

INTERIM STUDY PROPOSAL 2021-152

State of Arkansas

93rd General Assembly

Third Extraordinary Session, 2022

A Bill

JMB/JMB

SENATE BILL

By: Senator K. Hammer

Filed with: Senate Committee on Public Health, Welfare, and Labor
pursuant to A.C.A. §10-3-217.

For An Act To Be Entitled

AN ACT TO ALLOW FULL INDEPENDENT PRACTICE AUTHORITY
FOR CLINICAL NURSE SPECIALISTS; TO AUTHORIZE
EXPERIENCE IN ANOTHER STATE TO QUALIFY FOR FULL
INDEPENDENT PRACTICE AUTHORITY; AND FOR OTHER
PURPOSES.

Subtitle

TO ALLOW FULL INDEPENDENT PRACTICE
AUTHORITY FOR CLINICAL NURSE SPECIALISTS;
AND TO ALLOW EXPERIENCE IN ANOTHER STATE
TO QUALIFY.

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

SECTION 1. Arkansas Code § 17-87-314(a)-(c), concerning full
independent practice authority of certain nurses, are amended to read as
follows:

(a) As used in this section, “full independent practice authority”
means the ability of a certified nurse practitioner or a clinical nurse
specialist to practice with prescriptive authority without a collaborative
practice agreement as described in § 17-87-310.

(b)(1) The Full Independent Practice Credentialing Committee may grant
a certificate of full independent practice authority to a certified nurse
practitioner or a clinical nurse specialist who submits:

(A) An application;

1 (B) An appropriate application fee as determined by the
2 Full Independent Practice Credentialing Committee;

3 (C) Proof of successful completion of six thousand two
4 hundred forty (6,240) hours of practice;

5 (i) Under ~~under~~ a collaborative practice agreement
6 with a physician; or

7 (ii) In another state, territory, or foreign country
8 that authorizes a certified nurse practitioner or a clinical nurse specialist
9 to practice if the certified nurse practitioner or the clinical nurse
10 specialist also provides proof of his or her licensure in good standing from
11 that state, territory, or foreign country and proof of his or her licensure
12 in good standing from the Arkansas State Board of Nursing; and

13 (D) Any other relevant information as determined by the
14 Full Independent Practice Credentialing Committee.

15 (2) A certificate of full independent practice authority shall
16 be renewed every three (3) years with an appropriate renewal fee as
17 determined by the Full Independent Practice Credentialing Committee.

18 (c) A certified nurse practitioner or a clinical nurse specialist with
19 a certificate of full independent practice authority may receive and
20 prescribe drugs, medicines, or therapeutic devices appropriate to the
21 certified nurse practitioner's area of practice or the clinical nurse
22 specialist's area of practice.

23
24 SECTION 2. Arkansas Code § 17-87-314(e), concerning full independent
25 practice authority of certain nurses, is amended to read as follows:

26 (e) The Full Independent Practice Credentialing Committee shall:

27 (1)(A) Review and approve or deny all applications for a
28 certificate of full independent practice authority for certified nurse
29 practitioners or clinical nurse specialists and for renewal of a certificate
30 of full independent practice authority for a certified nurse practitioner or
31 a clinical nurse specialist.

32 (B) If the Full Independent Practice Credentialing
33 Committee denies an application for a certificate of full independent
34 practice authority, the Full Independent Practice Credentialing Committee
35 shall explain the reasons for the denial in writing to the applicant;

1 (2) Review complaints made against certified nurse practitioners
2 or clinical nurse specialists who have a certificate of full independent
3 practice authority;

4 (3) Review recommendations made by the Arkansas State Medical
5 Board and the Arkansas State Board of Nursing and notify the certified nurse
6 practitioner or the clinical nurse specialist of any action taken by the Full
7 Independent Practice Credentialing Committee based on the recommendations;

8 (4)(A) If the action taken is suspension or revocation of the
9 certificate of full independent practice authority, hold a hearing providing
10 the certified nurse practitioner or a clinical nurse specialist who has a
11 certificate of full independent practice authority with ten (10) days' notice
12 in writing to appear before the Full Independent Practice Credentialing
13 Committee, at the time and place as the Full Independent Practice
14 Credentialing Committee may direct, to show cause as to why his or her
15 certificate of full independent practice authority should not be suspended or
16 revoked.

17 (B) At the hearing, the Full Independent Practice
18 Credentialing Committee shall:

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

20 (b) The Chair of the Full Independent Practice
21 Credentialing Committee or his or her designee shall sign subpoenas and have
22 the power to administer oaths;

23 (ii) Hear evidence; and

24 (iii)(a) Determine if the certificate of full
25 independent practice authority should be suspended or revoked.

26 (b) If the Full Independent Practice
27 Credentialing Committee determines that the certificate of full independent
28 practice authority should be suspended or revoked, the suspension or
29 revocation shall take place immediately.

30 (C) However, only the Arkansas State Board of Nursing has
31 the authority to suspend or revoke the nursing license of a certified nurse
32 practitioner or a clinical nurse specialist; and

33 (5) Provide reports quarterly and upon request regarding the
34 number of applicants approved and denied to the Senate Committee on Public
35 Health, Welfare, and Labor and the House Committee on Public Health, Welfare,
36 and Labor.

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SECTION 3. Arkansas Code § 17-87-314(g)-(h), concerning full independent practice authority of certain nurses, are amended to read as follows:

(g) A certified nurse practitioner or a clinical nurse specialist whose certificate of full independent practice authority has been denied, suspended, or revoked by the Full Independent Practice Credentialing Committee under this section may appeal the action of the Full Independent Practice Credentialing Committee under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(h) A certified nurse practitioner or a clinical nurse specialist with a certificate of full independent practice authority shall conspicuously identify the certificate of full independent practice authority and that the certified nurse practitioner or the clinical nurse specialist is not required to have a collaborative practice agreement on signage in the office where the certified nurse practitioner or the clinical nurse specialist practices.

Referred by Senator K. Hammer
Prepared by: JMB/JMB