

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Sue A. Sedford MNSc, APRN

Signature

Phone Number

E-mail Address

Title

Date

Full Independent Practice Credentialing Committee Rules

CHAPTER ELEVEN FULL INDEPENDENT PRACTICE CREDENTIALING COMMITTEE

SECTION I PURPOSE & AUTHORITY

- A. PURPOSE** - The purpose of the Full Independent Practice Credentialing Committee is to:
1. Review and act on applications for full independent practice authority submitted by Certified Nurse Practitioners and Clinical Nurse Specialist; and
 2. Review and act on complaints filed against Certified Nurse Practitioners and Clinical Nurse Specialist who have full independent practice authority.
- B. LEGAL AUTHORITY** - The authority of the Full Independent Practice Authority Committee is pursuant to Ark. Code Ann. § 17-87-314, et seq.

Amended: June 15, 2024

SECTION II GENERAL MATTERS

- A. DEFINITION OF TERMS**
1. Full Independent Practice Authority: the ability of a Certified Nurse Practitioner or Clinical Nurse Specialist to practice with prescriptive authority without a collaborative practice agreement as described in Ark. Code Ann. § 17-87-310.
 2. Prescriptive Authority: the ability to receive and prescribe drugs, medicines, or therapeutic devices appropriate to the advanced practice registered nurse's area of practice.
 3. Certified Nurse Practitioner: a registered nurse who has successfully completed a nationally accredited graduate or post-graduate APRN education program that prepares nurses for the advanced practice role of nurse practitioner, is nationally certified in the population foci appropriate to the educational preparation and licensed at the advanced practice level.
 4. Clinical Nurse Specialist: a registered nurse who has successfully completed a nationally accredited graduate or post-graduate APRN education program that prepares nurses for the advanced practice role of clinical nurse specialist, is nationally certified in the population foci appropriate to the educational preparation and licensed at the advanced practice level.
- B. MEETING**
1. The Committee shall meet at least quarterly and shall have the power to call and hold special meetings at such times and places as it deems necessary.
 2. Five members shall constitute a quorum at any meeting of the Committee.
- C. MEMBERS**
- The Committee shall be comprised of eight members appointed according to ACA 17-87-314 who may serve up to two 3-year terms, or until successor is appointed.
- D. OFFICERS**
1. The Committee shall elect a Chair, and a Vice-Chair.
 2. Officers may serve no more than two consecutive 1-year terms.
 3. Powers & Duties of the Chair:
 - a. Sign subpoenas,
 - b. Administer oaths,
 - c. Authenticate all notices and other actions of the Committee, and
 - d. Issue notices of hearings and other processes and as directed by the Committee
 4. The Vice-Chair shall assume all duties and privileges of the Chair in the absence of the Chair.

Full Independent Practice Credentialing Committee Rules

E. DUTIES

1. Review all applications, initial or renewal, for full independent practice authority submitted by Certified Nurse Practitioners or Clinical Nurse Specialist licensed by the Arkansas State Board of Nursing.
2. Approve or deny applications for full independent practice authority.
 - a. All actions shall be provided, in writing, to the applicant.
 - b. Denial of an application shall include the reason(s) for denial.
3. Review complaints filed in writing against Certified Nurse Practitioners or Clinical Nurse Specialist with full independent practice authority.
 - a. The Committee shall review complaints against Certified Nurse Practitioners or Clinical Nurse Specialist who hold a certificate of full independent practice authority.
 - b. The Committee may take action, suspend or revoke the certificate for full independent practice authority based on the complaint; however, the Committee may not take action against the nursing license of a certified nurse practitioner.
 - c. All complaints and actions shall be reported to the Arkansas State Board of Nursing.

F. HEARINGS

1. Hearings will be conducted when the Committee takes action to suspend or revoke the certificate of full independent practice authority.
2. Hearings will be conducted according to the Arkansas Administrative Procedures Act.
3. The Certified Nurse Practitioner or Clinical Nurse Specialist will be provided ten (10) days' notice, in writing, to appear before the Full Independent Practice Credentialing Committee.

G. APPEAL

If a Certified Nurse Practitioner's or Clinical Nurse Specialist's certificate of full independent practice authority is denied, suspended, or revoked they may appeal the action of the Committee under the Arkansas Administrative Procedure Act, §25-15-201.

F. REPORTS

A quarterly report will be provided to the Senate Committee on Public Health, Welfare and Labor and the House Committee on Public Health, Welfare and Labor. The report will contain, at a minimum, the number of applicants approved and denied a certificate of independent practice authority.

Amended: June 15, 2024

SECTION III **QUALIFICATIONS FOR FULL INDEPENDENT PRACTICE AUTHORITY**

A. INITIAL

1. Submission of an application for full independent practice authority.
2. Submission of two (2) letters of recommendation.
3. Hold an active unencumbered Arkansas Certified Nurse Practitioner or Clinical Nurse Specialist license.
4. Hold an unencumbered prescriptive authority certificate or equivalent in the state of licensure.
5. Submission of documentation showing a minimum of 6,240 hours of practice:
 - a. Under a board required agreement with a physician. Such documentation shall include:
 - 1) An affidavit from a collaborating physician attesting to the number of hours the Certified Nurse Practitioner practiced under a collaborative practice agreement with the physician. Multiple attestations are acceptable.; or
 - 2) Other evidence of meeting the qualifications for full independent practice and an affidavit signed by the nurse practitioner, in the event a collaborating physician has died, become disabled, retired, relocated to another state, or any other circumstance that inhibits the ability of the nurse practitioner from obtaining an affidavit.

Full Independent Practice Credentialing Committee Rules

- i. Other evidence may include employment records, military service, Medicare or Medicaid reimbursement records, or other similar records that verify clinical practice in the population foci for which the nurse practitioner is licensed and certified.
 - ii. The burden shall be on the nurse practitioner to provide sufficient evidence to support the nurse practitioner's inability to obtain an affidavit from a collaborating physician.
- b. In another state, territory, or foreign country that authorizes a certified nurse practitioner or a clinical nurse specialist to practice with prescriptive authority if the certified nurse practitioner or clinical nurse specialist provides proof of:
 - 1) Holding prescriptive authority in the state; and
 - 2) The APRN license is in good standing.
6. Submission of any other relevant documents requested by the Committee in support of application.

HISTORY: Adopted: August 1, 2022
Amended: June 15, 2024

B. RENEWAL

1. The Certificate for full independent practice authority shall be renewed every three years by submitting the required application and corresponding fee.
2. Renewal applicants must hold an active unencumbered Arkansas Certified Nurse Practitioner or Clinical Nurse Specialist license.

Amended: June 15, 2024

SECTION IV **FEES**

- A. The Committee shall establish fees for services relating to application for full independent practice authority and renewal of the full independent practice certificate.
 1. The initial application fee shall be \$150.00.
 2. The certificate renewal fee shall be \$50.00.
 3. All funds received shall be deposited in the State Treasury to the credit of the Committee.
 4. Fees paid shall be by credit card.
 5. Fees paid are processing fees and are not refundable.

HISTORY: Adopted: August 1, 2022