

Stricken language would be deleted from and underlined language would be added to the Code of Arkansas Rules.

# Proposed Rulemaking

## Title

Promulgated by:  
Arkansas State Board of Nursing

### **Title 17. Professions, Occupations, and Businesses**

### **Chapter XXII. Arkansas State Board of Nursing, Department of Health**

### **Subchapter A. Generally**

### **Part 122. Registered Nurse Practitioner**

### **Subpart 1. Scope of Practice**

#### **17 CAR § 122-101. Registered nurse practitioner.**

(a) A registered nurse practitioner is a licensed professional nurse prepared in the manner stated herein who provides direct care to individuals, families, and other groups in a variety of settings, including:

- (1) Homes;
- (2) Hospitals;
- (3) Offices;
- (4) Industry;
- (5) Schools; and
- (6) Other institutions and healthcare settings.

(b) The service provided by the nurse practitioner is directed toward the delivery of primary, secondary, and tertiary care that focuses on the achievement and maintenance of optimal functions in the population.

(c) The nurse practitioner:

(1) Engages in independent decision making about the nursing care needs of clients; and

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(2) Collaborates with health professionals and others in making decisions about other healthcare needs.

(d) The practitioner plans and institutes healthcare programs as a member of the healthcare team.

(e) The nurse practitioner is directly accountable and responsible to the recipient for the quality of care rendered.

(f) Rules that apply to registered nurses are hereby incorporated by reference.

**17 CAR § 122-102. Acts proper to be performed by a registered nurse practitioner.**

(a) The Arkansas State Board of Nursing authorizes the registered nurse practitioner, in collaboration with and under the direction of a licensed physician, to perform particular acts at the advanced and specialized levels as recognized by the nursing profession and that are in conformity with the Nurse Practice Act:

(1) Secures, records, and evaluates the health, psychosocial, and developmental history of patients;

(2) Performs physical examinations using techniques of observation, inspection, auscultation, palpation, and percussion and uses appropriate diagnostic tests;

(3) Discriminates between normal and abnormal findings on the history and physical examination and refers the individuals who need further evaluation or supervision;

(4) Documents the processes of nursing care delivery;

(5) Contributes to the comprehensive care of the ill in collaboration with the healthcare team;

(6) Coordinates healthcare plans to:

(A) Enhance the quality of health care; and

(B) Diminish both fragmentation and duplication of service;

(7) Contributes to the health education of individuals and groups and applies methods designed to increase each person's motivation to assume responsibility for his or her own health care;

(8) Facilitates entry into and through the healthcare system by appropriate route;

(9) Counsels with families and/or individuals regarding:

(A) Family planning;

(B) Pregnancy;

(C) Child care;

(D) Emotional stresses;

(E) Long-term illness; and

(F) General health problems;

(10) Performs periodic health evaluations and plans for health maintenance of clients; and

(11) Conducts community clinics for case finding and screening for health problems.

(b) The board authorizes the registered nurse practitioner, in collaboration with and under the direction of a licensed physician, to perform particular acts recognized by the nursing profession and which are in conformity with the Nurse Practice Act:

(1) Assumes responsibility for ongoing health maintenance and clinical management of stable, chronically ill patients;

(2) Provides initial care of emergencies and initiates arrangements for continuing definitive care;

(3) Identifies, manages, and initiates treatment for common medical problems by "protocols" as described in 17 CAR § 122-103; and

(4) Evaluates progress and manages prenatal and postpartum care.

**17 CAR § 122-103. Protocols.**

(a) Any nurse practicing as a registered nurse practitioner shall practice in accordance with protocols developed in collaboration with and signed by a licensed physician.

(b) Protocols shall address:

(1) Established procedures for the management of common medical problems in the practice setting;

(2) The degree to which collaboration, independent action, and supervision are required; and

(3) Acts including but not limited to:

(A) Assessment;

(B) Diagnosis;

(C) Treatment; and

(D) Evaluation.

(c) Protocols shall not include controlled substances.

(d) **Documentation.**

(1) Orders transmitted from protocols shall be documented on the client's medical record.

(2) Orders transmitted from protocols to inpatient medical records shall contain:

(A) Name of medication, therapeutic device, or treatment;

(B) Strength;

(C) Dose;

(D) Length of time or amount prescribed;

(E) Directions for use;

(F) RNP signature; and

(G) Physician's name, printed, followed by notation "protocol".

(e) Any deviation from written protocols shall require:

(1) A specific written or verbal order from the collaborating physician before the order is transmitted or implemented; and

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(2) Documentation in the medical record as specified in subdivisions (d)(2)(A) – (F) of this section and notation that order was by consultation, to be signed by the RNP.

**(f) Review of protocols.**

(1) The RNP shall:

- (A) Document annual joint review with the licensed physician; and
- (B) Revise when necessary.

(2) The RNP shall, upon request, provide the Arkansas State Board of Nursing with current protocols.

(g) Nothing in this part shall be construed to prohibit any registered nurse practitioner from:

- (1) Transmitting a prescription order orally or telephonically; or
- (2) Administering a legend drug pursuant to a lawful direction of a licensed physician, dentist, or advanced practice nurse who holds a certificate of prescriptive authority.

**17 CAR § 122-104. Services and responsibilities.**

The RNP shall, upon request of the Arkansas State Board of Nursing, provide documentation outlining the:

- (1) Extent of services, responsibilities, and required supervision of nurse practitioners; and
- (2) Accompanying responsibilities of collaborating physicians.

**17 CAR § 122-105. Delegated acts.**

The registered nurse practitioner shall demonstrate competence in any act or procedure delegated by the collaborating physician.

**Subpart 2. Licensure**

**17 CAR § 122-201. Licensure generally.**

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Initial licensing of registered nurse practitioners terminated on November 30, 2000.

**17 CAR § 122-202. Renewal.**

(a) The date for renewal of licensure to practice as a registered nurse practitioner shall coincide with the renewal of the applicant's registered nurse license.

(b) An application for renewal of a registered nurse practitioner license shall submit to the Arkansas State Board of Nursing:

- (1) A completed application form; and
- (2) Payment of the nonrefundable renewal fee.

**17 CAR § 122-203. Lapsed license.**

(a) The license is lapsed if not renewed or placed in an inactive status by the expiration date.

(b) Failure to receive the renewal notice at the last address of record at the Arkansas State Board of Nursing office shall not relieve the licensee of the responsibility for renewing the license by the expiration date.

(c) Any licensee whose license has lapsed shall submit to the board:

- (1) A completed board renewal application form; and
- (2) The renewal fee and the reinstatement fee.

(d) Fees are nonrefundable.

(e) Any person practicing as a registered nurse practitioner during the time his or her license has lapsed shall be:

- (1) Considered an illegal practitioner; and
- (2) Subjected to the penalties provided for violation of the Nurse Practice Act.

**17 CAR § 122-204. Inactive status.**

(a) Any licensee who desires to temporarily inactivate their registered nurse practitioner license shall submit a request to the Arkansas State Board of Nursing.

(b) The current license shall be placed on inactive status.

(c) While the license is inactive, the licensee shall not engage in registered nurse practitioner nursing nor be subject to the payment of renewal fees.

(d) If the nurse desires to resume practice, he or she shall:

- (1) Submit a reinstatement application; and
- (2) Meet the continuing education requirements.

(e) If disciplinary proceedings on an inactive licensee have been initiated, the license shall not be reinstated until the proceedings have been completed.

### Subpart 3. Name or Address Change

#### 17 CAR § 122-301. Name change.

A licensee whose name is legally changed shall submit:

- (1) A name change request;
- (2) A copy of marriage license or court action; and
- (3) The required fee.

#### 17 CAR § 122-302. Address change.

A licensee ~~whose address changes from the address on file with the Arkansas State Board of Nursing shall immediately notify the board in writing of the change shall immediately notify the Arkansas State Board of Nursing in writing of a change in:~~

- ~~(1) mailing address,~~
- ~~(2) residential address,~~
- ~~(3) email address, or~~
- ~~(4) telephone number.~~

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### Subpart 4. Licensure for Uniformed Service Members, Veterans, and Spouses

#### 17 CAR § 122-401. Extension of licensure expiration date.

(a) Upon written request and submission of appropriate documentation, a deployed uniformed service member or spouse shall be allowed an extension of the expiration date without penalty or assessment of a late fee for renewing the nursing license.

(b) The extension shall be effective for one hundred eighty (180) days after the service member or spouse returns from active deployment.

**17 CAR § 122-402. Waiver of continuing education.**

(a) Upon written request and submission of appropriate documentation the continuing education requirements for license renewal shall be waived for:

- (1) A uniformed service member who is deployed; or
- (2) The spouse of a deployed uniformed service member.

(b) This waiver shall be extended until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.