

## **Advanced Practice Registered Nurses; Senate Sub. for HB 2279**

**Senate Sub. for HB 2279** amends provisions in the Kansas Nurse Practice Act (Act) governing the licensure of advanced practice registered nurses (APRNs) to, among other things, allow an APRN to prescribe drugs without a written protocol as authorized by a responsible physician, require an APRN to maintain malpractice insurance, and require national certification for initial licensure as an APRN. The bill also modifies the definition of “mid-level practitioner” in both the Pharmacy Act of the State of Kansas (Pharmacy Act) and the Uniform Controlled Substances Act to conform with amendments to the written protocol requirements within the Act.

### ***National Certification***

The bill requires an applicant for initial licensure as an APRN, on and after July 1, 2023, to have a current APRN certification in such applicant’s specific role and population focus granted by a national certifying organization recognized by the Board of Nursing (Board) and whose certification standards are approved by the Board as equal to or greater than the corresponding standards established by the Board. The bill requires an APRN whose initial licensure was granted prior to July 1, 2023, to submit evidence of such certification to the Board upon renewal.

### ***Prescriptive Authority***

The bill removes language in the Act that currently permits an APRN to prescribe drugs pursuant to a written protocol as authorized by a responsible physician. The bill instead allows an APRN to prescribe durable medical equipment and prescribe, procure, and administer any drug consistent with such licensee’s specific role and population focus. The bill specifies any drug that is a controlled substance must be prescribed, procured, or administered in accordance with the Uniform Controlled Substances Act. The bill also prohibits an APRN from prescribing any drug that is intended to cause an abortion.

The bill requires an APRN, in order to prescribe controlled substances, to comply with federal Drug Enforcement Administration requirements related to controlled substances.

### ***Malpractice Insurance***

The bill requires an APRN to maintain malpractice insurance coverage as a condition of rendering professional clinical services as an APRN in Kansas and provide proof of insurance at the time of licensure and renewal of license.

The bill specifies the requirements related to malpractice insurance coverage do not apply to an APRN who:

- Practices solely in employment for which the APRN is covered under the Federal Tort Claims Act or the Kansas Tort Claims Act;

- Practices solely as a charitable health care provider under the Kansas Tort Claims Act; or
- Is serving on active duty in the U.S. Armed Forces.

### ***Rules and Regulations***

The bill specifies in a continuing requirement for the Board to adopt rules and regulations that the rules and regulations must be consistent with the Act applicable to APRNs.

### ***Definitions***

The bill amends the definition of “mid-level practitioner,” as it appears in the Pharmacy Act and the Uniform Controlled Substances Act, to mean, among other things, a licensed APRN who has authority to prescribe drugs under the above-described provisions of the bill.

### ***Other Provisions***

The bill requires the Board to consider the scope and limitations of advanced practice nursing in accordance with state laws when defining the role of ARPNS.

The bill clarifies the provisions of the Act that the bill amends do not supersede the requirements outlined in law related to the operation and licensure of an abortion facility.