

2 State of Arkansas

3 92nd General Assembly

4 Second Extraordinary Session, 2020

A Bill

JMB/JMB

HOUSE BILL

5
6 By: Representative L. Johnson

7 Filed with: House Committee on Public Health, Welfare, and Labor

8 pursuant to A.C.A. §10-3-217.

9 For An Act To Be Entitled

10 AN ACT TO AUTHORIZE FULL INDEPENDENT PRACTICE
11 AUTHORITY FOR ADVANCED PRACTICE REGISTERED NURSES WHO
12 MEET CERTAIN REQUIREMENTS; TO CREATE THE FULL
13 INDEPENDENT PRACTICE COMMITTEE TO REVIEW AND APPROVE
14 APPLICATIONS FOR FULL INDEPENDENT PRACTICE AUTHORITY
15 FOR ADVANCED PRACTICE REGISTERED NURSES; AND FOR
16 OTHER PURPOSES.

17 18 19 Subtitle

20 TO AUTHORIZE FULL INDEPENDENT PRACTICE
21 AUTHORITY FOR ADVANCED PRACTICE
22 REGISTERED NURSES WHO MEET CERTAIN
23 REQUIREMENTS; AND TO CREATE THE FULL
24 INDEPENDENT PRACTICE COMMITTEE.

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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29 SECTION 1. Arkansas Code Title 17, Chapter 87, Subchapter 3, is
30 amended to add an additional section to read as follows:

31 17-87-314. Full independent practice authority – Full Independent
32 Practice Committee – Members and duties – Definition.

33 (a) As used in this section, "full independent practice authority"
34 means the ability of an advanced practice registered nurse to practice with
35 prescriptive authority without a collaborative practice agreement as
36 described in § 17-87-310.

1 (b)(1) The Full Independent Practice Committee may grant a certificate
2 of full independent practice authority to an advanced practice registered
3 nurse who submits:

4 (A) An application;

5 (B) Proof of successful completion of ten thousand four
6 hundred (10,400) hours of practice under the supervision of a physician; and

7 (C) Any other relevant information as determined by the
8 committee.

9 (2) A certificate of full independent practice authority shall
10 be renewed every two (2) years through an application process as determined
11 by the committee.

12 (c)(1) An advanced practice registered nurse with a certificate of
13 full independent practice authority may receive and prescribe drugs,
14 medicines, or therapeutic devices appropriate to the advanced practice
15 registered nurse's area of practice.

16 (2) Full independent practice authority shall extend to drugs
17 listed in Schedules II – V.

18 (d)(1) The Full Independent Practice Committee is created within the
19 Department of Health.

20 (2) The committee shall consist of seven (7) members as follows:

21 (A) Three (3) physicians who are members of the Arkansas
22 State Medical Board and are appointed by the Arkansas State Medical Board;

23 (B) Three (3) nurses who are members of the Arkansas State
24 Board of Nursing and are appointed by the Arkansas State Board of Nursing;
25 and

26 (C) One (1) pharmacist who is a member of the Arkansas
27 State Board of Pharmacy and is appointed by the Arkansas State Board of
28 Pharmacy.

29 (3)(A)(i) Committee members shall serve three-year terms.

30 (ii) Committee members shall not serve more than two
31 (2) consecutive terms.

32 (B) A committee member shall serve until a successor is
33 appointed by the appropriate board.

34 (4)(A) The committee shall elect a chair with powers and duties
35 the committee shall fix.

1 (B) A chair may be elected for no more than two (2)
2 consecutive terms.

3 (5)(A) A quorum of the committee shall be four (4) members.

4 (B) The committee shall hold a meeting at least quarterly
5 and at other times the committee considers advisable to perform the duties
6 described in subsection (e) of this section.

7 (6) The members of the committee shall receive remuneration as
8 is now provided to members of the appropriate board.

9 (e) The committee shall:

10 (1) Review and approve or deny all applications for a
11 certificate of full independent practice authority for an advanced practice
12 registered nurse and for renewal of a certificate of full independent
13 practice authority for an advanced practice registered nurse;

14 (2) Review complaints made against an advanced practice
15 registered nurse who has a certificate of full independent practice
16 authority;

17 (3) Refer complaints involving:

18 (A) The practice of medicine to the Arkansas State Medical
19 Board; and

20 (B) The practice of nursing to the Arkansas State Board of
21 Nursing;

22 (4)(A) If a complaint has been made against an advanced practice
23 registered nurse who has a certificate of full independent practice
24 authority, recommend to either the Arkansas State Medical Board or the
25 Arkansas State Board of Nursing action to be taken against the advanced
26 practice registered nurse who has a certificate of full independent practice
27 authority.

28 (B) However, only the Arkansas State Board of Nursing has
29 the authority to revoke the nursing license of an advanced practice
30 registered nurse.

31 (C) If the Arkansas State Medical Board or the Arkansas
32 State Board of Nursing, or both, determine that the complaint is valid, the
33 Arkansas State Medical Board or the Arkansas State Board of Nursing, or both,
34 may recommend to the committee that the certificate of full independent
35 practice authority be revoked; and

1 (5)(A) Review recommendations for revocation of a certificate of
2 full independent practice authority and hold a hearing providing the advanced
3 practice registered nurse who has a certificate of full independent practice
4 authority with ten (10) days' notice in writing to appear before the
5 committee, at the time and place as the committee may direct, to show cause
6 why his or her certificate of full independent practice authority should not
7 be revoked.

8 (B) At the hearing, the committee shall:

9 (i)(a) Have the power to subpoena witnesses.

10 (b) The chair of the committee or his or her
11 designee shall sign subpoenas and have the power to administer oaths;

12 (ii) Hear evidence; and

13 (iii)(a) Determine if the certificate of full
14 independent practice authority should be revoked.

15 (b) If the committee determines that the
16 certificate of full independent practice authority should be revoked, the
17 revocation shall be done immediately.

18 (f) An advanced practice registered nurse whose certificate of full
19 independent practice authority has been denied or revoked by the committee
20 under this section may appeal from the action of the committee pursuant to
21 the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

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24 Referred by Representative L. Johnson

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29 Prepared by: JMB/JMB