

1 INTERIM STUDY PROPOSAL 2015-182

2  
3 REQUESTING THE ARKANSAS LEGISLATIVE COUNCIL REFER TO THE HOUSE  
4 COMMITTEE ON PUBLIC HEALTH, WELFARE, AND LABOR A STUDY TO REMOVE  
5 THE COLLABORATIVE PRACTICE AGREEMENT REQUIREMENT PLACED ON  
6 ADVANCED PRACTICE REGISTERED NURSES.

7  
8 WHEREAS, advanced practice registered nurses are nurses with advanced  
9 education and clinical competencies in providing care to diverse populations  
10 in a variety of settings; and

11  
12 WHEREAS, advanced practice registered nurses are certified, or  
13 licensed, and practice in all fifty (50) states; and

14  
15 WHEREAS, advanced practice registered nurses in the State of Arkansas  
16 must obtain a collaborative practice agreement with a physician to have  
17 prescriptive authority under Arkansas Code § 17-87-310; and

18  
19 WHEREAS, a collaborative practice agreement is a written plan that  
20 identifies a physician who agrees to collaborate with an advanced practice  
21 registered nurse in the joint management of the health care of the advanced  
22 practice registered nurse's patients and that outlines procedures for  
23 consultation with or referral to the collaborating physician or other  
24 healthcare professional as indicated by a patient's healthcare needs; and

25  
26 WHEREAS, twenty-one (21) states authorize advanced practice registered  
27 nurses to have full practice authority that includes full prescriptive  
28 authority without supervision; and

29  
30 WHEREAS, according to a 2010 report by the Center to Champion Nursing  
31 in America, nearly forty (40) years of research consistently support the high  
32 quality and cost-effectiveness of advanced practice registered nurses; and

33  
34 WHEREAS, according to a 2010 report by the Center to Champion Nursing  
35 in America, studies since the 1960s have found no difference in health  
36 outcomes, including patient health status, number of prescriptions written,

1 return visits requested, or referral to other providers, of care delivered by  
2 an advanced practice registered nurse or physician; and  
3

4 WHEREAS, collaborative practice agreements between advanced practice  
5 registered nurses and physicians do not increase patient safety or bring  
6 added value to the healthcare system, but add to the cost of care for the  
7 consumer; and  
8

9 WHEREAS, negative impacts of mandatory collaborative practice  
10 agreements include without limitation:

11 (1) Potential interruption or closing of an advanced practice  
12 registered nurse-operated clinic due to a loss of a collaborative practice  
13 physician;

14 (2) Significant added cost to overhead of the practice due to  
15 higher fees charged by many collaborative physicians, according to a 2015  
16 research report issued by the RAND Corporation;

17 (3) Decreased healthcare access by adding a barrier for advanced  
18 practice registered nurses who would like to establish a new clinic,  
19 according to a 2015 research report issued by the RAND Corporation;

20 (4) Inhibitions to the establishment of new healthcare access  
21 points in rural and medically underserved areas of the state, according to a  
22 2015 research report issued by the RAND Corporation; and

23 (5) Disincentives for new graduates of advanced practice  
24 registered nurse programs to remain in the state to practice, according to a  
25 2015 research report issued by the RAND Corporation; and  
26

27 WHEREAS, often the collaborative practice physician is not on-site or  
28 even within close vicinity of advanced practice registered nurses who are  
29 practicing in a rural community; and  
30

31 WHEREAS, a 2012 report by the National Governors Association found that  
32 most studies found that health care provided by an advanced practice  
33 registered nurse "is comparable" to health care provided by a physician "on  
34 several process and outcome measures" and advanced practice registered nurses  
35 "may provide improved access to care"; and  
36

1           WHEREAS, a 2010 report by the Center to Champion Nursing in America  
2 states that "no study establishes a basis for requiring that physicians  
3 supervise" advanced practice registered nurses; and  
4

5           WHEREAS, a 2014 report by the Federal Trade Commission found that  
6 "additional scope of practice restrictions, such as physician supervision  
7 requirements, may hamper" the ability of advanced practice registered nurses  
8 to provide primary care services that are within the scope of their education  
9 and training; and  
10

11           WHEREAS, the following major groups and organizations support more  
12 autonomy for advanced practice registered nurses:

- 13                   (1) The National Governors Association;
- 14                   (2) The Institute of Medicine;
- 15                   (3) The American Association of Retired Persons; and
- 16                   (4) The Federal Trade Commission; and  
17

18           WHEREAS, to increase patient access to health care, reduce healthcare  
19 costs, and promote efficient and timely health care in the State of Arkansas,  
20 the General Assembly should modernize the scope of practice laws for advanced  
21 practice registered nurses by removing the mandatory collaborative practice  
22 agreement,  
23

24 NOW THEREFORE,

25 BE IT PROPOSED BY THE ARKANSAS LEGISLATIVE COUNCIL OF THE NINETIETH GENERAL  
26 ASSEMBLY OF THE STATE OF ARKANSAS:

27  
28           THAT the Arkansas Legislative Council refer to the House Committee on  
29 Public Health, Welfare, and Labor a study to remove the collaborative  
30 practice agreement requirement placed on advanced practice registered nurses.  
31

32 Respectfully submitted,  
33  
34  
35

36 Representative Karilyn Brown

1 District 41

2

3

4 By: JMB/JMB

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36