

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1258

5 By: Representative L. Johnson
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For An Act To Be Entitled

8 AN ACT TO AUTHORIZE FULL INDEPENDENT PRACTICE
9 AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS WHO MEET
10 CERTAIN REQUIREMENTS; TO CREATE THE FULL INDEPENDENT
11 PRACTICE COMMITTEE TO REVIEW AND APPROVE APPLICATIONS
12 FOR FULL INDEPENDENT PRACTICE AUTHORITY FOR CERTIFIED
13 NURSE PRACTITIONERS; AND FOR OTHER PURPOSES.
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Subtitle

16 TO AUTHORIZE FULL INDEPENDENT PRACTICE
17 AUTHORITY FOR CERTIFIED NURSE
18 PRACTITIONERS WHO MEET CERTAIN
19 REQUIREMENTS; AND TO CREATE THE FULL
20 INDEPENDENT PRACTICE COMMITTEE.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code Title 17, Chapter 87, Subchapter 3, is
27 amended to add an additional section to read as follows:

28 17-87-314. Full independent practice authority – Full Independent
29 Practice Committee – Members and duties – Definition.

30 (a) As used in this section, "full independent practice authority"
31 means the ability of a certified nurse practitioner to practice with
32 prescriptive authority without a collaborative practice agreement as
33 described in § 17-87-310.

34 (b)(1) The Full Independent Practice Committee may grant a certificate
35 of full independent practice authority to a certified nurse practitioner who
36 submits:



1 (A) An application;

2 (B)(i) An appropriate application fee as determined by the
3 committee.

4 (ii) The committee shall divide equally and deposit
5 the fees into the funds of the Arkansas State Medical Board and the Arkansas
6 State Board of Nursing;

7 (C) Proof of successful completion of ten thousand four
8 hundred (10,400) hours of practice under a collaborative practice agreement
9 with a physician; and

10 (D) Any other relevant information as determined by the
11 committee.

12 (2)(A) A certificate of full independent practice authority
13 shall be renewed every two (2) years through an application process with an
14 appropriate renewal fee as determined by the committee.

15 (B) The committee shall divide equally and deposit the
16 fees into the funds of the Arkansas State Medical Board and the Arkansas
17 State Board of Nursing.

18 (c)(1) A certified nurse practitioner with a certificate of full
19 independent practice authority may receive and prescribe drugs, medicines, or
20 therapeutic devices appropriate to the certified nurse practitioner's area of
21 practice.

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

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

26 (2) The committee shall consist of nine (9) members as follows:

27 (A) For the first six (6) years:

28 (i) Three (3) physicians who are appointed by the
29 Arkansas State Medical Board;

30 (ii) Three (3) certified nurse practitioners who are
31 appointed by the Arkansas State Board of Nursing;

32 (iii) One (1) pharmacist who is appointed by the
33 Arkansas State Board of Pharmacy;

34 (iv) The Director of the Arkansas State Medical
35 Board as an ex officio nonvoting member; and

36 (v) The Executive Director of the Arkansas State

1 Board of Nursing as an ex officio nonvoting member; and

2 (B)(i) After the first six (6) years of the committee, the
3 Governor shall appoint seven (7) certified nurse practitioners who have had a
4 certificate of full independent practice authority issued in this state and
5 are in good standing.

6 (ii) The Director of the Arkansas State Medical
7 Board and the Executive Director of the Arkansas State Board of Nursing shall
8 serve as ex officio nonvoting members.

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

10 (ii) Committee members shall not serve more than two
11 (2) consecutive terms.

12 (B) A committee member shall serve until a successor is
13 appointed by the appropriate appointing entity.

14 (4)(A) The committee shall elect a chair with powers and duties
15 determined by the committee.

16 (B) The chair may be elected for no more than two (2)
17 consecutive terms.

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

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

22 (6) The members of the committee shall receive mileage and per
23 diem as is now provided to members of the appropriate appointing entity.

24 (e) The committee shall:

25 (1) Review and approve or deny all applications for a
26 certificate of full independent practice authority for certified nurse
27 practitioners and for renewal of a certificate of full independent practice
28 authority for a certified nurse practitioner;

29 (2) Review complaints made against certified nurse practitioners
30 who has a certificate of full independent practice authority;

31 (3)(A) Refer complaints to the Arkansas State Medical Board or
32 the Arkansas State Board of Nursing, or both, as determined by the committee
33 based on the complaint.

34 (B) If the Arkansas State Medical Board or the Arkansas
35 State Board of Nursing, or both, determine that the complaint is valid, the
36 Arkansas State Medical Board or the Arkansas State Board of Nursing, or both,

1 shall make recommendations to the committee;

2 (4) Review recommendations made by the Arkansas State Medical
3 Board or the Arkansas State Board of Nursing, or both, and notify the
4 certified nurse practitioner of any action taken by the committee based on
5 the recommendations; and

6 (5)(A) If the action taken is suspension or revocation of the
7 certificate of full independent practice authority, hold a hearing providing
8 the certified nurse practitioner who has a certificate of full independent
9 practice authority with ten (10) days' notice in writing to appear before the
10 committee, at the time and place as the committee may direct, to show cause
11 as to why his or her certificate of full independent practice authority
12 should not be suspended or revoked.

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

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

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

17 (ii) Hear evidence; and

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

20 (b) If the committee determines that the
21 certificate of full independent practice authority should be suspended or
22 revoked, the revocation shall take place immediately.

23 (C) However, only the Arkansas State Board of Nursing has
24 the authority to suspend or revoke the nursing license of a certified nurse
25 practitioner.

26 (f) A certified nurse practitioner whose certificate of full
27 independent practice authority has been denied, suspended, or revoked by the
28 committee under this section may appeal the action of the committee under the
29 Arkansas Administrative Procedure Act, § 25-15-201 et seq.

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