

By Senator Margolis

35-793-03

1 A bill to be entitled
 2 An act relating to advanced registered nurse
 3 practitioners; creating s.464.0125, F.S.;
 4 providing for the registration of advanced
 5 registered nurse practitioners to prescribe
 6 drugs; providing prerequisites to prescribing
 7 noncontrolled legend drugs; providing
 8 prerequisites to prescribing controlled
 9 substances; providing a restriction on such
 10 prescribing; providing for limiting,
 11 suspending, or revoking an advanced registered
 12 nurse practitioner's registration to prescribe
 13 under this section; providing for rulemaking;
 14 amending s. 893.02, F.S.; redefining the term
 15 "practitioner" for purposes of the Florida
 16 Comprehensive Drug Abuse Prevention and Control
 17 Act; providing an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Section 464.0125, Florida Statutes, is
 22 created to read:

23 464.0125 Registration of prescribing advanced
 24 registered nurse practitioners; fees.--

25 (1) In order to be allowed to prescribe medications,
 26 an advanced registered nurse practitioner certified under s.
 27 464.012 must register with the board in accordance with this
 28 section.

29 (2) To register to prescribe noncontrolled legend
 30 drugs, an advanced registered nurse practitioner must:

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1 (a) Possess an active unrestricted license and
2 certification as an advanced registered nurse practitioner.

3 (b) Possess an active and current certification by an
4 appropriate specialty board or, in the alternative, submit to
5 the board documentation demonstrating that the advanced
6 registered nurse practitioner has been prescribing medications
7 for a period of at least 12 months before obtaining
8 registration as a prescribing practitioner.

9 (c) Submit to the board documentation demonstrating
10 that the advanced registered nurse practitioner has completed
11 at least 16 contact hours of approved continuing education in
12 pharmacology during the immediately preceding 2 years, in
13 addition to the continuing education required for licensure
14 renewal; or, in the alternative, submit to the board
15 documentation demonstrating that the advanced registered nurse
16 practitioner has been prescribing medications for a period of
17 a least 12 months before obtaining registration as a
18 prescribing practitioner.

19 (d) Have completed at least 16 contact hours of
20 approved continuing education in pharmacology during each
21 2-year licensure period, in addition to the continuing
22 education required for licensure renewal.

23 (e) Submit a copy of the protocol between the advanced
24 registered nurse practitioner and the supervising physician
25 which protocol complies with the rules of the board and which
26 identifies the categories of drugs that the advanced
27 registered nurse practitioner is authorized to prescribe and
28 requires as an element of general supervision that the
29 advanced registered nurse practitioner meet with the
30 supervising physician at least once every 3 months to review
31 and discuss patient care, prescribed treatments and

1 medications, and care outcomes. The Board of Nursing may, by
2 rule, establish minimum requirements for this meeting. The
3 protocol must be filed with the initial application for
4 registration, with the application for renewal of license, and
5 any time there is a change in the protocol or any party
6 thereto. For purposes of this section, the supervising
7 physician must possess a current and unrestricted license to
8 practice medicine pursuant to chapter 458 or osteopathic
9 medicine pursuant to chapter 459, must have a primary practice
10 location in this state, and must have a current and
11 unrestricted Drug Enforcement Administration registration
12 number.

13 (f) Agree to maintain adequate medical records,
14 pursuant to board rule, which include evidence of a patient
15 history and physical examination and, at a minimum, the
16 following information about each prescription:

- 17 1. Medication and strength;
- 18 2. Dose;
- 19 3. Amount prescribed;
- 20 4. Directions for use;
- 21 5. Number of refills; and
- 22 6. The signature or initials of the prescribing
23 physician.

24 (g) Submit a completed registration form and remit a
25 fee set by the board in an amount not to exceed \$75.

26 (3) To register to prescribe controlled substances, an
27 advanced registered nurse practitioner must comply with all
28 requirements for registration to prescribe noncontrolled
29 substances and must also:

30 (a) Submit to the board documentation demonstrating
31 that the advanced registered nurse practitioner has completed

1 an approved 3-contact-hour course in legal and clinical
2 aspects of prescribing controlled substances or provide the
3 board with evidence of a current Drug Enforcement
4 Administration registration number and 12 months of experience
5 in prescribing controlled substances.

6 (b) Identify as part of the protocol between the
7 advanced registered nurse practitioner and the supervising
8 physician the schedules of controlled substances that the
9 advanced registered nurse practitioner is authorized to
10 prescribe.

11 (c) Complete at least 2 contact hours of approved
12 continuing education in controlled-substance prescribing
13 during each 2-year licensure period, in addition to the
14 continuing education required for licensure renewal. This
15 continuing education may be part of the 16 hours of continuing
16 education required under paragraph (2)(c).

17 (4) An advanced registered nurse practitioner who is a
18 certified registered nurse anesthetist under s. 464.012 need
19 not register under this section to provide anesthesia care in
20 accordance with s. 464.012(4)(a).

21 (5) An advanced registered nurse practitioner who
22 registers to prescribe controlled substances may not prescribe
23 controlled substances for his or her personal use or for use
24 by his or her immediate family.

25 (6) The board may limit, suspend, or revoke an
26 advanced registered nurse practitioner's registration to
27 prescribe under this section, in accordance with s. 456.073.

28 (7) The board may adopt rules necessary to administer
29 this section.

30 Section 2. Subsection (19) of section 893.02, Florida
31 Statutes, is amended to read:

1 893.02 Definitions.--The following words and phrases
2 as used in this chapter shall have the following meanings,
3 unless the context otherwise requires:

4 (19) "Practitioner" means a physician licensed
5 pursuant to chapter 458, a dentist licensed pursuant to
6 chapter 466, a veterinarian licensed pursuant to chapter 474,
7 an osteopathic physician licensed pursuant to chapter 459, a
8 naturopath licensed pursuant to chapter 462, ~~or~~ a podiatric
9 physician licensed pursuant to chapter 461, or an advanced
10 registered nurse practitioner certified under s. 464.012 who
11 is registered to prescribe controlled substances under s.
12 464.0125 and who possesses a valid midlevel-practitioner
13 registration number issued by the United States Drug
14 Enforcement Administration, provided such practitioner holds a
15 valid federal controlled substance registry number.

16 Section 3. This act shall take effect July 1, 2003.

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19 SENATE SUMMARY

20 Provides for the registration of advanced registered
21 nurse practitioners to prescribe drugs. Provides
22 requirements for prescribing noncontrolled legend drugs
and requirements for prescribing controlled substances.
23 Provides for fees. Prohibits the advanced registered
nurse practitioner from prescribing controlled substances
24 for herself or himself or for his or her immediate
family. Provides for the Board of Nursing to limit,
suspend, or revoke an advanced registered nurse
25 practitioner's registration to prescribe drugs. Provides
for the board to make rules. Amends the definition of the
26 term "practitioner" which is found in s. 893.02, F.S., to
include certain advanced registered nurse practitioners
27 who are registered to prescribe controlled substances.