registered Nurse; and

- 1 ~~9.~~ 10. a. Establish a Formulary Advisory Council that shall
2 develop and submit to the Board recommendations for an
3 exclusionary formulary that shall list drugs or
4 categories of drugs that shall not be prescribed by an
5 Advanced Practice Registered Nurse recognized to
6 prescribe by the Oklahoma Board of Nursing. The
7 Formulary Advisory Council shall also develop and
8 submit to the Board recommendations for practice-
9 specific prescriptive standards for each category of
10 Advanced Practice Registered Nurse recognized to
11 prescribe by the Oklahoma Board of Nursing pursuant to
12 the provisions of the Oklahoma Nursing Practice Act.
13 The Board shall either accept or reject the
14 recommendations made by the Council. No amendments to
15 the recommended exclusionary formulary may be made by
16 the Board without the approval of the Formulary
17 Advisory Council.
- 18 b. The Formulary Advisory Council shall be composed of
19 twelve (12) members as follows:
- 20 (1) four members, to include a pediatrician, an
21 obstetrician-gynecological physician, a general
22 internist, and a family practice physician;
23 provided, that three of such members shall be
24 appointed by the Oklahoma State Medical

1 Association, and one shall be appointed by the
2 Oklahoma Osteopathic Association,

3 (2) four members who are registered pharmacists,
4 appointed by the Oklahoma Pharmaceutical
5 Association, and

6 (3) four members, one of whom shall be a Certified
7 Nurse Practitioner, one of whom shall be a
8 Clinical Nurse Specialist, one of whom shall be a
9 Certified Nurse-Midwife, and one of whom shall be
10 a current member of the Oklahoma Board of
11 Nursing, all of whom shall be appointed by the
12 Oklahoma Board of Nursing.

13 c. All professional members of the Formulary Advisory
14 Council shall be in active clinical practice, at least
15 fifty percent (50%) of the time, within their defined
16 area of specialty. The members of the Formulary
17 Advisory Council shall serve at the pleasure of the
18 appointing authority for a term of three (3) years.
19 The terms of the members shall be staggered. Members
20 of the Council may serve beyond the expiration of
21 their term of office until a successor is appointed by
22 the original appointing authority. A vacancy on the
23 Council shall be filled for the balance of the
24 unexpired term by the original appointing authority.

1 d. Members of the Council shall elect a chair and a ~~vice-~~
2 ~~chair~~ vice chair from among the membership of the
3 Council. For the transaction of business, at least
4 seven members, with a minimum of two members present
5 from each of the identified categories of physicians,
6 pharmacists and ~~advanced practice registered nurses~~
7 Advanced Practice Registered Nurses, shall constitute
8 a quorum. The Council shall recommend and the Board
9 shall approve and implement an initial exclusionary
10 formulary on or before January 1, 1997. The Council
11 and the Board shall annually review the approved
12 exclusionary formulary and shall make any necessary
13 revisions utilizing the same procedures used to
14 develop the initial exclusionary formulary.

15 SECTION 7. AMENDATORY 59 O.S. 2021, Section 567.5a, is
16 amended to read as follows:

17 Section 567.5a. A. All applicants for a license to practice as
18 an Advanced Practice Registered Nurse shall be subject to Section
19 567.8 of this title.

20 B. An applicant for an initial license to practice as an
21 Advanced Practice Registered Nurse shall:

22 1. Submit a completed written application and appropriate fees
23 as established by the Oklahoma Board of Nursing;
24

2. Submit a criminal history records check that complies with Section 567.18 of this title;

3. Hold a current Registered Nurse license in this state;

4. Have completed an advanced practice registered nursing education program in one of the four ~~advanced practice registered nurse~~ Advanced Practice Registered Nurse roles and a specialty area recognized by the Board. Effective January 1, 2016, the applicant shall have completed an accredited graduate level advanced practice registered nursing education program in at least one of the following population foci: family/individual across the lifespan, adult-gerontology, neonatal, pediatrics, women's health/gender-related, or psychiatric/mental health;

5. Be currently certified in an advanced practice specialty certification consistent with educational preparation and by a national certifying body recognized by the Board; and

6. Provide any and all other evidence as required by the Board in its rules.

C. The Board may issue a license by endorsement to an Advanced Practice Registered Nurse licensed under the laws of another state if the applicant meets the qualifications for licensure in this state. An applicant by endorsement shall:

1. Submit a completed written application and appropriate fees as established by the Board;

2. Hold a current Registered Nurse license in this state;

1 3. Hold recognition as an Advanced Practice Registered Nurse in
2 a state or territory;

3 4. Have completed an advanced practice registered nursing
4 education program in one of the four roles and a specialty area
5 recognized by the Board. Effective January 1, 2016, the applicant
6 shall have completed an accredited graduate level advanced practice
7 registered nursing education program in at least one of the
8 following population foci: family/individual across the lifespan,
9 adult-gerontology, neonatal, pediatrics, women's health/gender-
10 related, or psychiatric/mental health;

11 5. Be currently certified in an advanced practice specialty
12 certification consistent with educational preparation and by a
13 national certifying body recognized by the Board;

14 6. Meet continued competency requirements as set forth in Board
15 rules; and

16 7. Provide any and all other evidence as required by the Board
17 in its rules.

18 D. The Board may issue prescriptive authority recognition by
19 endorsement to an Advanced Practice Registered Nurse licensed as an
20 APRN-CNP, APRN-CNS, or APRN-CNM under the laws of another state if
21 the applicant meets the requirements set forth in this section. An
22 applicant for prescriptive authority recognition by endorsement
23 shall:

24

1 1. Submit a completed written application and appropriate fees
2 as established by the Board;

3 2. Hold current Registered Nurse and Advanced Practice
4 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the
5 state;

6 3. Hold current licensure or recognition as an Advanced
7 Practice Registered Nurse in the same role and specialty with
8 prescribing privileges in another state or territory;

9 4. Submit documentation verifying successful completion of a
10 graduate level advanced practice registered nursing education
11 program that included an academic course in pharmacotherapeutic
12 management, and didactic and clinical preparation for prescribing
13 incorporated throughout the program;

14 5. Submit a written statement from an Oklahoma licensed
15 physician or supervising Advanced Practice Registered Nurse
16 supervising prescriptive authority as required by the Board in its
17 rules, or submit documentation that the applicant meets the
18 requirements for independent prescriptive authority under Section 1
19 of this act;

20 6. Meet continued competency requirements as set forth in Board
21 rules; and

22 7. Provide any and all other evidence as required by the Board
23 in its rules.
24

1 E. An Advanced Practice Registered Nurse license issued under
2 this section shall be renewed concurrently with the registered nurse
3 license, provided that qualifying criteria continue to be met.

4 F. The Board may reinstate a license as set forth in Board
5 rules.

6 SECTION 8. AMENDATORY 63 O.S. 2021, Section 2-312, as
7 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022,
8 Section 2-312), is amended to read as follows:

9 Section 2-312. A. A physician, podiatrist, optometrist or a
10 dentist who has complied with the registration requirements of the
11 Uniform Controlled Dangerous Substances Act, in good faith and in
12 the course of such person's professional practice only, may
13 prescribe and administer controlled dangerous substances, or may
14 cause the same to be administered by medical or paramedical
15 personnel acting under the direction and supervision of the
16 physician, podiatrist, optometrist or dentist, and only may dispense
17 controlled dangerous substances pursuant to the provisions of
18 Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

19 B. A veterinarian who has complied with the registration
20 requirements of the Uniform Controlled Dangerous Substances Act, in
21 good faith and in the course of the professional practice of the
22 veterinarian only, and not for use by a human being, may prescribe,
23 administer, and dispense controlled dangerous substances and may
24

1 cause them to be administered by an assistant or orderly under the
2 direction and supervision of the veterinarian.

3 C. 1. An ~~advanced practice nurse~~ Advanced Practice Registered
4 Nurse who is recognized to prescribe by the Oklahoma Board of
5 Nursing as ~~an advanced registered nurse practitioner, clinical nurse~~
6 ~~specialist or certified nurse-midwife,~~ a Certified Nurse
7 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
8 but who has not obtained independent prescriptive authority under
9 Section 1 of this act and therefore is subject to medical direction
10 by a supervising physician, or supervising Advanced Practice
11 Registered Nurse pursuant to Section 567.3a of Title 59 of the
12 Oklahoma Statutes, and who has complied with the registration
13 requirements of the Uniform Controlled Dangerous Substances Act, in
14 good faith and in the course of professional practice only, may
15 prescribe and administer Schedule III, IV and V controlled dangerous
16 substances.

17 2. An Advanced Practice Registered Nurse who is recognized to
18 prescribe by the Oklahoma Board of Nursing as a Certified Nurse
19 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
20 who has obtained independent prescriptive authority under Section 1
21 of this act, and who has complied with the registration requirements
22 of the Uniform Controlled Dangerous Substances Act, in good faith
23 and in the course of professional practice only, may prescribe and
24 administer Schedule III, IV, and V controlled dangerous substances.

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

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

24 SECTION 9. This act shall become effective November 1, 2023.

1 Passed the Senate the 6th day of March, 2023.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2023.

7
8 _____
9 Presiding Officer of the House
10 of Representatives