

**PROPOSED 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.
- 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 with.
- 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 that the physician is engaged in.
  - E. List the scope, speciality and expertise of practice that the Advanced Practice Nurse is engaged in.
  - F. Provide a copy of the Collaborative Agreement exclusive of specific protocols.
- V. The collaborative practice agreement must be reviewed and signed annually by the collaborating physician. A copy of the collaborative agreement must be maintained by the collaborating physician and made available to the ASMB 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:
    - 1) extent of scope of practice;
    - 2) written specific procedures or functions;
    - 3) protocols for prescriptive authority, which shall at a minimum include indications for and classifications of legend drugs and therapeutic devices which will be prescribed or administered by the APN;
  - C. Coverage of the health care needs of the patient in the emergency absence of the APN or physician;
  - D. Quality Assurance Plan that includes, but is not limited to:
    1. Chart review commensurate with the APN's experience and ability,

- but not less than a minimum of 10% within the period of a year.
2. There must be an initial face-to-face meeting between the APN and the collaborating physician prior to the APN practicing under the terms of the collaborating agreement. There will be other meetings between the APN and the collaborating physician as the physician deems it necessary to maintain the quality of care and patient safety.
- VI. The collaborating physician shall be responsible for ensuring that the APN distributes to each patient, written documentation as to who the collaborating physician is and how he 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.