

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: H2/25/21

# A Bill

HOUSE BILL 1258

5 By: Representative L. Johnson  
6 By: Senator K. Hammer  
7

## For An Act To Be Entitled

9 AN ACT TO AUTHORIZE FULL INDEPENDENT PRACTICE  
10 AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS WHO MEET  
11 CERTAIN REQUIREMENTS; TO CREATE THE FULL INDEPENDENT  
12 *PRACTICE CREDENTIALING COMMITTEE* TO REVIEW AND  
13 APPROVE APPLICATIONS FOR FULL INDEPENDENT PRACTICE  
14 AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS; AND FOR  
15 OTHER PURPOSES.  
16  
17

## Subtitle

18  
19 *TO AUTHORIZE FULL INDEPENDENT PRACTICE*  
20 *AUTHORITY FOR CERTIFIED NURSE*  
21 *PRACTITIONERS WHO MEET CERTAIN*  
22 *REQUIREMENTS; AND TO CREATE THE FULL*  
23 *INDEPENDENT PRACTICE CREDENTIALING*  
24 *COMMITTEE.*  
25  
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
28

29 *SECTION 1. DO NOT CODIFY. Legislative intent.*

30 *It is the intent of the General Assembly to:*

31 *(1) Provide a legitimate pathway to full practice authority for*  
32 *certified nurse practitioners; and*

33 *(2) Reevaluate the composition of the Full Independent Practice*  
34 *Credentialing Committee in three (3) years.*  
35

36 *SECTION 2. Arkansas Code Title 17, Chapter 87, Subchapter 3, is*



1 amended to add an additional section to read as follows:

2 17-87-314. Full independent practice authority – Full Independent  
3 Practice Committee – Members and duties – Definition.

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

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

11 (A) An application;

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

14 (C) Proof of successful completion of six thousand two  
15 hundred forty (6,240) hours of practice under a collaborative practice  
16 agreement with a physician; and

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

19 (2)(A) A certificate of full independent practice authority  
20 shall be renewed every three (3) years through an application process with an  
21 appropriate renewal fee as determined by the Full Independent Practice  
22 Credentialing Committee.

23 (B) The Full Independent Practice Credentialing Committee  
24 shall divide equally and deposit the fees into the funds of the Arkansas  
25 State Medical Board and the Arkansas State Board of Nursing.

26 (c) A certified nurse practitioner with a certificate of full  
27 independent practice authority may receive and prescribe drugs, medicines, or  
28 therapeutic devices appropriate to the certified nurse practitioner's area of  
29 practice.

30 (d)(1) The Full Independent Practice Credentialing Committee is  
31 created within the Department of Health.

32 (2) The Full Independent Practice Credentialing Committee shall  
33 consist of the following members:

34 (A) The following members appointed by the Governor:

35 (i) Three (3) faculty physicians from each of the  
36 following institutions upon consulting with the heads of the institutions:

1 (a) The College of Medicine of the University  
2 of Arkansas for Medical Sciences;

3 (b) The Arkansas College of Osteopathic  
4 Medicine in Fort Smith; and

5 (c) The New York Institute of Technology  
6 College of Osteopathic Medicine at Arkansas State University in Jonesboro;

7 (ii) One (1) physician from the state at large;

8 (iii) Three (3) faculty certified nurse

9 practitioners from each of the following institutions upon consulting with  
10 the heads of the institutions:

11 (a) The College of Nursing of the University  
12 of Arkansas for Medical Sciences;

13 (b) The Carr College of Nursing at Harding  
14 University; and

15 (c) The School of Nursing of the University of  
16 Central Arkansas; and

17 (iv) One (1) certified nurse practitioner from the  
18 state at large;

19 (B) The Director of the Arkansas State Medical Board as an  
20 ex officio nonvoting member; and

21 (C) The Director of the Arkansas State Board of Nursing as  
22 an ex officio nonvoting member.

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

24 (ii) Committee members shall not serve more than two  
25 (2) consecutive terms.

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

28 (4)(A) The Full Independent Practice Credentialing Committee  
29 shall elect a chair with powers and duties determined by the Full Independent  
30 Practice Credentialing Committee.

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

33 (5)(A) A quorum of the Full Independent Practice Credentialing  
34 Committee shall be four (4) members.

35 (B) The Full Independent Practice Credentialing Committee  
36 shall hold a meeting at least quarterly and at other times the Full

1 Independent Practice Credentialing Committee considers advisable to perform  
2 the duties described in subsection (e) of this section.

3 (6) The members of the Full Independent Practice Credentialing  
4 Committee shall receive mileage and per diem as is now provided to members of  
5 the appropriate appointing entity.

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

7 (1)(A) Review and approve or deny all applications for a  
8 certificate of full independent practice authority for certified nurse  
9 practitioners and for renewal of a certificate of full independent practice  
10 authority for a certified nurse practitioner.

11 (B) If the Full Independent Practice Credentialing  
12 Committee denies an application for a certificate of full independent  
13 practice authority, the Full Independent Practice Credentialing Committee  
14 shall explain the reasons for the denial in writing to the applicant;

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

17 (3) Review recommendations made by the Arkansas State Medical  
18 Board or the Arkansas State Board of Nursing, or both, and notify the  
19 certified nurse practitioner of any action taken by the Full Independent  
20 Practice Credentialing Committee based on the recommendations;

21 (4)(A) If the action taken is suspension or revocation of the  
22 certificate of full independent practice authority, hold a hearing providing  
23 the certified nurse practitioner who has a certificate of full independent  
24 practice authority with ten (10) days' notice in writing to appear before the  
25 Full Independent Practice Credentialing Committee, at the time and place as  
26 the Full Independent Practice Credentialing Committee may direct, to show  
27 cause as to why his or her certificate of full independent practice authority  
28 should not be suspended or revoked.

29 (B) At the hearing, the Full Independent Practice  
30 Credentialing Committee shall:

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

32 (b) The chair of the Full Independent Practice  
33 Credentialing Committee or his or her designee shall sign subpoenas and have  
34 the power to administer oaths;

35 (ii) Hear evidence; and

36 (iii)(a) Determine if the certificate of full

1 independent practice authority should be suspended or revoked.

2 (b) If the Full Independent Practice  
3 Credentialing Committee determines that the certificate of full independent  
4 practice authority should be suspended or revoked, the suspension or  
5 revocation shall take place immediately.

6 (C) However, only the Arkansas State Board of Nursing has  
7 the authority to suspend or revoke the nursing license of a certified nurse  
8 practitioner; and

9 (5) Provide reports quarterly and upon request regarding the  
10 number of applicants approved and denied to the Senate Committee on Public  
11 Health, Welfare, and Labor and the House Committee on Public Health, Welfare,  
12 and Labor.

13 (f)(1) The Full Independent Practice Credentialing Committee may  
14 consult with the Arkansas State Medical Board or the Arkansas State Board of  
15 Nursing, or both, as determined by the Full Independent Practice  
16 Credentialing Committee based on the complaint.

17 (2) The Arkansas State Medical Board or the Arkansas State Board  
18 of Nursing, or both, may make recommendations to the Full Independent  
19 Practice Credentialing Committee.

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

24 (h) A certified nurse practitioner with a certificate of full  
25 independent practice authority shall conspicuously identify the certificate  
26 of full independent practice authority and that the certified nurse  
27 practitioner is not required to have a collaborative practice agreement on:

28 (1) Signage in the office where the certified nurse practitioner  
29 practices; and

30 (2) A name tag, badge, or clothing.

31  
32 SECTION 3. Arkansas Code § 17-87-310(a), concerning prescriptive  
33 authority for advanced practice registered nurses, is amended to read as  
34 follows:

35 (a) The Arkansas State Board of Nursing may grant a certificate of  
36 prescriptive authority to an advanced practice registered nurse who:

1 (1) Submits proof of successful completion of an Arkansas State  
2 Board of Nursing-approved advanced pharmacology course that shall include  
3 preceptorial experience in the prescription of drugs, medicines, and  
4 therapeutic devices; and

5 (2) Has either:

6 (A) A certificate of full independent practice authority  
7 under § 17-87-314; or

8 (B) A ~~Has~~ collaborative practice agreement with a  
9 practicing physician who is licensed under the Arkansas Medical Practices  
10 Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq., or a  
11 podiatrist licensed by the Arkansas Board of Podiatric Medicine under § 17-  
12 96-101 et seq., if employed by the podiatrist, and who has training in scope,  
13 specialty, or expertise to that of the advanced practice registered nurse on  
14 file with the Arkansas State Board of Nursing.

15  
16 /s/L. Johnson  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36