

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2298 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Kyle Hilbert

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2298

By: Hilbert and Fetgatter of
the House

6 and

7 Paxton of the Senate
8
9

10 FLOOR SUBSTITUTE

11 An Act relating to the practice of nursing; providing
12 for independent prescriptive authority of Advanced
13 Practice Registered Nurses who meet certain
14 requirements; stating application criteria;
15 specifying duration of authority; providing for
16 application approval, denial, reapplication, fees,
17 and independent prescriptive authority revocation;
18 prescribing certain malpractice insurance
19 requirements; directing promulgation of certain
20 advertising rules; providing certain construction;
21 directing certain boards to make specified
22 information available online; providing definitions;
23 providing eligibility requirements for physicians;
24 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

1 adding definitions; amending 59 O.S. 2021, Section
2 567.4a, which relates to prescriptive authority;
3 specifying authority of the Oklahoma Board of Nursing
4 to grant prescriptive authority; directing the Board
5 to promulgate certain rules; clarifying certain
6 educational requirement; requiring the Formulary
7 Advisory Council to develop, update, and publish
8 certain guidelines; modifying references; conforming
9 language; amending 59 O.S. 2021, Section 567.5a, as
10 amended by Section 1, Chapter 94, O.S.L. 2024 (59
11 O.S. Supp. 2024, Section 567.5a), which relates to
12 Advanced Practice Registered Nurse license; providing
13 for independent prescriptive authority by
14 endorsement; amending 63 O.S. 2021, Section 2-312, as
15 amended by Section 2, Chapter 184, O.S.L. 2022 (63
16 O.S. Supp. 2024, Section 2-312), which relates to
17 controlled dangerous substances; conforming language
18 relating to supervision requirement; updating
19 statutory references and language; providing for
20 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 six thousand two hundred forty (6,240) hours
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.

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

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

7 b. has completed a minimum of six thousand two hundred
8 forty (6,240) hours of practice with prescriptive
9 authority supervised by a physician. This

10 subparagraph shall not be construed to exclude
11 practice hours with supervised prescriptive authority
12 obtained prior to the effective date of this act from
13 being counted toward the hours required in this
14 subparagraph.

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

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

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

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

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

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

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

1 Advanced Practice Registered Nurse, or his or her employer, shall
2 comply with subsection A of this section.

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

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

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

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

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

24

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

4 A. As used in this section:

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

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

11 3. "Supervising physician" has the same meaning as defined in
12 paragraph 45 of Section 353.1 of this title; and

13 4. "Supervision" has the same meaning as defined in paragraph
14 12 of Section 567.3a of this title.

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

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

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

23 3. Have relevant experience in prescribing and administering
24 similar prescription medications authorized by the formulary and

1 approved by the Formulary Advisory Council within the Board of
2 Nursing as established in Section 567.4b of this title which the
3 APRN is authorized to prescribe and administer.

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

23 D. All supervising physicians shall have a written agreement
24 with each APRN he or she supervises. The written agreement shall

1 outline any fees charged for supervision services, the scope of the
2 Advanced Practice Registered Nurse's practice as defined by the
3 rules of the Board of Nursing, and the extent of the supervision
4 required. The physician shall file the written agreement with the
5 respective licensing board.

6 E. A supervising physician shall notify Advanced Practice
7 Registered Nurses under his or her supervision of reasonably
8 anticipated periods of unavailability or incapacity on the part of
9 the supervising physician. Notice shall be given by the method
10 agreed to by the supervising physician and the Advanced Practice
11 Registered Nurse within the written supervision agreement.

12 F. The supervising physician shall report to the Board and
13 Advanced Practice Registered Nurse any changes to the supervising
14 relationship within thirty (30) days, including the addition or
15 removal of an Advanced Practice Registered Nurse, changes to the
16 practice address, and mobile phone numbers.

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

20 H. The State Board of Osteopathic Examiners and State Board of
21 Medical Licensure and Supervision shall promulgate a uniform set of
22 rules establishing the expectations for providing proper supervision
23 to Advanced Practice Registered Nurses, including:
24

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

3 2. Continuous availability of direct communications either in
4 person or by electronic communications between the APRN and
5 supervising physician;

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

11 4. Review prescribing patterns of an APRN;

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

13 6. The designation of an alternate physician in the absence of
14 the supervising physician.

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

17 J. The Executive Director of the respective board shall report
18 annually to the Board the number of complaints received in relation
19 to this section of law.

20 K. Advanced Practice Registered Nurses employed by or
21 contracted by a hospital, defined pursuant to Section 1-701 of Title
22 63 of the Oklahoma Statutes, are exempt from this section.

23

24

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

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

5 1. "Accredited program" means those seminars, classes,
6 meetings, work projects, and other educational courses approved by
7 the ~~Board~~ State Board of Pharmacy for purposes of continuing
8 professional education;

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

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

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

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

19 6. "Certify" or "certification of a prescription" means the
20 review of a filled prescription by a licensed pharmacist or a
21 licensed practitioner with dispensing authority to confirm that the
22 medication, labeling, and packaging of the filled prescription are
23 accurate and meet all requirements prescribed by state and federal
24

1 law. For the purposes of this paragraph, "licensed practitioner"
2 shall not include optometrists with dispensing authority;

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

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

11 9. "Continuing professional education" means professional,
12 pharmaceutical education in the general areas of the socioeconomic
13 and legal aspects of health care; the properties and actions of
14 drugs and dosage forms; and the etiology, characteristics, and
15 therapeutics of the diseased state;

16 10. "Dangerous drug", "legend drug", "prescription drug", or
17 "Rx Only" means a drug:

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

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

24

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

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

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

19 14. "Distribute" or "distribution" means the sale, purchase,
20 trade, delivery, handling, storage, or receipt of a product, and
21 does not include the dispensing of a product pursuant to a
22 prescription executed in accordance with 21 U.S.C., Section
23 353(b) (1) or the dispensing of a product approved under 21 U.S.C.,
24

1 Section 360b(b); provided, taking actual physical possession of a
2 product or title shall not be required;

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

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

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

21 18. "Drug sample" means a unit of a prescription drug packaged
22 under the authority and responsibility of the manufacturer that is
23 not intended to be sold and is intended to promote the sale of the
24 drug;

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

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

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

9 22. "Licensed practitioner" means:

10 a. an allopathic physician,

11 b. an osteopathic physician,

12 c. a podiatric physician,

13 d. a dentist,

14 e. a veterinarian ~~or~~,

15 f. an optometrist, or

16 g. an Advanced Practice Registered Nurse,

17 licensed to practice and authorized to prescribe dangerous drugs
18 within the scope of practice of such practitioner;

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

21 a. a person that holds an application approved under 21
22 U.S.C., Section 355 or a license issued under 42
23 U.S.C., Section 262 for such product, or if such
24

- 1 product is not the subject of an approved application
2 or license, the person who manufactured the product,
3 b. a co-licensed partner of the person described in
4 subparagraph a of this paragraph that obtains the
5 product directly from a person described in this
6 subparagraph or subparagraph a of this paragraph,
7 c. an affiliate of a person described in subparagraph a
8 or b of this paragraph who receives the product
9 directly from a person described in this subparagraph
10 or in subparagraph a or b of this paragraph, or
11 d. a person who contracts with another to manufacture a
12 product;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 38. "Practice of pharmacy" means:

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

24

- 1 c. the participation in drug selection and drug
2 utilization reviews,
- 3 d. the proper and safe storage of drugs and devices and
4 the maintenance of proper records thereof,
- 5 e. the responsibility for advising by counseling and
6 providing information, where professionally necessary
7 or where regulated, of therapeutic values, content,
8 hazards, and use of drugs and devices,
- 9 f. the offering or performing of those acts, services,
10 operations, or transactions necessary in the conduct,
11 operation, management, and control of a pharmacy, or
12 g. the provision of those acts or services that are
13 necessary to provide pharmaceutical care;

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

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

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

- 23 a. by a licensed prescriber,
- 24

1 b. ~~under the supervision of an Oklahoma licensed~~
2 ~~practitioner, an Oklahoma licensed advanced practice~~
3 ~~registered nurse or an Oklahoma licensed~~ by a
4 physician assistant pursuant to a practice agreement,
5 or

6 c. (1) under the supervision of a supervising physician,
7 by a Certified Nurse Practitioner, Clinical Nurse
8 Specialist, or Certified Nurse-Midwife licensed
9 in this state who has not obtained independent
10 prescriptive authority under Section 1 of this
11 act, or

12 (2) by a Certified Nurse Practitioner, Clinical Nurse
13 Specialist, or Certified Nurse-Midwife licensed
14 in this state who has obtained independent
15 prescriptive authority under Section 1 of this
16 act, or

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

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

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

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

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

24

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

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

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

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

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

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

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

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

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

22 2. Prescriptive authority shall be allowed, independent of a
23 current supervision agreement with a supervising physician, for a
24 licensed Advanced Practice Registered Nurse recognized by the

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

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

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

20 ~~C.~~ D. 1. Pharmacists may only dispense prescriptions for
21 controlled dangerous substances prescribed by an ~~advanced practice~~
22 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse
23 ~~licensed in the State of Oklahoma and supervised by an Oklahoma-~~

24

1 licensed practitioner this state who meets the criteria in paragraph
2 1 or 2 of subsection A of this section.

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

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

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

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

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

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

- a. assessing the health status of individuals, families, and groups,
- b. analyzing assessment data to determine nursing care needs,
- c. establishing goals to meet identified health care needs,
- d. planning a strategy of care,
- e. establishing priorities of nursing intervention to implement the strategy of care,
- f. implementing the strategy of care,
- g. delegating such tasks as may safely be performed by others, consistent with educational preparation and that do not conflict with the provisions of the Oklahoma Nursing Practice Act,
- h. providing safe and effective nursing care rendered directly or indirectly,
- i. evaluating responses to interventions,
- j. teaching the principles and practice of nursing,
- k. managing and supervising the practice of nursing,
- l. collaborating with other health professionals in the management of health care,
- m. performing additional nursing functions in accordance with knowledge and skills acquired beyond basic nursing preparation, and

1 n. delegating those nursing tasks as defined in the rules
2 of the Board that may be performed by an ~~advanced~~
3 ~~unlicensed assistive person~~ Advanced Unlicensed
4 Assistant;

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

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

- 1 h. performing additional nursing procedures in accordance
2 with knowledge and skills acquired through education
3 beyond nursing preparation, and
4 i. 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 5. "Advanced Practice Registered Nurse" means a licensed
9 Registered Nurse:

- 10 a. who has completed an advanced practice registered
11 nursing education program in preparation for one of
12 four recognized ~~advanced practice registered nurse~~
13 Advanced Practice Registered Nurse roles,
14 b. who has passed a national certification examination
15 recognized by the Board that measures the ~~advanced~~
16 ~~practice registered nurse~~ Advanced Practice Registered
17 Nurse role and specialty competencies and who
18 maintains recertification in the role and specialty
19 through a national certification program,
20 c. who has acquired advanced clinical knowledge and
21 skills in preparation for providing both direct and
22 indirect care to patients; however, the defining
23 factor for all Advanced Practice Registered Nurses is
24

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

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

22 It shall be unlawful for any person to assume the role or use
23 the title Advanced Practice Registered Nurse or use the abbreviation
24 ~~"APRN"~~ APRN or use the respective specialty role titles and

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

19 (3) an Advanced Practice Registered Nurse license
20 from the Board, ~~and~~ .

21 ~~(4) any~~

22 Any nurse holding a specialty certification as a
23 Clinical Nurse Specialist valid on January 1, 1994,
24 granted by a national certifying organization

1 recognized by the Board, shall be deemed to be a
2 Clinical Nurse Specialist under the provisions of the
3 Oklahoma Nursing Practice Act.

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

7 (1) practicing as an expert clinician in the
8 provision of direct nursing care to a selected
9 population of patients or clients in any setting,
10 including private practice,

11 (2) managing the care of patients or clients with
12 complex nursing problems,

13 (3) enhancing patient or client care by integrating
14 the competencies of clinical practice, education,
15 consultation, and research, and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (1) ordered, selected, obtained, or administered
21 drugs outside of the Certified Registered Nurse
22 Anesthetist scope of practice or ordered,
23 selected, obtained, or administered drugs for
24 other than therapeutic purposes, or

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

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

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

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

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

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

21 11. "Supervising physician" means an individual holding a
22 current license to practice as a physician from the State Board of
23 Medical Licensure and Supervision or the State Board of Osteopathic
24 Examiners, who supervises a Certified Nurse Practitioner, a Clinical

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

20 13. "Advanced Unlicensed Assistant" means any person who has
21 successfully completed a certified training program approved by the
22 Board that trains the Advanced Unlicensed Assistant to perform
23 specified technical skills identified by the Board in acute care
24

1 settings under the direction and supervision of the Registered Nurse
2 ~~or~~, Licensed Practical Nurse or Advanced Practice Registered Nurse.

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

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

14 1. Define the procedure for documenting supervision by a
15 supervising physician licensed in Oklahoma to practice by the State
16 Board of Medical Licensure and Supervision or the State Board of
17 Osteopathic Examiners, as defined in Section 567.3a of this title,
18 of a Certified Nurse Practitioner, Clinical Nurse Specialist, or
19 Certified Nurse-Midwife who has not obtained independent
20 prescriptive authority under Section 1 of this act. Such procedure
21 shall include a written statement that defines appropriate referral,
22 consultation, and collaboration between the Advanced Practice
23 Registered Nurse, recognized to prescribe as defined in ~~paragraphs 6~~
24 ~~through 9, 11 and 12 of Section 567.3a of this title,~~ and the

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

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

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

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 Advanced Practice Registered
14 Nurses who have not obtained independent prescriptive
15 authority. The guidelines shall be published on the
16 Board's website and the Formulary Advisory Council
17 shall periodically update the guidelines as necessary.

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

20 (1) four members, to include a pediatrician, an
21 obstetrician-gynecological physician, a general
22 internist, and a family practice physician;
23 provided, that three of such members shall be
24 appointed by the Oklahoma State Medical

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

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

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

13 ~~e.~~

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

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

3 ~~d.~~

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

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

21 Section 567.5a. A. All applicants for a license to practice as
22 an Advanced Practice Registered Nurse shall be subject to Section
23 567.8 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 only for acute pain in the hospital setting. An Advanced Practice
14 Registered Nurse who is recognized to prescribe, with or without
15 independence, as a Certified Nurse Practitioner, Clinical Nurse
16 Specialist, or Certified Nurse Midwife, who is employed or
17 contracted by a hospital, defined pursuant to Section 1-701 of Title
18 63 of the Oklahoma Statutes, may prescribe and administer
19 hydrocodone or hydrocodone-containing drugs regardless of schedule,
20 for take-home use for no more than three (3) days.

21 D. An ~~advanced practice nurse~~ Advanced Practice Registered
22 Nurse who is recognized to order, select, obtain, and administer
23 drugs by the Oklahoma Board of Nursing as a ~~certified registered~~
24 ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to

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

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

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

21

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23

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