

FEB 7 2024
BLR

PROPOSED COPY

CHAPTER ELEVEN FULL INDEPENDENT PRACTICE CREDENTIALING COMMITTEE

SECTION I PURPOSE & AUTHORITY

- A. PURPOSE** - The purpose of the Full Independent Practice Credentialing Committee is to:
1. Review and act on applications for full independent practice authority submitted by Certified Nurse Practitioners and Clinical Nurse Specialist; and
 2. Review and act on complaints filed against Certified Nurse Practitioners and Clinical Nurse Specialist who have full independent practice authority.
- B. LEGAL AUTHORITY** - The authority of the Full Independent Practice Authority Committee is pursuant to Ark. Code Ann. § 17-87-314, et seq.

Amended: 2023

SECTION II GENERAL MATTERS

- A. DEFINITION OF TERMS**
1. Full Independent Practice Authority: the ability of a Certified Nurse Practitioner or Clinical Nurse Specialist to practice with prescriptive authority without a collaborative practice agreement as described in Ark. Code Ann. § 17-87-310.
 2. Prescriptive Authority: the ability to receive and prescribe drugs, medicines, or therapeutic devices appropriate to the advanced practice registered nurse's area of practice.
 3. Certified Nurse Practitioner: a registered nurse who has successfully completed a nationally accredited graduate or post-graduate APRN education program that prepares nurses for the advanced practice role of nurse practitioner, is nationally certified in the population foci appropriate to the educational preparation and licensed at the advanced practice level.
 4. Clinical Nurse Specialist: a registered nurse who has successfully completed a nationally accredited graduate or post-graduate APRN education program that prepares nurses for the advanced practice role of clinical nurse specialist, is nationally certified in the population foci appropriate to the educational preparation and licensed at the advanced practice level.
- B. MEETING**
1. The Committee shall meet at least quarterly and shall have the power to call and hold special meetings at such times and places as it deems necessary.
 2. Five members shall constitute a quorum at any meeting of the Committee.
- C. MEMBERS**
- The Committee shall be comprised of eight members appointed according to ACA 17-87-314 who may serve up to two 3-year terms, or until successor is appointed.
- D. OFFICERS**
1. The Committee shall elect a Chair, and a Vice-Chair.
 2. Officers may serve no more than two consecutive 1-year terms.
 3. Powers & Duties of the Chair:

Full Independent Practice Credentialing Committee Rules

PROPOSED COPY

- a. Sign subpoenas,
 - b. Administer oaths,
 - c. Authenticate all notices and other actions of the Committee, and
 - d. Issue notices of hearings and other processes and as directed by the Committee
4. The Vice-Chair shall assume all duties and privileges of the Chair in the absence of the Chair.

E. DUTIES

1. Review all applications, initial or renewal, for full independent practice authority submitted by Certified Nurse Practitioners or Clinical Nurse Specialist licensed by the Arkansas State Board of Nursing.
2. Approve or deny applications for full independent practice authority.
 - a. All actions shall be provided, in writing, to the applicant.
 - b. Denial of an application shall include the reason(s) for denial.
3. Review complaints filed in writing against Certified Nurse Practitioners or Clinical Nurse Specialist with full independent practice authority.
 - a. The Committee shall review complaints against Certified Nurse Practitioners or Clinical Nurse Specialist who hold a certificate of full independent practice authority.
 - b. The Committee may take action, suspend or revoke the certificate for full independent practice authority based on the complaint; however, the Committee may not take action against the nursing license of a certified nurse practitioner.
 - c. All complaints and actions shall be reported to the Arkansas State Board of Nursing.

F. HEARINGS

1. Hearings will be conducted when the Committee takes action to suspend or revoke the certificate of full independent practice authority.
2. Hearings will be conducted according to the Arkansas Administrative Procedures Act.
3. The ~~Certified Nurse Practitioner~~ Certified Nurse Practitioner or Clinical Nurse Specialist will be provided ten (10) days' notice, in writing, to appear before the Full Independent Practice Credentialing Committee.

G. APPEAL

If a Certified Nurse Practitioner's or Clinical Nurse Specialist's certificate of full independent practice authority is denied, suspended, or revoked they may appeal the action of the Committee under the Arkansas Administrative Procedure Act, §25-15-201.

F. REPORTS

A quarterly report will be provided to the Senate Committee on Public Health, Welfare and Labor and the House Committee on Public Health, Welfare and Labor. The report will contain, at a minimum, the number of applicants approved and denied a certificate of independent practice authority.

Amended: 2023

SECTION III

QUALIFICATIONS FOR FULL INDEPENDENT PRACTICE AUTHORITY

A. INITIAL

1. Submission of an application for full independent practice authority.
2. Submission of two (2) letters of recommendation.
3. Hold an active unencumbered Arkansas Certified Nurse Practitioner or Clinical Nurse Specialist license.
4. Hold an unencumbered prescriptive authority certificate or equivalent in the state of licensure.

Full Independent Practice Credentialing Committee Rules

PROPOSED COPY

5. Submission of documentation showing a minimum of 6,240 hours of practice:
 - a. Under a ~~collaborative practice~~ board required agreement with a physician. Such documentation shall include:
 - 1) An affidavit from a collaborating physician attesting to the number of hours the Certified Nurse Practitioner practiced under a collaborative practice agreement with the physician. Multiple attestations are acceptable.; or
 - 2) Other evidence of meeting the qualifications for full independent practice and an affidavit signed by the nurse practitioner, in the event a collaborating physician has died, become disabled, retired, relocated to another state, or any other circumstance that inhibits the ability of the nurse practitioner from obtaining an affidavit.
 - i. Other evidence may include employment records, military service, Medicare or Medicaid reimbursement records, or other similar records that verify clinical practice in the population foci for which the nurse practitioner is licensed and certified.
 - ii. The burden shall be on the nurse practitioner to provide sufficient evidence to support the nurse practitioner's inability to obtain an affidavit from a collaborating physician.
 - b. In another state, territory, or foreign country that authorizes a certified nurse practitioner or a clinical nurse specialist to practice with prescriptive authority if the certified nurse practitioner or clinical nurse specialist provides proof of:
 - 1) Holding prescriptive authority in the state; and
 - 2) The APRN license is in good standing.
6. Submission of any other relevant documents requested by the Committee in support of application.

HISTORY: Adopted: August 1, 2022

Amended: 2023

B. RENEWAL

1. The Certificate for full independent practice authority shall be renewed every three years by submitting the required application and corresponding fee.
2. Renewal applicants must hold an active unencumbered Arkansas Certified Nurse Practitioner or Clinical Nurse Specialist license.

Amended: 2023

SECTION IV **FEES**

- A. The Committee shall establish fees for services relating to application for full independent practice authority and renewal of the full independent practice certificate.
 1. The initial application fee shall be \$150.00.
 2. The certificate renewal fee shall be \$50.00.
 3. All funds received shall be deposited in the State Treasury to the credit of the Committee.
 4. Fees paid shall be by credit card.
 5. Fees paid are processing fees and are not refundable.

HISTORY: Adopted: August 1, 2022

1 State of Arkansas As Engrossed: S3/7/23 H3/13/23 H4/3/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

SENATE BILL 79

4

5 By: Senator K. Hammer

6 By: Representative L. Johnson

7

8

For An Act To Be Entitled

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

14

15

16

Subtitle

17

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

21

22

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

24

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

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

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

35

(A) An application;

36

(B) An appropriate application fee as determined by the



1 Full Independent Practice Credentialing Committee;

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

4 (i) Under ~~under a collaborative practice agreement~~ a
5 board-required agreement with a physician; or

6 (ii) From another state, territory, or foreign
7 country that authorizes a certified nurse practitioner or a clinical nurse
8 specialist to practice with prescriptive authority if the certified nurse
9 practitioner or clinical nurse specialist:

10 (a) Has prescriptive authority in the state,
11 territory, or foreign country; and

12 (b) Provides proof of his or her licensure in
13 good standing from:

14 (1) The state, territory, or foreign
15 country; and

16 (2) The Arkansas State Board of Nursing;
17 and

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

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

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

28
29 SECTION 2. Arkansas Code § 17-87-314(e), concerning full independent
30 practice authority of certain nurses, is amended to read as follows:

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

32 (1)(A) Review and approve or deny all applications for a
33 certificate of full independent practice authority for certified nurse
34 practitioners or clinical nurse specialists and for renewal of a certificate
35 of full independent practice authority for a certified nurse practitioner or
36 a clinical nurse specialist.

1 (B) If the Full Independent Practice Credentialing
2 Committee denies an application for a certificate of full independent
3 practice authority, the Full Independent Practice Credentialing Committee
4 shall explain the reasons for the denial in writing to the applicant;

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

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

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

21 (B) At the hearing, the Full Independent Practice
22 Credentialing Committee shall:

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

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

27 (ii) Hear evidence; and

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

30 (b) If the Full Independent Practice
31 Credentialing Committee determines that the certificate of full independent
32 practice authority should be suspended or revoked, the suspension or
33 revocation shall take place immediately.

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

1 (5) Provide reports quarterly and upon request regarding the
2 number of applicants approved and denied to the Senate Committee on Public
3 Health, Welfare, and Labor and the House Committee on Public Health, Welfare,
4 and Labor.

5
6 SECTION 3. Arkansas Code § 17-87-314(g)-(h), concerning full
7 independent practice authority of certain nurses, are amended to read as
8 follows:

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

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

21
22 /s/K. Hammer

23
24
25 **APPROVED: 4/13/23**
26
27
28
29
30
31
32
33
34
35
36