

DEPARTMENT OF REGULATORY AGENCIES

Division of Registrations

3 CCR 716-1

CHAPTER XIV

RULES AND REGULATIONS TO REGISTER PROFESSIONAL NURSES QUALIFIED TO ENGAGE IN ADVANCED PRACTICE NURSING

BASIS: The authority for the promulgation of these rules and regulations by the State Board of Nursing ("Board") is set forth in sections 12-38-108(1)(d) and (j), 12-38-111.5, and 12-38-111.8, C.R.S.

PURPOSE: These rules are adopted to implement the Board's authority to register professional nurses qualified to engage in Advanced Practice Nursing and are further adopted to set forth the requirements and procedures for being so registered.

1. DEFINITIONS

- 1.1 **Accrediting Body:** Any organization that establishes and maintains standards for professional nursing programs and recognizes those programs that meet these standards and is recognized by the U.S. 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 Education Programs (COA), Accreditation Council for Midwifery Education (formerly the 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 advanced practice nursing who has completed a graduate or post-graduate program of study in an advanced practice Role and/or Population Focus, in an accredited advanced practice nursing program and has been recognized and included on the Advanced Practice Registry (APR) 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/or Population Focus 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 section 12-38-111.5, C.R.S. and these Chapter XIV Rules.
- 1.5 **Applicant:** A professional nurse seeking inclusion on the APR as an APN.
- 1.6 **Board:** The State Board of Nursing.
- 1.7 **Certifying Body:** A non-governmental agency approved by the Board 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.

- 1.8 Client: A person receiving nursing care.
- 1.9 Independent Practice: The practice of advanced practice nursing as defined in section 12-38-103(8.5), C.R.S. for which the APN is solely responsible and performs on his/her own initiative, and which occurs in a setting for which no exception as set forth in section 3.2 of these rules applies.
- 1.10 Population Focus: A broad, population-based focus of study encompassing the common problems of that group of patients and the likely co-morbidities, interventions and response to those problems. Examples include, but are not limited to: Neonatal, Pediatric, Womens' Health, Adult, Family, Mental Health, etc. A Population Focus is not defined as a specific disease/health problem or specific intervention.
- 1.11 Role: The advanced practice area or position for which the professional nurse has been prepared; Nurse Practitioner (NP) Certified Registered Nurse Anesthetist (CRNA), Certified Nurse Midwife (CNM) and Clinical Nurse Specialist (CNS).
- 1.12 Unencumbered: No pending disciplinary action or current restriction to practice in the state of Colorado.

2. REQUIREMENTS FOR INCLUSION ON THE ADVANCED PRACTICE REGISTRY

- 2.1 A professional nurse may request inclusion on the APR by:
 - 2.1.1 Educational Requirements: The successful completion of a graduate or post-graduate nursing degree in the Role and, where applicable, the Population Focus for which the Applicant seeks inclusion on the APR. Verification of educational requirements shall be evidenced by receipt of a sealed, official transcript from a graduate or post-graduate APN program accredited by a nursing Accrediting Body. The transcript shall verify date of graduation, credential conferred, and Population Focus of the program.
 - 2.1.2 Endorsement: Active licensure/recognition as an APN in another state or territory of the United States in the Role and, where applicable, the Population Focus for which the Applicant seeks inclusion on the APR and verification, submitted in a manner approved by the Board, of active practice for at least two of the last five years immediately preceding the date of application.
- 2.2 Certification requirements for Certified Registered Nurse Anesthetist (CRNA): A CRNA must pass the national certification examination as administered by the Council on Certification of Nurse Anesthetists. Verification of current certification or recertification from the Council on Certification of Nurse Anesthetists or the Council on Recertification of Nurse Anesthetists as may be appropriate, shall be required and submitted in a manner approved by the Board.
- 2.3 Certification Requirements for Certified Nurse-Midwife (CNM): A CNM must meet the standards for education and certification established by the American College of Nurse-Midwives American Midwifery Certification Board (AMCB) formerly known as ACNM Certification Council (ACC, Inc.). Verification of current AMCB certification shall be required and submitted in a manner approved by the Board.
- 2.4 Applicants must possess an active, Unencumbered Colorado or multi-state compact professional nurse license.
- 2.5 Certification requirements for Nurse Practitioner (NP): A NP must meet the standards for education and certification established by a national certifying body approved by the Board. Verification of current certification or recertification, as may be appropriate, shall be required and submitted in a manner approved by the Board.

- 2.6 Certification requirements for Clinical Nurse Specialist (CNS): A CNS must meet the standards for education and certification established by a national certifying body approved by the Board. Verification of current certification or recertification, as may be appropriate, shall be required and submitted in a manner approved by the Board.
- 2.7 For each Population Focus for which the Applicant applies for inclusion on the APR, the Applicant shall be required to:
 - 2.7.1 Submit an APR application on the current Board approved form;
 - 2.7.2 Provide a sealed, official transcript from the graduate or post graduate APN program; and
 - 2.7.3 Pay the current application fee.
- 2.8 Any APN who was included in the APR as of June 30, 2008, but had not successfully completed the educational requirements as set forth in section 12-38-111.5(4)(c), C.R.S., may continue to be included in the APR and to use the appropriate title and abbreviation as long as that APN maintains current licensure as stated in section 2.4 of these rules.

3. REQUIREMENTS FOR PROFESSIONAL LIABILITY INSURANCE

- 3.1 Pursuant to the requirements of section 12-38-111.8 (1), C.R.S., it is unlawful for any APN engaged in an Independent Practice of professional nursing to practice within the state of Colorado unless the APN purchases and maintains or is covered by professional liability insurance in an amount not less than five hundred thousand dollars per claim with an aggregate liability for all claims during the year of one million five hundred thousand dollars.
- 3.2 Pursuant to these rules, an APN whose Independent Practice falls entirely within one or more of the following categories is exempt from the professional liability insurance requirements set forth in section 12-38-111.8, C.R.S.:
 - 3.2.1 A federal civilian or military APN whose practice is limited solely to that required by his or her federal/military agency.
 - 3.2.2 An APN who is covered by individual professional liability coverage (or an alternative which complies with section 12-38-111.8(1), C.R.S.) or liability insurance that is maintained by an employer/contracting agency in the amounts set forth in section 12-38-111.8(1), C.R.S.
 - 3.2.3 An APN who provides uncompensated health care; or
 - 3.2.4 An APN who practices as a public employee under the "Colorado Governmental Immunity Act, sections 24-10-101 thru – 118, C.R.S."
- 3.3 In order to establish eligibility for an exemption from the statutory financial responsibility requirements, an APN must provide such information as may be requested by the Board.

4. SCOPE OF ADVANCED PRACTICE NURSING

- 4.1 An APN shall practice in accordance with the standards of 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. Advanced practice nursing also includes, when appropriate, referral to other health care providers.
- 4.2 The scope of Advanced Practice Nursing is based on:

- 4.2.1 The professional nurse's scope of practice within the APN's Role and Population Focus;
- 4.2.2 Graduate or post-graduate nursing education in the Role and/or Population Focus for which the APN has been recognized by the Board for inclusion on the APR.
- 4.3 The scope of Advanced Practice Nursing may include, but is not limited to: performing acts of advanced assessment, diagnosing, treating, prescribing, ordering, selecting, administering, and dispensing diagnostic and therapeutic measures.
- 4.4 Prescribing medication is not within the scope of practice of an APN unless the APN has applied for and been granted Prescriptive Authority by the Board.

5. WITHDRAWAL OF ADVANCED PRACTICE REGISTRATION

- 5.1 An APN may request to voluntarily withdraw the nurse's registration as an APN in each Role and/or Population Focus in which the nurse was granted inclusion on the APR by the Board.
- 5.2 The Board may withdraw an APN's registration from the APR in one or more of the Roles/Specialties or Population Foci in which the APN was granted recognition, if the APN no longer meets the requirements for inclusion on the APR or the APN is subject to discipline under section 12-38-117, C.R.S., in accordance with the procedures set forth in section 12-38-116.5, C.R.S.

6. RENEWAL AND REINSTATEMENT OF ADVANCED PRACTICE REGISTRATION

- 6.1 Renewal of an APN's registration on the APR is required at the time of the APN's Colorado professional nurse license renewal. Multi-state compact licensed professional nurses granted inclusion on the APR shall be required to renew their registration every two years and the registration shall be issued with a specific expiration date.
- 6.2 An APN who has failed to timely renew the APN registration may apply to reinstate such registration. The nurse shall submit an application on the current Board approved application forms, pay the current application fee, and submit required documentation as set forth in section 2 of these rules for each Role and/or Population Focus in which the Applicant wishes to practice Advanced Practice Nursing.
- 6.3 The Applicant may be required to demonstrate continued competency by:
 - 6.3.1 Meeting the requirements to maintain certification by a Certifying Body, or
 - 6.3.2 Petitioning the Board with an alternative method of establishing competency.
- 6.4 Reinstatement of an APN's registration following disciplinary action requires compliance with all requirements set forth in section 2 of these Chapter XIV Rules and any requirements set forth by the Board.

7. DISCIPLINE OF ADVANCED PRACTICE NURSES

- 7.1 APN disciplinary procedures shall be the same as set forth in sections 12-38-116.5 and 12-38-117, C.R.S.

Adopted: April 28, 2010

Effective: July 1, 2010