

ARKANSAS REGISTER

Proposed Rule Cover Sheet



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Name of Department _____

Agency or Division Name _____

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Contact Person _____

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Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

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CHAPTER THREE REGISTERED NURSE PRACTITIONER

SECTION I SCOPE OF PRACTICE

A. REGISTERED NURSE PRACTITIONER

A registered nurse practitioner is a licensed professional nurse prepared in the manner stated herein who provides direct care to individuals, families, and other groups in a variety of settings, including homes, hospitals, offices, industry, schools, and other institutions and health care settings. The service provided by the nurse practitioner is directed toward the delivery of primary, secondary, and tertiary care which focuses on the achievement and maintenance of optimal functions in the population. The nurse practitioner engages in independent decision making about the nursing care needs of clients and collaborates with health professionals and others in making decisions about other health care needs. The practitioner plans and institutes health care programs as a member of the health care team. The nurse practitioner is directly accountable and responsible to the recipient for the quality of care rendered.

Rules which apply to registered nurses are hereby incorporated by reference.

B. ACTS PROPER TO BE PERFORMED BY A REGISTERED NURSE PRACTITIONER

1. The Arkansas State Board of Nursing authorizes the registered nurse practitioner, in collaboration with and under the direction of a licensed physician, to perform particular acts at the advanced and specialized levels as recognized by the nursing profession and which are in conformity with the *Nurse Practice Act*.
 - a. Secures, records, and evaluates the health, psychosocial, and developmental history of patients;
 - b. Performs physical examinations using techniques of observation, inspection, auscultation, palpation and percussion, and uses appropriate diagnostic tests;
 - c. Discriminates between normal and abnormal findings on the history and physical examination and refers the individuals who need further evaluation or supervision;
 - d. Documents the processes of nursing care delivery;
 - e. Contributes to the comprehensive care of the ill in collaboration with the health care team.
 - f. Coordinates health care plans to enhance the quality of health care and diminish both fragmentation and duplication of service;
 - g. Contributes to the health education of individuals and groups and applies methods designed to increase each person's motivation to assume responsibility for his own health care;
 - h. Facilitates entry into and through the health care system by appropriate route;
 - i. Counsels with families and/or individuals regarding family planning, pregnancy, child care, emotional stresses, long term illness, and general health problems;
 - j. Performs periodic health evaluations and plans for health maintenance of clients; and
 - k. Conducts community clinics for case finding and screening for health problems.
2. The Arkansas State Board of Nursing authorizes the registered nurse practitioner, in collaboration with and under the direction of a licensed physician, to perform particular acts recognized by the nursing profession and which are in conformity with the *Nurse Practice Act*.
 - a. Assumes responsibility for ongoing health maintenance and clinical management of stable chronically ill patients;
 - b. Provides initial care of emergencies and initiates arrangements for continuing definitive care;
 - c. Identifies, manages, and initiates treatment for common medical problems by "Protocols" as described in Section I.C.; and
 - d. Evaluates progress and manages prenatal and postpartum care.

C. PROTOCOLS

1. Any nurse practicing as a registered nurse practitioner shall practice in accordance with protocols developed in collaboration with and signed by a licensed physician.

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2. Protocols shall address:
 - a. Established procedures for the management of common medical problems in the practice setting;
 - b. The degree to which collaboration, independent action, and supervision are required; and
 - c. Acts including, but not limited to, assessment, diagnosis, treatment, and evaluation.
3. Protocols shall not include controlled substances.
4. Documentation.
 - a. Orders transmitted from protocols shall be documented on the client's medical record;
 - b. Orders transmitted from protocols to inpatient medical records shall contain:
 - (1) Name of medication, therapeutic device, or treatment;
 - (2) Strength;
 - (3) Dose;
 - (4) Length of time or amount prescribed;
 - (5) Directions for use;
 - (6) RNP Signature; and
 - (7) Physician's name, printed, followed by notation "protocol."
5. Any deviation from written protocols shall require:
 - a. A specific written or verbal order from the collaborating physician before the order is transmitted or implemented; and
 - b. Documentation in the medical record as specified in 4b. (1)-(6) above, and notation that order was by consultation, to be signed by the RNP.
6. Review of Protocols
 - a. The RNP shall document annual joint review with the licensed physician, and revise when necessary.
 - b. The RNP shall, upon request, provide the Board with current protocols.
7. Nothing in this regulation shall be construed to prohibit any registered nurse practitioner from transmitting a prescription order orally or telephonically, or from administering a legend drug pursuant to a lawful direction of a licensed physician, dentist, or advanced practice nurse who holds a certificate of prescriptive authority.

D. SERVICES AND RESPONSIBILITIES

The RNP shall, upon request of the Board, provide documentation outlining the extent of services, responsibilities, and required supervision of nurse practitioners, and the accompanying responsibilities of collaborating physicians.

E. DELEGATED ACTS

The registered nurse practitioner shall demonstrate competence in any act or procedure delegated by the collaborating physician.

SECTION II **LICENSURE**

A. Initial licensing of registered nurse practitioners terminated on November 30, 2000.

B. RENEWAL

1. The date for renewal of licensure to practice as a registered nurse practitioner shall coincide with the renewal of the applicant's registered nurse license.
2. An application for renewal of a registered nurse practitioner license shall submit to the Board:
 - a. A completed application form; and
 - b. Payment of the nonrefundable renewal fee.

C. LAPSED LICENSE

1. The license is lapsed if not renewed or placed in an inactive status by the expiration date.
2. Failure to receive the renewal notice at the last address of record at the Board office shall not relieve the licensee of the responsibility for renewing the license by the expiration date.

ARKANSAS STATE BOARD OF NURSING RULES

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3. Any licensee whose license has lapsed shall submit to the Board:
 - a. A completed Board renewal application form; and
 - b. The renewal fee and the reinstatement fee.
4. Fees are nonrefundable.
5. Any person practicing as a registered nurse practitioner during the time his or her license has lapsed shall be

considered an illegal practitioner and shall be subjected to the penalties provided for violation of the *Nurse Practice Act*.

D. INACTIVE STATUS

1. Any licensee who desires to temporarily inactivate their registered nurse practitioner license shall submit a request to the Board.
2. The current license shall be placed on inactive status.
3. While the license is inactive, the licensee shall not engage in registered nurse practitioner nursing nor be subject to the payment of renewal fees.
4. If the nurse desires to resume practice, he or she shall submit a reinstatement application and meet the continuing education requirements.
5. If disciplinary proceedings on an inactive licensee have been initiated, the license shall not be reinstated until the proceedings have been completed.

History: Amended December 29, 2018

SECTION III
DUPLICATE LICENSE

~~A. The licensee shall immediately report a lost, stolen, or destroyed license to the Board.~~

~~B. A duplicate license shall be issued when the licensee submits a notarized statement to the Board that the document is lost, stolen, or destroyed, and pays the required fee.~~

SECTION IV III
NAME OR ADDRESS CHANGE

- A. A licensee, whose name is legally changed, shall submit ~~be issued a replacement license following submission of a~~ name change request ~~form~~, copy of marriage license, or court action, and the required fee.
- B. A licensee, whose address changes from the address on file with the Board, shall immediately notify the Board in writing of the change.

History: Adopted March 26, 2016
Amended

SECTION IV
LICENSURE FOR UNIFORMED SERVICE MEMBERS, VETERANS AND SPOUSES

A. EXPEDITED LICENSURE

1. Temporary permits for individuals listed in Section XI(A)(2) shall be issued within twenty-four (24) hours of receipt of all required documents.
2. The Board will give preference in the order of processing to applications for full licensure filed by the following individuals:
 - a. A uniformed service member stationed in the State of Arkansas;
 - b. A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
 - c. The spouse of a:

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1. Person under (a) or (b) above; or
2. Uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to Arkansas; or
3. Uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in Arkansas.

B. EXTENSION OF LICENSURE EXPIRATION DATE

Upon written request and submission of appropriate documentation, deployed uniformed service member or spouse shall be allowed an extension of the expiration date without penalty or assessment of a late fee for renewing the service member's nursing license. The extension shall be effective for one hundred eighty (180) days after the service member or spouse returns from active deployment.

C. CONSIDERATION OF MILITARY TRAINING AND EXPERIENCE

When considering an application for licensure from a uniformed service member or a uniformed service veteran applying within one (1) year of his or her discharge from uniformed service, the Board shall:

1. Consider whether or not the applicant's military training and experience in the practice of nursing is substantially similar to the experience or education required for licensure.
2. Accept the applicant's military training and experience in the practice of nursing in lieu of experience or education required for licensure, if the Board determines that the military training and experience is a satisfactory substitute for the experience or education required for licensure.

D. WAIVER OF CONTINUING EDUCATION

Upon written request and submission of appropriate documentation the continuing education requirements for license renewal shall be waived for:

1. A uniformed service member deployed; or
2. The spouse of a uniformed service member.

History: Adopted



Arkansas Department of Health

Arkansas State Board of Nursing

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Governor Asa Hutchinson

José R. Romero, MD, Secretary of Health

Sue A. Tedford, MNsc, APRN, Director

EXECUTIVE SUMMARY

PROPOSED RULE: ASBN Rules Chapter 3

PURPOSE

Changes were made in the ASBN Chapter 3 due to the following Acts:

- Act 135 - modifies the automatic occupational licensure requirements for uniformed services members, returning veterans and spouses

The other rule changes are a result of editorial corrections.

BACKGROUND

Two rules were edited for clarification:

- Removed the section on duplicate licenses since all licenses are electronic and not paper
- Edited the process for changing an address to align with our current system

KEY POINTS

The proposed rules:

- Adds required regulations related to the new statutes
- Clarifies current rules

DISCUSSION

The rules were modified to comply with the Acts of 2021. In addition, editorial changes were made to improve clarity of the rules.

RECOMMENDATION

We recommend that the proposed amendments to the rules be approved as proposed by the Board.