

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2298

By: Hilbert and Fetgatter of  
the House

and

Paxton of the Senate

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10                                   COMMITTEE 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 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.

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 three (3) years of practice  
8            with prescriptive authority supervised by a physician.

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

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

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

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

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

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

- 1           1. Have possession of a full and unrestricted Oklahoma license  
2 to practice allopathic or osteopathic medicine;
- 3           2. Have possession of a valid permit to prescribe controlled  
4 drugs with the Drug Enforcement Agency (DEA) and Oklahoma Bureau of  
5 Narcotics and Dangerous Drugs Control (OBND); and
- 6           3. Have relevant experience in prescribing and administering  
7 similar prescription medications authorized by the formulary  
8 approved by the Formulary Advisory Council within the Board of  
9 Nursing as established in Section 567.4b of this title which the  
10 APRN is authorized to prescribe and administer.

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

1 or health care entity in lieu of the APRN. This subsection does not  
2 relate to or impact any compensation a supervising physician  
3 receives from his or her employer or health care entity for  
4 supervision services. It only pertains to compensation received  
5 directly from the APRN.

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

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

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

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

4 H. The Board shall promulgate rules establishing the  
5 expectations for providing proper supervision to Advanced Practice  
6 Registered Nurses, including:

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

9 2. Continuous availability of direct communications either in  
10 person or by electronic communications between the APRN and  
11 supervising physician;

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

17 4. Review prescribing patterns of an APRN;

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

19 6. The designation of an alternate physician in the absence of  
20 the supervising physician.

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

1 J. The Executive Director of the respective board shall report  
2 annually to the Board the number of complaints received in relation  
3 to this section of law.

4 K. The Executive Director of the respective board shall create  
5 and maintain a list of physicians on the agency's official website  
6 who are willing to serve as a supervising physician to an Advanced  
7 Practice Registered Nurse licensed in Oklahoma.

8 L. Advanced Practice Registered Nurses employed by or  
9 contracted by a hospital, defined pursuant to Section 1-701 of Title  
10 63 of the Oklahoma Statutes, are exempt from this section.

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

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

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

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

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

23 4. "Assistant pharmacist" means any person presently licensed  
24 as an assistant pharmacist in ~~the State of Oklahoma~~ this state by

1 the Board pursuant to Section 353.10 of this title and for the  
2 purposes of the Oklahoma Pharmacy Act shall be considered the same  
3 as a pharmacist, except where otherwise specified;

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

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

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

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

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

1 10. "Dangerous drug", "legend drug", "prescription drug", or  
2 "Rx Only" means a drug:

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

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

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

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

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

1 mean a person who dispenses only products to be used in animals in  
2 accordance with 21 U.S.C., Section 360b(a) (5);

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

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

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

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

1 or animals and all substances and preparations, other than food,  
2 intended to affect the structure or any function of the body of a  
3 human or animals;

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

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

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

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

16 22. "Licensed practitioner" means:

17 a. an allopathic physician,

18 b. an osteopathic physician,

19 c. a podiatric physician,

20 d. a dentist,

21 e. a veterinarian ~~or~~,

22 f. an optometrist, or

23 g. an Advanced Practice Registered Nurse,

24

1 licensed to practice and authorized to prescribe dangerous drugs  
2 within the scope of practice of such practitioner;

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

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

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

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

18 d. a person who contracts with another to manufacture a  
19 product;

20 24. "Manufacturing" means the production, preparation,  
21 propagation, compounding, conversion, or processing of a device or a  
22 drug, either directly or indirectly by extraction from substances of  
23 natural origin or independently by means of chemical or biological  
24 synthesis and includes any packaging or repackaging of the

1 substances or labeling or relabeling of its container, and the  
2 promotion and marketing of such drugs or devices. The term  
3 ~~"manufacturing"~~ manufacturing also includes the preparation and  
4 promotion of commercially available products from bulk compounds for  
5 resale by licensed pharmacies, licensed practitioners, or other  
6 persons;

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

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

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

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

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

22 30. "Nonprescription drugs" means medicines or drugs which are  
23 sold without a prescription and which are prepackaged for use by the  
24 consumer and labeled in accordance with the requirements of the



1 statutes and regulations of this state and the federal government.  
2 Such items shall also include medical and dental supplies and  
3 bottled or nonbulk chemicals which are sold or offered for sale to  
4 the general public if such articles or preparations meet the  
5 requirements of the Federal Food, Drug, and Cosmetic Act, 21  
6 U.S.C.A., Section 321 et seq.;

7 31. "Outsourcing facility" including "virtual outsourcing  
8 facility" means a facility at one geographic location or address  
9 that:

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

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

22 33. "Person" means an individual, partnership, limited  
23 liability company, corporation, or association, unless the context  
24 otherwise requires;

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

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

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

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

21 38. "Practice of pharmacy" means:

- 22 a. the interpretation and evaluation of prescription  
23 orders,

24

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

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

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

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

4 a. by a licensed prescriber,

5 b. ~~under the supervision of an Oklahoma licensed~~  
6 ~~practitioner, an Oklahoma licensed advanced practice~~  
7 ~~registered nurse or an Oklahoma licensed~~ by a  
8 physician assistant pursuant to a practice agreement,  
9 ~~or~~

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

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

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

23 42. "Product" means a prescription drug in a finished dosage  
24 form for administration to a patient without substantial further

1 manufacturing, such as capsules, tablets, and lyophilized products  
2 before reconstitution. ~~"Product"~~ Product does not include blood  
3 components intended for transfusion, radioactive drugs or biologics  
4 and medical gas;

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

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

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

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

4 46. "Supportive personnel" means technicians and auxiliary  
5 supportive persons who are regularly paid employees of a pharmacy  
6 who work and perform tasks in the pharmacy as authorized by Section  
7 353.18A of this title;

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

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

23 49. "County jail" means a facility operated by a county for the  
24 physical detention and correction of persons charged with, or

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.

24

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.

16  
17 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
18 OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended.

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