

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 839

6 By: Smalley

7 COMMITTEE SUBSTITUTE

8 An Act relating to Advanced Practice Registered
9 Nurses; amending 59 O.S. 2011, Section 353.1a, as
10 amended by Section 2, Chapter 106, O.S.L. 2018 (59
11 O.S. Supp. 2018, Section 353.1a), which relates to
12 prescribing authority; modifying requirements for
13 prescribing authority of certain Advanced Practice
14 Registered Nurses; updating terms; providing certain
15 limitation; requiring certain malpractice insurance;
16 providing for codification; and providing an
17 effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 59 O.S. 2011, Section 353.1a, as
20 amended by Section 2, Chapter 106, O.S.L. 2018 (59 O.S. Supp. 2018,
21 Section 353.1a), is amended to read as follows:

22 Section 353.1a. A. Prescribing authority shall be allowed,
23 under the medical direction of a supervising physician, for an
24 ~~advanced practice nurse~~ Advanced Practice Registered Nurse
25 recognized by the Oklahoma Board of Nursing in one of the following
26 categories: ~~advanced registered nurse practitioners, clinical nurse~~
27 ~~specialists, or certified nurse midwives~~ Certified Nurse

1 Practitioners, Clinical Nurse Specialists or Certified Nurse-
2 Midwives; provided, prescribing authority shall be allowed without
3 the medical direction of a supervising physician for a Certified
4 Nurse Practitioner or Clinical Nurse Specialist who has at least
5 seven (7) years of experience as a Certified Nurse Practitioner or
6 Clinical Nurse Specialist. The ~~advanced practice nurse~~ Advanced
7 Practice Registered Nurse may write or sign, or transmit by word of
8 mouth, telephone or other means of communication an order for drugs
9 ~~or medical supplies~~ that is intended to be filled, compounded, or
10 dispensed by a pharmacist. The supervising physician, if
11 applicable, and the ~~advanced practice nurse~~ Advanced Practice
12 Registered Nurse shall be identified at the time of origination of
13 the prescription and the name of the ~~advanced practice nurse~~
14 Advanced Practice Registered Nurse shall be printed on the
15 prescription label.

16 B. Pharmacists may dispense prescriptions for non-controlled
17 prescription drugs authorized by an ~~advanced practice nurse~~ Advanced
18 Practice Registered Nurse or physician assistant, not located in
19 Oklahoma, provided that they are licensed in the state in which they
20 are actively prescribing.

21 C. Pharmacists may only dispense prescriptions for controlled
22 dangerous substances prescribed by an ~~advanced practice nurse~~ or:

23 1. A physician assistant licensed and located in the State of
24 Oklahoma and supervised by an Oklahoma-licensed practitioner; or

1 2. An Advanced Practice Registered Nurse licensed and located
2 in the State of Oklahoma who is:

3 a. supervised by an Oklahoma licensed practitioner, or

4 b. exempt from supervision pursuant to the provisions of
5 subsection A of this section.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 567.27 of Title 59, unless there
8 is created a duplication in numbering, reads as follows:

9 Either an Advanced Practice Registered Nurse or his or her
10 employer shall be required to carry One Million/Three Million
11 Dollars (\$1,000,000.00/\$3,000,000.00) of malpractice insurance.

12 SECTION 3. This act shall become effective November 1, 2019.

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