

1 State of Arkansas  
2 90th General Assembly  
3 Regular Session, 2015  
4

As Engrossed: H2/25/15

# A Bill

HOUSE BILL 1160

5 By: Representatives Hammer, Gonzales  
6

## For An Act To Be Entitled

8 AN ACT TO AMEND THE PRESCRIPTIVE AUTHORITY OF AN  
9 *ADVANCED PRACTICE REGISTERED NURSE*; TO CREATE THE  
10 CERTIFIED NURSE PRACTITIONER MEDICALLY UNDERSERVED  
11 PERMIT PROGRAM; AND FOR OTHER PURPOSES.  
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### Subtitle

14 *TO AMEND THE PRESCRIPTIVE AUTHORITY OF AN*  
15 *ADVANCED PRACTICE REGISTERED NURSE; TO*  
16 *CREATE THE CERTIFIED NURSE PRACTITIONER*  
17 *MEDICALLY UNDERSERVED PERMIT PROGRAM.*  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
22

23 SECTION 1. Arkansas Code § 17-87-310(a) and (b), concerning the  
24 prescriptive authority of an advanced practice registered nurse, is amended  
25 to read as follows:

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

28 (1) Submits proof of successful completion of a board-approved  
29 advanced pharmacology course that *shall include* preceptorial experience in  
30 the prescription of drugs, medicines, and therapeutic devices; and

31 (2) Either: (A) Has on file with the Arkansas State Board of  
32 Nursing a collaborative practice agreement with a physician who is licensed  
33 under the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et  
34 seq., and § 17-95-401 et seq., and who has a practice comparable in scope,  
35 specialty, or expertise to that of the advanced practice registered nurse ~~on~~  
36 ~~file with the Arkansas State Board of Nursing; or~~





1           (2) "Medicaid" means the medical assistance program established  
2 under § 20-77-101 et seq.;

3           (3) "Medically underserved area" means the specific counties  
4 identified in the Medicaid Primary Care Case Management Program with the  
5 addition of Lafayette County and any other counties as determined by the  
6 Department of Health; and

7           (4) "Permitted certified nurse practitioner" means a certified  
8 nurse practitioner who holds a permit from the Arkansas State Board of  
9 Nursing and who has either:

10           (A) Entered into a collaborative agreement with at least  
11 one (1) physician regarding the provision of services under this subchapter;  
12 or

13           (B) Fulfilled the requirements of this subchapter to  
14 practice in a medically underserved area without a collaborative agreement.

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16           17-87-804. Permits – Fees.

17           (a) A certified nurse practitioner licensed by the Arkansas State  
18 Board of Nursing is eligible for a medically underserved permit if the  
19 certified nurse practitioner:

20           (1) Has:

21           (A) A collaborative agreement with a physician; or

22           (B) The approval of the Arkansas State Board of Nursing to  
23 engage in practice without collaborative agreement under § 17-87-805(c); and

24           (2) Practices in a medically underserved area.

25           (b)(1) The board may charge a fee to a collaborative certified nurse  
26 practitioner who applies for a medically underserved permit.

27           (2) The board shall calculate the fee to cover the costs of  
28 administering and processing the application and the costs of inspecting the  
29 certified nurse practitioner's practice to determine his or her compliance  
30 with rules adopted under this subchapter.

31           (3)(A) A certified nurse practitioner who holds a medically  
32 underserved permit shall renew the permit at the same time as the certified  
33 nurse practitioner's license expires.

34           (B)(i) The board may charge a renewal fee for  
35 administering the renewal of the permit.

36           (ii) The board shall calculate the fee to cover the

1 costs of administering and processing the renewal of the permit.

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3 17-87-805. Collaborative agreement.

4 (a) The collaborative agreement under this subchapter shall include  
5 without limitation:

6 (1) The availability of the physician for consultation or  
7 referral, or both;

8 (2) The methods of management of the collaborative agreement,  
9 which shall include protocols for prescriptive authority;

10 (3) The coverage of healthcare needs of a patient in the  
11 emergency absence of the certified nurse practitioner or physician; and

12 (4) The quality assurance.

13 (b) A permitted certified nurse practitioner shall maintain signed and  
14 dated copies of all collaborative agreements.

15 (c) A permitted certified nurse practitioner who *maintains or has*  
16 *maintained* a continuous collaborative agreement in good standing for two (2)  
17 *years with a minimum of two thousand (2,000) hours of nursing practice and*  
18 *practices in a medically underserved area:*

19 (1) Shall notify the Arkansas State Board of *Nursing* of his or  
20 her collaborative agreement status; and

21 (2) May engage in practice without a collaborative agreement and  
22 without a collaborating physician upon approval of application to the  
23 Arkansas State Board of Nursing.

24  
25 17-87-806. Provision of services.

26 A permitted certified nurse practitioner who obtains a medically  
27 underserved permit under this subchapter may:

28 (1) Practice to the full extent of his or her scope of practice  
29 as defined by § 17-87-102;

30 (2) Be included as the leader and patient contact for a team of  
31 *healthcare professionals* and the patient-centered medical home;

32 (3) Be recognized as *the healthcare* provider in the Arkansas  
33 Health Care Payment Improvement Initiative; and

34 (4) Refer a patient when necessary to a physician, specialist,  
35 hospital, or other appropriate provider.

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