

1 **SENATE FLOOR VERSION**

2 April 21, 2025

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2298

By: Hilbert, Fetgatter,
Cornwell, Turner, and
Cantrell of the House

6 and

7 Paxton and Murdock of the
8 Senate

9
10 An Act relating to the practice of nursing; providing
11 for independent prescriptive authority of Advanced
12 Practice Registered Nurses who meet certain
13 requirements; stating application criteria;
14 specifying duration of authority; providing for
15 disciplinary action; authorizing certain fee;
16 prescribing certain malpractice insurance
17 requirements; directing promulgation of certain
18 advertising rules; requiring certain disclosure;
19 providing penalties; defining terms; providing
20 eligibility requirements for supervising physicians;
21 requiring specified supervision agreement;
22 authorizing supervision fees subject to certain
23 conditions; requiring certain notices; prohibiting
24 certain fees; directing promulgation of certain
 rules; providing for disciplinary action; requiring
 certain reporting; directing online publication of
 certain list; 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 adding

1 definitions; amending 59 O.S. 2021, Section 567.4a,
2 which relates to prescriptive authority; specifying
3 authority of the Oklahoma Board of Nursing to grant
4 prescriptive authority; directing the Board to
5 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
11 O.S. Supp. 2024, Section 567.5a), which relates to
12 Advanced Practice Registered Nurse license; providing
13 for independent prescriptive authority by
14 endorsement; amending 63 O.S. 2021, Section 2-312, as
15 amended by Section 2, Chapter 184, O.S.L. 2022 (63
16 O.S. Supp. 2024, Section 2-312), which relates to
17 controlled dangerous substances; conforming language;
18 limiting effect of certain authority; updating
19 statutory references and language; providing for
20 codification; and providing an effective date.

21

22

23

24

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

26

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

28

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

31

32 A. An Advanced Practice Registered Nurse recognized by the
33 Oklahoma Board of Nursing as a Certified Nurse Practitioner,
34 Clinical Nurse Specialist, or Certified Nurse-Midwife who has
35 completed a minimum of six thousand two hundred forty (6,240)
36 clinical practice hours with prescriptive authority supervised by a
37 physician may apply to the Oklahoma Board of Nursing for authority
38 to prescribe and order independent of supervision.

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

4 1. Holds a valid, current license in the appropriate Advanced
5 Practice Registered Nurse role issued by the Board and is in good
6 standing with the Board; and

7 2. Has completed a minimum of six thousand two hundred forty
8 (6,240) clinical practice hours with prescriptive authority
9 supervised by a physician. This paragraph shall not be construed to
10 exclude practice hours with supervised prescriptive authority
11 obtained prior to the effective date of this act from being counted
12 toward the hours required in this paragraph.

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

18 D. The Board may suspend or revoke independent prescriptive
19 authority granted under this section in accordance with the
20 Administrative Procedures Act for violation of the provisions of, or
21 the rules promulgated under, the Oklahoma Nursing Practice Act.

22 E. The Board may assess a reasonable fee for the review of
23 initial and renewal applications under the provisions of this
24 section.

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

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

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

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

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

7 B. Any such advertisement shall clearly state that the person
8 providing such services is an Advanced Practice Registered Nurse and
9 shall not imply that the Advanced Practice Registered Nurse is a
10 physician or that he or she may perform any medical service or
11 prescribe any medication beyond those authorized under state law or
12 in a manner otherwise inconsistent with state law.

13 C. An Advanced Practice Registered Nurse who violates the
14 provisions of this section shall be subject to disciplinary action
15 by the Oklahoma Board of Nursing which may include, but not be
16 limited to, revocation of licensure.

17 SECTION 4. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 479.1 of Title 59, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Advanced Practice Registered Nurse" has the same meaning as
22 defined in Section 567.3a of Title 59 of the Oklahoma Statutes,
23 except that such term does not include a Certified Registered Nurse
24 Anesthetist;

1 2. "Board" means the State Board of Medical Licensure and
2 Supervision or the State Board of Osteopathic Examiners, or both, as
3 the context indicates; and

4 3. The terms "supervising physician" and "supervision" have the
5 same meaning as defined in Section 567.3a of Title 59 of the
6 Oklahoma Statutes.

7 B. To be eligible to serve as a supervising physician for an
8 Advanced Practice Registered Nurse who has not obtained independent
9 prescriptive authority under Section 1 of this act, the physician
10 shall meet the following criteria:

11 1. Have possession of a full and unrestricted license to
12 practice allopathic or osteopathic medicine issued by the State
13 Board of Medical Licensure and Supervision or the State Board of
14 Osteopathic Examiners;

15 2. Have possession of a valid registration to prescribe
16 controlled substances issued by the Drug Enforcement Administration
17 and the Oklahoma State Bureau of Narcotics and Dangerous Drugs
18 Control; and

19 3. Be trained and fully qualified in the field of the Advanced
20 Practice Registered Nurse's specialty as determined by the
21 physician's respective Board.

22 C. A supervising physician shall enter into a written
23 supervision agreement with each Advanced Practice Registered Nurse
24 he or she supervises. The supervising physician shall file the

1 supervision agreement with his or her respective Board in the manner
2 prescribed by such Board. The supervision agreement shall specify:

3 1. Any fees charged to the Advanced Practice Registered Nurse
4 for supervision services in accordance with subsection D of this
5 section;

6 2. The scope of the Advanced Practice Registered Nurse's
7 prescriptive authority, subject to any limits on scope of
8 prescriptive authority provided by the rules of the Oklahoma Board
9 of Nursing;

10 3. A description of the extent of the supervision required;

11 4. The duties and responsibilities of the supervising
12 physician;

13 5. Procedures for notice to be provided by the supervising
14 physician to Advanced Practice Registered Nurses for periods of
15 absence in accordance with subsection E of this section; and

16 6. One or more alternate physicians designated to supervise the
17 Advanced Practice Registered Nurse in such periods of absence in
18 accordance with the rules promulgated under subsection H of this
19 section.

20 D. 1. A supervising physician may charge a reasonable fee to
21 the Advanced Practice Registered Nurse for his or her supervision
22 services. Any such fees shall be:

23 a. disclosed in the supervision agreement required under
24 subsection C of this section,

1 b. appropriate based on the actual duties and
2 responsibilities of the supervising physician as
3 outlined in the supervision agreement, and
4 c. a fair market value hourly rate in accordance with the
5 rules promulgated under subsection H of this section,
6 or by mutual agreement between the Advanced Practice
7 Registered Nurse and supervising physician.

8 2. The provisions of this subsection shall apply only to
9 compensation received by the supervising physician directly from the
10 Advanced Practice Registered Nurse. This subsection shall not be
11 construed to:

12 a. preclude a supervising physician from entering into a
13 payment arrangement for supervision fees to be paid by
14 his or her employer or health care entity in lieu of
15 the Advanced Practice Registered Nurse,
16 b. preclude an employer or health care entity of a
17 supervising physician from prohibiting, limiting, or
18 otherwise addressing such supervision fees through
19 policies, contracts, or bylaws, or
20 c. apply to or impact any compensation a supervising
21 physician receives from his or her employer or health
22 care entity for supervision services.

23 E. A supervising physician shall notify all Advanced Practice
24 Registered Nurses under his or her supervision of reasonably

1 anticipated periods of unavailability or incapacity on the part of
2 the supervising physician. Notice shall be given by the method
3 agreed to by the supervising physician and the Advanced Practice
4 Registered Nurse within the written supervision agreement.

5 F. The supervising physician shall report to his or her
6 respective Board, and shall notify all Advanced Practice Registered
7 Nurses under his or her supervision of, any changes to the
8 supervising relationship within thirty (30) calendar days including,
9 but not limited to, the addition or removal of an Advanced Practice
10 Registered Nurse under the physician's supervision or a change to
11 the physician's practice address or contact information. The
12 physician's supervision agreements shall be amended as necessary to
13 reflect any such changes.

14 G. The State Board of Medical Licensure and Supervision and the
15 State Board of Osteopathic Examiners shall not charge any fees to
16 supervising physicians or Advanced Practice Registered Nurses for
17 the maintenance or oversight of supervision agreements or other
18 administrative functions related to the implementation or
19 enforcement of this section.

20 H. The State Board of Medical Licensure and Supervision and the
21 State Board of Osteopathic Examiners shall promulgate a uniform set
22 of rules establishing standards for proper supervision of Advanced
23 Practice Registered Nurses who have not obtained independent
24 prescriptive authority under Section 1 of this act, including:

1 1. The charging of reasonable fees to provide supervision
2 services. The rules shall establish a fair market value hourly rate
3 for such fees, which shall be redetermined biennially;

4 2. Continuous availability of direct communications either in
5 person or by electronic communications between the Advanced Practice
6 Registered Nurse and supervising physician;

7 3. Oversight and acceptance of responsibility for the ordering
8 and transmission of written, telephonic, electronic, or oral
9 prescriptions for drugs and other medical supplies, subject to the
10 formulary established by the Oklahoma Board of Nursing;

11 4. Review of prescribing patterns of the Advanced Practice
12 Registered Nurse;

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

14 6. The designation of one or more alternate physicians in the
15 absence of the supervising physician.

16 I. A supervising physician may be subject to disciplinary
17 action by his or her respective Board for failure to comply with the
18 provisions of, or the rules promulgated under, this section
19 including, but not limited to, failure to provide proper
20 supervision.

21 J. If either Board imposes limits through rule on the number of
22 Advanced Practice Registered Nurses that a supervising physician may
23 supervise, such limits shall not apply when an Advanced Practice

1 Registered Nurse is practicing in a hospital licensed by the State
2 Department of Health

3 K. The Executive Director of each Board shall report annually
4 to the respective Board the number of complaints received in
5 relation to this section.

6 L. The State Board of Medical Licensure and Supervision and the
7 State Board of Osteopathic Examiners shall each create and maintain
8 on the respective Board's website a list of physicians who are
9 available to supervise Advanced Practice Registered Nurses.

10 SECTION 5. AMENDATORY 59 O.S. 2021, Section 353.1, as
11 amended by Section 6, Chapter 288, O.S.L. 2022 (59 O.S. Supp. 2024,
12 Section 353.1), is amended to read as follows:

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

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

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

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

22 4. "Assistant pharmacist" means any person presently licensed
23 as an assistant pharmacist in ~~the State of Oklahoma~~ this state by
24 the Board pursuant to Section 353.10 of this title and for the

1 purposes of the Oklahoma Pharmacy Act shall be considered the same
2 as a pharmacist, except where otherwise specified;

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

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

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

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

19 9. "Continuing professional education" means professional,
20 pharmaceutical education in the general areas of the socioeconomic
21 and legal aspects of health care; the properties and actions of
22 drugs and dosage forms; and the etiology, characteristics, and
23 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 6. 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 7. 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"~~ Supervision 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 8. 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 Sections 1 and 4 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 supervision agreement that ~~defines~~
23 ~~appropriate referral, consultation, and collaboration between the~~
24 ~~Advanced Practice Registered Nurse, recognized to prescribe as~~

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

13 2. Define procedures for assessing the qualifications of
14 applicants for independent prescriptive authority as provided by
15 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. Such minimal requirements for renewal of
prescriptive authority for an Advanced Practice Registered Nurse who
has obtained independent prescriptive authority under Section 1 of
this act shall include, but not be limited to, documentation that

1 the Advanced Practice Registered Nurse has successfully earned at
2 least forty (40) hours of Category I continuing medical education
3 hours within the two-year period immediately preceding the effective
4 date of application for renewal of independent prescriptive
5 authority, which may include the continuing education described in
6 subparagraphs a and b of this paragraph if such continuing education
7 meets the criteria for Category I continuing medical education;

8 4. 5. Require that beginning July 1, 2002, an Advanced Practice
9 Registered Nurse ~~shall demonstrate~~ demonstrates successful
10 completion of a master's degree or higher in ~~a clinical nurse~~
11 specialty one of the following Advanced Practice Registered Nurse
12 roles:

- 13 a. Certified Nurse Practitioner,
- 14 b. Clinical Nurse Specialist, or
- 15 c. Certified Nurse-Midwife,

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

18 5. 6. Define the method for communicating authority to
19 prescribe or termination of same, and the formulary to the State
20 Board of Pharmacy, all pharmacies, and all registered pharmacists;

21 6. 7. Define terminology used in such rules;

22 7. 8. Define the parameters for the prescribing practices of
23 the Advanced Practice Registered Nurse;

1 8. Define the methods for termination of prescriptive
2 authority for the Advanced Practice Registered Nurse; and

3 9.

4 10. a. Establish a Formulary Advisory Council that shall
5 develop and submit to the Board recommendations for an
6 exclusionary formulary that shall list drugs or
7 categories of drugs that shall not be prescribed by an
8 Advanced Practice Registered Nurse recognized to
9 prescribe by the Oklahoma Board of Nursing. The
10 Formulary Advisory Council shall also develop and
11 submit to the Board recommendations for practice-
12 specific prescriptive standards for each category of
13 Advanced Practice Registered Nurse recognized to
14 prescribe by the Oklahoma Board of Nursing pursuant to
15 the provisions of the Oklahoma Nursing Practice Act.
16 The Board shall either accept or reject the
17 recommendations made by the Council. No amendments to
18 the recommended exclusionary formulary may be made by
19 the Board without the approval of the Formulary
20 Advisory Council.

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

23 (1) four members, to include a pediatrician, an
24 obstetrician-gynecological physician, a general

- 1 internist, and a family practice physician;
- 2 provided, that three of such members shall be
- 3 appointed by the Oklahoma State Medical
- 4 Association, and one shall be appointed by the
- 5 Oklahoma Osteopathic Association,
- 6 (2) four members who are registered pharmacists,
- 7 appointed by the Oklahoma ~~Pharmaceutical~~
- 8 Pharmacists Association, and
- 9 (3) four members, one of whom shall be a Certified
- 10 Nurse Practitioner, one of whom shall be a
- 11 Clinical Nurse Specialist, one of whom shall be a
- 12 Certified Nurse-Midwife, and one of whom shall be
- 13 a current member of the Oklahoma Board of
- 14 Nursing, all of whom shall be appointed by the
- 15 Oklahoma Board of Nursing.
- 16 c. 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. 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 9. AMENDATORY 59 O.S. 2021, Section 567.5a, as amended by Section 1, Chapter 94, O.S.L. 2024 (59 O.S. Supp. 2024, Section 567.5a), is amended to read as follows:

Section 567.5a. A. All applicants for a license to practice as an Advanced Practice Registered Nurse shall be subject to Section 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~~ all supervision

1 agreements entered into with supervising physicians as required by
2 ~~the Board in its rules~~ Section 4 of this act, or submit
3 documentation that the applicant meets the requirements for
4 independent prescriptive authority under Section 1 of this act;

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

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

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

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

15 SECTION 10. AMENDATORY 63 O.S. 2021, Section 2-312, as
16 amended by Section 2, Chapter 184, O.S.L. 2022 (63 O.S. Supp. 2024,
17 Section 2-312), is amended to read as follows:

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

1 physician, podiatrist, optometrist, or dentist, and only may
2 dispense controlled dangerous substances pursuant to the provisions
3 of Sections 355.1 and 355.2 of Title 59 of the Oklahoma Statutes.

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

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

1 supervision of a supervising physician in accordance with the
2 Oklahoma Nursing Practice Act and Section 4 of this act and shall
3 not prescribe or administer any controlled dangerous substance in a
4 schedule that the supervising physician is not registered to
5 prescribe and administer.

6 D. An ~~advanced practice nurse~~ Advanced Practice Registered
7 Nurse who is recognized to order, select, obtain, and administer
8 drugs by the Oklahoma Board of Nursing as a ~~certified registered~~
9 ~~nurse anesthetist~~ Certified Registered Nurse Anesthetist pursuant to
10 Section 353.1b of Title 59 of the Oklahoma Statutes and who has
11 complied with the registration requirements of the Uniform
12 Controlled Dangerous Substances Act, in good faith and in the course
13 of such practitioner's professional practice only, may order,
14 select, obtain, and administer Schedules II through V controlled
15 dangerous substances in a preanesthetic preparation or evaluation;
16 anesthesia induction, maintenance, or emergence; or postanesthesia
17 care setting only. A ~~certified registered nurse anesthetist~~
18 Certified Registered Nurse Anesthetist may order, select, obtain,
19 and administer such drugs only during the perioperative or
20 perinatal period.

21 E. A physician assistant who is recognized to prescribe by the
22 State Board of Medical Licensure and Supervision under the medical
23 direction of a supervising physician, pursuant to Section 519.6 of
24 Title 59 of the Oklahoma Statutes, and who has complied with the

1 registration requirements of the Uniform Controlled Dangerous
2 Substances Act, in good faith and in the course of professional
3 practice only, may prescribe and administer Schedule II through V
4 controlled dangerous substances.

5 SECTION 11. This act shall become effective November 1, 2025.

6 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
April 21, 2025 - DO PASS AS AMENDED BY CS

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24