

INTERIM STUDY PROPOSAL 2019-176

REQUESTING THAT THE SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE,  
AND LABOR STUDY REMOVAL OF THE COLLABORATIVE PRACTICE AGREEMENT  
REQUIREMENT OF ADVANCED PRACTICE REGISTERED NURSES AND GRANTING  
ADVANCED PRACTICE REGISTERED NURSES FULL PRACTICE AUTHORITY  
INCLUDING FULL PRESCRIPTIVE AUTHORITY.

WHEREAS, advanced practice registered nurses are nurses with advanced  
education and clinical competencies who provide care to diverse populations  
in a variety of settings; and

WHEREAS, advanced practice registered nurses are licensed or certified  
and practice in all fifty (50) states; and

WHEREAS, there are over three thousand (3,000) advanced practice  
registered nurses in Arkansas; and

WHEREAS, advanced practice registered nurses:

- (1) Treat acute and chronic health conditions;
- (2) Focus on health promotion, disease prevention, health  
education, and health-related counseling;
- (3) Guide patients to make better-informed health and lifestyle  
choices; and
- (4) Help eliminate unnecessary barriers to access to care for  
many citizens of this state; and

WHEREAS, nurses, including advanced practice registered nurses, have  
been and continue to be part of the front line of defense during the  
coronavirus 2019 (COVID-19) pandemic; and

WHEREAS, the removal of collaborative practice agreements and granting  
advanced practice registered nurses full practice authority, including full  
prescriptive authority, will allow advanced practice registered nurses to  
provide needed healthcare services to their communities, especially for the  
most vulnerable citizens in those communities; and

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WHEREAS, advanced practice registered nurses should practice to the fullest extent of their licensure, accreditation, certification, and education for the health and safety of the public; and

WHEREAS, The United States Secretary of the Health and Human Services, Alex Azar, has recommended relaxing the scope of practice requirements for healthcare providers, including allowing healthcare professionals to practice in all settings of care in the Secretary's March 24, 2020, letter to state governors; and

WHEREAS, advanced practice registered nurses in the State of Arkansas are required to obtain a collaborative practice agreement with a physician in order to have prescriptive authority under § 17-87-310; and

WHEREAS, a collaborative practice agreement is a written plan that identifies a physician who agrees to collaborate with an advanced practice registered nurse in the joint management of the health care provided to the patients of the advanced practice registered nurse and that outlines procedures for consultation with or referral to the collaborating physician or other healthcare professional as indicated by a patient's healthcare needs; and

WHEREAS, twenty-two (22) states authorize advanced practice registered nurses to have full practice authority that includes full prescriptive authority without supervision, taking into account the various methods of transitioning to full practice authority as utilized in other states; and

WHEREAS, more than forty (40) years of research consistently support the high quality care provided by advanced practice registered nurses and cost-effectiveness of using advanced practice registered nurses; and

WHEREAS, according to AARP, Inc., "no study establishes a basis for requiring that physicians supervise" advanced practice registered nurses; and

1           WHEREAS, studies since the 1960s have found no difference in health  
2 outcomes, including patient health status, number of prescriptions written,  
3 return visits requested, or referral to other providers, in comparisons  
4 between the health care delivered by advanced practice registered nurses and  
5 the health care delivered by physicians; and  
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7           WHEREAS, collaborative practice agreements between advanced practice  
8 registered nurses and physicians do not increase patient safety or bring  
9 added value to the healthcare system, but can add to the cost of care for the  
10 patient; and  
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12           WHEREAS, negative impacts of mandatory collaborative practice  
13 agreements include without limitation:

14                   (1) Potential interruption in health care provision or the  
15 closing of a clinic operated by advanced practice registered nurses due to  
16 the loss of a collaborative practice agreement physician;

17                   (2) Significant added cost to the overheads of a clinic operated  
18 by an advanced practice registered nurse due to higher fees charged by many  
19 collaborative practice agreement physicians;

20                   (3) Decreased health care access for patients by adding a  
21 barrier for advanced practice registered nurses who would like to establish a  
22 new clinic;

23                   (4) Inhibitions to the establishment of new health care access  
24 points in rural and medically underserved areas of the state; and

25                   (5) Disincentives for new graduates of Arkansas advanced  
26 practice registered nursing programs to remain in the state; and  
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28           WHEREAS, often, the collaborative practice agreement physician is not  
29 onsite or even within close vicinity of advanced practice registered nurses  
30 who are practicing in a rural community; and  
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32           WHEREAS, a report by the National Governors Association states that  
33 most studies found health care provided by an advanced practice registered  
34 nurse "is comparable" to health care provided by a physician "on several  
35 process and outcome measures" and that advanced practice registered nurses  
36 "may provide [patients] improved access to care"; and

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WHEREAS, a report by the Federal Trade Commission found that, "additional scope of practice restrictions, such as physician supervision requirements ... may hamper" the ability of advanced practice registered nurses to provide primary care services that are within the scope of their education and training; and

WHEREAS, several national groups and organizations support more autonomy for advanced practice registered nurses; and

WHEREAS, to increase patient access to health care, reduce healthcare costs, and promote efficient and timely health care in the State of Arkansas, the General Assembly should modernize the scope of practice laws for advanced practice registered nurses by removing the mandatory collaborative practice agreements for advanced practice registered nurses and granting advanced practice registered nurses full practice authority, including full prescriptive authority,

NOW THEREFORE,  
BE IT PROPOSED BY THE SENATE COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

THAT the Senate Committee on Public Health, Welfare, and Labor study the removal of the collaborative practice agreement requirement of advanced practice registered nurses and allow full practice authority of advanced practice registered nurses without a collaborative practice agreement, including full prescriptive authority.

Respectfully submitted,

Senator Kim Hammer  
District 33

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2 Prepared by: JMB/JMB  
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