

HCS HB 314 -- COLLABORATIVE PRACTICE ARRANGEMENTS

SPONSOR: Rowland

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Professional Registration and Licensing by a vote of 16 to 4.

This substitute changes the laws regarding collaborative practice arrangements and advanced practice registered nurses. In its main provisions, the substitute:

- (1) Repeals the requirement that the name of the collaborating physician be printed on a controlled substance label when the prescription is written by an advanced practice registered nurse;
- (2) Adds drugs and medicines prescribed by an advanced practice registered nurse and specified services provided by an advanced practice registered nurse to the list of items eligible for payment under MO HealthNet;
- (3) Repeals the provisions regarding a physician entering into a collaborative practice arrangement with a professional nurse and specifies that a physician may delegate to a registered professional nurse or a licensed practical nurse the authority to administer or dispense drugs and provide treatment if the delivery of the services is within the scope of practice of the nurse and is consistent with the nurse's skill, training, and competence. The delegation must be in the form of a written agreement, jointly agreed-upon or standing orders for the delivery of health care services. The substitute allows a physician to enter into a collaborative practice agreement with a certified registered nurse anesthetist for collaboration and consulting;
- (4) Allows a physician to enter into a transition-to-practice collaborative practice arrangement with an advanced practice registered nurse resident as specified in the substitute;
- (5) Specifies that the State Board of Registration for the Healing Arts within the Department of Insurance, Financial Institutions and Professional Registration must not take specified disciplinary action against a physician for services delegated to a licensed practical nurse if the services are performed within the scope of practice of the registered professional nurse or licensed practical nurse and consistent with the nurse's skills and training;
- (6) Repeals the provisions that require every physician to identify within 30 days of any change and on each license renewal whether he or she is engaged in any collaborative practice agreement and the board to make the information available to the

public, the provisions that prohibit a collaborating physician from entering into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses, and the provisions which specify that it is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period during which the advanced practice registered nurse practiced with the physician continuously present before practicing in a setting where the physician was not continuously present;

(7) Repeals the provisions that allow the Board of Nursing within the department to grant a certificate of controlled substance prescriptive authority to an advanced practice registered nurse. The substitute specifies that all advanced practice registered nurses are authorized to provide specified services;

(8) Repeals the current provisions and specifies the procedure and qualifications for the initial licensure to practice as a registered professional nurse, licensed practical nurse, or an advanced practice registered nurse;

(9) Authorizes the board to cause complaints to be filed with the Administrative Hearing Commission when the holder of a certificate of registration or authority, permit, or license prescribes, administers, or dispenses a controlled substance that is nontherapeutic in nature or in the manner in which it was prescribed, administered, or dispensed or fails to keep complete and accurate records of the diagnosis and treatment plan. The board may also file a complaint when the holder fails to keep complete and accurate records of controlled substances received, prescribed, dispensed, and administered and the disposal of specified drugs and controlled substances; writes false or fictitious prescriptions; or prescribes, administers, or dispenses a controlled substance in a manner that is inconsistent with federal law; and

(10) Specifies that a registered professional nurse is permitted to authorize a pharmacist to fill a prescription on behalf of an advanced practice registered nurse.

PROPOSERS: Supporters say that there is a need to expand the collaborative practice rules. With over 100 counties in the state identified as having critical access to health care, it is difficult for many individuals to receive needed services. By allowing for expanded collaborative agreements, advanced practice registered nurses will fill the void due to the lack of physicians in those areas.

Testifying for the bill were Representative Rowland; Chris

Hardigan; Herbert Childers; Lyla Pennington; Mary Van Shankle, Missouri Kids First; AARP Missouri State Office; Missouri Alliance for Home Care; and Steve Evans.

OPPONENTS: Those who oppose the bill say that advanced practice registered nurses are a vital part of the health care team but they don't have the training necessary to provide the services that a physician can. It is very important to patient safety that an advanced practice registered nurse consult with the supervising physician to ensure a proper diagnosis and treatment. The bill will authorize the practice of medicine for advanced practice registered nurses for which they are not trained.

Testifying against the bill were Missouri Academy of Family Physicians; Missouri Society of Anesthesiologists; Missouri Society of Eye Physicians and Surgeons; Missouri State Medical Association; and Missouri Association of Osteopathic Physicians and Surgeons.

OTHERS: Others testifying on the bill were available to answer any questions.

Testifying on the bill was Janet Whitworth.