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September 5, 2008

Secretary of State  
State Capitol Room 026  
Little Rock AR 72201-1094

Re: My Client: Arkansas State Medical Board  
Regulation 30 Collaborative Practice Regulation

TO WHOM IT MAY CONCERN:

Enclosed is Regulation 30 Collaborative Practice Regulation passed by the Arkansas State Medical Board at its meeting of August 8, 2008 and which will be effective November 1, 2008.

Respectfully,

/s/

William H. Trice, III  
WHT/ly  
Attorney for the Arkansas State Medical Board

Enclosure

cc: Peggy Cryer, Executive Secretary, Arkansas State Medical Board  
*via email to register@sos.arkansas.gov*

**REGULATION 30**  
**COLLABORATIVE PRACTICE REGULATION**

ACA § 17-87-102(2) states that a “collaborative practice agreement” means a written plan that identifies a physician who agrees to collaborate with an advanced practice nurse in the joint management of the health care of the advanced practice nurse’s patients, and outlines procedures for consultation with or referral to the collaborating physician or other health care professionals as indicated by a patient’s health care needs;

ACA § 17-87-310(a)(2) provides that: “An advanced practice nurse may obtain a certificate of prescriptive authority from the Arkansas State Board of Nursing if the advanced practice nurse has a collaborative practice agreement with a physician who is licensed under the Arkansas Medical Practices Act, and who has a practice comparable in scope, specialty, or expertise to that of the advanced practice nurse on file with the Arkansas State Board of Nursing.”

ACA § 17-87-310(c) states: “A collaborative practice agreement shall include, but not be limited to, provisions addressing:

- (1) The availability of the collaborating physician for consultation or referral, or both;
- (2) Methods of management of the collaborative practice, which shall include protocols for prescriptive authority;
- (3) Coverage of the health care needs of a patient in the emergency absence of the advanced practice nurse or physician; and
- (4) Quality assurance.”

ACA § 17-87-310(d) provides that: “If a collaborative practice results in complaints of violations of the Arkansas Medical Practices Act, the Arkansas State Medical Board may review the role of the physician in the collaborative practice to determine if the physician is unable to manage his or her responsibilities under the agreement without an adverse effect on the quality of care of the patient.”

To better delineate and explain the requirements on a physician who desires to enter into a collaborative practice agreement with an advanced practice nurse, the Arkansas State Medical Board states affirmatively that the licensed physician must comply with Arkansas law as stated hereinabove, as well as the following:

- I. The collaborating physician must be licensed to practice in the state of Arkansas, and be in the active clinical practice of medicine located within the state of Arkansas, or in a state which borders Arkansas and in a county in such state contiguous to the state of Arkansas.
- II. The collaborating physician must be easily in contact with the APN by radio, telephone, electronic or other telecommunication device.
- III. The collaborating physician must be engaged in the active practice of medicine and have a practice comparable in scope, specialty, or expertise to that of the Advanced Practice Nurse with whom he or she has entered into a collaborative practice agreement.
- IV. The collaborating physician must provide notification of the following information to the ASMB, in a manner and form established by the Board:
  - A. The names and professional titles of anyone with whom they are collaborating;
  - B. When a material change has occurred in the collaborative agreement or practice;
  - C. Termination of any collaborative practice agreement.
  - D. List the scope, specialty and expertise of practice in which the physician is engaged.
  - E. List the scope, specialty and expertise of practice in which the Advanced Practice Nurse is engaged.
  - F. Provide a copy of the Collaborative Agreement exclusive of specific protocols.
  - G. Provide a copy of the quality assurance plan that is utilized by the physician and the advanced practice nurse that have entered into a collaborative agreement.

The physician should inform the Board when there are changes to the information that is to be provided to the Board by the physician as stated in this paragraph.

- V. A copy of the collaborative agreement must be maintained by the collaborating physician and made available to the Arkansas State Medical Board upon request and must include, at a minimum, provisions addressing:
  - A. The availability of the collaborating physician for consultation or referral or both;
  - B. Methods of management of the collaborative practice, which shall include protocols for prescriptive authority;
  - C. Coverage of the health care needs of the patient in the emergency absence of the APN or the physician;
  - D. Quality Assurance Plan

- VI. The collaborating physician shall be responsible for ensuring that each patient receives written documentation as to who the collaborating physician is and how he or she may be reached and/or contacted.

The failure of a physician to comply with this Regulation will be considered a violation of the Medical Practices Act and § 17-95-409(a)(2)(P), and subject the physician to the possibility of a disciplinary hearing and the imposition of sanctions against his or her license pursuant to Arkansas law and the Administrative Procedure Act.

Adopted: August 8, 2008

Effective: November 1, 2008