

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2298

By: Hilbert

COMMITTEE SUBSTITUTE

An Act relating to the practice of nursing; providing for independent prescriptive authority of Advanced Practice Registered Nurses who meet certain requirements; stating application criteria; specifying duration of authority; providing for application approval, denial, reapplication, fees, and independent prescriptive authority revocation; prescribing certain malpractice insurance requirements; directing promulgation of certain advertising rules; providing certain construction; directing certain boards to make specified information available online; providing definitions; providing eligibility requirements for physicians; providing limits; providing for exceptions; providing certain responsibilities; providing for disciplinary action; authorizing penalties; amending 59 O.S. 2021, Section 353.1, as amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2024, Section 353.1), which relates to definitions used in the Oklahoma Pharmacy Act; modifying and adding definitions; amending 59 O.S. 2021, Section 353.1a, which relates to prescriptive authority of Advanced Practice Registered Nurses; modifying prescriptive authority of certain Advanced Practice Registered Nurses; updating statutory language; amending 59 O.S. 2021, Section 567.3a, which relates to definitions used in the Oklahoma Nursing Practice Act; modifying and adding definitions; amending 59 O.S. 2021, Section 567.4a, which relates to prescriptive authority; specifying authority of the Oklahoma Board of Nursing to grant prescriptive authority; directing the Board to promulgate certain rules; clarifying certain educational requirement; requiring the Formulary

1 Advisory Council to develop, update, and publish
2 certain guidelines; modifying references; conforming
3 language; amending 59 O.S. 2021, Section 567.5a, as
4 amended by Section 1, Chapter 94, O.S.L. 2024 (59
5 O.S. Supp. 2024, Section 567.5a), which relates to
6 Advanced Practice Registered Nurse license; providing
7 for independent prescriptive authority by
8 endorsement; amending 63 O.S. 2021, Section 2-312, as
9 amended by Section 2, Chapter 184, O.S.L. 2022 (63
10 O.S. Supp. 2024, Section 2-312), which relates to
11 controlled dangerous substances; conforming language
12 relating to supervision requirement; updating
13 statutory references and language; providing for
14 codification; and providing an effective date.

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

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:

A. 1. An Advanced Practice Registered Nurse recognized by the
Oklahoma Board of Nursing as a Certified Nurse Practitioner,
Clinical Nurse Specialist, or Certified Nurse-Midwife who has
completed a minimum of three (3) years of practice with prescriptive
authority supervised by a physician may apply to the Oklahoma Board
of Nursing for authority to prescribe and order independent of
supervision.

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

- 1 a. holds a valid, current license in the appropriate
2 Advanced Practice Registered Nurse role issued by the
3 Board and is in good standing with the Board, and
4 b. has completed a minimum of three (3) years of practice
5 with prescriptive authority supervised by a physician.
6 This subparagraph shall not be construed to exclude
7 practice hours with supervised prescriptive authority
8 obtained prior to the effective date of this act from
9 being counted toward the hours required in this
10 subparagraph.

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

16 B. The Board shall review any application submitted under this
17 section and shall approve or deny the application, stating the
18 reason or reasons for denial, if denied. If denied, the applicant
19 may reapply using the process prescribed by subsection A of this
20 section.

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

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

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

4 A. An Advanced Practice Registered Nurse, or the employer of
5 the Advanced Practice Registered Nurse on his or her behalf, shall
6 carry malpractice insurance or demonstrate proof of financial
7 responsibility in a minimum amount of One Million Dollars
8 (\$1,000,000.00) per occurrence and Three Million Dollars
9 (\$3,000,000.00) in the aggregate per year. The requirement to carry
10 malpractice insurance shall extend only to the Advanced Practice
11 Registered Nurse, and not be construed as to require the Advance
12 Practice Registered Nurse to provide malpractice insurance coverage
13 to any supervising or collaborating physician.

14 B. An Advanced Practice Registered Nurse who is employed by or
15 under contract with a federal agency that carries malpractice
16 insurance in any amount on behalf of the Advanced Practice
17 Registered Nurse shall be deemed in compliance with subsection A of
18 this section when practicing under such federal employment or
19 contract. However, to the extent the Advanced Practice Registered
20 Nurse practices outside of such federal employment or contract, the
21 Advanced Practice Registered Nurse, or his or her employer, shall
22 comply with subsection A of this section.

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1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 567.5c of Title 59, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The Oklahoma Board of Nursing shall promulgate rules
5 governing advertising of health care services by Advanced Practice
6 Registered Nurses to include, but not be limited to, the specialty
7 areas or types of health care services Advanced Practice Registered
8 Nurses may advertise based on their training or experience.

9 B. Nothing in this act shall be construed to allow an Advanced
10 Practice Registered Nurse to perform any medical service or
11 prescribe any medication beyond those authorized under state law or
12 in a manner otherwise inconsistent with state law.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 479 of Title 59, unless there is
15 created a duplication in numbering, reads as follows:

16 The State Board of Medical Licensure and Supervision and the
17 State Board of Osteopathic Examiners shall make available, and keep
18 updated, in a conspicuous location on the website of each Board a
19 list of physicians who are available to supervise Advanced Practice
20 Registered Nurses. The Boards shall develop procedures necessary
21 for the implementation of this section.

22 SECTION 5. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 479.1 of Title 59, unless there
24 is created a duplication in numbering, reads as follows:

1 A. As used in this section:

2 1. "Advanced Practice Registered Nurse" or "(APRN)" means a
3 registered nurse who has obtained a license from the Oklahoma Board
4 of Nursing to practice advanced registered nursing not including
5 Certified Registered Nurse Anesthetists;

6 2. "Board" means the State Board of Osteopathic Examiners or
7 State Board of Medical Licensure and Supervision;

8 3. "Proper physician supervision" means that the supervising
9 physician routinely reviews the prescribing patterns of an Advanced
10 Practice Registered Nurse under his or her supervision and that the
11 supervising physician is available to the Advanced Practice
12 Registered Nurse for consultation in person or by telemedicine
13 within a reasonable timeframe not exceeding twenty-four (24) hours;
14 and

15 4. "Supervising physician" means a licensed allopathic or
16 osteopathic physician in good standing who is responsible for
17 supervising and overseeing the prescribing practices of an Advanced
18 Practice Registered Nurse.

19 B. To be eligible to serve as a supervising physician for an
20 Advanced Practice Registered Nurse, an allopathic or osteopathic
21 physician shall meet the following criteria:

22 1. Have possession of a full and unrestricted Oklahoma license
23 to practice allopathic or osteopathic medicine;

1 2. Have possession of a valid permit to prescribe controlled
2 drugs with the Drug Enforcement Agency (DEA) and Oklahoma Bureau of
3 Narcotics and Dangerous Drugs Control (OBND); and

4 3. Have relevant experience in prescribing and administering
5 similar prescription medications authorized by the formulary
6 approved by the Formulary Advisory Council within the Board of
7 Nursing as established in Section 567.4b of this title which the
8 APRN is authorized to prescribe and administer.

9 C. A supervising physician may charge a reasonable fee to the
10 APRN for his or her supervision services, which shall be disclosed
11 in a written agreement. Any fees charged by a supervising physician
12 shall be appropriate based on the actual duties and responsibilities
13 of the supervising physician as outlined in a written agreement.
14 The fees charged shall be a fair market value hourly rate as defined
15 by the respective board biannually or by mutual agreement between
16 the APRN and supervising physician as to the consideration of
17 reasonableness. A supervising physician who charges an Advanced
18 Practice Registered Nurse for supervision services and fails to
19 provided proper physician supervision may be subject to discipline
20 by the physician's respective board. This subsection shall not
21 preclude a supervising physician from entering into a payment
22 arrangement for supervision fees to be paid by his or her employer
23 or health care entity in lieu of the APRN. This subsection does not
24 relate to or impact any compensation a supervising physician

1 receives from his or her employer or health care entity for
2 supervision services. It only pertains to compensation received
3 directly from the APRN.

4 D. All supervising physicians shall have a written agreement
5 with each APRN he or she supervises. The written agreement shall
6 outline any fees charged for supervision services, the scope of the
7 Advanced Practice Registered Nurse's practice as defined by the
8 rules of the Board of Nursing, and the extent of the supervision
9 required. The physician shall file the written agreement with the
10 respective licensing board.

11 E. A supervising physician shall notify Advanced Practice
12 Registered Nurses under his or her supervision of reasonably
13 anticipated periods of unavailability or incapacity on the part of
14 the supervising physicians. Notice shall be given by the method
15 agreed to by the supervising physician and the Advanced Practice
16 Registered Nurse within the written supervision agreement.

17 F. The supervising physician shall report to the Board and
18 Advanced Practice Registered Nurse any changes to the supervising
19 relationship within thirty (30) days, including the addition or
20 removal of an Advanced Practice Registered Nurse or changes to the
21 practice address, and mobile phone numbers.

22 G. The Board shall not charge any fees to supervising
23 physicians or Advanced Practice Registered Nurses for the
24 maintenance and tracking of the supervision relationship.

1 H. The Board shall promulgate rules establishing the
2 expectations for providing proper supervision to Advanced Practice
3 Registered Nurses, including:

4 1. The charging of reasonable fees to provide supervision
5 services;

6 2. Continuous availability of direct communications either in
7 person or by electronic communications between the APRN and
8 supervising physician;

9 3. Oversight and acceptance of responsibility for the ordering
10 and transmission of written, telephonic, electronic, or oral
11 prescriptions for drugs and other medical supplies, subject to a
12 defined formulary in Section 567.3a of Title 59 of the Oklahoma
13 Statutes;

14 4. Review prescribing patterns of an APRN;

15 5. The delineation of a plan for emergencies; and

16 6. The designation of an alternate physician in the absence of
17 the supervising physician.

18 I. Failure to comply with these rules may result in
19 disciplinary action by the Board.

20 J. The Executive Director of the respective board shall report
21 annually to the Board the number of complaints received in relation
22 to this section of law.

23 K. The Executive Director of the respective board shall create
24 and maintain a list of physicians on the agency's official website

1 who are willing to serve as a supervising physician to an Advanced
2 Practice Registered Nurse licensed in Oklahoma.

3 L. Advanced Practice Registered Nurses employed by or
4 contracted by a hospital, defined pursuant to Section 1-701 of Title
5 63 of the Oklahoma Statutes, are exempt from this section.

6 SECTION 6. AMENDATORY 59 O.S. 2021, Section 353.1, as
7 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2024,
8 Section 353.1), is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

21 10. "Dangerous drug", "legend drug", "prescription drug", or
22 "Rx Only" means a drug:

- 23 a. for human use subject to 21 U.S.C., Section 353(b)(1),
24 or

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

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

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

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

23 14. "Distribute" or "distribution" means the sale, purchase,
24 trade, delivery, handling, storage, or receipt of a product, and

1 does not include the dispensing of a product pursuant to a
2 prescription executed in accordance with 21 U.S.C., Section
3 353(b) (1) or the dispensing of a product approved under 21 U.S.C.,
4 Section 360b(b); provided, taking actual physical possession of a
5 product or title shall not be required;

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

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

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

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

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

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

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

13 22. "Licensed practitioner" means:

14 a. an allopathic physician,

15 b. an osteopathic physician,

16 c. a podiatric physician,

17 d. a dentist,

18 e. a veterinarian ~~or~~,

19 f. an optometrist, or

20 g. an Advanced Practice Registered Nurse,

21 licensed to practice and authorized to prescribe dangerous drugs
22 within the scope of practice of such practitioner;

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

- 1 a. a person that holds an application approved under 21
2 U.S.C., Section 355 or a license issued under 42
3 U.S.C., Section 262 for such product, or if such
4 product is not the subject of an approved application
5 or license, the person who manufactured the product,
6 b. a co-licensed partner of the person described in
7 subparagraph a of this paragraph that obtains the
8 product directly from a person described in this
9 subparagraph or subparagraph a of this paragraph,
10 c. an affiliate of a person described in subparagraph a
11 or b of this paragraph who receives the product
12 directly from a person described in this subparagraph
13 or in subparagraph a or b of this paragraph, or
14 d. a person who contracts with another to manufacture a
15 product;

16 24. "Manufacturing" means the production, preparation,
17 propagation, compounding, conversion, or processing of a device or a
18 drug, either directly or indirectly by extraction from substances of
19 natural origin or independently by means of chemical or biological
20 synthesis and includes any packaging or repackaging of the
21 substances or labeling or relabeling of its container, and the
22 promotion and marketing of such drugs or devices. The term
23 ~~"manufacturing"~~ manufacturing also includes the preparation and
24 promotion of commercially available products from bulk compounds for

1 resale by licensed pharmacies, licensed practitioners, or other
2 persons;

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

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

8 27. "Medical gas distributor" means a person licensed to
9 distribute, transfer, wholesale, deliver, or sell medical gases on
10 drug orders to suppliers or other entities licensed to use,
11 administer, or distribute medical gas and may also include a patient
12 or ultimate user;

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

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

18 30. "Nonprescription drugs" means medicines or drugs which are
19 sold without a prescription and which are prepackaged for use by the
20 consumer and labeled in accordance with the requirements of the
21 statutes and regulations of this state and the federal government.
22 Such items shall also include medical and dental supplies and
23 bottled or nonbulk chemicals which are sold or offered for sale to
24 the general public if such articles or preparations meet the

1 requirements of the Federal Food, Drug, and Cosmetic Act, 21
2 U.S.C.A., Section 321 et seq.;

3 31. "Outsourcing facility" including "virtual outsourcing
4 facility" means a facility at one geographic location or address
5 that:

- 6 a. is engaged in the compounding of sterile drugs,
- 7 b. has elected to register as an outsourcing facility,
- 8 and
- 9 c. complies with all requirements of 21 U.S.C., Section
10 353b;

11 32. "Package" means the smallest individual saleable unit of
12 product for distribution by a manufacturer or repackager that is
13 intended by the manufacturer for ultimate sale to the dispenser of
14 such product. For the purposes of this paragraph, "individual
15 saleable unit" means the smallest container of a product introduced
16 into commerce by the manufacturer or repackager that is intended by
17 the manufacturer or repackager for individual sale to a dispenser;

18 33. "Person" means an individual, partnership, limited
19 liability company, corporation, or association, unless the context
20 otherwise requires;

21 34. "Pharmacist-in-charge" or "PIC" means the pharmacist
22 licensed in this state responsible for the management control of a
23 pharmacy and all other aspects of the practice of pharmacy in a
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1 licensed pharmacy as ~~defined~~ provided by Section 353.18 of this
2 title;

3 35. "Pharmacy" means a place regularly licensed by the State
4 Board of Pharmacy in which prescriptions, drugs, medicines,
5 chemicals, and poisons are compounded or dispensed or such place
6 where pharmacists practice the profession of pharmacy, or a pharmacy
7 operated by the Oklahoma Department of Veterans Affairs;

8 36. "Pharmacy technician", "technician", "Rx tech", or "tech"
9 means a person issued a ~~Technician~~ technician permit by the State
10 Board of Pharmacy to assist the pharmacist and perform
11 nonjudgmental, technical, manipulative, non-discretionary functions
12 in the prescription department under the immediate and direct
13 supervision of a pharmacist;

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

18 38. "Practice of pharmacy" means:

- 19 a. the interpretation and evaluation of prescription
20 orders,
- 21 b. the compounding, dispensing, administering, and
22 labeling of drugs and devices, except labeling by a
23 manufacturer, repackager, or distributor of
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1 nonprescription drugs and commercially packaged legend
2 drugs and devices,

3 c. the participation in drug selection and drug
4 utilization reviews,

5 d. the proper and safe storage of drugs and devices and
6 the maintenance of proper records thereof,

7 e. the responsibility for advising by counseling and
8 providing information, where professionally necessary
9 or where regulated, of therapeutic values, content,
10 hazards, and use of drugs and devices,

11 f. the offering or performing of those acts, services,
12 operations, or transactions necessary in the conduct,
13 operation, management, and control of a pharmacy, or

14 g. the provision of those acts or services that are
15 necessary to provide pharmaceutical care;

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

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

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

- 1 a. by a licensed prescriber,
- 2 b. ~~under the supervision of an Oklahoma licensed~~
3 ~~practitioner, an Oklahoma licensed advanced practice~~
4 ~~registered nurse or an Oklahoma licensed~~ by a
5 physician assistant pursuant to a practice agreement,
6 ~~or~~
- 7 c. (1) under the supervision of a supervising physician,
8 by a Certified Nurse Practitioner, Clinical Nurse
9 Specialist, or Certified Nurse-Midwife licensed
10 in this state who has not obtained independent
11 prescriptive authority under Section 1 of this
12 act, or
- 13 (2) by a Certified Nurse Practitioner, Clinical Nurse
14 Specialist, or Certified Nurse-Midwife licensed
15 in this state who has obtained independent
16 prescriptive authority under Section 1 of this
17 act, or
- 18 d. by an Oklahoma licensed wholesaler or distributor as
19 authorized in Section 353.29.1 of this title;

20 42. "Product" means a prescription drug in a finished dosage
21 form for administration to a patient without substantial further
22 manufacturing, such as capsules, tablets, and lyophilized products
23 before reconstitution. ~~"Product"~~ Product does not include blood
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1 components intended for transfusion, radioactive drugs or biologics
2 and medical gas;

3 43. "Repackager", including "virtual repackager", means a
4 person who owns or operates an establishment that repacks and
5 relabels a product or package for further sale or distribution
6 without further transaction;

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

11 45. "Supervising physician" means an individual holding a
12 current license to practice as a physician from the State Board of
13 Medical Licensure and Supervision, pursuant to the provisions of the
14 Oklahoma Allopathic Medical and Surgical Licensure and Supervision
15 Act, or the State Board of Osteopathic Examiners, pursuant to the
16 provisions of the Oklahoma Osteopathic Medicine Act, who supervises
17 ~~an advanced practice registered nurse~~ a Certified Nurse
18 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
19 as defined in Section 567.3a of this title who has not obtained
20 independent prescriptive authority under Section 1 of this act,
21 and who is not in training as an intern, resident, or fellow. ~~To be~~
22 ~~eligible to supervise an advanced practice registered nurse, such~~
23 The supervising physician shall remain in compliance with the rules
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1 promulgated by the State Board of Medical Licensure and Supervision
2 or the State Board of Osteopathic Examiners;

3 46. "Supportive personnel" means technicians and auxiliary
4 supportive persons who are regularly paid employees of a pharmacy
5 who work and perform tasks in the pharmacy as authorized by Section
6 353.18A of this title;

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

16 48. "Wholesale distributor" including "virtual wholesale
17 distributor" means a person other than a manufacturer, a
18 manufacturer's co-licensed partner, a third-party logistics
19 provider, or repackager engaged in wholesale distribution as defined
20 by 21 U.S.C., Section 353(e) (4) as amended by the Drug Supply Chain
21 Security Act;

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

3 50. "State correctional facility" means a facility or
4 institution that houses a prisoner population under the jurisdiction
5 of the Department of Corrections;

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

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

12 SECTION 7. AMENDATORY 59 O.S. 2021, Section 353.1a, is
13 amended to read as follows:

14 Section 353.1a. A. ~~Prescribing~~ 1. Prescriptive authority
15 shall be allowed, under ~~the medical direction of a current~~
16 supervision agreement with a supervising physician, for an advanced
17 practice nurse a licensed Advanced Practice Registered Nurse
18 recognized by the Oklahoma Board of Nursing ~~in one of the following~~
19 ~~categories: advanced registered nurse practitioners, clinical nurse~~
20 ~~specialists, or certified nurse midwives~~ as a Certified Nurse
21 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
22 who has not obtained independent prescriptive authority under
23 Section 1 of this act.

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

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

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

23 ~~C.~~ D. 1. Pharmacists may only dispense prescriptions for
24 controlled dangerous substances prescribed by an ~~advanced practice~~

1 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
2 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~
3 ~~licensed practitioner~~ this state who meets the criteria in paragraph
4 1 or 2 of subsection A of this section.

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

8 SECTION 8. AMENDATORY 59 O.S. 2021, Section 567.3a, is
9 amended to read as follows:

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

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

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

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

- 3 a. assessing the health status of individuals, families,
4 and groups,
- 5 b. analyzing assessment data to determine nursing care
6 needs,
- 7 c. establishing goals to meet identified health care
8 needs,
- 9 d. planning a strategy of care,
- 10 e. establishing priorities of nursing intervention to
11 implement the strategy of care,
- 12 f. implementing the strategy of care,
- 13 g. delegating such tasks as may safely be performed by
14 others, consistent with educational preparation and
15 that do not conflict with the provisions of the
16 Oklahoma Nursing Practice Act,
- 17 h. providing safe and effective nursing care rendered
18 directly or indirectly,
- 19 i. evaluating responses to interventions,
- 20 j. teaching the principles and practice of nursing,
- 21 k. managing and supervising the practice of nursing,
- 22 l. collaborating with other health professionals in the
23 management of health care,

- 1 m. performing additional nursing functions in accordance
2 with knowledge and skills acquired beyond basic
3 nursing preparation, and
4 n. delegating those nursing tasks as defined in the rules
5 of the Board that may be performed by an ~~advanced~~
6 ~~unlicensed assistive person~~ Advanced Unlicensed
7 Assistant;

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

- 12 a. contributing to the assessment of the health status of
13 individuals and groups,
14 b. participating in the development and modification of
15 the plan of care,
16 c. implementing the appropriate aspects of the plan of
17 care,
18 d. delegating such tasks as may safely be performed by
19 others, consistent with educational preparation and
20 that do not conflict with the Oklahoma Nursing
21 Practice Act,
22 e. providing safe and effective nursing care rendered
23 directly or indirectly,
24

- 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~~ Advanced Unlicensed Assistant;

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

1 indirect care to patients; however, the defining
2 factor for all Advanced Practice Registered Nurses is
3 that a significant component of the education and
4 practice focuses on direct care of individuals,

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

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

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

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

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

24

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

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

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

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

- 17 (1) a master's degree or higher in nursing with
18 clinical specialization preparation to function
19 in an expanded role,
20 (2) specialty certification from a national
21 certifying organization recognized by the Board,
22 and
23 (3) an Advanced Practice Registered Nurse license
24 from the Board, ~~and~~ .

1 ~~(4) any~~

2 Any nurse holding a specialty certification as a
3 Clinical Nurse Specialist valid on January 1, 1994,
4 granted by a national certifying organization
5 recognized by the Board, shall be deemed to be a
6 Clinical Nurse Specialist under the provisions of the
7 Oklahoma Nursing Practice Act.

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

11 (1) practicing as an expert clinician in the
12 provision of direct nursing care to a selected
13 population of patients or clients in any setting,
14 including private practice,

15 (2) managing the care of patients or clients with
16 complex nursing problems,

17 (3) enhancing patient or client care by integrating
18 the competencies of clinical practice, education,
19 consultation, and research, and

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

21 c. A Clinical Nurse Specialist in accordance with the
22 scope of practice of such Clinical Nurse Specialist
23 shall be eligible to obtain recognition as authorized
24 by the Board to prescribe, as defined by the rules

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

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

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

19 A Certified Nurse-Midwife in accordance with the scope of
20 practice of such Certified Nurse-Midwife shall be eligible to obtain
21 recognition as authorized by the Board to prescribe, as defined by
22 the rules promulgated by the Board pursuant to ~~this section and~~
23 ~~subject to the medical direction of a supervising physician~~ Section
24 567.4a of this title and Section 1 of this act. This authorization

1 shall not include the dispensing of drugs, but shall not preclude,
2 subject to federal regulations, the receipt of, the signing for, or
3 the dispensing of professional samples to patients.

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

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

15 10. a. "Certified Registered Nurse Anesthetist" ~~is~~ means an
16 Advanced Practice Registered Nurse who:

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

1 Board of Certification and Recertification for
2 Nurse Anesthetists, and

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

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

24

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
23 drugs outside of the Certified Registered Nurse
24 Anesthetist scope of practice or ordered,

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

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

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

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

23 11. "Supervising physician" means an individual holding a
24 current license to practice as a physician from the State Board of

1 Medical Licensure and Supervision or the State Board of Osteopathic
2 Examiners, who supervises a Certified Nurse Practitioner, a Clinical
3 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained
4 independent prescriptive authority under Section 1 of this act, and
5 who is not in training as an intern, resident, or fellow. ~~To be~~
6 ~~eligible to supervise such 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 12. "Supervision of an Advanced Practice Registered Nurse with
11 prescriptive authority" means ~~overseeing and accepting~~
12 ~~responsibility for the ordering and transmission by~~ assuring
13 availability of the supervising physician to a Certified Nurse
14 Practitioner, a Clinical Nurse Specialist, or a Certified Nurse-
15 Midwife ~~of~~ who has not obtained independent prescriptive authority
16 under Section 1 of this act through direct contact,
17 telecommunications, or other appropriate electronic means for
18 consultation, assistance with medical emergencies, or patient
19 referral with respect to written, telephonic, electronic, or oral
20 prescriptions for drugs and other medical supplies, subject to a
21 defined formulary; and

22 13. "Advanced Unlicensed Assistant" means any person who has
23 successfully completed a certified training program approved by the
24 Board that trains the Advanced Unlicensed Assistant to perform

1 specified technical skills identified by the Board in acute care
2 settings under the direction and supervision of the Registered Nurse
3 ~~or~~, Licensed Practical Nurse or Advanced Practice Registered Nurse.

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

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

15 1. Define the procedure for documenting supervision by a
16 supervising physician licensed in Oklahoma to practice by the State
17 Board of Medical Licensure and Supervision or the State Board of
18 Osteopathic Examiners, as defined in Section 567.3a of this title,
19 of a Certified Nurse Practitioner, Clinical Nurse Specialist, or
20 Certified Nurse-Midwife who has not obtained independent
21 prescriptive authority under Section 1 of this act. Such procedure
22 shall include a written statement that defines appropriate referral,
23 consultation, and collaboration between the Advanced Practice
24 Registered Nurse, recognized to prescribe as defined in ~~paragraphs 6~~

1 ~~through 9, 11 and 12~~ of Section 567.3a of this title, and the
2 supervising physician. The written statement shall include a method
3 of assuring availability of the supervising physician through direct
4 contact, telecommunications, or other appropriate electronic means
5 for consultation, assistance with medical emergencies, or patient
6 referral. The written statement shall be part of the initial
7 application and the renewal application submitted to the Board for
8 recognition for prescriptive authority for the Advanced Practice
9 Registered Nurse. Changes to the written statement shall be filed
10 with the Board within thirty (30) days of the change and shall be
11 effective on filing;

12 2. Define the procedure for documenting independent
13 prescriptive authority for Certified Nurse Practitioners, Clinical
14 Nurse Specialists, and Certified Nurse-Midwives who have obtained
15 independent prescriptive authority under Section 1 of this act;

16 3. Define minimal requirements for initial application for
17 prescriptive authority which shall include, but not be limited to,
18 evidence of completion of a minimum of forty-five (45) contact hours
19 or three (3) academic credit hours of education in
20 pharmacotherapeutics, clinical application, and use of
21 pharmacological agents in the prevention of illness, and in the
22 restoration and maintenance of health in a program beyond basic
23 registered nurse preparation, approved by the Board. Such contact
24 hours or academic credits shall be obtained within a time period of

1 three (3) years immediately preceding the date of application for
2 prescriptive authority;

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

6 a. fifteen (15) contact hours or one (1) academic credit
7 hour of education in pharmacotherapeutics, clinical
8 application, and use of pharmacological agents in the
9 prevention of illness, and in the restoration and
10 maintenance of health in a program beyond basic
11 registered nurse preparation, and

12 b. two (2) hours of education in pain management or two
13 (2) hours of education in opioid use or addiction,
14 unless the Advanced Practice Registered Nurse has
15 demonstrated to the satisfaction of the Board that the
16 Advanced Practice Registered Nurse does not currently
17 hold a valid federal Drug Enforcement Administration
18 registration number,

19 approved by the Board, within the two-year period immediately
20 preceding the effective date of application for renewal of
21 prescriptive authority;

22 ~~4.~~ 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice
23 Registered Nurse ~~shall demonstrate~~ demonstrates successful
24 completion of a master's degree or higher in ~~a clinical nurse~~

1 ~~specialty~~ one of the following Advanced Practice Registered Nurse
2 roles:

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

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

8 ~~5.~~ 6. Define the method for communicating authority to
9 prescribe or termination of same, and the formulary to the State
10 Board of Pharmacy, all pharmacies, and all registered pharmacists;

11 ~~6.~~ 7. Define terminology used in such rules;

12 ~~7.~~ 8. Define the parameters for the prescribing practices of
13 the Advanced Practice Registered Nurse;

14 ~~8.~~ 9. Define the methods for termination of prescriptive
15 authority for the Advanced Practice Registered Nurse; and

16 ~~9.~~

17 10. a. Establish a Formulary Advisory Council that shall
18 develop and submit to the Board recommendations for an
19 exclusionary formulary that shall list drugs or
20 categories of drugs that shall not be prescribed by an
21 Advanced Practice Registered Nurse recognized to
22 prescribe by the Oklahoma Board of Nursing. The
23 Formulary Advisory Council shall also develop and
24 submit to the Board recommendations for practice-

1 specific prescriptive standards for each category of
2 Advanced Practice Registered Nurse recognized to
3 prescribe by the Oklahoma Board of Nursing pursuant to
4 the provisions of the Oklahoma Nursing Practice Act.
5 The Board shall either accept or reject the
6 recommendations made by the Council. No amendments to
7 the recommended exclusionary formulary may be made by
8 the Board without the approval of the Formulary
9 Advisory Council.

10 b. In addition to the other powers and duties of the
11 Formulary Advisory Council prescribed by this
12 paragraph, the Formulary Advisory Council shall
13 develop guidelines for supervising physicians on best
14 practices for the supervision of Advanced Practice
15 Registered Nurses who have not obtained independent
16 prescriptive authority. The supervision guidelines
17 shall be published on the Board's website and the
18 Formulary Advisory Council shall periodically update
19 the guidelines as necessary.

20 c. The Formulary Advisory Council shall be composed of
21 twelve (12) members as follows:

22 (1) four members, to include a pediatrician, an
23 obstetrician-gynecological physician, a general
24 internist, and a family practice physician;

1 provided, that three of such members shall be
2 appointed by the Oklahoma State Medical
3 Association, and one shall be appointed by the
4 Oklahoma Osteopathic Association,

5 (2) four members who are registered pharmacists,
6 appointed by the Oklahoma ~~Pharmaceutical~~
7 Pharmacists Association, and

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

15 ~~e.~~

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

1 the original appointing authority. A vacancy on the
2 Council shall be filled for the balance of the
3 unexpired term by the original appointing authority.

4 ~~d.~~

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

19 SECTION 10. AMENDATORY 59 O.S. 2021, Section 567.5a, as
20 amended by Section 1, Chapter 94, O.S.L. 2024 (59 O.S. Supp. 2024,
21 Section 567.5a), is amended to read as follows:

22 Section 567.5a. A. All applicants for a license to practice as
23 an Advanced Practice Registered Nurse shall be subject to Section
24 567.8 of this title.

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

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

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

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

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

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

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

22 C. The Board may issue a license by endorsement to an Advanced
23 Practice Registered Nurse licensed under the laws of another state

24

1 if the applicant meets the qualifications for licensure in this
2 state. An applicant by endorsement shall:

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

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

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

8 4. Hold recognition as an Advanced Practice Registered Nurse in
9 a state or territory;

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

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

21 7. Meet continued competency requirements as set forth in Board
22 rules; and

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

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

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

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

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

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

23 5. Submit a written statement from an Oklahoma licensed
24 physician supervising prescriptive authority as required by the

1 Board in its rules, or submit documentation that the applicant meets
2 the requirements for independent prescriptive authority under
3 Section 1 of this act;

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

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

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

12 F. The Board may reinstate a license as set forth in Board
13 rules.

14 SECTION 11. AMENDATORY 63 O.S. 2021, Section 2-312, as
15 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2024,
16 Section 2-312), is amended to read as follows:

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

1 dispense controlled dangerous substances pursuant to the provisions
2 of Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

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

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

23 2. An Advanced Practice Registered Nurse who is recognized to
24 prescribe by the Oklahoma Board of Nursing as a Certified Nurse

1 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife
2 who has obtained independent prescriptive authority under Section 1
3 of this act, and who has complied with the registration requirements
4 of the Uniform Controlled Dangerous Substances Act, in good faith
5 and in the course of professional practice only, may prescribe and
6 administer Schedule III, IV, and V controlled dangerous substances.

7 3. An Advanced Practice Registered Nurse who is recognized to
8 prescribe, with or without independence, as a Certified Nurse
9 Practitioner, Clinical Nurse Specialist, or Certified Nurse Midwife,
10 who is employed or contracted by a hospital, defined pursuant to
11 Section 1-701 of Title 63 of the Oklahoma Statutes, may prescribe
12 and administer certain Schedule II Controlled Dangerous Substances,
13 for acute pain in the hospital setting and hydrocodone or
14 hydrocodone-containing drugs regardless of schedule, for take-home
15 use for no more than three (3) days.

16 D. An ~~advanced practice nurse~~ Advanced Practice Registered
17 Nurse who is recognized to order, select, obtain, and administer
18 drugs by the Oklahoma Board of Nursing as a ~~certified registered~~
19 ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to
20 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
21 complied with the registration requirements of the Uniform
22 Controlled Dangerous Substances Act, in good faith and in the course
23 of such practitioner's professional practice only, may order,
24 select, obtain, and administer Schedules II through V controlled

1 dangerous substances in a preanesthetic preparation or evaluation;
2 anesthesia induction, maintenance, or emergence; or postanesthesia
3 care setting only. A ~~certified registered nurse anesthetist~~
4 Certified Registered Nurse Anesthetist may order, select, obtain,
5 and administer such drugs only during the perioperative or
6 periobstetrical period.

7 E. A physician assistant who is recognized to prescribe by the
8 State Board of Medical Licensure and Supervision under the medical
9 direction of a supervising physician, pursuant to Section 519.6 of
10 Title 59 of the Oklahoma Statutes, and who has complied with the
11 registration requirements of the Uniform Controlled Dangerous
12 Substances Act, in good faith and in the course of professional
13 practice only, may prescribe and administer Schedule II through V
14 controlled dangerous substances.

15 SECTION 12. This act shall become effective November 1, 2025.

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