

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   COMMITTEE SUBSTITUTE  
5                   FOR  
6                   HOUSE BILL NO. 2298

7                   By: Hilbert and Fetgatter of  
8                   the House

9                   and

10                  Paxton of the Senate

11                  COMMITTEE SUBSTITUTE

12                  An Act relating to the practice of nursing; providing  
13                  for independent prescriptive authority of Advanced  
14                  Practice Registered Nurses who meet certain  
15                  requirements; stating application criteria;  
16                  specifying duration of authority; providing for  
17                  application approval, denial, reapplication, fees,  
18                  and independent prescriptive authority revocation;  
19                  prescribing certain malpractice insurance  
20                  requirements; directing promulgation of certain  
21                  advertising rules; providing certain construction;  
22                  directing certain boards to make specified  
23                  information available online; providing definitions;  
24                  providing eligibility requirements for physicians;  
                      providing limits; providing for exceptions; providing  
                      certain responsibilities; providing for disciplinary  
                      action; authorizing penalties; amending 59 O.S. 2021,  
                      Section 353.1, as amended by Section 6, Chapter 288,  
                      O.S.L. 2022 (59 O.S. Supp. 2024, Section 353.1),  
                      which relates to definitions used in the Oklahoma  
                      Pharmacy Act; modifying and adding definitions;  
                      amending 59 O.S. 2021, Section 353.1a, which relates  
                      to prescriptive authority of Advanced Practice  
                      Registered Nurses; modifying prescriptive authority  
                      of certain Advanced Practice Registered Nurses;  
                      updating statutory language; amending 59 O.S. 2021,  
                      Section 567.3a, which relates to definitions used in  
                      the Oklahoma Nursing Practice Act; modifying and

1 adding definitions; amending 59 O.S. 2021, Section  
2 567.4a, which relates to prescriptive authority;  
3 specifying authority of the Oklahoma Board of Nursing  
4 to grant prescriptive authority; directing the Board  
5 to promulgate certain rules; clarifying certain  
6 educational requirement; requiring the Formulary  
7 Advisory Council to develop, update, and publish  
8 certain guidelines; modifying references; conforming  
9 language; amending 59 O.S. 2021, Section 567.5a, as  
10 amended by Section 1, Chapter 94, O.S.L. 2024 (59  
O.S. Supp. 2024, Section 567.5a), which relates to  
Advanced Practice Registered Nurse license; providing  
for independent prescriptive authority by  
endorsement; amending 63 O.S. 2021, Section 2-312, as  
amended by Section 2, Chapter 184, O.S.L. 2022 (63  
O.S. Supp. 2024, Section 2-312), which relates to  
controlled dangerous substances; conforming language  
relating to supervision requirement; updating  
statutory references and language; providing for  
codification; and providing an effective date.

11

12

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

14 SECTION 1. NEW LAW A new section of law to be codified

15 in the Oklahoma Statutes as Section 567.4c of Title 59, unless there  
16 is created a duplication in numbering, reads as follows:

17 A. 1. An Advanced Practice Registered Nurse recognized by the  
18 Oklahoma Board of Nursing as a Certified Nurse Practitioner,  
19 Clinical Nurse Specialist, or Certified Nurse-Midwife who has  
20 completed a minimum of three (3) years of practice with prescriptive  
21 authority supervised by a physician may apply to the Oklahoma Board  
22 of Nursing for authority to prescribe and order independent of  
23 supervision.

1       2. The application for independent prescriptive authority shall  
2 include proof that the Certified Nurse Practitioner, Clinical Nurse  
3 Specialist, or Certified Nurse-Midwife:

- 4           a. holds a valid, current license in the appropriate  
5                   Advanced Practice Registered Nurse role issued by the  
6                   Board and is in good standing with the Board, and  
7           b. has completed a minimum of three (3) years of practice  
8                   with prescriptive authority supervised by a physician.  
9                   This subparagraph shall not be construed to exclude  
10                  practice hours with supervised prescriptive authority  
11                  obtained prior to the effective date of this act from  
12                  being counted toward the hours required in this  
13                  subparagraph.

14       3. Independent prescriptive authority granted under this  
15 subsection shall be valid until the expiration of the current  
16 license to practice and may be renewed upon application to the Board  
17 at the same time and for the same period as the renewal of the  
18 license to practice.

19       B. The Board shall review any application submitted under this  
20 section and shall approve or deny the application, stating the  
21 reason or reasons for denial, if denied. If denied, the applicant  
22 may reapply using the process prescribed by subsection A of this  
23 section.

1       C. The Board may suspend or revoke independent prescriptive  
2 authority granted under this section for good cause at any time.

3       D. The Board may establish a fee for the review of initial and  
4 renewal applications under the provisions of this section.

5           SECTION 2.        NEW LAW        A new section of law to be codified  
6 in the Oklahoma Statutes as Section 567.5b of Title 59, unless there  
7 is created a duplication in numbering, reads as follows:

8       A. An Advanced Practice Registered Nurse, or the employer of  
9 the Advanced Practice Registered Nurse on his or her behalf, shall  
10 carry malpractice insurance or demonstrate proof of financial  
11 responsibility in a minimum amount of One Million Dollars  
12 (\$1,000,000.00) per occurrence and Three Million Dollars  
13 (\$3,000,000.00) in the aggregate per year. The requirement to carry  
14 malpractice insurance shall extend only to the Advanced Practice  
15 Registered Nurse, and not be construed as to require the Advance  
16 Practice Registered Nurse to provide malpractice insurance coverage  
17 to any supervising or collaborating physician.

18       B. An Advanced Practice Registered Nurse who is employed by or  
19 under contract with a federal agency that carries malpractice  
20 insurance in any amount on behalf of the Advanced Practice  
21 Registered Nurse shall be deemed in compliance with subsection A of  
22 this section when practicing under such federal employment or  
23 contract. However, to the extent the Advanced Practice Registered  
24 Nurse practices outside of such federal employment or contract, the

1 Advanced Practice Registered Nurse, or his or her employer, shall  
2 comply with subsection A of this section.

3 SECTION 3. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 567.5c of Title 59, unless there  
5 is created a duplication in numbering, reads as follows:

6 A. The Oklahoma Board of Nursing shall promulgate rules  
7 governing advertising of health care services by Advanced Practice  
8 Registered Nurses to include, but not be limited to, the specialty  
9 areas or types of health care services Advanced Practice Registered  
10 Nurses may advertise based on their training or experience.

11 B. Nothing in this act shall be construed to allow an Advanced  
12 Practice Registered Nurse to perform any medical service or  
13 prescribe any medication beyond those authorized under state law or  
14 in a manner otherwise inconsistent with state law.

15 SECTION 4. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 479 of Title 59, unless there is  
17 created a duplication in numbering, reads as follows:

18 The State Board of Medical Licensure and Supervision and the  
19 State Board of Osteopathic Examiners shall make available, and keep  
20 updated, in a conspicuous location on the website of each Board a  
21 list of physicians who are available to supervise Advanced Practice  
22 Registered Nurses. The Boards shall develop procedures necessary  
23 for the implementation of this section.

1 SECTION 5. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 479.1 of Title 59, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. As used in this section:

5 1. "Advanced Practice Registered Nurse" or "(APRN)" means a  
6 registered nurse who has obtained a license from the Oklahoma Board  
7 of Nursing to practice advanced registered nursing not including  
8 Certified Registered Nurse Anesthetists;

9 2. "Board" means the State Board of Osteopathic Examiners or  
10 State Board of Medical Licensure and Supervision;

11 3. "Proper physician supervision" means that the supervising  
12 physician routinely reviews the prescribing patterns of an Advanced  
13 Practice Registered Nurse under his or her supervision and that the  
14 supervising physician is available to the Advanced Practice  
15 Registered Nurse for consultation in person or by telemedicine  
16 within a reasonable timeframe not exceeding twenty-four (24) hours;  
17 and

18 4. "Supervising physician" means a licensed allopathic or  
19 osteopathic physician in good standing who is responsible for  
20 supervising and overseeing the prescribing practices of an Advanced  
21 Practice Registered Nurse.

22 B. To be eligible to serve as a supervising physician for an  
23 Advanced Practice Registered Nurse, an allopathic or osteopathic  
24 physician shall meet the following criteria:

1       1. Have possession of a full and unrestricted Oklahoma license  
2 to practice allopathic or osteopathic medicine;  
3       2. Have possession of a valid permit to prescribe controlled  
4 drugs with the Drug Enforcement Agency (DEA) and Oklahoma Bureau of  
5 Narcotics and Dangerous Drugs Control (OBNDD); and  
6       3. Have relevant experience in prescribing and administering  
7 similar prescription medications authorized by the formulary  
8 approved by the Formulary Advisory Council within the Board of  
9 Nursing as established in Section 567.4b of this title which the  
10 APRN is authorized to prescribe and administer.

11       C. A supervising physician may charge a reasonable fee to the  
12 APRN for his or her supervision services, which shall be disclosed  
13 in a written agreement. Any fees charged by a supervising physician  
14 shall be appropriate based on the actual duties and responsibilities  
15 of the supervising physician as outlined in a written agreement.  
16 The fees charged shall be a fair market value hourly rate as defined  
17 by the respective board biannually or by mutual agreement between  
18 the APRN and supervising physician as to the consideration of  
19 reasonableness. A supervising physician who charges an Advanced  
20 Practice Registered Nurse for supervision services and fails to  
21 provided proper physician supervision may be subject to discipline  
22 by the physician's respective board. This subsection shall not  
23 preclude a supervising physician from entering into a payment  
24 arrangement for supervision fees to be paid by his or her employer

1 or health care entity in lieu of the APRN. This subsection does not  
2 relate to or impact any compensation a supervising physician  
3 receives from his or her employer or health care entity for  
4 supervision services. It only pertains to compensation received  
5 directly from the APRN.

6 D. All supervising physicians shall have a written agreement  
7 with each APRN he or she supervises. The written agreement shall  
8 outline any fees charged for supervision services, the scope of the  
9 Advanced Practice Registered Nurse's practice as defined by the  
10 rules of the Board of Nursing, and the extent of the supervision  
11 required. The physician shall file the written agreement with the  
12 respective licensing board.

13 E. A supervising physician shall notify Advanced Practice  
14 Registered Nurses under his or her supervision of reasonably  
15 anticipated periods of unavailability or incapacity on the part of  
16 the supervising physicians. Notice shall be given by the method  
17 agreed to by the supervising physician and the Advanced Practice  
18 Registered Nurse within the written supervision agreement.

19 F. The supervising physician shall report to the Board and  
20 Advanced Practice Registered Nurse any changes to the supervising  
21 relationship within thirty (30) days, including the addition or  
22 removal of an Advanced Practice Registered Nurse or changes to the  
23 practice address, and mobile phone numbers.

24

1       G. The Board shall not charge any fees to supervising  
2 physicians or Advanced Practice Registered Nurses for the  
3 maintenance and tracking of the supervision relationship.

4       H. The Board shall promulgate rules establishing the  
5 expectations for providing proper supervision to Advanced Practice  
6 Registered Nurses, including:

7           1. The charging of reasonable fees to provide supervision  
8 services;

9           2. Continuous availability of direct communications either in  
10 person or by electronic communications between the APRN and  
11 supervising physician;

12          3. Oversight and acceptance of responsibility for the ordering  
13 and transmission of written, telephonic, electronic, or oral  
14 prescriptions for drugs and other medical supplies, subject to a  
15 defined formulary in Section 567.3a of Title 59 of the Oklahoma  
16 Statutes;

17          4. Review prescribing patterns of an APRN;

18          5. The delineation of a plan for emergencies; and

19          6. The designation of an alternate physician in the absence of  
20 the supervising physician.

21          I. Failure to comply with these rules may result in  
22 disciplinary action by the Board.

1       J. The Executive Director of the respective board shall report  
2 annually to the Board the number of complaints received in relation  
3 to this section of law.

4       K. The Executive Director of the respective board shall create  
5 and maintain a list of physicians on the agency's official website  
6 who are willing to serve as a supervising physician to an Advanced  
7 Practice Registered Nurse licensed in Oklahoma.

8       L. Advanced Practice Registered Nurses employed by or  
9 contracted by a hospital, defined pursuant to Section 1-701 of Title  
10 63 of the Oklahoma Statutes, are exempt from this section.

11      SECTION 6.       AMENDATORY       59 O.S. 2021, Section 353.1, as  
12 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2024,  
13 Section 353.1), is amended to read as follows:

14      Section 353.1. For the purposes of the Oklahoma Pharmacy Act:

15       1. "Accredited program" means those seminars, classes,  
16 meetings, work projects, and other educational courses approved by  
17 the ~~Board~~ State Board of Pharmacy for purposes of continuing  
18 professional education;

19       2. "Act" means the Oklahoma Pharmacy Act;

20       3. "Administer" means the direct application of a drug, whether  
21 by injection, inhalation, ingestion, or any other means, to the body  
22 of a patient;

23       4. "Assistant pharmacist" means any person presently licensed  
24 as an assistant pharmacist in ~~the State of Oklahoma~~ this state by

1      the Board pursuant to Section 353.10 of this title and for the  
2      purposes of the Oklahoma Pharmacy Act shall be considered the same  
3      as a pharmacist, except where otherwise specified;

4            5. "Board" or "State Board" means the State Board of Pharmacy;

5            6. "Certify" or "certification of a prescription" means the  
6      review of a filled prescription by a licensed pharmacist or a  
7      licensed practitioner with dispensing authority to confirm that the  
8      medication, labeling, and packaging of the filled prescription are  
9      accurate and meet all requirements prescribed by state and federal  
10     law. For the purposes of this paragraph, "licensed practitioner"  
11    shall not include optometrists with dispensing authority;

12           7. "Chemical" means any medicinal substance, whether simple or  
13     compound or obtained through the process of the science and art of  
14     chemistry, whether of organic or inorganic origin;

15           8. "Compounding" means the combining, admixing, mixing,  
16     diluting, pooling, reconstituting, or otherwise altering of a drug  
17     or bulk drug substance to create a drug. Compounding includes the  
18     preparation of drugs or devices in anticipation of prescription drug  
19     orders based on routine, regularly observed prescribing patterns;

20           9. "Continuing professional education" means professional,  
21     pharmaceutical education in the general areas of the socioeconomic  
22     and legal aspects of health care; the properties and actions of  
23     drugs and dosage forms; and the etiology, characteristics, and  
24     therapeutics of the diseased state;

1       10. "Dangerous drug", "legend drug", "prescription drug", or  
2 "Rx Only" means a drug:

- 3           a. for human use subject to 21 U.S.C., Section 353(b)(1),  
4                  or  
5           b. is labeled "Prescription Only", or labeled with the  
6                  following statement: "Caution: Federal law restricts  
7                  this drug ~~except for~~ to use by or on the order of a  
8                  licensed veterinarian.";

9       11. "Director" means the Executive Director of the State Board  
10 of Pharmacy unless context clearly indicates otherwise;

11       12. "Dispense" or "dispensing" means the interpretation,  
12 evaluation, and implementation of a prescription drug order  
13 including the preparation and delivery of a drug or device to a  
14 patient or a patient's agent in a suitable container appropriately  
15 labeled for subsequent administration to, or use by, a patient.

16 Dispense includes sell, distribute, leave with, give away, dispose  
17 of, deliver, or supply;

18       13. "Dispenser" means a retail pharmacy, hospital pharmacy, a  
19 group of chain pharmacies under common ownership and control that do  
20 not act as a wholesale distributor, or any other person authorized  
21 by law to dispense or administer prescription drugs, and the  
22 affiliated warehouses or distributions of such entities under common  
23 ownership and control that do not act as a wholesale distributor.

24 For the purposes of this paragraph, "~~dispenser~~" dispenser does not

1 mean a person who dispenses only products to be used in animals in  
2 accordance with 21 U.S.C., Section 360b(a)(5);

3       14. "Distribute" or "distribution" means the sale, purchase,  
4 trade, delivery, handling, storage, or receipt of a product, and  
5 does not include the dispensing of a product pursuant to a  
6 prescription executed in accordance with 21 U.S.C., Section  
7 353(b)(1) or the dispensing of a product approved under 21 U.S.C.,  
8 Section 360b(b); provided, taking actual physical possession of a  
9 product or title shall not be required;

10       15. "Doctor of Pharmacy" means a person licensed by the Board  
11 to engage in the practice of pharmacy. The terms "pharmacist",  
12 "D.Ph.", and "Doctor of Pharmacy" shall be interchangeable and shall  
13 have the same meaning wherever they appear in the Oklahoma Statutes  
14 and the rules promulgated by the Board;

15       16. "Drug outlet" means all manufacturers, repackagers,  
16 outsourcing facilities, wholesale distributors, third-party  
17 logistics providers, pharmacies, and all other facilities which are  
18 engaged in dispensing, delivery, distribution, or storage of  
19 dangerous drugs;

20       17. "Drugs" means all medicinal substances and preparations  
21 recognized by the United States Pharmacopoeia Pharmacopeia and  
22 National Formulary, or any revision thereof, and all substances and  
23 preparations intended for external and/or internal use in the cure,  
24 diagnosis, mitigation, treatment, or prevention of disease in humans

1 or animals and all substances and preparations, other than food,  
2 intended to affect the structure or any function of the body of a  
3 human or animals;

4       18. "Drug sample" means a unit of a prescription drug packaged  
5 under the authority and responsibility of the manufacturer that is  
6 not intended to be sold and is intended to promote the sale of the  
7 drug;

8       19. "Durable medical equipment" has the same meaning as  
9 provided by ~~Section 2 of this act~~ Section 375.2 of this title;

10      20. "Filled prescription" means a packaged prescription  
11 medication to which a label has been affixed which contains such  
12 information as is required by the Oklahoma Pharmacy Act;

13      21. "Hospital" means any institution licensed as a hospital by  
14 this state for the care and treatment of patients, or a pharmacy  
15 operated by the Oklahoma Department of Veterans Affairs;

16      22. "Licensed practitioner" means:

- 17       a. an allopathic physician,
- 18       b. an osteopathic physician,
- 19       c. a podiatric physician,
- 20       d. a dentist,
- 21       e. a veterinarian ~~or,~~
- 22       f. an optometrist, or
- 23       g. an Advanced Practice Registered Nurse,

1 licensed to practice and authorized to prescribe dangerous drugs  
2 within the scope of practice of such practitioner;

3       23. "Manufacturer" or "virtual manufacturer" means with respect  
4 to a product:

- 5           a. a person that holds an application approved under 21  
6                   U.S.C., Section 355 or a license issued under 42  
7                   U.S.C., Section 262 for such product, or if such  
8                   product is not the subject of an approved application  
9                   or license, the person who manufactured the product,
- 10          b. a co-licensed partner of the person described in  
11                   subparagraph a of this paragraph that obtains the  
12                   product directly from a person described in this  
13                   subparagraph or subparagraph a of this paragraph,
- 14          c. an affiliate of a person described in subparagraph a  
15                   or b of this paragraph who receives the product  
16                   directly from a person described in this subparagraph  
17                   or in subparagraph a or b of this paragraph, or
- 18          d. a person who contracts with another to manufacture a  
19                   product;

20        24. "Manufacturing" means the production, preparation,  
21 propagation, compounding, conversion, or processing of a device or a  
22 drug, either directly or indirectly by extraction from substances of  
23 natural origin or independently by means of chemical or biological  
24 synthesis and includes any packaging or repackaging of the

1 substances or labeling or relabeling of its container, and the  
2 promotion and marketing of such drugs or devices. The term  
3 ~~“manufacturing”~~ manufacturing also includes the preparation and  
4 promotion of commercially available products from bulk compounds for  
5 resale by licensed pharmacies, licensed practitioners,, or other  
6 persons;

7 25. “Medical gas” means those gases including those in liquid  
8 state upon which the manufacturer or distributor has placed one of  
9 several cautions, such as “Rx Only”, in compliance with federal law;

10 26. “Medical gas order” means an order for medical gas issued  
11 by a licensed prescriber;

12 27. “Medical gas distributor” means a person licensed to  
13 distribute, transfer, wholesale, deliver,, or sell medical gases on  
14 drug orders to suppliers or other entities licensed to use,  
15 administer,, or distribute medical gas and may also include a patient  
16 or ultimate user;

17 28. “Medical gas supplier” means a person who dispenses medical  
18 gases on drug orders only to a patient or ultimate user;

19 29. “Medicine” means any drug or combination of drugs which has  
20 the property of curing, preventing, treating, diagnosing,, or  
21 mitigating diseases, or which is used for that purpose;

22 30. “Nonprescription drugs” means medicines or drugs which are  
23 sold without a prescription and which are prepackaged for use by the  
24 consumer and labeled in accordance with the requirements of the

1 statutes and regulations of this state and the federal government.  
2 Such items shall also include medical and dental supplies and  
3 bottled or nonbulk chemicals which are sold or offered for sale to  
4 the general public if such articles or preparations meet the  
5 requirements of the Federal Food, Drug, and Cosmetic Act, 21  
6 U.S.C.A., Section 321 et seq.;

7       31. "Outsourcing facility" including "virtual outsourcing  
8 facility" means a facility at one geographic location or address  
9 that:

- 10           a. is engaged in the compounding of sterile drugs,
- 11           b. has elected to register as an outsourcing facility,  
12              and
- 13           c. complies with all requirements of 21 U.S.C., Section  
14              353b;

15       32. "Package" means the smallest individual saleable unit of  
16 product for distribution by a manufacturer or repackager that is  
17 intended by the manufacturer for ultimate sale to the dispenser of  
18 such product. For the purposes of this paragraph, "individual  
19 saleable unit" means the smallest container of a product introduced  
20 into commerce by the manufacturer or repackager that is intended by  
21 the manufacturer or repackager for individual sale to a dispenser;

22       33. "Person" means an individual, partnership, limited  
23 liability company, corporation, or association, unless the context  
24 otherwise requires;

1       34. "Pharmacist-in-charge" or "PIC" means the pharmacist  
2 licensed in this state responsible for the management control of a  
3 pharmacy and all other aspects of the practice of pharmacy in a  
4 licensed pharmacy as defined provided by Section 353.18 of this  
5 title;

6       35. "Pharmacy" means a place regularly licensed by the State  
7 Board of Pharmacy in which prescriptions, drugs, medicines,  
8 chemicals, and poisons are compounded or dispensed or such place  
9 where pharmacists practice the profession of pharmacy, or a pharmacy  
10 operated by the Oklahoma Department of Veterans Affairs;

11       36. "Pharmacy technician", "technician", "Rx tech", or "tech"  
12 means a person issued a Technician technician permit by the State  
13 Board of Pharmacy to assist the pharmacist and perform  
14 nonjudgmental, technical, manipulative, non-discretionary functions  
15 in the prescription department under the immediate and direct  
16 supervision of a pharmacist;

17       37. "Poison" means any substance which when introduced into the  
18 body, either directly or by absorption, produces violent, morbid, or  
19 fatal changes, or which destroys living tissue with which such  
20 substance comes into contact;

21       38. "Practice of pharmacy" means:

22           a. the interpretation and evaluation of prescription  
23                   orders,

- 1           b. the compounding, dispensing, administering, and  
2                 labeling of drugs and devices, except labeling by a  
3                 manufacturer, repackager, or distributor of  
4                 nonprescription drugs and commercially packaged legend  
5                 drugs and devices,
- 6           c. the participation in drug selection and drug  
7                 utilization reviews,
- 8           d. the proper and safe storage of drugs and devices and  
9                 the maintenance of proper records thereof,
- 10          e. the responsibility for advising by counseling and  
11                 providing information, where professionally necessary  
12                 or where regulated, of therapeutic values, content,  
13                 hazards, and use of drugs and devices,
- 14          f. the offering or performing of those acts, services,  
15                 operations, or transactions necessary in the conduct,  
16                 operation, management, and control of a pharmacy, or
- 17          g. the provision of those acts or services that are  
18                 necessary to provide pharmaceutical care;

19          39. "Preparation" means an article which may or may not contain  
20             sterile products compounded in a licensed pharmacy pursuant to the  
21             order of a licensed prescriber;

22          40. "Prescriber" means a person licensed in this state who is  
23             authorized to prescribe dangerous drugs within the scope of practice  
24             of the person's profession;

1       41. "Prescription" means and includes any order for drug or  
2 medical supplies written or signed, or transmitted by word of mouth,  
3 telephone, or other means of communication:

- 4           a. by a licensed prescriber,
- 5           b. ~~under the supervision of an Oklahoma licensed~~  
6                   ~~practitioner, an Oklahoma licensed advanced practice~~  
7                   ~~registered nurse or an Oklahoma licensed by a~~  
8                   physician assistant pursuant to a practice agreement,

9                   or

- 10          c. (1) under the supervision of a supervising physician,  
11                   by a Certified Nurse Practitioner, Clinical Nurse  
12                   Specialist, or Certified Nurse-Midwife licensed  
13                   in this state who has not obtained independent  
14                   prescriptive authority under Section 1 of this  
15                   act, or

- 16          (2) by a Certified Nurse Practitioner, Clinical Nurse  
17                   Specialist, or Certified Nurse-Midwife licensed  
18                   in this state who has obtained independent  
19                   prescriptive authority under Section 1 of this  
20                   act, or

- 21          d. by an Oklahoma licensed wholesaler or distributor as  
22                   authorized in Section 353.29.1 of this title;

23        42. "Product" means a prescription drug in a finished dosage

24 form for administration to a patient without substantial further

1 manufacturing, such as capsules, tablets, and lyophilized products  
2 before reconstitution. "Product" Product does not include blood  
3 components intended for transfusion, radioactive drugs or biologics  
4 and medical gas;

5 43. "Repackager", including "virtual repackager", means a  
6 person who owns or operates an establishment that repacks and  
7 relabels a product or package for further sale or distribution  
8 without further transaction;

9 44. "Sterile drug" means a drug that is intended for parenteral  
10 administration, an ophthalmic or oral inhalation drug in aqueous  
11 format, or a drug that is required to be sterile under state and  
12 federal law;

13 45. "Supervising physician" means an individual holding a  
14 current license to practice as a physician from the State Board of  
15 Medical Licensure and Supervision, pursuant to the provisions of the  
16 Oklahoma Allopathic Medical and Surgical Licensure and Supervision  
17 Act, or the State Board of Osteopathic Examiners, pursuant to the  
18 provisions of the Oklahoma Osteopathic Medicine Act, who supervises  
19 ~~an advanced practice registered nurse~~ a Certified Nurse  
20 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife  
21 as defined in Section 567.3a of this title who has not obtained  
22 independent prescriptive authority under Section 1 of this act,  
23 and who is not in training as an intern, resident, or fellow. ~~To be~~  
24 ~~eligible to supervise an advanced practice registered nurse, such~~

1     The supervising physician shall remain in compliance with the rules  
2     promulgated by the State Board of Medical Licensure and Supervision  
3     or the State Board of Osteopathic Examiners;

4       46. "Supportive personnel" means technicians and auxiliary  
5     supportive persons who are regularly paid employees of a pharmacy  
6     who work and perform tasks in the pharmacy as authorized by Section  
7     353.18A of this title;

8       47. "Third-party logistics provider" including "virtual third-  
9     party logistics provider" means an entity that provides or  
10    coordinates warehousing, or other logistics services of a product in  
11    interstate commerce on behalf of a manufacturer, wholesale  
12    distributor, or dispenser of a product but does not take ownership  
13    of the product, nor have responsibility to direct the sale or  
14    disposition of the product. For the purposes of this paragraph,  
15    "third-party logistics provider" third-party logistics provider does  
16    not include shippers and the United States Postal Service;

17       48. "Wholesale distributor" including "virtual wholesale  
18    distributor" means a person other than a manufacturer, a  
19    manufacturer's co-licensed partner, a third-party logistics  
20    provider, or repackager engaged in wholesale distribution as defined  
21    by 21 U.S.C., Section 353(e) (4) as amended by the Drug Supply Chain  
22    Security Act;

23       49. "County jail" means a facility operated by a county for the  
24    physical detention and correction of persons charged with, or

1      convicted of, criminal offenses or ordinance violations or persons  
2      found guilty of civil or criminal contempt;

3            50. "State correctional facility" means a facility or  
4      institution that houses a prisoner population under the jurisdiction  
5      of the Department of Corrections;

6            51. "Unit dose package" means a package that contains a single  
7      dose drug with the name, strength, control number, and expiration  
8      date of that drug on the label; and

9            52. "Unit of issue package" means a package that provides  
10     multiple doses of the same drug, but each drug is individually  
11     separated and includes the name, lot number, and expiration date.

12        SECTION 7.        AMENDATORY        59 O.S. 2021, Section 353.1a, is  
13     amended to read as follows:

14        Section 353.1a. A. Prescribing 1. Prescriptive authority  
15     shall be allowed, under ~~the medical direction of a current~~  
16     supervision agreement with a supervising physician, for an advanced  
17     ~~practice nurse~~ a licensed Advanced Practice Registered Nurse  
18     recognized by the Oklahoma Board of Nursing ~~in one of the following~~  
19     categories: ~~advanced registered nurse practitioners, clinical nurse~~  
20     ~~specialists, or certified nurse midwives as a Certified Nurse~~  
21     Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife  
22     who has not obtained independent prescriptive authority under  
23     Section 1 of this act.

1       2. Prescriptive authority shall be allowed, independent of a  
2       current supervision agreement with a supervising physician, for a  
3       licensed Advanced Practice Registered Nurse recognized by the  
4       Oklahoma Board of Nursing as a Certified Nurse Practitioner,  
5       Clinical Nurse Specialist, or Certified Nurse-Midwife who has  
6       obtained independent prescriptive authority under Section 1 of this  
7       act.

8       B. The advanced practice nurse Advanced Practice Registered  
9       Nurse may write or sign, or transmit by word of mouth, telephone, or  
10      other means of communication an order for drugs or medical supplies  
11      that is intended to be filled, compounded, or dispensed by a  
12      pharmacist. The supervising physician, if applicable, and the  
13      advanced practice nurse prescribing Advanced Practice Registered  
14      Nurse shall be identified at the time of origination of the  
15      prescription and the name of the advanced practice nurse prescribing  
16      Advanced Practice Registered Nurse shall be printed on the  
17      prescription label.

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

23       C. D. 1. Pharmacists may only dispense prescriptions for  
24      controlled dangerous substances prescribed by an advanced practice

1 ~~nurse or physician assistant~~ Advanced Practice Registered Nurse  
2 licensed in ~~the State of Oklahoma and supervised by an Oklahoma-~~  
3 ~~licensed practitioner~~ this state who meets the criteria in paragraph  
4 1 or 2 of subsection A of this section.

5 2. Pharmacists may only dispense prescriptions for controlled  
6 dangerous substances prescribed by a physician assistant licensed in  
7 this state pursuant to a practice agreement.

8 SECTION 8. AMENDATORY 59 O.S. 2021, Section 567.3a, is  
9 amended to read as follows:

10 Section 567.3a. As used in the Oklahoma Nursing Practice Act:

11 1. "Board" means the Oklahoma Board of Nursing;

12 2. "The practice of nursing" means the performance of services  
13 provided for purposes of nursing diagnosis and treatment of human  
14 responses to actual or potential health problems consistent with  
15 educational preparation. Knowledge and skill are the basis for  
16 assessment, analysis, planning, intervention, and evaluation used in  
17 the promotion and maintenance of health and nursing management of  
18 illness, injury, infirmity, restoration ~~or of~~ optimal function, or  
19 death with dignity. Practice is based on understanding the human  
20 condition across the human lifespan and understanding the  
21 relationship of the individual within the environment. This  
22 practice includes execution of the medical regime including the  
23 administration of medications and treatments prescribed by any  
24 person authorized by state law to so prescribe;

- 1       3. "Registered nursing" means the practice of the full scope of
- 2       nursing which includes, but is not limited to:
- 3           a. assessing the health status of individuals, families,,
- 4               and groups,
- 5           b. analyzing assessment data to determine nursing care
- 6               needs,
- 7           c. establishing goals to meet identified health care
- 8               needs,
- 9           d. planning a strategy of care,
- 10          e. establishing priorities of nursing intervention to
- 11               implement the strategy of care,
- 12          f. implementing the strategy of care,
- 13          g. delegating such tasks as may safely be performed by
- 14               others, consistent with educational preparation and
- 15               that do not conflict with the provisions of the
- 16               Oklahoma Nursing Practice Act,
- 17          h. providing safe and effective nursing care rendered
- 18               directly or indirectly,
- 19          i. evaluating responses to interventions,
- 20          j. teaching the principles and practice of nursing,
- 21          k. managing and supervising the practice of nursing,
- 22          l. collaborating with other health professionals in the
- 23               management of health care,
- 24

- 1                   m. performing additional nursing functions in accordance  
2                   with knowledge and skills acquired beyond basic  
3                   nursing preparation, and  
4                   n. delegating those nursing tasks as defined in the rules  
5                   of the Board that may be performed by an ~~advanced~~  
6                   ~~unlicensed assistive person~~ Advanced Unlicensed  
7                   Assistant;

8         4. "Licensed practical nursing" means the practice of nursing  
9         under the supervision or direction of a ~~registered nurse~~ Registered  
10       Nurse, licensed physician, or dentist. This directed scope of  
11       nursing practice includes, but is not limited to:

- 12               a. contributing to the assessment of the health status of  
13               individuals and groups,  
14               b. participating in the development and modification of  
15               the plan of care,  
16               c. implementing the appropriate aspects of the plan of  
17               care,  
18               d. delegating such tasks as may safely be performed by  
19               others, consistent with educational preparation and  
20               that do not conflict with the Oklahoma Nursing  
21               Practice Act,  
22               e. providing safe and effective nursing care rendered  
23               directly or indirectly,

- 1                   f. participating in the evaluation of responses to  
2                   interventions,  
3                   g. teaching basic nursing skills and related principles,  
4                   h. performing additional nursing procedures in accordance  
5                   with knowledge and skills acquired through education  
6                   beyond nursing preparation, and  
7                   i. delegating those nursing tasks as defined in the rules  
8                   of the Board that may be performed by an ~~advanced~~  
9                   ~~unlicensed assistive person~~ Advanced Unlicensed  
10                   Assistant;

11               5. "Advanced Practice Registered Nurse" means a licensed

12               Registered Nurse:

- 13                   a. who has completed an advanced practice registered  
14                   nursing education program in preparation for one of  
15                   four recognized ~~advanced practice registered nurse~~  
16                   Advanced Practice Registered Nurse roles,  
17                   b. who has passed a national certification examination  
18                   recognized by the Board that measures the ~~advanced~~  
19                   ~~practice registered nurse~~ Advanced Practice Registered  
20                   Nurse role and specialty competencies and who  
21                   maintains recertification in the role and specialty  
22                   through a national certification program,  
23                   c. who has acquired advanced clinical knowledge and  
24                   skills in preparation for providing both direct and

1                   indirect care to patients; however, the defining  
2                   factor for all Advanced Practice Registered Nurses is  
3                   that a significant component of the education and  
4                   practice focuses on direct care of individuals,  
5                   d. whose practice builds on the competencies of  
6                   Registered Nurses by demonstrating a greater depth and  
7                   breadth of knowledge, a greater synthesis of data, and  
8                   increased complexity of skills and interventions, and  
9                   e. who has obtained a license as an Advanced Practice  
10                  Registered Nurse in one of the following roles:  
11                  Certified Registered Nurse Anesthetist, Certified  
12                  Nurse-Midwife, Clinical Nurse Specialist, or Certified  
13                  Nurse Practitioner.

14                 Only those persons who hold a license to practice advanced  
15                 practice registered nursing in this state shall have the right to  
16                 use the title "Advanced Practice Registered Nurse" Advanced Practice  
17                 Registered Nurse and to use the abbreviation "APRN". Only those  
18                 persons who have obtained a license in the following disciplines  
19                 shall have the right to fulfill the roles and use the applicable  
20                 titles: Certified Registered Nurse Anesthetist and the abbreviation  
21                 "CRNA", Certified Nurse-Midwife and the abbreviation "CNM", Clinical  
22                 Nurse Specialist and the abbreviation "CNS", and Certified Nurse  
23                 Practitioner and the abbreviation "CNP".  
24

1        It shall be unlawful for any person to assume the role or use  
2        the title Advanced Practice Registered Nurse or use the abbreviation  
3        "APRN" APRN or use the respective specialty role titles and  
4        abbreviations or to use any other titles or abbreviations that would  
5        reasonably lead a person to believe the user is an Advanced Practice  
6        Registered Nurse, unless permitted by the Oklahoma Nursing Practice  
7        Act. Any individual doing so shall be guilty of a misdemeanor,  
8        which shall be punishable, upon conviction, by imprisonment in the  
9        county jail for not more than one (1) year or by a fine of not less  
10      than One Hundred Dollars (\$100.00) nor more than One Thousand  
11      Dollars (\$1,000.00), or by both such imprisonment and fine for each  
12      offense;

13        6. "Certified Nurse Practitioner" is means an Advanced Practice  
14      Registered Nurse who performs in an expanded role in the delivery of  
15      health care:

A Certified Nurse Practitioner shall be eligible, in accordance with the scope of practice of the Certified Nurse Practitioner, 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~~ Section 567.4a of this title and Section 1 of this act.

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.

The Certified Nurse Practitioner accepts responsibility, accountability, and obligation to practice in accordance with usual and customary advanced practice registered nursing standards and functions as defined by the scope of practice/role definition statements for the Certified Nurse Practitioner;

7. a. "Clinical Nurse Specialist" is means an Advanced Practice Registered Nurse who holds:

(1) a master's degree or higher in nursing with clinical specialization preparation to function in an expanded role.

(2) specialty certification from a national certifying organization recognized by the Board

and

(3) an Advanced Practice Registered Nurse license

from the Board, and.

1                   (4) any

2                   Any nurse holding a specialty certification as a  
3                   Clinical Nurse Specialist valid on January 1, 1994,  
4                   granted by a national certifying organization  
5                   recognized by the Board, shall be deemed to be a  
6                   Clinical Nurse Specialist under the provisions of the  
7                   Oklahoma Nursing Practice Act.

8                   b. In the expanded role, the Clinical Nurse Specialist  
9                   performs at an advanced practice level which shall  
10                  include, but not be limited to:

- 11                  (1) practicing as an expert clinician in the  
12                  provision of direct nursing care to a selected  
13                  population of patients or clients in any setting,  
14                  including private practice,  
15                  (2) managing the care of patients or clients with  
16                  complex nursing problems,  
17                  (3) enhancing patient or client care by integrating  
18                  the competencies of clinical practice, education,  
19                  consultation, and research, and  
20                  (4) referring patients or clients to other services.

21                  c. A Clinical Nurse Specialist in accordance with the  
22                  scope of practice of such Clinical Nurse Specialist  
23                  shall be eligible to obtain recognition as authorized  
24                  by the Board to prescribe, as defined by the rules

1                   promulgated by the Board pursuant to ~~this section~~, and  
2                   ~~subject to the medical direction of a supervising~~  
3                   ~~physician~~ Section 567.4a of this title and Section 1  
4                   of this act. This authorization shall not include  
5                   dispensing drugs, but shall not preclude, subject to  
6                   federal regulations, the receipt of, the signing for,  
7                   or the dispensing of professional samples to patients.

8                 d. The Clinical Nurse Specialist accepts responsibility,  
9                   accountability, and obligation to practice in  
10                  accordance with usual and customary advanced practice  
11                  nursing standards and functions as defined by the  
12                  scope of practice/role definition statements for the  
13                  Clinical Nurse Specialist;

14                 8. ~~"Nurse-Midwife"~~ is Certified Nurse-Midwife means a nurse  
15                  who has received an Advanced Practice Registered Nurse license from  
16                  the Oklahoma Board of Nursing who possesses evidence of  
17                  certification according to the requirements of the American College  
18                  of Nurse-Midwives.

19                 A Certified Nurse-Midwife in accordance with the scope of  
20                  practice of such Certified Nurse-Midwife shall be eligible to obtain  
21                  recognition as authorized by the Board to prescribe, as defined by  
22                  the rules promulgated by the Board pursuant to ~~this section~~ and  
23                  ~~subject to the medical direction of a supervising physician~~ Section  
24                  567.4a of this title and Section 1 of this act. This authorization

1 shall not include the dispensing of drugs, but shall not preclude,  
2 subject to federal regulations, the receipt of, the signing for, or  
3 the dispensing of professional samples to patients.

4       The Certified Nurse-Midwife accepts responsibility,  
5 accountability, and obligation to practice in accordance with usual  
6 and customary advanced practice registered nursing standards and  
7 functions as defined by the scope of practice/role definition  
8 statements for the Certified Nurse-Midwife;

9       9. "Nurse-midwifery practice" means providing management of  
10 care of normal newborns and women, antepartally, intrapartally,  
11 postpartally, and gynecologically, occurring within a health care  
12 system which provides for medical consultation, medical management,  
13 or referral, and is in accord with the standards for nurse-midwifery  
14 practice as defined by the American College of Nurse-Midwives;

15       10. a. "Certified Registered Nurse Anesthetist" ~~is~~ means an

16                   Advanced Practice Registered Nurse who:

17                   (1) is certified by the National Board of  
18                   Certification and Recertification for Nurse  
19                   Anesthetists as a Certified Registered Nurse  
20                   Anesthetist within one (1) year following  
21                   completion of an approved ~~certified registered~~  
22                   ~~nurse anesthetist~~ Certified Registered Nurse  
23                   Anesthetist education program, and continues to  
24                   maintain such recertification by the National

Board of Certification and Recertification for  
Nurse Anesthetists, and

(2) administers anesthesia in collaboration with a medical doctor, an osteopathic physician, a podiatric physician, or a dentist licensed in this state and under conditions in which timely ~~onsite~~ on-site consultation by such doctor, osteopath, podiatric physician, or dentist is available.

b. A Certified Registered Nurse Anesthetist, in collaboration with a medical doctor, osteopathic physician, podiatric physician, or dentist licensed in this state, and under conditions in which timely, on-site consultation by such medical doctor, osteopathic physician, podiatric physician, or dentist is available, shall be authorized, pursuant to rules adopted by the Oklahoma Board of Nursing, to order, select, obtain, and administer legend drugs, Schedules II through V controlled substances, devices, and medical gases only when engaged in the preanesthetic preparation and evaluation; anesthesia induction, maintenance, and emergence; and postanesthesia care.

1           select, obtain,  and administer drugs only during the  
2           perioperative or periobstetrical period.

3       c. A Certified Registered Nurse Anesthetist who applies  
4           for authorization to order, select, obtain,  and  
5           administer drugs shall:

- 6           (1) be currently recognized as a Certified Registered  
7           Nurse Anesthetist in this state,  
8           (2) provide evidence of completion, within the two-  
9           year period immediately preceding the date of  
10           application, of a minimum of fifteen (15) units  
11           of continuing education in advanced pharmacology  
12           related to the administration of anesthesia as  
13           recognized by the National Board of Certification  
14           and Recertification for Nurse Anesthetists, and  
15           (3) complete and submit a notarized application, on a  
16           form prescribed by the Board, accompanied by the  
17           application fee established pursuant to this  
18           section.

19       d. The authority to order, select, obtain,  and administer  
20           drugs shall be terminated if a Certified Registered  
21           Nurse Anesthetist has:

- 22           (1) ordered, selected, obtained,  or administered  
23           drugs outside of the Certified Registered Nurse  
24           Anesthetist scope of practice or ordered,

selected, obtained, or administered drugs for other than therapeutic purposes, or

(2) violated any provision of state laws or rules or federal laws or regulations pertaining to the practice of nursing or the authority to order, select, obtain, and administer drugs.

e. The Oklahoma Board of Nursing shall notify the State Board of Pharmacy after termination of or a change in the authority to order, select, obtain, and administer drugs for a Certified Registered Nurse Anesthetist.

f. The Board shall provide by rule for biennial application renewal and reauthorization of authority to order, select, obtain, and administer drugs for Certified Registered Nurse Anesthetists. At the time of application renewal, a Certified Registered Nurse Anesthetist shall submit documentation of a minimum of eight (8) units of continuing education, completed during the previous two (2) years, in advanced pharmacology relating to the administration of anesthesia, as recognized by the Council on Recertification of Nurse Anesthetists or the Council on Certification of Nurse Anesthetists National Board of Certification and Recertification for Nurse Anesthetists.

1           g. This paragraph shall not prohibit the administration  
2           of local or topical anesthetics as now permitted by  
3           law. Provided further, nothing in this paragraph  
4           shall limit the authority of the Board of Dentistry to  
5           establish the qualifications for dentists who direct  
6           the administration of anesthesia.

7           h. As used in this paragraph, "collaboration" means an  
8           agreement between a medical doctor, osteopathic  
9           physician, podiatric physician,  or dentist performing  
10          the procedure or directly involved with the procedure  
11          and the Certified Registered Nurse Anesthetist working  
12          jointly toward a common goal providing services for  
13          the same patient. This collaboration involves the  
14          joint formulation, discussion,  and agreement of the  
15          anesthesia plan by both parties, and the collaborating  
16          medical doctor, osteopathic physician, podiatric  
17          physician,  or dentist performing the procedure or  
18          directly involved with the procedure and that  
19          collaborating physician shall remain available for  
20          timely ~~onsite~~ on-site consultation during the delivery  
21          of anesthesia for diagnosis, consultation, and  
22          treatment of medical conditions;

23         11. "Supervising physician" means an individual holding a

24         current license to practice as a physician from the State Board of

1 Medical Licensure and Supervision or the State Board of Osteopathic  
2 Examiners, who supervises a Certified Nurse Practitioner, a Clinical  
3 Nurse Specialist, or a Certified Nurse-Midwife who has not obtained  
4 independent prescriptive authority under Section 1 of this act, and  
5 who is not in training as an intern, resident, or fellow. ~~To be~~  
6 ~~eligible to supervise such Advanced Practice Registered Nurse, such~~  
7 The supervising physician shall remain in compliance with the rules  
8 promulgated by the State Board of Medical Licensure and Supervision  
9 or the State Board of Osteopathic Examiners;

10       12. "Supervision of an Advanced Practice Registered Nurse with  
11 prescriptive authority" means ~~everseeing and accepting~~  
12 ~~responsibility for the ordering and transmission by assuring~~  
13 availability of the supervising physician to a Certified Nurse  
14 Practitioner, a Clinical Nurse Specialist, or a Certified Nurse-  
15 Midwife ~~or~~ who has not obtained independent prescriptive authority  
16 under Section 1 of this act through direct contact,  
17 telecommunications, or other appropriate electronic means for  
18 consultation, assistance with medical emergencies, or patient  
19 referral with respect to written, telephonic, electronic, or oral  
20 prescriptions for drugs and other medical supplies, subject to a  
21 defined formulary; and

22       13. "Advanced Unlicensed Assistant" means any person who has  
23 successfully completed a certified training program approved by the  
24 Board that trains the Advanced Unlicensed Assistant to perform

1 specified technical skills identified by the Board in acute care  
2 settings under the direction and supervision of the Registered Nurse  
3 or, Licensed Practical Nurse or Advanced Practice Registered Nurse.

4 SECTION 9. AMENDATORY 59 O.S. 2021, Section 567.4a, is  
5 amended to read as follows:

6 Section 567.4a. The Oklahoma Board of Nursing may grant  
7 prescriptive authority through the Advanced Practice Registered  
8 Nurse license to Certified Nurse Practitioners, Clinical Nurse  
9 Specialists, and Certified Nurse-Midwives who meet the requirements  
10 for prescriptive authority identified by law and in the Board's  
11 rules. The rules regarding prescriptive authority recognition  
12 promulgated by the Oklahoma Board of Nursing pursuant to ~~paragraphs~~  
13 ~~6 through 9, 11 and 12 of this section,~~ Section 567.3a of this  
14 title, and Section 1 of this act shall:

15 1. Define the procedure for documenting supervision by a  
16 supervising physician licensed in Oklahoma to practice by the State  
17 ~~Board of Medical Licensure and Supervision or the State Board of~~  
18 ~~Osteopathic Examiners,~~ as defined in Section 567.3a of this title,  
19 of a Certified Nurse Practitioner, Clinical Nurse Specialist, or  
20 Certified Nurse-Midwife who has not obtained independent  
21 prescriptive authority under Section 1 of this act. Such procedure  
22 shall include a written statement that defines appropriate referral,  
23 consultation, and collaboration between the Advanced Practice  
24 Registered Nurse, recognized to prescribe as defined in ~~paragraphs 6~~

1    ~~through 9, 11 and 12 of~~ Section 567.3a of this title, and the  
2    supervising physician. The written statement shall include a method  
3    of assuring availability of the supervising physician through direct  
4    contact, telecommunications, or other appropriate electronic means  
5    for consultation, assistance with medical emergencies, or patient  
6    referral. The written statement shall be part of the initial  
7    application and the renewal application submitted to the Board for  
8    recognition for prescriptive authority for the Advanced Practice  
9    Registered Nurse. Changes to the written statement shall be filed  
10   with the Board within thirty (30) days of the change and shall be  
11   effective on filing;

12        2. Define the procedure for documenting independent  
13        prescriptive authority for Certified Nurse Practitioners, Clinical  
14        Nurse Specialists, and Certified Nurse-Midwives who have obtained  
15        independent prescriptive authority under Section 1 of this act;

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

1 three (3) years immediately preceding the date of application for  
2 prescriptive authority;

3       3. 4. Define minimal requirements for application for renewal  
4 of prescriptive authority which shall include, but not be limited  
5 to, documentation of a minimum of:

6           a. fifteen (15) contact hours or one (1) academic credit  
7                  hour of education in pharmacotherapeutics, clinical  
8                  application, and use of pharmacological agents in the  
9                  prevention of illness, and in the restoration and  
10                 maintenance of health in a program beyond basic  
11                 registered nurse preparation, and

12           b. two (2) hours of education in pain management or two  
13                 (2) hours of education in opioid use or addiction,  
14                 unless the Advanced Practice Registered Nurse has  
15                 demonstrated to the satisfaction of the Board that the  
16                 Advanced Practice Registered Nurse does not currently  
17                 hold a valid federal Drug Enforcement Administration  
18                 registration number,

19         approved by the Board, within the two-year period immediately  
20         preceding the effective date of application for renewal of  
21         prescriptive authority;

22       4. 5. Require that ~~beginning July 1, 2002,~~ an Advanced Practice  
23         Registered Nurse ~~shall demonstrate~~ demonstrates successful  
24         completion of a master's degree or higher in ~~a clinical nurse~~

1 specialty one of the following Advanced Practice Registered Nurse  
2 roles:

- 3       a. Certified Nurse Practitioner,
- 4       b. Clinical Nurse Specialist, or
- 5       c. Certified Nurse-Midwife,

6 in order to be eligible for initial application for prescriptive  
7 authority under the provisions of the Oklahoma Nursing Practice Act;

8       5. 6. Define the method for communicating authority to  
9 prescribe or termination of same, and the formulary to the State  
10 Board of Pharmacy, all pharmacies, and all registered pharmacists;

11       6. 7. Define terminology used in such rules;

12       7. 8. Define the parameters for the prescribing practices of  
13 the Advanced Practice Registered Nurse;

14       8. 9. Define the methods for termination of prescriptive  
15 authority for the Advanced Practice Registered Nurse; and

16       9.

17       10. a. Establish a Formulary Advisory Council that shall  
18                  develop and submit to the Board recommendations for an  
19                  exclusionary formulary that shall list drugs or  
20                  categories of drugs that shall not be prescribed by an  
21                  Advanced Practice Registered Nurse recognized to  
22                  prescribe by the Oklahoma Board of Nursing. The  
23                  Formulary Advisory Council shall also develop and  
24                  submit to the Board recommendations for practice-

1                   specific prescriptive standards for each category of  
2                   Advanced Practice Registered Nurse recognized to  
3                   prescribe by the Oklahoma Board of Nursing pursuant to  
4                   the provisions of the Oklahoma Nursing Practice Act.  
5                   The Board shall either accept or reject the  
6                   recommendations made by the Council. No amendments to  
7                   the recommended exclusionary formulary may be made by  
8                   the Board without the approval of the Formulary  
9                   Advisory Council.

10                  b. In addition to the other powers and duties of the  
11                   Formulary Advisory Council prescribed by this  
12                   paragraph, the Formulary Advisory Council shall  
13                   develop guidelines for supervising physicians on best  
14                   practices for the supervision of Advanced Practice  
15                   Registered Nurses who have not obtained independent  
16                   prescriptive authority. The supervision guidelines  
17                   shall be published on the Board's website and the  
18                   Formulary Advisory Council shall periodically update  
19                   the guidelines as necessary.

20                  c. The Formulary Advisory Council shall be composed of  
21                   twelve (12) members as follows:  
22                   (1) four members, to include a pediatrician, an  
23                   obstetrician-gynecological physician, a general  
24                   internist, and a family practice physician;

1                   provided, that three of such members shall be  
2                   appointed by the Oklahoma State Medical  
3                   Association, and one shall be appointed by the  
4                   Oklahoma Osteopathic Association,  
5                   (2) four members who are registered pharmacists,  
6                   appointed by the Oklahoma ~~Pharmaceutical~~  
7                   Pharmacists Association, and  
8                   (3) four members, one of whom shall be a Certified  
9                   Nurse Practitioner, one of whom shall be a  
10                  Clinical Nurse Specialist, one of whom shall be a  
11                  Certified Nurse-Midwife, and one of whom shall be  
12                  a current member of the Oklahoma Board of  
13                  Nursing, all of whom shall be appointed by the  
14                  Oklahoma Board of Nursing.

15                  e.  
16                  d. All professional members of the Formulary Advisory  
17                  Council shall be in active clinical practice, at least  
18                  fifty percent (50%) of the time, within their defined  
19                  area of specialty. The members of the Formulary  
20                  Advisory Council shall serve at the pleasure of the  
21                  appointing authority for a term of three (3) years.  
22                  The terms of the members shall be staggered. Members  
23                  of the Council may serve beyond the expiration of  
24                  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.

e. Members of the Council shall elect a chair and a ~~vice chair~~ 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 registered nurses~~ Advanced Practice Registered 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.

SECTION 10. AMENDATORY 59 O.S. 2021, Section 567.5a, as

20 amended by Section 1, Chapter 94, O.S.L. 2024 (59 O.S. Supp. 2024,  
21 Section 567.5a), is amended to read as follows:

22 Section 567.5a. A. All applicants for a license to practice as  
23 an Advanced Practice Registered Nurse shall be subject to Section  
24 567.8 of this title.

1       B. An applicant for an initial license to practice as an  
2 Advanced Practice Registered Nurse shall:

3           1. Submit a completed written application and appropriate fees  
4 as established by the Oklahoma Board of Nursing;

5           2. Submit a criminal history records check that complies with  
6 Section 567.18 of this title;

7           3. Hold a current Registered Nurse license in this state;

8           4. Have completed an advanced practice registered nursing  
9 education program in one of the four ~~advanced practice registered~~  
10 ~~nurse~~ Advanced Practice Registered Nurse roles and a specialty area  
11 recognized by the Board. Effective January 1, 2016, the applicant  
12 shall have completed an accredited graduate level advanced practice  
13 registered nursing education program in at least one of the  
14 following population foci: family/individual across the lifespan,  
15 adult-gerontology, neonatal, pediatrics, women's health/gender-  
16 related, or psychiatric/mental health;

17           5. Be currently certified in an advanced practice specialty  
18 certification consistent with educational preparation and by a  
19 national certifying body recognized by the Board; and

20           6. Provide any and all other evidence as required by the Board  
21 in its rules.

22       C. The Board may issue a license by endorsement to an Advanced  
23 Practice Registered Nurse licensed under the laws of another state  
24

1 if the applicant meets the qualifications for licensure in this  
2 state. An applicant by endorsement shall:

3       1. Submit a completed written application and appropriate fees  
4 as established by the Board;

5       2. Submit a criminal history records check that complies with  
6 Section 567.18 of this title;

7       3. Hold a current Registered Nurse license in this state;

8       4. Hold recognition as an Advanced Practice Registered Nurse in  
9 a state or territory;

10      5. Have completed an advanced practice registered nursing  
11 education program in one of the four roles and a specialty area  
12 recognized by the Board. Effective January 1, 2016, the applicant  
13 shall have completed an accredited graduate level advanced practice  
14 registered nursing education program in at least one of the  
15 following population foci: family/individual across the lifespan,  
16 adult-gerontology, neonatal, pediatrics, women's health/gender-  
17 related, or psychiatric/mental health;

18      6. Be currently certified in an advanced practice specialty  
19 certification consistent with educational preparation and by a  
20 national certifying body recognized by the Board;

21      7. Meet continued competency requirements as set forth in Board  
22 rules; and

23      8. Provide any and all other evidence as required by the Board  
24 in its rules.

1       D. The Board may issue prescriptive authority recognition by  
2 endorsement to an Advanced Practice Registered Nurse licensed as an  
3 ~~APRN-CNP~~ Advanced Practice Registered Nurse-Certified Nurse  
4 Practitioner (APRN-CNP), ~~APRN-CNS~~ Advanced Practice Registered  
5 Nurse-Clinical Nurse Specialist (APRN-CNS), or ~~APRN-CNM~~ Advanced  
6 Practice Registered Nurse-Certified Nurse-Midwife (APRN-CNM) under  
7 the laws of another state if the applicant meets the requirements  
8 set forth in this section. An applicant for prescriptive authority  
9 recognition by endorsement shall:

10       1. Submit a completed written application and appropriate fees  
11 as established by the Board;

12       2. Hold current Registered Nurse and Advanced Practice  
13 Registered Nurse licenses (APRN-CNP, APRN-CNS, or APRN-CNM) in the  
14 state;

15       3. Hold current licensure or recognition as an Advanced  
16 Practice Registered Nurse in the same role and specialty with  
17 prescribing privileges in another state or territory;

18       4. Submit documentation verifying successful completion of a  
19 ~~graduate level~~ graduate-level advanced practice registered nursing  
20 education program that included an academic course in  
21 pharmacotherapeutic management, and didactic and clinical  
22 preparation for prescribing incorporated throughout the program;

23       5. Submit a written statement from an Oklahoma licensed  
24 physician supervising prescriptive authority as required by the

1 Board in its rules, or submit documentation that the applicant meets  
2 the requirements for independent prescriptive authority under  
3 Section 1 of this act;

4       6. Meet continued competency requirements as set forth in Board  
5 rules; and

6       7. Provide any and all other evidence as required by the Board  
7 in its rules.

8       E. An Advanced Practice Registered Nurse license issued under  
9 this section shall be renewed concurrently with the ~~registered nurse~~  
10 Registered Nurse license, provided that qualifying criteria continue  
11 to be met.

12      F. The Board may reinstate a license as set forth in Board  
13 rules.

14      SECTION 11.     AMENDATORY       63 O.S. 2021, Section 2-312, as  
15 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2024,  
16 Section 2-312), is amended to read as follows:

17      Section 2-312. A. A physician, podiatrist, optometrist, or a  
18 dentist who has complied with the registration requirements of the  
19 Uniform Controlled Dangerous Substances Act, in good faith and in  
20 the course of such person's professional practice only, may  
21 prescribe and administer controlled dangerous substances, or may  
22 cause the same to be administered by medical or paramedical  
23 personnel acting under the direction and supervision of the  
24 physician, podiatrist, optometrist, or dentist, and only may

1 dispense controlled dangerous substances pursuant to the provisions  
2 of Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

3       B. A veterinarian who has complied with the registration  
4 requirements of the Uniform Controlled Dangerous Substances Act, in  
5 good faith and in the course of the professional practice of the  
6 veterinarian only, and not for use by a human being, may prescribe,  
7 administer, and dispense controlled dangerous substances and may  
8 cause them to be administered by an assistant or orderly under the  
9 direction and supervision of the veterinarian.

10     C. 1. An advanced practice nurse Advanced Practice Registered  
11 Nurse who is recognized to prescribe by the Oklahoma Board of  
12 Nursing as an advanced registered nurse practitioner, clinical nurse  
13 specialist or certified nurse-midwife, a Certified Nurse  
14 Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife  
15 but who has not obtained independent prescriptive authority under  
16 Section 1 of this act and therefore is subject to medical direction  
17 by a current supervision agreement with a supervising physician,  
18 pursuant to Section 567.3a of Title 59 of the Oklahoma Statutes, and  
19 who has complied with the registration requirements of the Uniform  
20 Controlled Dangerous Substances Act, in good faith and in the course  
21 of professional practice only, may prescribe and administer Schedule  
22 III, IV, and V controlled dangerous substances.

23     2. An Advanced Practice Registered Nurse who is recognized to  
24 prescribe by the Oklahoma Board of Nursing as a Certified Nurse

1     Practitioner, Clinical Nurse Specialist, or Certified Nurse-Midwife  
2     who has obtained independent prescriptive authority under Section 1  
3     of this act, and who has complied with the registration requirements  
4     of the Uniform Controlled Dangerous Substances Act, in good faith  
5     and in the course of professional practice only, may prescribe and  
6     administer Schedule III, IV, and V controlled dangerous substances.

7         3. An Advanced Practice Registered Nurse who is recognized to  
8     prescribe, with or without independence, as a Certified Nurse  
9     Practitioner, Clinical Nurse Specialist, or Certified Nurse Midwife,  
10     who is employed or contracted by a hospital, defined pursuant to  
11     Section 1-701 of Title 63 of the Oklahoma Statutes, may prescribe  
12     and administer certain Schedule II Controlled Dangerous Substances,  
13     for acute pain in the hospital setting and hydrocodone or  
14     hydrocodone-containing drugs regardless of schedule, for take-home  
15     use for no more than three (3) days.

16             D. An ~~advanced practice nurse~~ Advanced Practice Registered  
17     Nurse who is recognized to order, select, obtain, and administer  
18     drugs by the Oklahoma Board of Nursing as a ~~certified registered~~  
19     ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to  
20     Section 353.1b of Title 59 of the Oklahoma Statutes and who has  
21     complied with the registration requirements of the Uniform  
22     Controlled Dangerous Substances Act, in good faith and in the course  
23     of such practitioner's professional practice only, may order,  
24     select, obtain, and administer Schedules II through V controlled

1 dangerous substances in a preanesthetic preparation or evaluation;  
2 anesthesia induction, maintenance, or emergence; or postanesthesia  
3 care setting only. A ~~certified registered nurse anesthetist~~  
4 Certified Registered Nurse Anesthetist may order, select, obtain,  
5 and administer such drugs only during the perioperative or  
6 period obstetrical period.

7 E. A physician assistant who is recognized to prescribe by the  
8 State Board of Medical Licensure and Supervision under the medical  
9 direction of a supervising physician, pursuant to Section 519.6 of  
10 Title 59 of the Oklahoma Statutes, and who has complied with the  
11 registration requirements of the Uniform Controlled Dangerous  
12 Substances Act, in good faith and in the course of professional  
13 practice only, may prescribe and administer Schedule II through V  
14 controlled dangerous substances.

15 SECTION 12. This act shall become effective November 1, 2025.  
16

17 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended.  
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