

As Passed by the House

128th General Assembly

Regular Session

2009-2010

Am. Sub. S. B. No. 89

Senator Morano

**Cosponsors: Senators Fedor, Cafaro, Schiavoni, Miller, R., Miller, D.,
Kearney, Turner, Sawyer, Wilson, Wagoner, Gillmor, Schuring, Carey, Gibbs,
Harris, Hughes, Niehaus, Patton, Schaffer, Strahorn, Smith
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Moran, Murray, Oelslager, Okey, Patten, Skindell, Slesnick, Stewart, Ujvagi,
Weddington, Williams, B., Williams, S., Winburn, Yuko**

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A B I L L

To amend sections 4723.01, 4723.06, 4723.48, 1
4723.482, and 4723.50; to amend, for the purpose 2
of adopting new section numbers as indicated in 3
parentheses, sections 4723.484 (4723.485) and 4
4723.485 (4723.486); and to enact new section 5
4723.484 and section 3333.29 of the Revised Code 6
regarding prescriptive authority of out-of-state 7
advanced practice nurses, cooperation among 8
hospitals and state institutions of higher 9
education with nursing education programs, and the 10
amount of the Drug Repository Program's handling 11
fee. 12

Section 1. That sections 4723.01, 4723.06, 4723.48, 4723.482, 13
and 4723.50 be amended; sections 4723.484 (4723.485), and 4723.485 14
(4723.486) be amended for the purpose of adopting new section 15

numbers as indicated in parentheses; and new section 4723.484 and 16
section 3333.29 of the Revised Code be enacted to read as follows: 17

Sec. 3333.29. (A) As used in this section, "state institution 18
of higher education" has the same meaning as in section 3345.011 19
of the Revised Code. 20

(B) The chancellor of the Ohio board of regents shall 21
establish, within the Ohio skills bank, a mechanism to facilitate 22
communication, cooperation, and partnerships among state 23
institutions of higher education with nursing education programs 24
and between state institutions of higher education and hospitals 25
in this state to meet regional and statewide nursing education 26
needs. 27

Sec. 4723.01. As used in this chapter: 28

(A) "Registered nurse" means an individual who holds a 29
current, valid license issued under this chapter that authorizes 30
the practice of nursing as a registered nurse. 31

(B) "Practice of nursing as a registered nurse" means 32
providing to individuals and groups nursing care requiring 33
specialized knowledge, judgment, and skill derived from the 34
principles of biological, physical, behavioral, social, and 35
nursing sciences. Such nursing care includes: 36

(1) Identifying patterns of human responses to actual or 37
potential health problems amenable to a nursing regimen; 38

(2) Executing a nursing regimen through the selection, 39
performance, management, and evaluation of nursing actions; 40

(3) Assessing health status for the purpose of providing 41
nursing care; 42

(4) Providing health counseling and health teaching; 43

(5) Administering medications, treatments, and executing regimens authorized by an individual who is authorized to practice in this state and is acting within the course of the individual's professional practice;

(6) Teaching, administering, supervising, delegating, and evaluating nursing practice.

(C) "Nursing regimen" may include preventative, restorative, and health-promotion activities.

(D) "Assessing health status" means the collection of data through nursing assessment techniques, which may include interviews, observation, and physical evaluations for the purpose of providing nursing care.

(E) "Licensed practical nurse" means an individual who holds a current, valid license issued under this chapter that authorizes the practice of nursing as a licensed practical nurse.

(F) "The practice of nursing as a licensed practical nurse" means providing to individuals and groups nursing care requiring the application of basic knowledge of the biological, physical, behavioral, social, and nursing sciences at the direction of a licensed physician, dentist, podiatrist, optometrist, chiropractor, or registered nurse. Such nursing care includes:

(1) Observation, patient teaching, and care in a diversity of health care settings;

(2) Contributions to the planning, implementation, and evaluation of nursing;

(3) Administration of medications and treatments authorized by an individual who is authorized to practice in this state and is acting within the course of the individual's professional practice, except that administration of intravenous therapy shall be performed only in accordance with section 4723.17 or 4723.171

of the Revised Code. Medications may be administered by a licensed 74
practical nurse upon proof of completion of a course in medication 75
administration approved by the board of nursing. 76

(4) Administration to an adult of intravenous therapy 77
authorized by an individual who is authorized to practice in this 78
state and is acting within the course of the individual's 79
professional practice, on the condition that the licensed 80
practical nurse is authorized under section 4723.17 or 4723.171 of 81
the Revised Code to perform intravenous therapy and performs 82
intravenous therapy only in accordance with those sections; 83

(5) Delegation of nursing tasks as directed by a registered 84
nurse; 85

(6) Teaching nursing tasks to licensed practical nurses and 86
individuals to whom the licensed practical nurse is authorized to 87
delegate nursing tasks as directed by a registered nurse. 88

(G) "Certified registered nurse anesthetist" means a 89
registered nurse who holds a valid certificate of authority issued 90
under this chapter that authorizes the practice of nursing as a 91
certified registered nurse anesthetist in accordance with section 92
4723.43 of the Revised Code and rules adopted by the board of 93
nursing. 94

(H) "Clinical nurse specialist" means a registered nurse who 95
holds a valid certificate of authority issued under this chapter 96
that authorizes the practice of nursing as a clinical nurse 97
specialist in accordance with section 4723.43 of the Revised Code 98
and rules adopted by the board of nursing. 99

(I) "Certified nurse-midwife" means a registered nurse who 100
holds a valid certificate of authority issued under this chapter 101
that authorizes the practice of nursing as a certified 102
nurse-midwife in accordance with section 4723.43 of the Revised 103
Code and rules adopted by the board of nursing. 104

(J) "Certified nurse practitioner" means a registered nurse 105
who holds a valid certificate of authority issued under this 106
chapter that authorizes the practice of nursing as a certified 107
nurse practitioner in accordance with section 4723.43 of the 108
Revised Code and rules adopted by the board of nursing. 109

(K) "Physician" means an individual authorized under Chapter 110
4731. of the Revised Code to practice medicine and surgery or 111
osteopathic medicine and surgery, except as used in divisions (C) 112
and (D) of section 4723.482 of the Revised Code. 113

(L) "Collaboration" or "collaborating" means the following: 114

(1) In the case of a clinical nurse specialist, except as 115
provided in division (L)(3) of this section, or a certified nurse 116
practitioner, that one or more podiatrists acting within the scope 117
of practice of podiatry in accordance with section 4731.51 of the 118
Revised Code and with whom the nurse has entered into a standard 119
care arrangement or one or more physicians with whom the nurse has 120
entered into a standard care arrangement are continuously 121
available to communicate with the clinical nurse specialist or 122
certified nurse practitioner either in person or by radio, 123
telephone, or other form of telecommunication; 124

(2) In the case of a certified nurse-midwife, that one or 125
more physicians with whom the certified nurse-midwife has entered 126
into a standard care arrangement are continuously available to 127
communicate with the certified nurse-midwife either in person or 128
by radio, telephone, or other form of telecommunication; 129

(3) In the case of a clinical nurse specialist who practices 130
the nursing specialty of mental health or psychiatric mental 131
health without being authorized to prescribe drugs and therapeutic 132
devices, that one or more physicians are continuously available to 133
communicate with the nurse either in person or by radio, 134
telephone, or other form of telecommunication. 135

(M) "Supervision," as it pertains to a certified registered nurse anesthetist, means that the certified registered nurse anesthetist is under the direction of a podiatrist acting within the podiatrist's scope of practice in accordance with section 4731.51 of the Revised Code, a dentist acting within the dentist's scope of practice in accordance with Chapter 4715. of the Revised Code, or a physician, and, when administering anesthesia, the certified registered nurse anesthetist is in the immediate presence of the podiatrist, dentist, or physician.

(N) "Standard care arrangement" means a written, formal guide for planning and evaluating a patient's health care that is developed by one or more collaborating physicians or podiatrists and a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and meets the requirements of section 4723.431 of the Revised Code.

(O) "Advanced practice nurse" means a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner.

(P) "Dialysis care" means the care and procedures that a dialysis technician is authorized to provide and perform, as specified in section 4723.72 of the Revised Code.

(Q) "Dialysis technician" means an individual who holds a current, valid certificate or temporary certificate issued under this chapter that authorizes the individual to practice as a dialysis technician in accordance with section 4723.72 of the Revised Code.

(R) "Certified community health worker" means an individual who holds a current, valid certificate as a community health worker issued by the board of nursing under section 4723.85 of the Revised Code.

Sec. 4723.06. (A) The board of nursing shall:	166
(1) Administer and enforce the provisions of this chapter,	167
including the taking of disciplinary action for violations of	168
section 4723.28 of the Revised Code, any other provisions of this	169
chapter, or rules adopted under this chapter;	170
(2) Develop criteria that an applicant must meet to be	171
eligible to sit for the examination for licensure to practice as a	172
registered nurse or as a licensed practical nurse;	173
(3) Issue and renew nursing licenses, dialysis technician	174
certificates, and community health worker certificates, as	175
provided in this chapter;	176
(4) Define the minimum curricula and standards for	177
educational programs of the schools of professional nursing and	178
schools of practical nursing in this state;	179
(5) Survey, inspect, and grant full approval to prelicensure	180
nursing education programs that meet the standards established by	181
rules adopted under section 4723.07 of the Revised Code.	182
Prelicensure nursing education programs include, but are not	183
limited to, associate degree, baccalaureate degree, diploma, and	184
doctor of nursing programs leading to initial licensure to	185
practice nursing as a registered nurse and practical nurse	186
programs leading to initial licensure to practice nursing as a	187
licensed practical nurse.	188
(6) Grant conditional approval, by a vote of a quorum of the	189
board, to a new prelicensure nursing education program or a	190
program that is being reestablished after having ceased to	191
operate, if the program meets and maintains the minimum standards	192
of the board established by rules adopted under section 4723.07 of	193
the Revised Code. If the board does not grant conditional	194
approval, it shall hold an adjudication under Chapter 119. of the	195

Revised Code to consider conditional approval of the program. If 196
the board grants conditional approval, at its first meeting after 197
the first class has completed the program, the board shall 198
determine whether to grant full approval to the program. If the 199
board does not grant full approval or if it appears that the 200
program has failed to meet and maintain standards established by 201
rules adopted under section 4723.07 of the Revised Code, the board 202
shall hold an adjudication under Chapter 119. of the Revised Code 203
to consider the program. Based on results of the adjudication, the 204
board may continue or withdraw conditional approval, or grant full 205
approval. 206

(7) Place on provisional approval, for a period of time 207
specified by the board, a program that has ceased to meet and 208
maintain the minimum standards of the board established by rules 209
adopted under section 4723.07 of the Revised Code. At the end of 210
the period, the board shall reconsider whether the program meets 211
the standards and shall grant full approval if it does. If it does 212
not, the board may withdraw approval, pursuant to an adjudication 213
under Chapter 119. of the Revised Code. 214

(8) Approve continuing nursing education programs and courses 215
under standards established in rules adopted under section 4723.07 216
of the Revised Code; 217

(9) Approve peer support programs, under rules adopted under 218
section 4723.07 of the Revised Code, for nurses, for dialysis 219
technicians, and for certified community health workers; 220

(10) Establish a program for monitoring chemical dependency 221
in accordance with section 4723.35 of the Revised Code; 222

(11) Establish the practice intervention and improvement 223
program in accordance with section 4723.282 of the Revised Code; 224

(12) Issue and renew certificates of authority to practice 225
nursing as a certified registered nurse anesthetist, clinical 226

nurse specialist, certified nurse-midwife, or certified nurse practitioner;	227 228
(13) Approve under section 4723.46 of the Revised Code national certifying organizations for examination and certification of certified registered nurse anesthetists, clinical nurse specialists, certified nurse-midwives, or certified nurse practitioners;	229 230 231 232 233
(14) Issue and renew certificates to prescribe in accordance with sections 4723.48 and 4723.485 <u>4723.486</u> of the Revised Code;	234 235
(15) Grant approval to the planned classroom and clinical study required by section 4723.483 <u>4723.482</u> of the Revised Code to be eligible for a certificate to prescribe;	236 237 238
(16) Make an annual edition of the formulary established in rules adopted under section 4723.50 of the Revised Code available to the public either in printed form or by electronic means and, as soon as possible after any revision of the formulary becomes effective, make the revision available to the public in printed form or by electronic means;	239 240 241 242 243 244
(17) Provide guidance and make recommendations to the general assembly, the governor, state agencies, and the federal government with respect to the regulation of the practice of nursing and the enforcement of this chapter;	245 246 247 248
(18) Make an annual report to the governor, which shall be open for public inspection;	249 250
(19) Maintain and have open for public inspection the following records:	251 252
(a) A record of all its meetings and proceedings;	253
(b) A file of holders of nursing licenses, registrations, and certificates granted under this chapter; dialysis technician certificates granted under this chapter; and community health	254 255 256

worker certificates granted under this chapter. The file shall be 257
maintained in the form prescribed by rule of the board. 258

(c) A list of prelicensure nursing education programs 259
approved by the board; 260

(d) A list of approved peer support programs for nurses, 261
dialysis technicians, and certified community health workers. 262

(B) The board may fulfill the requirement of division (A)(8) 263
of this section by authorizing persons who meet the standards 264
established in rules adopted under section 4723.07 of the Revised 265
Code to approve continuing nursing education programs and courses. 266
Persons so authorized shall approve continuing nursing education 267
programs and courses in accordance with standards established in 268
rules adopted under section 4723.07 of the Revised Code. 269

Persons seeking authorization to approve continuing nursing 270
education programs and courses shall apply to the board and pay 271
the appropriate fee established under section 4723.08 of the 272
Revised Code. Authorizations to approve continuing nursing 273
education programs and courses shall expire, and may be renewed 274
according to the schedule established in rules adopted under 275
section 4723.07 of the Revised Code. 276

In addition to approving continuing nursing education 277
programs under division (A)(8) of this section, the board may 278
sponsor continuing education activities that are directly related 279
to the statutes and rules pertaining to the practice of nursing in 280
this state. 281

Sec. 4723.48. (A) A clinical nurse specialist, certified 282
nurse-midwife, or certified nurse practitioner seeking authority 283
to prescribe drugs and therapeutic devices shall file with the 284
board of nursing a written application for a certificate to 285
prescribe. The board of nursing shall issue a certificate to 286

prescribe to each applicant who meets the requirements specified 287
in section 4723.482 or ~~4723.484~~ 4723.485 of the Revised Code. 288

Except as provided in division (B) of this section, the 289
initial certificate to prescribe that the board issues to an 290
applicant shall be issued as an externship certificate. Under an 291
externship certificate, the nurse may obtain experience in 292
prescribing drugs and therapeutic devices by participating in an 293
externship that evaluates the nurse's competence, knowledge, and 294
skill in pharmacokinetic principles and their clinical application 295
to the specialty being practiced. During the externship, the nurse 296
may prescribe drugs and therapeutic devices only when one or more 297
physicians are providing supervision in accordance with rules 298
adopted under section 4723.50 of the Revised Code. 299

After completing the externship, the holder of an externship 300
certificate may apply for a new certificate to prescribe. On 301
receipt of the new certificate, the nurse may prescribe drugs and 302
therapeutic devices in collaboration with one or more physicians 303
or podiatrists. 304

(B) In the case of an applicant who on May 17, 2000, was 305
approved to prescribe drugs and therapeutic devices under section 306
4723.56 of the Revised Code, as that section existed on that date, 307
the initial certificate to prescribe that the board issues to the 308
applicant under this section shall not be an externship 309
certificate. The applicant shall be issued a certificate to 310
prescribe that permits the recipient to prescribe drugs and 311
therapeutic devices in collaboration with one or more physicians 312
or podiatrists. 313

In the case of an applicant who meets the requirements of 314
division (C) of section 4723.482 of the Revised Code, the initial 315
certificate to prescribe that the board issues to the applicant 316
under this section shall not be an externship certificate. The 317

applicant shall be issued a certificate to prescribe that permits 318
the recipient to prescribe drugs and therapeutic devices in 319
collaboration with one or more physicians or podiatrists. 320

Sec. 4723.482. (A) ~~An~~ Except as provided in divisions (C) and 321
(D) of this section, an applicant shall include with the 322
application submitted under section 4723.48 of the Revised Code 323
all of the following: 324

(1) Subject to section 4723.483 of the Revised Code, evidence 325
of holding a current, valid certificate of authority issued under 326
this chapter to practice as a clinical nurse specialist, certified 327
nurse-midwife, or certified nurse practitioner; 328

(2) Except for a person who on May 17, 2000, was approved to 329
prescribe drugs and therapeutic devices under section 4723.56 of 330
the Revised Code, as that section existed on that date, evidence 331
of successfully completing the instruction in advanced 332
pharmacology and related topics specified in division (B) of this 333
section; 334

(3) The fee required by section 4723.08 of the Revised Code 335
for a certificate to prescribe; 336

(4) Any additional information the board of nursing requires 337
pursuant to rules adopted under section 4723.50 of the Revised 338
Code. 339

(B) All of the following apply to the instruction required 340
under division (A)(2) of this section: 341

(1) The instruction must be obtained not longer than three 342
years before the application for the certificate to prescribe is 343
filed. 344

(2) The instruction must be obtained through a course of 345
study consisting of planned classroom and clinical study that is 346
approved by the board of nursing in accordance with standards 347

established in rules adopted under section 4723.50 of the Revised Code. 348
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(3) The content of the instruction must be specific to the applicant's nursing specialty and include all of the following: 350
351

(a) A minimum of thirty contact hours of training in advanced pharmacology that includes pharmacokinetic principles and clinical application and the use of drugs and therapeutic devices in the prevention of illness and maintenance of health; 352
353
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(b) Training in the fiscal and ethical implications of prescribing drugs and therapeutic devices; 356
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(c) Training in the state and federal laws that apply to the authority to prescribe; 358
359

(d) Any additional training required pursuant to rules adopted under section 4723.50 of the Revised Code. 360
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(C) An applicant who practiced or is practicing as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner in another jurisdiction or as an employee of the United States government, and is not seeking authority to prescribe drugs and therapeutic devices by meeting the requirements of division (A) or (D) of this section, shall include with the application submitted under section 4723.48 of the Revised Code all of the following: 362
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(1) Subject to section 4723.483 of the Revised Code, evidence of holding a current, valid certificate of authority issued under this chapter to practice as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner; 370
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373

(2) The fee required by section 4723.08 of the Revised Code for a certificate to prescribe; 374
375

(3) Either of the following: 376

(a) Evidence of having held, for a continuous period of at 377

least one year during the three years immediately preceding the 378
date of application, valid authority issued by another 379
jurisdiction to prescribe therapeutic devices and drugs, including 380
at least some controlled substances; 381

(b) Evidence of having been employed by the United States 382
government and authorized, for a continuous period of at least one 383
year during the three years immediately preceding the date of 384
application, to prescribe therapeutic devices and drugs, including 385
at least some controlled substances, in conjunction with that 386
employment. 387

(4) If the applicant includes the evidence described in 388
division (C)(3)(a) of this section, documentation from a licensed 389
physician in a form acceptable to the board that the prescribing 390
component of the nurse's practice was overseen or supervised by a 391
licensed physician in the other jurisdiction; 392

(5) If the applicant includes the evidence described in 393
division (C)(3)(b) of this section, documentation from a licensed 394
physician employed by the United States government in a form 395
acceptable to the board that the prescribing component of the 396
nurse's practice was overseen or supervised by a licensed 397
physician employed by the United States government; 398

(6) Evidence of having completed a two-hour course of 399
instruction approved by the board in the laws of this state that 400
govern drugs and prescriptive authority; 401

(7) Any additional information the board requires pursuant to 402
rules adopted under section 4723.50 of the Revised Code. 403

(D) An applicant who practiced or is practicing as a clinical 404
nurse specialist, certified nurse-midwife, or certified nurse 405
practitioner in another jurisdiction or as an employee of the 406
United States government, and is not seeking authority to 407
prescribe drugs and therapeutic devices by meeting the 408

requirements of division (A) or (C) of this section, shall include 409
with the application submitted under section 4723.48 of the 410
Revised Code all of the following: 411

(1) Subject to section 4723.483 of the Revised Code, evidence 412
of holding a current, valid certificate of authority issued under 413
this chapter to practice as a clinical nurse specialist, certified 414
nurse-midwife, or certified nurse practitioner; 415

(2) The fee required by section 4723.08 of the Revised Code 416
for a certificate to prescribe; 417

(3) Either of the following: 418

(a) Evidence of having held, for a continuous period of at 419
least one year during the three years immediately preceding the 420
date of application, valid authority issued by another 421
jurisdiction to prescribe therapeutic devices and drugs, excluding 422
controlled substances; 423

(b) Evidence of having been employed by the United States 424
government and authorized, for a continuous period of at least one 425
year during the three years immediately preceding the date of 426
application, to prescribe therapeutic devices and drugs, excluding 427
controlled substances, in conjunction with that employment. 428

(4) If the applicant includes the evidence described in 429
division (D)(3)(a) of this section, documentation from a licensed 430
physician in a form acceptable to the board that the prescribing 431
component of the nurse's practice was overseen or supervised by a 432
licensed physician in the other jurisdiction; 433

(5) If the applicant includes the evidence described in 434
division (D)(3)(b) of this section, documentation from a licensed 435
physician employed by the United States government in a form 436
acceptable to the board that the prescribing component of the 437
nurse's practice was overseen or supervised by a licensed 438
physician employed by the United States government; 439

(6) Any additional information the board requires pursuant to 440
rules adopted under section 4723.50 of the Revised Code. 441

Sec. 4723.484. (A) Except as provided in division (B) of this 442
section, to successfully complete an externship as required under 443
section 4723.485 of the Revised Code, the holder of an externship 444
certificate must complete at least one thousand five hundred hours 445
during which the certificate holder's prescribing practices are 446
supervised in accordance with division (A) of section 4723.48 of 447
the Revised Code. 448

(B) A holder of an externship certificate who obtained the 449
certificate by meeting the requirements of division (D) of section 450
4723.482 of the Revised Code, to successfully complete an 451
externship as required under section 4723.485 of the Revised Code, 452
must do both of the following: 453

(1) Complete at least five hundred hours during which the 454
certificate holder's prescribing practices are supervised in 455
accordance with division (A) of section 4723.48 of the Revised 456
Code; 457

(2) Complete a two-hour course of instruction approved by the 458
board of nursing in the laws of this state that govern drugs and 459
prescriptive authority. 460

Sec. 4723.484 4723.485. (A) A certificate to prescribe issued 461
under section 4723.48 of the Revised Code as an externship 462
certificate is valid for not more than one year, unless earlier 463
suspended or revoked by the board of nursing. The certificate may 464
be extended for an additional year if the holder submits to the 465
board evidence of continued participation in an externship. If an 466
externship is terminated for any reason, the nurse shall notify 467
the board. 468

(B) To be eligible for a certificate to prescribe after 469

receiving an externship certificate, an applicant shall include 470
with the application submitted under section 4723.48 of the 471
Revised Code all of the following: 472

(1) A statement from a supervising physician attesting to the 473
applicant's successful completion of the externship; 474

(2) The fee required by section 4723.08 of the Revised Code 475
for a certificate to prescribe; 476

(3) Any additional information the board requires pursuant to 477
rules adopted under section 4723.50 of the Revised Code. 478

Sec. ~~4723.485~~ 4723.486. (A) A certificate to prescribe issued 479
under section 4723.48 of the Revised Code that is not issued as an 480
externship certificate is valid for two years, unless otherwise 481
provided in rules adopted under section 4723.50 of the Revised 482
Code or earlier suspended or revoked by the board. The board of 483
nursing shall renew certificates to prescribe according to 484
procedures and a renewal schedule established in rules adopted 485
under section 4723.50 of the Revised Code. 486

(B) The board may renew a certificate to prescribe if the 487
holder submits to the board all of the following: 488

(1) Evidence of having completed during the previous two 489
years at least twelve hours of continuing education in advanced 490
pharmacology, or, if the certificate has been held for less than a 491
full renewal period, the number of hours required by the board in 492
rules adopted under section 4723.50 of the Revised Code; 493

(2) The fee required under section 4723.08 of the Revised 494
Code for renewal of a certificate to prescribe; 495

(3) Any additional information the board requires pursuant to 496
rules adopted under section 4723.50 of the Revised Code. 497

(C) The continuing education in pharmacology required under 498
division (B)(1) of this section must be received from an 499

accredited institution recognized by the board. The hours of 500
continuing education required are in addition to any other 501
continuing education requirement that must be completed pursuant 502
to this chapter. 503

Sec. 4723.50. (A) In accordance with Chapter 119. of the 504
Revised Code, the board of nursing shall adopt rules as necessary 505
to implement the provisions of this chapter pertaining to the 506
authority of clinical nurse specialists, certified nurse-midwives, 507
and certified nurse practitioners to prescribe drugs and 508
therapeutic devices and the issuance and renewal of certificates 509
to prescribe. Initial rules shall be adopted not later than twenty 510
months after ~~the effective date of this section~~ May 17, 2000. 511

The board shall adopt rules that are consistent with the 512
recommendations the board receives from the committee on 513
prescriptive governance pursuant to section 4723.492 of the 514
Revised Code. After reviewing a recommendation submitted by the 515
committee, the board may either adopt the recommendation as a rule 516
or ask the committee to reconsider and resubmit the 517
recommendation. The board shall not adopt any rule that does not 518
conform to a recommendation made by the committee. 519

(B) The board shall adopt rules under this section that do 520
all of the following: 521

(1) Establish a formulary listing the types of drugs and 522
therapeutic devices that may be prescribed by a clinical nurse 523
specialist, certified nurse-midwife, or certified nurse 524
practitioner. The formulary may include controlled substances, as 525
defined in section 3719.01 of the Revised Code. The formulary 526
shall not permit the prescribing of any drug or device to perform 527
or induce an abortion. 528

(2) Establish safety standards to be followed by a nurse when 529
personally furnishing to patients complete or partial supplies of 530

antibiotics, antifungals, scabicides, contraceptives, prenatal 531
vitamins, antihypertensives, drugs and devices used in the 532
treatment of diabetes, drugs and devices used in the treatment of 533
asthma, and drugs used in the treatment of dyslipidemia. 534

(3) Establish criteria for the components of the standard 535
care arrangements described in section 4723.431 of the Revised 536
Code that apply to a nurse's authority to prescribe. The rules 537
shall be consistent with that section and include all of the 538
following: 539

(a) Quality assurance standards; 540

(b) Standards for periodic review by a collaborating 541
physician or podiatrist of the records of patients treated by the 542
nurse; 543

(c) Acceptable travel time between the location at which the 544
nurse is engaging in the prescribing components of the nurse's 545
practice and the location of the nurse's collaborating physician 546
or podiatrist; 547

(d) Any other criteria recommended by the committee on 548
prescriptive governance. 549

(4) Establish standards and procedures for issuance and 550
renewal of a certificate to prescribe, including specification of 551
any additional information the board may require under division 552
(A)(4), (C)(7), or (D)(6) of section 4723.482 or division (B)(3) 553
of section ~~4723.484~~ 4723.485 of the Revised Code; 554

(5) Establish requirements for board approval of the 555
instruction in advanced pharmacology and related topics required 556
by section 4723.482 of the Revised Code; 557

(6) Establish requirements for board approval of the two-hour 558
course of instruction in the laws of this state as required under 559
division (C)(6) of section 4723.482 of the Revised Code and 560

division (B)(2) of section 4723.484 of the Revised Code; 561

(7) Establish standards and procedures for the appropriate 562
conduct of an externship ~~required by division (B)(1) of as~~ 563
described in section 4723.484 of the Revised Code, including the 564
following: 565

(a) Standards and procedures to be used in evaluating a 566
nurse's participation in an externship. ~~Regardless of the method~~ 567
~~of evaluation used, a nurse shall not be required to participate~~ 568
~~in an externship longer than one thousand eight hundred hours.;~~ 569

(b) Standards and procedures for the supervision that a 570
physician must provide during an externship, including supervision 571
provided by working with the nurse and supervision provided by 572
making timely reviews of the records of patients treated by the 573
nurse. The manner in which supervision must be provided may vary 574
according to the location where the nurse is practicing and with 575
the nurse's level of experience. 576

Section 2. That existing sections 4723.01, 4723.06, 4723.48, 577
4723.482, 4723.484, 4723.485, and 4723.50 of the Revised Code are 578
hereby repealed. 579

Section 3. Notwithstanding the requirement of division (A) of 580
section 4723.50 of the Revised Code that the Board of Nursing 581
adopt rules consistent with the recommendations the Board receives 582
from the Committee on Prescriptive Governance, the Board shall 583
amend the rules that were adopted under section 4723.50 of the 584
Revised Code to reflect the amendment by this act of sections 585
4723.48 and 4723.482 and the enactment by this act of new section 586
4723.484 of the Revised Code. Until the rules have been amended 587
accordingly, the Board shall not enforce any rule that is 588
inconsistent with sections 4723.48 and 4723.482 of the Revised 589
Code as amended by this act and new section 4723.484 as enacted by 590

this act. 591

Section 4. (A) As used in this section, "Drug Repository 592
Program" means the program established by the State Board of 593
Pharmacy under sections 3715.87 to 3715.873 of the Revised Code. 594

(B) The Drug Repository Program's handling fee is \$7.40 595
during the period beginning on the effective date of this section 596
and ending on the later of December 31, 2010, or the date that the 597
State Board of Pharmacy completes action with regard to the fee 598
under division (C) of this section. 599

(C) On or after January 1, 2011, the Board may do either of 600
the following: 601

(1) Set the Program's handling fee in accordance with the 602
formula established in rule 4729-35-09 of the Administrative Code 603
as that rule exists on the effective date of this section; 604

(2) In consultation with the Director of Health, revise the 605
formula used in determining the amount of the Program's handling 606
fee by amending rule 4729-35-09 of the Administrative Code 607
accordingly. 608