



HB 0341

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1 A bill to be entitled
 2 An act relating to advanced registered nurse
 3 practitioners; creating s. 464.0125, F.S.; requiring
 4 advanced registered nurse practitioners to register with
 5 the Board of Nursing to prescribe medicinal drugs;
 6 providing requirements for registration and renewal of
 7 registration, including continuing education; providing
 8 fees; prohibiting prescription of controlled substances
 9 for personal use or the use of immediate family members;
 10 providing for disciplinary actions; providing rulemaking
 11 authority to the board; amending s. 893.02, F.S.; revising
 12 the definition of "practitioner" under the "Florida
 13 Comprehensive Drug Abuse Prevention and Control Act" to
 14 conform; providing an effective date.

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

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 18 Section 1. Section 464.0125, Florida Statutes, is created
 19 to read:

20 464.0125 Registration of advanced registered nurse
 21 practitioners to prescribe medicinal drugs.--

22 (1) Any advanced registered nurse practitioner certified
 23 pursuant to s. 464.012 must register with the board in
 24 accordance with this section to prescribe medicinal drugs.

25 (2) To register to prescribe medicinal drugs that are not
 26 controlled substances, an advanced registered nurse practitioner
 27 must:

28 (a) Possess an active and unrestricted license and
 29 advanced registered nurse practitioner certification.

30 (b)1. Possess an active and current certification by an



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31 appropriate specialty board; or

32 2. Submit documentation to the board demonstrating that
 33 the advanced registered nurse practitioner has been prescribing
 34 medicinal drugs for a period of at least 12 months prior to
 35 registration as a prescribing practitioner.

36 (c)1. Submit documentation to the board demonstrating that
 37 the advanced registered nurse practitioner has completed at
 38 least 16 contact hours of approved continuing education in
 39 pharmacology during the past 2 years, in addition to the
 40 continuing education required for licensure renewal; or

41 2. Submit documentation to the board demonstrating that
 42 the advanced registered nurse practitioner has been prescribing
 43 medicinal drugs for a period of at least 12 months prior to
 44 registration as a prescribing practitioner.

45 (d) Submit a copy of the protocol between the advanced
 46 registered nurse practitioner and supervising physician which
 47 complies with board rules, identifies the categories of
 48 medicinal drugs that the advanced registered nurse practitioner
 49 is authorized to prescribe, and requires as an element of
 50 general supervision that the advanced registered nurse
 51 practitioner meet with the supervising physician at least once
 52 every 3 months to review and discuss patient care, prescribed
 53 treatments and medications, and care outcomes. The board may by
 54 rule establish minimum requirements for this meeting. The
 55 protocol must be filed with the initial application for
 56 registration under this section, with the application for
 57 renewal of license, and at any time there is a change in the
 58 protocol or any party to the protocol. For purposes of this
 59 section, the supervising physician must have a current and
 60 unrestricted license to practice medicine pursuant to chapter



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61 458 or osteopathic medicine pursuant to chapter 459, a primary
 62 practice location in this state, and a current and unrestricted
 63 Drug Enforcement Administration registration number.

64 (e) Agree to maintain adequate medical records pursuant to
 65 board rule that include evidence of a patient history and
 66 physical examination and at a minimum the following information
 67 about each prescription for a medicinal drug:

- 68 1. Drug name and strength.
- 69 2. Dose.
- 70 3. Amount prescribed.
- 71 4. Directions for use.
- 72 5. Number of refills.
- 73 6. The signature of the prescribing practitioner.

74 (f) Submit a completed registration form and remit a fee
 75 set by the board not to exceed \$75.

76 (3) To register to prescribe controlled substances, an
 77 advanced registered nurse practitioner must comply with all
 78 requirements for registration to prescribe medicinal drugs that
 79 are not controlled substances under subsection (2) and must:

80 (a) Possess a valid mid-level practitioner registration
 81 issued by the federal Drug Enforcement Administration and 12
 82 months' experience in prescribing controlled substances.

83 (b) Submit documentation to the board demonstrating that
 84 the advanced registered nurse practitioner has completed an
 85 approved course in legal and clinical aspects of prescribing
 86 controlled substances of not less than 3 contact hours.

87 (c) Identify, as part of the protocol between the advanced
 88 registered nurse practitioner and supervising physician, the
 89 schedules of controlled substances that the advanced registered
 90 nurse practitioner is authorized to prescribe.



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91 (d) Complete at least 2 contact hours of approved
 92 continuing education in the prescribing of controlled substances
 93 during each 2-year licensure period, in addition to the
 94 continuing education required for licensure renewal. This
 95 continuing education may be part of the 16 hours of continuing
 96 education required pursuant to subsection (4).

97 (4) To register or renew registration to prescribe
 98 medicinal drugs, an advanced registered nurse practitioner must
 99 complete at least 16 contact hours of approved continuing
 100 education in pharmacology during each 2-year licensure period,
 101 in addition to the continuing education required for licensure
 102 renewal.

103 (5) The board shall provide by rule for biennial renewal
 104 of registration and a renewal fee not to exceed \$75.

105 (6) Advanced registered nurse practitioners who are
 106 certified as certified registered nurse anesthetists pursuant to
 107 s. 464.012 are not required to register under this section to
 108 provide anesthesia care in accordance with s. 464.012(4)(a).

109 (7) An advanced registered nurse practitioner who
 110 registers to prescribe controlled substances may not prescribe
 111 controlled substances for personal use or use by any member of
 112 the advanced registered nurse practitioner's immediate family.

113 (8) The board may limit, suspend, or revoke an advanced
 114 registered nurse practitioner's registration to prescribe under
 115 this section in accordance with the provisions of s. 456.073.

116 (9) The board may adopt rules pursuant to ss. 120.536(1)
 117 and 120.54 to implement the provisions of this section.

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



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120 893.02 Definitions.--The following words and phrases as
 121 used in this chapter shall have the following meanings, unless
 122 the context otherwise requires:

123 (19) "Practitioner" means a physician licensed pursuant to
 124 chapter 458, a dentist licensed pursuant to chapter 466, a
 125 veterinarian licensed pursuant to chapter 474, an osteopathic
 126 physician licensed pursuant to chapter 459, a naturopath
 127 licensed pursuant to chapter 462, or a podiatric physician
 128 licensed pursuant to chapter 461, provided such practitioner
 129 holds a valid federal controlled substance registry number.

130 "Practitioner" includes an advanced registered nurse
 131 practitioner certified pursuant to s. 464.012 who holds a valid
 132 mid-level practitioner controlled substance registry number and
 133 is registered to prescribe controlled substances pursuant to s.
 134 464.0125.

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