

Oklahoma Nursing Practice Act
Title 59, Chapter 12, Section 567.1, et. seq.
(Pertaining to Clinical Nurse Specialists)

§567.3a Definitions

5. "Advanced practice nurse" means a licensed registered nurse who:
- a. has successfully completed a formal program of study approved by the Board which is designed to prepare registered nurses to perform in an expanded role in the delivery of health care,
 - b. is nationally certified by an appropriate certifying body, recognized by the Board, and
 - c. has received a certificate of recognition from the Board.

The term "advanced practice nurse" shall include advanced registered nurse practitioners, clinical nurse specialists, nurse-midwives and certified registered nurse anesthetists.

7. a. "Clinical nurse specialist" means a licensed registered nurse who holds:
- (1) a master's degree in nursing with clinical specialization preparation to function in an expanded role,
 - (2) specialty certification from a national certifying organization recognized by the Board,
 - (3) a certificate of recognition from the Board, and
 - (4) any nurse holding a specialty certification as a clinical nurse specialist valid on January 1, 1994, granted by a national certifying organization recognized by the Board, shall be deemed to be a clinical nurse specialist under the provisions of the Oklahoma Nursing Practice Act.
- b. In the expanded role, the clinical nurse specialist performs at an advanced practice level which shall include, but not be limited to:
- (1) practicing as an expert clinician in the provision of direct nursing care to a selected population of patients or clients in any setting, including private practice,
 - (2) managing the care of patients or clients with complex nursing problems,
 - (3) enhancing patient or client care by integrating the competencies of clinical practice, education, consultation, and research, and
 - (4) referring patients or clients to other services.
- c. A clinical nurse specialist in accordance with the scope of practice of such clinical nurse specialist shall be eligible to obtain recognition as authorized by the Board to prescribe, as defined by the rules promulgated by the Board pursuant to this section, and subject to the medical direction of a supervising physician. This authorization shall not include dispensing drugs, but shall not preclude, subject to federal regulations, the receipt of, the signing for, or the dispensing of professional samples to patients.
- d. The clinical nurse specialist accepts responsibility, accountability, and obligation to practice in accordance with usual and customary advanced practice nursing standards and functions as defined by the scope of practice/role definition statements for the clinical nurse specialist.
- c. Any person who is recognized by the Board as a clinical nurse specialist shall have the right to use the title "Clinical Nurse Specialist" and abbreviation "CNS". No other person shall assume such title or use such abbreviation or any other words, letters, signs, or figures to indicate that the person using the same is a clinical nurse specialist;

11. "Supervising physician" means an individual holding a current license to practice as a physician from the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners, who supervises an advanced registered nurse practitioner, a clinical nurse specialist, or a certified nurse-midwife, and who is not in training as an intern, resident, or fellow. To be eligible to supervise such advanced practice nurse, such physician shall remain in compliance with the rules promulgated by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners;

12. "Supervision of an advanced practice nurse with prescriptive authority" means overseeing and accepting responsibility for the ordering and transmission by an advanced registered nurse practitioner, a clinical nurse specialist, or a certified nurse-midwife of written, telephonic, electronic or oral prescriptions for drugs and other medical supplies, subject to a defined formulary; and

§567.4a . Prescriptive authority recognition -- Rules

The rules regarding prescriptive authority recognition promulgated by the Oklahoma Board of Nursing pursuant to paragraphs 6 through 9, 11 and 12 of Section 567.3a of this title shall:

1. Define the procedure for documenting supervision by a physician licensed in Oklahoma to practice by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners. Such procedure shall include a written statement that defines appropriate referral, consultation, and collaboration between the advanced practice nurse, recognized to prescribe as defined in paragraphs 6 through 9, 11 and 12 of Section 567.3a of this title, and the supervising physician. The written statement shall include a method of assuring availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral. The written statement shall be part of the initial application and the renewal application submitted to the Board for recognition for prescriptive authority for the advanced practice nurse. Changes to the written statement shall be filed with the Board within thirty (30) days of the change and shall be effective on filing;

2. Define minimal requirements for initial application for prescriptive authority which shall include, but not be limited to, evidence of completion of a minimum of forty-five (45) contact hours or three (3) academic credit hours of education in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic registered nurse preparation, approved by the Board. Such contact hours or academic credits shall be obtained within a time period of three (3) years immediately preceding the date of application for prescriptive authority;

3. Define minimal requirements for application for renewal of prescriptive authority which shall include, but not be limited to, documentation of a minimum of fifteen (15) contact hours or one (1) academic credit hour of education in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic registered nurse preparation, approved by the Board, within the two-year period immediately preceding the effective date of application for renewal of prescriptive authority;

4. Require that beginning July 1, 2002, an advanced practice nurse shall demonstrate successful completion of a master's degree in a clinical nurse specialty in order to be eligible for initial application for prescriptive authority under the provisions of this act;

9. a. Establish a Formulary Advisory Council that shall develop and submit to the Board recommendations for an exclusionary formulary that shall list drugs or categories of drugs that shall not be prescribed by advanced practice nurses recognized to prescribe by the Oklahoma Board of Nursing. The Formulary Advisory Council shall also develop and submit to the Board recommendations for practice-specific prescriptive standards for each category of advanced practice nurse recognized to prescribe by the Oklahoma Board of Nursing pursuant to the provisions of the Oklahoma Nursing Practice Act. The Board shall either accept or reject the recommendations made by the Council. No amendments to the recommended exclusionary formulary may be made by the Board without the approval of the Formulary Advisory Council.

b. The Formulary Advisory Council shall be composed of twelve (12) members as follows:

- (1) four members, to include a pediatrician, an obstetrician-gynecological physician, a general internist, and a family practice physician; provided that three of such members shall be appointed by the Oklahoma State Medical Association, and one shall be appointed by the Oklahoma Osteopathic Association,
- (2) four members who are registered pharmacists, appointed by the Oklahoma Pharmaceutical Association, and
- (3) four members, one of whom shall be an advanced registered nurse practitioner, one of whom shall be a clinical nurse specialist, one of whom shall be a certified nurse-midwife, and one of whom shall be a current member of the Oklahoma Board of Nursing, all of whom shall be appointed by the Oklahoma Board of Nursing.

c. All professional members of the Formulary Advisory Council shall be in active clinical practice, at least fifty percent (50%) of the time, within their defined area of specialty. The members of the Formulary Advisory Council shall serve at the pleasure of the appointing authority for a term of three (3) years. The terms of the members shall be staggered. Members of the Council may serve beyond the expiration of their term of office until a successor is appointed by the original appointing authority. A vacancy on the Council shall be filled for the balance of the unexpired term by the original appointing authority.

d. Members of the Council shall elect a chair and a vice-chair from among the membership of the Council. For the transaction of business, at least seven members, with a minimum of two members present from each of the identified categories of physicians, pharmacists and advanced practice nurses, shall constitute a quorum. The Council shall recommend and the Board shall approve and implement an initial exclusionary formulary on or before January 1, 1997. The Council and the Board shall annually review the approved exclusionary formulary and shall make any necessary revisions utilizing the same procedures used to develop the initial exclusionary formulary.

OAC Title 485: OKLAHOMA BOARD OF NURSING

485:10-15-7. Practice as a Clinical Nurse Specialist

(a) Education.

(1) Any nurse graduating prior to September 1, 1991, may apply for recognition as a Clinical Nurse Specialist by submitting a transcript which verifies conferral of a Master's Degree in Nursing and documentation verifying the completion of a minimum of two semesters of course work in supervised advanced clinical practice.

(2) Any nurse graduating with a Master's Degree in Nursing after September 1, 1991, may apply for recognition as a Clinical Nurse Specialist by submitting an official transcript verifying conferral of a Master's Degree in Nursing from a nursing program accredited by or holding preliminary approval or candidacy status with the National League for Nursing Accrediting Commission or the Commission on Collegiate Nursing Education and documentation verifying the completion of a minimum of two semesters of course work in which the major focus of study was a clinical nurse specialist track or pathway.

(3) Successful completion of the educational program shall establish an academic preparation consistent with the recognized certification examination in the specialty area.

(b) National certification.

(1) National certification in the specialty area at an advanced practice level or the highest level available in lieu of the availability of an advanced practice level examination in that specialty is required for recognition.

(2) The Board shall identify and keep on file the current list of recognized certifications and certifying bodies approved by the Board. A licensee may request that a certification program be considered for inclusion on the list. A certifying body examination shall meet the following requirements:

(A) Approved or accredited by a certification credentialing body approved by the Board. The certification credentialing body shall verify the certification examination meets the following requirements:

(i) measures theoretical and clinical content based on the scope of practice in the specialty area;

(ii) is developed in accordance with generally accepted standards of validity and reliability;

(B) Open only to licensed or credentialed health care professionals;

(C) Based upon national standards of practice for the specialty area.

SUBCHAPTER 16. REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE NURSES

485:10-16-3. Initial application

The advanced practice nurse applicant for prescriptive authority shall:

(1) hold a current R.N. license and recognition as an

A.R.N.P., C.N.M. or C.N.S. in Oklahoma;

(2) submit a completed application containing such information as the Board may prescribe and the required fee;

(3) submit a written statement from an Oklahoma-licensed physician supervising prescriptive authority which identifies a mechanism for:

(A) appropriate referral, consultation, and collaboration between the advanced practice nurse and physician supervising prescriptive authority;

(B) availability of communication between the advanced practice nurse and physician supervising prescriptive authority through direct contact, telecommunications, or other appropriate electronic means for consultation, assistance with medical emergencies or patient referral;

(4) submit documentation verifying completion of forty-five contact hours of Category B continuing education or three academic credit hours of education, as required by law and defined in the rules and regulations, which are applicable to the scope of practice, in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic nursing preparation. Such contact hours or academic credits shall be obtained within a time period of three (3) years immediately preceding the date of receipt of application for prescriptive authority. The three (3) year time period may be waived if the applicant has graduated from their advanced practice educational program within a time period of three years immediately preceding the date of application for prescriptive authority and submits the following official documentation from the advanced practice program:

(A) Course descriptions with course objectives verifying the integration of didactic and clinical hours in pharmacotherapeutic management content throughout the advanced practice program curriculum; and

(B) Credentials of the faculty teaching the courses verifying the faculty's scope of practice includes prescribing.

(C) Verification of the total number of contact hours completed in pharmacotherapeutics.

(5) Submit documentation verifying successful completion of a graduate degree at an advanced practice level or post-master's certificate at an advanced practice level, if the Master's degree is in nursing.

485:10-16-4. Clinical Nurse Specialist pharmacology requirements

In addition to meeting the requirements in 485: 10-16-3, the Clinical Nurse Specialist who submits an initial application for prescriptive authority shall also submit:

(1) Documentation verifying completion of a course in pharmacotherapeutic management applicable to the Clinical Nurse Specialist's specialty area which must be a minimum of two credit hours or 30 contact hours of Categories A or B continuing education categories.

(2) Documentation verifying satisfactory completion of a minimum of 320 clock hours preceptorial experience with a qualified preceptor whereby the Clinical Nurse Specialist is providing direct care including demonstrating competence in prescribing drugs and medicines. This preceptorial experience must be developed and overseen by an academic program that prepares Clinical Nurse Specialists. All didactic coursework in pharmacotherapeutics must be a prerequisite or corequisite to the preceptorial experience verified by official documentation of approval by the academic program that offers the preceptorial experience.

485:10-16-5. Maintenance

(a) The advanced practice nurse may prescribe in writing, orally, or by other means of telecommunication, drugs or medical supplies which are not listed on the exclusionary formulary approved by the Board, and which are within the scope of practice for the advanced practice nurse, and that are not otherwise prohibited by law.

(b) The advanced practice nurse must have a supervising physician on file with the Board prior to prescribing drugs or medical supplies. Changes to the written statement between the advanced practice nurse and supervising physician shall be filed with the Board within 30 days of the change and shall be effective upon filing.

(c) The advanced practice nurse with prescriptive authority who prescribes Schedule III-V drugs will comply with state and Federal Drug Enforcement Administration (DEA) requirements prior to prescribing controlled substances.

(1) The advanced practice nurse with prescriptive authority will submit in writing the assigned DEA number to the Board of Nursing within fourteen (14) days of receipt.

(2) No more than a 30-day supply for Schedule III-V drugs shall be prescribed by the advanced practice nurse with prescriptive authority.

485:10-16-8. Information which must be included on the prescription

(a) Prescriptions will comply with all applicable state and federal laws.

(b) All prescriptions will include the following information:

(1) Name, title, address, and telephone number of the advanced practice nurse who is prescribing.

(2) Name of physician supervising prescriptive authority.

(3) Name of the client.

(4) Date of the prescription.

(5) Full name of the drug, dosage, route and specific directions for administration.

(6) DEA number of advanced practice nurse, if required.

(c) Written prescriptions shall include the signature of the advanced practice nurse.

(d) Records of all prescriptions will be documented in client records.

485:10-16-9. Termination

Reasons for termination of prescriptive authority:

(1) guilty of fraud or deceit in obtaining prescriptive authority;

(2) negligent prescribing;

(3) prescribing outside the scope of practice;

(4) prescribing for other than therapeutic purposes;

(5) violated the provisions of the prescriptive authority rules in this subchapter; or

(6) violated the Oklahoma Nursing Practice Act or Rules and Regulations.