

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB458 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Marcus McEntire

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 SENATE BILL NO. 458

6 By: Stanley, Green, Hamilton,
7 Young, Murdock, Coleman,
8 Rogers, Daniels, Paxton,
9 Dahm, and Woods of the
10 Senate

11 and

12 McEntire, Wallace, Townley,
13 Pfeiffer, Stark, Lowe
14 (Dick), Archer, Bennett,
15 Moore, Fetgatter, McDugle,
16 McBride, Martinez and Kerbs
17 of the House

18 FLOOR SUBSTITUTE

19 [nursing - prescriptive authority - application -
20 supervision - controlled dangerous substances -
21 supervision requirement - codification - effective
22 date]

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

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

1 A. 1. An Advanced Practice Registered Nurse recognized by the
2 Oklahoma Board of Nursing as a Certified Nurse Practitioner,
3 Clinical Nurse Specialist, or Certified Nurse-Midwife who has
4 completed a minimum of six thousand two hundred forty (6,240) hours
5 of practice with prescriptive authority supervised by a physician or
6 completed an accredited residency program may apply to the Oklahoma
7 Board of Nursing for authority to prescribe and order independent of
8 supervision. This paragraph shall not be construed to exclude
9 practice hours with supervised prescriptive authority obtained prior
10 to the effective date of this act from being counted toward the
11 hours required in this paragraph.

12 2. The application for independent prescriptive authority shall
13 include proof that the Certified Nurse Practitioner, Clinical Nurse
14 Specialist, or Certified Nurse-Midwife:

- 15 a. holds a valid, current license in the appropriate
16 Advanced Practice Registered Nurse role issued by the
17 Board and is in good standing with the Board, and
- 18 b. has completed a minimum of six thousand two hundred
19 forty (6,240) hours of practice with prescriptive
20 authority supervised by a physician or completed an
21 accredited residency program.

22 3. Independent prescriptive authority granted under this
23 subsection shall be valid until the expiration of the current
24 license to practice and may be renewed upon application to the Board

1 at the same time and for the same period as the renewal of the
2 license to practice.

3 B. The Board shall review any application submitted under this
4 section and shall approve or deny the application, stating the
5 reason or reasons for denial, if denied. If denied, the applicant
6 may reapply using the process prescribed by subsection A of this
7 section.

8 C. The Board may suspend or revoke independent prescriptive
9 authority granted under this section for good cause at any time.

10 D. The Board may establish a fee for the review of initial and
11 renewal applications under the provisions of this section.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 567.5b of 59, unless there is
14 created a duplication in numbering, reads as follows:

15 A. The Oklahoma Board of Nursing, the State Board of Medical
16 Licensure and Supervision, and the State Board of Osteopathic
17 Examiners shall collaborate to promulgate a uniform set of rules:

18 1. Governing supervision requirements of an Advanced Practice
19 Registered Nurse who has not obtained independent prescriptive
20 authority under Section 1 of this act; and

21 2. That impose a reasonable limit on the monetary amount that a
22 supervising physician may charge an Advanced Practice Registered
23 Nurse for supervision. Nothing in this paragraph shall be construed
24 to require a supervising physician to charge a fee for supervision.

1 B. The Oklahoma Board of Nursing, the State Board of Medical
2 Licensure and Supervision, and the State Board of Osteopathic
3 Examiners may collaborate to promulgate a uniform set of rules
4 imposing a reasonable limit on the number of Advanced Practice
5 Registered Nurses that a physician may supervise; provided, however,
6 such rules shall allow a physician to seek a waiver to exceed this
7 limit for such purposes as may be determined by the Boards in the
8 uniform set of rules.

9 C. The State Board of Medical Licensure and Supervision and the
10 State Board of Osteopathic Examiners shall make available, and keep
11 updated, in a conspicuous location on the Internet website of each
12 Board a list of physicians who are available to supervise Advanced
13 Practice Registered Nurses. The Boards shall develop procedures
14 necessary for the implementation of this section.

15 SECTION 3. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 355.5 of Title 59, unless there
17 is created a duplication in numbering, reads as follows:

18 A. A licensed practitioner, or the employer of the licensed
19 practitioner on his or her behalf, shall carry malpractice insurance
20 or demonstrate proof of financial responsibility in a minimum amount
21 of One Million Dollars (\$1,000,000.00) per occurrence and Three
22 Million Dollars (\$3,000,000.00) in the aggregate per year.

23 B. A licensed practitioner who is employed by or under contract
24 with a federal agency that carries malpractice insurance in any

1 amount on behalf of the licensed practitioner shall be deemed in
2 compliance with subsection A of this section when practicing under
3 such federal employment or contract. However, to the extent the
4 licensed practitioner practices outside of such federal employment
5 or contract, the licensed practitioner, or the employer of the
6 licensed practitioner, shall comply with subsection A of this
7 section.

8 SECTION 4. AMENDATORY 59 O.S. 2021, Section 353.1, as
9 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2022,
10 Section 353.1), is amended to read as follows:

11 Section 353.1 For the purposes of the Oklahoma Pharmacy Act:

12 1. "Accredited program" means those seminars, classes,
13 meetings, work projects, and other educational courses approved by
14 the ~~Board~~ State Board of Pharmacy for purposes of continuing
15 professional education;

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

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

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

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

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

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

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

18 9. "Continuing professional education" means professional,
19 pharmaceutical education in the general areas of the socioeconomic
20 and legal aspects of health care; the properties and actions of
21 drugs and dosage forms; and the etiology, characteristics and
22 therapeutics of the diseased state;

23 10. "Dangerous drug", "legend drug", "prescription drug" or "Rx
24 Only" means a drug:

- 1 a. for human use subject to 21 U.S.C. 353(b)(1), or
2 b. is labeled "Prescription Only", or labeled with the
3 following statement: "Caution: Federal law restricts
4 this drug ~~except for~~ to use by or on the order of a
5 licensed veterinarian.";

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

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

15 13. "Dispenser" means a retail pharmacy, hospital pharmacy, a
16 group of chain pharmacies under common ownership and control that do
17 not act as a wholesale distributor, or any other person authorized
18 by law to dispense or administer prescription drugs, and the
19 affiliated warehouses or distributions of such entities under common
20 ownership and control that do not act as a wholesale distributor.
21 For the purposes of this paragraph, ~~"dispenser"~~ dispenser does not
22 mean a person who dispenses only products to be used in animals in
23 accordance with 21 U.S.C. 360b(a)(5);

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

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

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

18 17. "Drugs" means all medicinal substances and preparations
19 recognized by the United States ~~Pharmacopoeia~~ Pharmacopeia and
20 National Formulary, or any revision thereof, and all substances and
21 preparations intended for external and/or internal use in the cure,
22 diagnosis, mitigation, treatment or prevention of disease in humans
23 or animals and all substances and preparations, other than food,
24

1 intended to affect the structure or any function of the body of a
2 human or animals;

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

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

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

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

15 22. "Licensed practitioner" means:

16 a. an allopathic physician,

17 b. an osteopathic physician,

18 c. a podiatric physician,

19 d. a dentist,

20 e. a veterinarian ~~or~~,

21 f. an optometrist, or

22 g. a Certified Nurse Practitioner, Clinical Nurse
23 Specialist, or Certified Nurse-Midwife who has

24

1 obtained independent prescriptive authority under
2 Section 1 of this act,
3 licensed to practice and authorized to prescribe dangerous drugs
4 within the scope of practice of such practitioner;

5 23. "Manufacturer" or "virtual manufacturer" means with respect
6 to a product:

7 a. a person that holds an application approved under 21
8 U.S.C. 355 or a license issued under 42 U.S.C. 262 for
9 such product, or if such product is not the subject of
10 an approved application or license, the person who
11 manufactured the product,

12 b. a co-licensed partner of the person described in
13 subparagraph a of this paragraph that obtains the
14 product directly from a person described in this
15 subparagraph or subparagraph a of this paragraph,

16 c. an affiliate of a person described in subparagraph a
17 or b of this paragraph who receives the product
18 directly from a person described in this subparagraph
19 or in subparagraph a or b of this paragraph, or

20 d. a person who contracts with another to manufacture a
21 product;

22 24. "Manufacturing" means the production, preparation,
23 propagation, compounding, conversion or processing of a device or a
24 drug, either directly or indirectly by extraction from substances of

1 natural origin or independently by means of chemical or biological
2 synthesis and includes any packaging or repackaging of the
3 substances or labeling or relabeling of its container, and the
4 promotion and marketing of such drugs or devices. The term
5 ~~"manufacturing"~~ manufacturing also includes the preparation and
6 promotion of commercially available products from bulk compounds for
7 resale by licensed pharmacies, licensed practitioners or other
8 persons;

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

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

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

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

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

24

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

10 31. "Outsourcing facility" including "virtual outsourcing
11 facility" means a facility at one geographic location or address
12 that:

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

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

24

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

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

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

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

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

23 38. "Practice of pharmacy" means:
24

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

21 39. "Preparation" means an article which may or may not contain
22 sterile products compounded in a licensed pharmacy pursuant to the
23 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 by a~~
11 ~~physician assistant pursuant to a practice agreement,~~

12 ~~or~~

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

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

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

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

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

21 48. "Wholesale distributor" including "virtual wholesale
22 distributor" means a person other than a manufacturer, a
23 manufacturer's co-licensed partner, a third-party logistics
24 provider, or repackager engaged in wholesale distribution as defined

1 by 21 U.S.C. 353(e) (4) as amended by the Drug Supply Chain Security
2 Act;

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

7 50. "State correctional facility" means a facility or
8 institution that houses a prisoner population under the jurisdiction
9 of the Department of Corrections;

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

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

16 SECTION 5. AMENDATORY 59 O.S. 2021, Section 353.1a, is
17 amended to read as follows:

18 Section 353.1a A. ~~Prescribing~~ 1. Prescriptive authority shall
19 be allowed, under the medical direction of a supervising physician,
20 for ~~an advanced practice nurse~~ a licensed Advanced Practice
21 Registered Nurse recognized by the Oklahoma Board of Nursing ~~in one~~
22 ~~of the following categories: advanced registered nurse~~
23 ~~practitioners, clinical nurse specialists, or certified nurse-~~
24 ~~midwives~~ as a Certified Nurse Practitioner, Clinical Nurse

1 Specialist, or Certified Nurse-Midwife who has not obtained
2 independent prescriptive authority under Section 1 of this act.

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

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

19 ~~B.~~ C. Pharmacists may dispense prescriptions for non-controlled
20 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
21 Practice Registered Nurse or physician assistant, not located in
22 ~~Oklahoma~~ this state, provided that they are licensed in the state in
23 which they are actively prescribing.

24

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

7 2. Pharmacists may only dispense prescriptions for controlled
8 dangerous substances prescribed by a physician assistant licensed in
9 this state pursuant to a practice agreement.

10 SECTION 6. AMENDATORY 59 O.S. 2021, Section 567.3a, is
11 amended to read as follows:

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

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

14 2. "The practice of nursing" means the performance of services
15 provided for purposes of nursing diagnosis and treatment of human
16 responses to actual or potential health problems consistent with
17 educational preparation. Knowledge and skill are the basis for
18 assessment, analysis, planning, intervention, and evaluation used in
19 the promotion and maintenance of health and nursing management of
20 illness, injury, infirmity, restoration or optimal function, or
21 death with dignity. Practice is based on understanding the human
22 condition across the human lifespan and understanding the
23 relationship of the individual within the environment. This
24 practice includes execution of the medical regime including the

1 administration of medications and treatments prescribed by any
2 person authorized by state law to so prescribe;

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

5 a. assessing the health status of individuals, families
6 and groups,

7 b. analyzing assessment data to determine nursing care
8 needs,

9 c. establishing goals to meet identified health care
10 needs,

11 d. planning a strategy of care,

12 e. establishing priorities of nursing intervention to
13 implement the strategy of care,

14 f. implementing the strategy of care,

15 g. delegating such tasks as may safely be performed by
16 others, consistent with educational preparation and

17 that do not conflict with the provisions of the

18 Oklahoma Nursing Practice Act,

19 h. providing safe and effective nursing care rendered
20 directly or indirectly,

21 i. evaluating responses to interventions,

22 j. teaching the principles and practice of nursing,

23 k. managing and supervising the practice of nursing,
24

- 1 l. collaborating with other health professionals in the
- 2 management of health care,
- 3 m. performing additional nursing functions in accordance
- 4 with knowledge and skills acquired beyond basic
- 5 nursing preparation, and
- 6 n. delegating those nursing tasks as defined in the rules
- 7 of the Board that may be performed by an advanced
- 8 unlicensed assistive person;

9 4. “Licensed practical nursing” means the practice of nursing
10 under the supervision or direction of a registered nurse, licensed
11 physician or dentist. This directed scope of nursing practice
12 includes, but is not limited to:

- 13 a. contributing to the assessment of the health status of
- 14 individuals and groups,
- 15 b. participating in the development and modification of
- 16 the plan of care,
- 17 c. implementing the appropriate aspects of the plan of
- 18 care,
- 19 d. delegating such tasks as may safely be performed by
- 20 others, consistent with educational preparation and
- 21 that do not conflict with the Oklahoma Nursing
- 22 Practice Act,
- 23 e. providing safe and effective nursing care rendered
- 24 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 four recognized ~~advanced practice registered nurse~~ Advanced Practice Registered Nurse roles,
- b. who has passed a national certification examination recognized by the Board that measures the ~~advanced practice registered nurse~~ Advanced Practice Registered Nurse role and specialty competencies and who maintains recertification in the role and specialty through a national certification program,
- c. who has acquired advanced clinical knowledge and skills in preparation for providing both direct and indirect care to patients; however, the defining

1 factor for all Advanced Practice Registered Nurses is
2 that a significant component of the education and
3 practice focuses on direct care of individuals,

- 4 d. whose practice builds on the competencies of
5 Registered Nurses by demonstrating a greater depth and
6 breadth of knowledge, a greater synthesis of data, and
7 increased complexity of skills and interventions, and
8 e. who has obtained a license as an Advanced Practice
9 Registered Nurse in one of the following roles:
10 Certified Registered Nurse Anesthetist, Certified
11 Nurse-Midwife, Clinical Nurse Specialist, or Certified
12 Nurse Practitioner.

13 Only those persons who hold a license to practice advanced
14 practice registered nursing in this state shall have the right to
15 use the title "Advanced Practice Registered Nurse" and to use the
16 abbreviation "APRN". Only those persons who have obtained a license
17 in the following disciplines shall have the right to fulfill the
18 roles and use the applicable titles: Certified Registered Nurse
19 Anesthetist and the abbreviation "CRNA", Certified Nurse-Midwife and
20 the abbreviation "CNM", Clinical Nurse Specialist and the
21 abbreviation "CNS", and Certified Nurse Practitioner and the
22 abbreviation "CNP".

23 It shall be unlawful for any person to assume the role or use
24 the title Advanced Practice Registered Nurse or use the abbreviation

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

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

- 13 a. consistent with advanced educational preparation as a
14 Certified Nurse Practitioner in an area of specialty,
- 15 b. functions within the Certified Nurse Practitioner
16 scope of practice for the selected area of
17 specialization, and
- 18 c. is in accord with the standards for Certified Nurse
19 Practitioners as identified by the certifying body and
20 approved by the Board.

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

1 ~~section and subject to the medical direction of a supervising~~
2 ~~physician~~ Section 567.4a of this title and Section 1 of this act.

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

6 The Certified Nurse Practitioner 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 Practitioner;

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

13 (1) a master's degree or higher in nursing with
14 clinical specialization preparation to function
15 in an expanded role,

16 (2) specialty certification from a national
17 certifying organization recognized by the Board,

18 (3) an Advanced Practice Registered Nurse license
19 from the Board, and

20 (4) any nurse holding a specialty certification as a
21 Clinical Nurse Specialist valid on January 1,
22 1994, granted by a national certifying
23 organization recognized by the Board, shall be
24 deemed to be a Clinical Nurse Specialist under

1 the provisions of the Oklahoma Nursing Practice
2 Act.

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

- 6 (1) practicing as an expert clinician in the
7 provision of direct nursing care to a selected
8 population of patients or clients in any setting,
9 including private practice,
10 (2) managing the care of patients or clients with
11 complex nursing problems,
12 (3) enhancing patient or client care by integrating
13 the competencies of clinical practice, education,
14 consultation, and research, and
15 (4) referring patients or clients to other services.

16 c. A Clinical Nurse Specialist in accordance with the
17 scope of practice of such Clinical Nurse Specialist
18 shall be eligible to obtain recognition as authorized
19 by the Board to prescribe, as defined by the rules
20 promulgated by the Board pursuant to ~~this section, and~~
21 ~~subject to the medical direction of a supervising~~
22 ~~physician~~ Section 567.4a of this title and Section 1
23 of this act. This authorization shall not include
24 dispensing drugs, but shall not preclude, subject to

1 federal regulations, the receipt of, the signing for,
2 or the dispensing of professional samples to patients.

3 d. The Clinical Nurse Specialist accepts responsibility,
4 accountability, and obligation to practice in
5 accordance with usual and customary advanced practice
6 nursing standards and functions as defined by the
7 scope of practice/role definition statements for the
8 Clinical Nurse Specialist;

9 8. ~~"Nurse-Midwife" is~~ "Certified Nurse-Midwife" means a nurse
10 who has received an Advanced Practice Registered Nurse license from
11 the Oklahoma Board of Nursing who possesses evidence of
12 certification according to the requirements of the American College
13 of Nurse-Midwives.

14 A Certified Nurse-Midwife in accordance with the scope of
15 practice of such Certified Nurse-Midwife shall be eligible to obtain
16 recognition as authorized by the Board to prescribe, as defined by
17 the rules promulgated by the Board pursuant to ~~this section and~~
18 ~~subject to the medical direction of a supervising physician~~ Section
19 567.4a of this title and Section 1 of this act. This authorization
20 shall not include the dispensing of drugs, but shall not preclude,
21 subject to federal regulations, the receipt of, the signing for, or
22 the dispensing of professional samples to patients.

23 The Certified Nurse-Midwife accepts responsibility,
24 accountability, and obligation to practice in accordance with usual

1 and customary advanced practice registered nursing standards and
2 functions as defined by the scope of practice/role definition
3 statements for the Certified Nurse-Midwife;

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

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

12 (1) is certified by the National Board of
13 Certification and Recertification for Nurse
14 Anesthetists as a Certified Registered Nurse
15 Anesthetist within one (1) year following
16 completion of an approved ~~certified registered~~
17 ~~nurse anesthetist~~ Certified Registered Nurse
18 Anesthetist education program, and continues to
19 maintain such recertification by the National
20 Board of Certification and Recertification for
21 Nurse Anesthetists, and

22 (2) administers anesthesia in collaboration with a
23 medical doctor, an osteopathic physician, a
24 podiatric physician or a dentist licensed in this

1 state and under conditions in which timely onsite
2 consultation by such doctor, osteopath, podiatric
3 physician or dentist is available.

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

20 c. A Certified Registered Nurse Anesthetist who applies
21 for authorization to order, select, obtain and
22 administer drugs shall:

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

- 1 (2) provide evidence of completion, within the two-
2 year period immediately preceding the date of
3 application, of a minimum of fifteen (15) units
4 of continuing education in advanced pharmacology
5 related to the administration of anesthesia as
6 recognized by the National Board of Certification
7 and Recertification for Nurse Anesthetists, and
8 (3) complete and submit a notarized application, on a
9 form prescribed by the Board, accompanied by the
10 application fee established pursuant to this
11 section.

12 d. The authority to order, select, obtain and administer
13 drugs shall be terminated if a Certified Registered
14 Nurse Anesthetist has:

- 15 (1) ordered, selected, obtained or administered drugs
16 outside of the Certified Registered Nurse
17 Anesthetist scope of practice or ordered,
18 selected, obtained or administered drugs for
19 other than therapeutic purposes, or
20 (2) violated any provision of state laws or rules or
21 federal laws or regulations pertaining to the
22 practice of nursing or the authority to order,
23 select, obtain and administer drugs.
24

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

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

19 g. This paragraph shall not prohibit the administration
20 of local or topical anesthetics as now permitted by
21 law. Provided further, nothing in this paragraph
22 shall limit the authority of the Board of Dentistry to
23 establish the qualifications for dentists who direct
24 the administration of anesthesia.

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

17 11. "Supervising physician" means an individual holding a
18 current license to practice as a physician from the State Board of
19 Medical Licensure and Supervision or the State Board of Osteopathic
20 Examiners, who supervises a Certified Nurse Practitioner, a Clinical
21 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
22 independent prescriptive authority under Section 1 of this act, and
23 who is not in training as an intern, resident, or fellow. ~~To be~~
24 ~~eligible to supervise such Advanced Practice Registered Nurse, such~~

1 The supervising physician shall remain in compliance with the rules
2 promulgated by the State Board of Medical Licensure and Supervision
3 or the State Board of Osteopathic Examiners;

4 12. "Supervision of an Advanced Practice Registered Nurse with
5 prescriptive authority" means overseeing and accepting
6 responsibility for the ordering and transmission by a Certified
7 Nurse Practitioner, a Clinical Nurse Specialist, or a Certified
8 Nurse-Midwife who has not obtained independent prescriptive
9 authority under Section 1 of this act of written, telephonic,
10 electronic or oral prescriptions for drugs and other medical
11 supplies, subject to a defined formulary; and

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

18 SECTION 7. AMENDATORY 59 O.S. 2021, Section 567.4a, is
19 amended to read as follows:

20 Section 567.4a The Oklahoma Board of Nursing may grant
21 prescriptive authority through the Advanced Practice Registered
22 Nurse license to Certified Nurse Practitioners, Clinical Nurse
23 Specialists, and Certified Nurse-Midwives who meet the requirements
24 for prescriptive authority identified by law and in the Board's

1 rules. The rules regarding prescriptive authority recognition
2 promulgated by the Oklahoma Board of Nursing pursuant to ~~paragraphs~~
3 ~~6 through 9, 11 and 12 of this section,~~ Section 567.3a of this
4 title, and Section 1 of this act shall:

5 1. Define the procedure for documenting supervision by a
6 supervising physician licensed in Oklahoma to practice by the State
7 Board of Medical Licensure and Supervision or the State Board of
8 Osteopathic Examiners as defined in Section 567.3a of this title of
9 a Certified Nurse Practitioner, Clinical Nurse Specialist, or
10 Certified Nurse-Midwife who has not obtained independent
11 prescriptive authority under Section 1 of this act. Such procedure
12 shall include a written statement that defines appropriate referral,
13 consultation, and collaboration between the Advanced Practice
14 Registered Nurse, recognized to prescribe as defined in ~~paragraphs 6~~
15 ~~through 9, 11 and 12 of~~ Section 567.3a of this title, and the
16 supervising physician. The written statement shall include a method
17 of assuring availability of the supervising physician through direct
18 contact, telecommunications or other appropriate electronic means
19 for consultation, assistance with medical emergencies, or patient
20 referral. The written statement shall be part of the initial
21 application and the renewal application submitted to the Board for
22 recognition for prescriptive authority for the Advanced Practice
23 Registered Nurse. Changes to the written statement shall be filed

24

1 with the Board within thirty (30) days of the change and shall be
2 effective on filing;

3 2. Define the procedure for documenting independent
4 prescriptive authority for Certified Nurse Practitioners, Clinical
5 Nurse Specialists, and Certified Nurse-Midwives who have obtained
6 independent prescriptive authority under Section 1 of this act;

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

18 ~~3.~~ 4. Define minimal requirements for application for renewal
19 of prescriptive authority which shall include, but not be limited
20 to, documentation of a minimum of:

21 a. fifteen (15) contact hours or one (1) academic credit
22 hour of education in pharmacotherapeutics, clinical
23 application, and use of pharmacological agents in the
24 prevention of illness, and in the restoration and

1 maintenance of health in a program beyond basic
2 registered nurse preparation, and

- 3 b. two (2) hours of education in pain management or two
4 (2) hours of education in opioid use or addiction,
5 unless the Advanced Practice Registered Nurse has
6 demonstrated to the satisfaction of the Board that the
7 Advanced Practice Registered Nurse does not currently
8 hold a valid federal Drug Enforcement Administration
9 registration number,

10 approved by the Board, within the two-year period immediately
11 preceding the effective date of application for renewal of
12 prescriptive authority;

13 ~~4.~~ 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice
14 Registered Nurse ~~shall demonstrate~~ demonstrates successful
15 completion of a master's degree or higher in ~~a clinical nurse~~
16 ~~specialty~~ one of the following Advanced Practice Registered Nurse
17 roles:

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

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

1 ~~5.~~ 6. Define the method for communicating authority to
2 prescribe or termination of same, and the formulary to the State
3 Board of Pharmacy, all pharmacies, and all registered pharmacists;

4 ~~6.~~ 7. Define terminology used in such rules;

5 ~~7.~~ 8. Define the parameters for the prescribing practices of
6 the Advanced Practice Registered Nurse;

7 ~~8.~~ 9. Define the methods for termination of prescriptive
8 authority for the Advanced Practice Registered Nurse; and

9 ~~9.~~ 10. a. Establish a Formulary Advisory Council that shall
10 develop and submit to the Board recommendations for an
11 exclusionary formulary that shall list drugs or
12 categories of drugs that shall not be prescribed by an
13 Advanced Practice Registered Nurse recognized to
14 prescribe by the Oklahoma Board of Nursing. The
15 Formulary Advisory Council shall also develop and
16 submit to the Board recommendations for practice-
17 specific prescriptive standards for each category of
18 Advanced Practice Registered Nurse recognized to
19 prescribe by the Oklahoma Board of Nursing pursuant to
20 the provisions of the Oklahoma Nursing Practice Act.
21 The Board shall either accept or reject the
22 recommendations made by the Council. No amendments to
23 the recommended exclusionary formulary may be made by
24

1 the Board without the approval of the Formulary
2 Advisory Council.

3 b. The Formulary Advisory Council shall be composed of
4 twelve (12) members as follows:

5 (1) four members, to include a pediatrician, an
6 obstetrician-gynecological physician, a general
7 internist, and a family practice physician;
8 provided, that three of such members shall be
9 appointed by the Oklahoma State Medical
10 Association, and one shall be appointed by the
11 Oklahoma Osteopathic Association,

12 (2) four members who are registered pharmacists,
13 appointed by the Oklahoma Pharmaceutical
14 Association, and

15 (3) four members, one of whom shall be a Certified
16 Nurse Practitioner, one of whom shall be a
17 Clinical Nurse Specialist, one of whom shall be a
18 Certified Nurse-Midwife, and one of whom shall be
19 a current member of the Oklahoma Board of
20 Nursing, all of whom shall be appointed by the
21 Oklahoma Board of Nursing.

22 c. All professional members of the Formulary Advisory
23 Council shall be in active clinical practice, at least
24 fifty percent (50%) of the time, within their defined

1 area of specialty. The members of the Formulary
2 Advisory Council shall serve at the pleasure of the
3 appointing authority for a term of three (3) years.
4 The terms of the members shall be staggered. Members
5 of the Council may serve beyond the expiration of
6 their term of office until a successor is appointed by
7 the original appointing authority. A vacancy on the
8 Council shall be filled for the balance of the
9 unexpired term by the original appointing authority.

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

1 SECTION 8. AMENDATORY 59 O.S. 2021, Section 567.5a, is
2 amended to read as follows:

3 Section 567.5a A. All applicants for a license to practice as
4 an Advanced Practice Registered Nurse shall be subject to Section
5 567.8 of this title.

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

8 1. Submit a completed written application and appropriate fees
9 as established by the Oklahoma Board of Nursing;

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

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

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

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

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

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

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

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

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

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

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

23 6. Meet continued competency requirements as set forth in Board
24 rules; and

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

3 D. The Board may issue prescriptive authority recognition by
4 endorsement to an Advanced Practice Registered Nurse licensed as an
5 APRN-CNP, APRN-CNS, or APRN-CNM under the laws of another state if
6 the applicant meets the requirements set forth in this section. An
7 applicant for prescriptive authority recognition by endorsement
8 shall:

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

11 2. Hold current Registered Nurse and Advanced Practice
12 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the
13 state;

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

17 4. Submit documentation verifying successful completion of a
18 graduate level advanced practice registered nursing education
19 program that included an academic course in pharmacotherapeutic
20 management, and didactic and clinical preparation for prescribing
21 incorporated throughout the program;

22 5. Submit a written statement from an Oklahoma licensed
23 physician supervising prescriptive authority as required by the
24 Board in its rules, or submit documentation that the applicant meets

1 the requirements for independent prescriptive authority under
2 Section 1 of this act;

3 6. Meet continued competency requirements as set forth in Board
4 rules; and

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

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

10 F. The Board may reinstate a license as set forth in Board
11 rules.

12 SECTION 9. AMENDATORY 63 O.S. 2021, Section 2-312, as
13 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2022,
14 Section 2-312), is amended to read as follows:

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

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

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

21 2. An Advanced Practice Registered Nurse who is recognized to
22 prescribe by the Oklahoma Board of Nursing as a Certified Nurse
23 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
24 who has obtained independent prescriptive authority under Section 1

1 of this act, and who has complied with the registration requirements
2 of the Uniform Controlled Dangerous Substances Act, in good faith
3 and in the course of professional practice only, may prescribe and
4 administer Schedule III, IV, and V controlled dangerous substances.

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

20 E. A physician assistant who is recognized to prescribe by the
21 State Board of Medical Licensure and Supervision under the medical
22 direction of a supervising physician, pursuant to Section 519.6 of
23 Title 59 of the Oklahoma Statutes, and who has complied with the
24 registration requirements of the Uniform Controlled Dangerous

1 Substances Act, in good faith and in the course of professional
2 practice only, may prescribe and administer Schedule II through V
3 controlled dangerous substances.

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