

# DEPARTMENT OF REGULATORY AGENCIES

## Division of Registrations

### Board of Nursing

#### 3 CCR 716-1

#### CHAPTER XV

### RULES AND REGULATIONS FOR PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE NURSES

#### STATEMENT OF BASIS AND PURPOSE:

The rules contained in this Chapter XV are adopted pursuant to authority granted the State Board of Nursing ("Board") by C.R.S. 1995, 12-38-111.6. These rules are adopted to set criteria for authorization of Advanced Practice Nurses who are listed on the Advanced Practice Registry to prescribe controlled substances or prescription drugs, and to reflect current accepted professional standards for the safe and effective use of controlled substances and prescription drugs.

#### 1. DEFINITIONS

- 1.1 Accrediting Body: An organization that establishes and maintains standards for professional nursing programs and recognizes those programs that meet these standards and is recognized by US Department of Education(USDE) and/or the Council for Higher Education Accreditation (CHEA), including the Commission on Collegiate Nursing Education (CCNE), National League for Nursing Accrediting Commission (NLNAC), Council on Accreditation of Nurse Anesthesia Educational Programs (COA), Division of Accreditation of the American College of Nurse Midwives, and the National Association of Nurse Practitioners in Women's Health Council on Accreditation.
- 1.2 Advanced Practice Nurse (APN): A master's prepared nurse holding a graduate degree in nursing who has completed a graduate or post-graduate program of study in an advanced practice Role, in an accredited nursing program and has been recognized and included on the Advanced Practice Registry by the Board. APN Roles recognized by the Board are nurse practitioner (NP), certified registered nurse anesthetist (CRNA), certified nurse midwife (CNM) and clinical nurse specialist (CNS). A nurse seeking recognition as an APN must be academically prepared for the expanded scope of practice described as Advanced Practice Nursing.
- 1.3 Advanced Practice Nursing: The expanded scope of nursing practice in an advanced Role and Specialty approved by the Board.
- 1.4 Advanced Practice Registry (APR): The Board's registry of those professional nurses who apply for and meet the criteria for inclusion as established in accordance with C.R.S. §12-38-111.5 and these Chapter XV rules.
- 1.5 Applicant: An Advanced Practice Nurse seeking Prescriptive Authority in the same advanced Role and Specialty for which the APN was recognized on the APR.

- 1.6 Certifying Body: A non-governmental agency that validates by examination, based on pre-determined standards, an individual nurse's qualifications and knowledge for practice in a defined functional or clinical area of nursing.
- 1.7 Pathophysiology: A minimum of three (3) semester credit hours completed at the graduate or post-graduate level in accredited nursing program for which graduate credit has been awarded with an emphasis appropriate to the Role and Specialty of the APN, including but not limited to pathophysiologic processes of all body systems.
- 1.8 Pharmacology: A minimum of three (3) semester credit hours completed at the graduate or post-graduate level in an accredited nursing program for which graduate credit has been awarded with an emphasis appropriate to the Role and Specialty of the APN, including but not limited to the study of pharmacotherapeutics and pharmacokinetics of broad categories of pharmacological agents.
- 1.9 Physical Assessment: A minimum of three (3) semester credit hours completed at the graduate or post-graduate level in an accredited nursing program for which graduate credit has been awarded with an emphasis appropriate to the Role and Specialty of the APN, including but not limited to comprehensive history taking; physical and psychological assessment of signs and symptoms; pathophysiologic and psychopathologic status of the patient; and development of a clinical diagnosis and disease management.
- 1.10 Preceptor: A licensed professional nurse eligible to practice in the state of Colorado with Board approved Prescriptive Authority that shares the same Role and Specialty as the Applicant; or a physician licensed to practice in the state of Colorado who shares the same practice Specialty as the Applicant, who, in a clinical setting, assumes oversight of the 1800 post-graduate prescribing hours the Applicant attains prior to applying for Prescriptive Authority.
- 1.11 Role: The advanced practice area or position for which the Applicant has been prepared; nurse practitioner (NP), certified nurse midwife (CNM), certified registered nurse anesthetist (CRNA), clinical nurse specialist (CNS) and nurse practitioner (NP).
- 1.12 RXN: A Registered Nurse licensed in Colorado or a multi-state Compact licensed Registered Nurse, who has applied for and been granted recognition on the Advanced Practice Registry (APR) in at least one Role or Specialty, and who has applied for and been granted Prescriptive Authority by the Board.
- 1.13 Specialty: A broad, population-based focus of study encompassing the common problems of that group of patients and the likely co-morbidities, interventions and responses to those problems including but not limited to the following areas of practice: Neonatal; Child; Women; Adults; Family; Mental Health; Anesthesia; and, Midwifery. A Specialty area is not defined as a specific disease/health problem or specific intervention.
- 1.14 Unencumbered: No pending disciplinary action or current restriction to practice in the state of Colorado.

## **2. REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY – ALL APPLICANTS**

- 2.1 Educational Requirements: The successful completion of a graduate or post-graduate nursing degree or post-graduate certificate in the Role and Specialty for which the Applicant seeks Prescriptive Authority. Verification of educational requirements shall be

- evidenced by receipt of a sealed official transcript from a graduate or post-graduate Advanced Practice Nurse program accredited by a nursing Accrediting Body. The transcript shall verify date of graduation, credential conferred, and Role and Specialty focus of the program.
- 2.2 Required Coursework: A minimum of three (3) graduate semester hours of Pathophysiology, Pharmacology and Physical Assessment.
  - 2.3 Completion of Required Coursework: Verification of completion of required coursework shall be evidenced by receipt of a sealed official transcript from a graduate or post-graduate Advanced Practice Nurse program accredited by a nursing Accrediting Body. The transcript shall verify date of course completion, grade and credits awarded. Applicants must provide copies of course descriptions or course syllabi when the required coursework in Physical Assessment, Pathophysiology, and Pharmacology is integrated into broad categories of advanced practice courses or when course titles do not accurately reflect course content. Letters of verification are not accepted however, the applicant may petition the Board on a case-by-case basis for a waiver of this requirement. It is anticipated that such waivers are rare. The decision to grant or deny such waiver shall be at the sole discretion of the Board.
  - 2.4 First time Applicants for Prescriptive Authority are required to demonstrate completion of 1800 hours post-graduate Precepted prescribing experience within the past 5 years, in a relevant clinical setting. The clinical experience must include a structured plan of Precepted experience with at least one licensed physician.
  - 2.5 An APN with Prescriptive Authority may serve as a Preceptor in addition to the physician, authorized to prescribe medications addressing the areas: clinical diagnosis and management; advanced Pharmacology; experience with specific drugs relevant to the scope of practice of the Applicant; and at least weekly interaction between the Advanced Practice Nurse and the Preceptor.
  - 2.6 An Applicant with Prescriptive Authority in good standing from another state is required to demonstrate completion of 1800 hours of independent post-graduate prescriptive experience within the past 5 years with attestation that the Applicant's prescribing practices were with the specific drugs relevant to the scope of practice of the Applicant and within accepted standards of prescriptive practice.
  - 2.7 Applicants are required to possess an active, Unencumbered Colorado or multi-state professional nurse license at the time the make application for Prescriptive Authority.
  - 2.8 Applicants must submit a Prescriptive Authority application on the current Board approved form; provide a sealed official transcript from the graduate or post-graduate Advanced Practice Nurse program, and pay the applicable fee.
  - 2.9 Applicants are required to maintain at least one written collaborative agreement with a physician licensed in Colorado whose medical education, training, experience, and active practice corresponds with that of the RXN. Such agreement(s) shall identify the following:
    - A. Duties and responsibilities of each party;
    - B. Procedures and policies related to consultation and referral;
    - C. A mechanism to assure appropriate prescriptive practice; and
    - D. A time frame for the agreement;

- 2. 10 The RXN shall inform the Board in writing of all collaborative agreements in effect including the name and license number of the collaborating physician; and of the commencement and termination of any collaborative agreement with a physician within thirty (30) days.
- 2.11 The RXN shall inform the collaborating physician of any other collaborative agreements in place between the nurse and other physicians.

### **3. SCOPE OF PRESCRIPTIVE AUTHORITY**

- 3.1 Advanced Practice Nurses with Prescriptive Authority are expected to practice within standards established by the appropriate national professional nursing organization and have a safe mechanism for consultation or collaboration with a physician or when appropriate referral to a physician.
- 3.2 The scope of Prescriptive Authority is based on the Advanced Practice Nurse's Role and Specialty, appropriate graduate or post-graduate nursing education, and the Role and Specialty for which the Advanced Practice Nurse has been recognized by the Board for inclusion on the Advanced Practice Registry and granted Prescriptive Authority. Such Roles include, but are not limited to the following:
  - A. Prescription drugs prescribed for persons requiring routine health maintenance or routine preventive care.
  - B. Prescription drugs and controlled substances may be prescribed to patients requiring:
    - a. Care for an acute, self-limiting condition. A self-limiting condition is one that has a defined diagnosis, a predictable outcome and is not threatening to life or limb; or
    - b. Care for a chronic condition that has stabilized; or
    - c. Terminal comfort care
  - C. The scope of the Prescriptive Authority for controlled substances defined in C.R.S. Title 12, Article 22, shall be limited to Schedule II through Schedule V within the Role and Specialty for which the APN has been granted Prescriptive Authority by the Board.
- 3.3 The RXN may accept, possess, administer and dispense samples which are within the within the Role and Specialty for which the APN has been granted Prescriptive Authority by the Board.
- 3.4 The RXN may obtain, possess and administer medications which are within the Role and Specialty for which the APN has been granted Prescriptive Authority by the Board.
- 3.5 Each RXN is accountable to their clients, the nursing profession and the Board for complying with the requirements of their Nurse Practice Act and the quality of advanced nursing care rendered; for recognizing limits of knowledge and experience, planning for the management of situations beyond the RXN's expertise; and for consulting with or referring clients to other health care providers as appropriate.

**4. REGULATIONS RELATED TO REGISTRATION, REINSTATEMENT, RENEWAL AND WITHDRAWAL OF PRESCRIPTIVE AUTHORITY**

- 4.1 All Applicants must possess an active, Unencumbered professional nurse license to practice in the state of Colorado, and have received reinstatement of inclusion of all Roles and Specialties on the Advanced Practice Registry in which the Applicant wishes to reinstate their Prescriptive Authority.
- 4.2 At the time of reinstatement of Prescriptive Authority, the Applicant shall submit an application for Prescriptive Authority on the current Board approved application forms, pay the current application fee, and submit supporting documentation for each Role and Specialty in which the Applicant wants Prescriptive Authority.
- 4.3 Reinstatement following the lifting of disciplinary action, practice restrictions or sanctions requires compliance with all Board licensure requirements as well as any specified requirements set forth by the Board.
- 4.4 The Prescriptive Authority date of expiration is the date the underlying Colorado professional nurse license expires or the date noted on the Advanced Practice Registration for those who have an underlying multistate license.
- 4.5 Renewal of Prescriptive Authority is required at the time of the RXN's professional nurse license renewal in Colorado. Multi-state compact licensed professional nurses granted Prescriptive Authority by the Board shall be required to renew their Prescriptive Authority every two years and shall be issued with a specific expiration date.
- 4.6 An APN may request that their Prescriptive Authority be voluntarily withdrawn. The staff shall maintain a record of those APNs with withdrawn Prescriptive Authority. If Prescriptive Authority has been withdrawn, and the APN wishes to have it reinstated, the APN must apply for reinstatement of Prescriptive Authority and meet all criteria to regain and practice within the scope of the voluntarily withdrawn authority as outlined in section 4.2.
- 4.7 The Board may withdraw Prescriptive Authority if the Board has reasonable cause to believe that the nurse no longer meets the requirements for Prescriptive Authority as set forth in Section 2 of this Chapter, or the Board has reasonable cause to believe that the nurse is unable to prescribe reasonable skill and safety and within accepted standards of practice.

**5. DISCIPLINE OF ADVANCED PRACTICE NURSES.**

- 5.1 RXN discipline and proceedings shall be the same as set forth in C.R.S. 12-38-116.5 and 12-38-117.

Adopted: July 30, 2008

Effective: October 1, 2008