

As Reported by the House Health Committee

**128th General Assembly
Regular Session
2009-2010**

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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A B I L L

To amend sections 3333.28, 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 10
allocations from the Nurse Education Assistance 11
Fund. 12

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3333.28, 4723.01, 4723.06, 4723.48, 13
4723.482, and 4723.50 be amended; sections 4723.484 (4723.485), 14
and 4723.485 (4723.486) be amended for the purpose of adopting new 15
section numbers as indicated in parentheses; and new section 16
4723.484 and section 3333.29 of the Revised Code be enacted to 17
read as follows: 18

Sec. 3333.28. (A) The chancellor of the Ohio board of regents shall establish the nurse education assistance program, the purpose of which shall be to make loans to students enrolled in prelicensure nurse education programs at institutions approved by the board of nursing under section 4723.06 of the Revised Code and postlicensure nurse education programs approved by the chancellor under section 3333.04 of the Revised Code or offered by an institution holding a certificate of authorization issued under Chapter 1713. of the Revised Code. The board of nursing shall assist the chancellor in administering the program.

(B) There is hereby created in the state treasury the nurse education assistance fund, which shall consist of all money transferred to it pursuant to section 4743.05 of the Revised Code. The fund shall be used by the chancellor for loans made under division (A) of this section and for expenses of administering the loan program.

(C) ~~Between July 1, 2005, and~~ Until January 1, 2012, the chancellor shall distribute money in the nurse education assistance fund in the following manner:

(1)(a) Fifty per cent of available funds shall be awarded as loans to registered nurses enrolled in postlicensure nurse education programs described in division (A) of this section. To be eligible for a loan, the applicant shall provide the chancellor with a letter of intent to practice as a faculty member at a prelicensure or postlicensure program for nursing in this state upon completion of the applicant's academic program.

(b) If the borrower of a loan under division (C)(1)(a) of this section secures employment as a faculty member of an approved nursing education program in this state within six months following graduation from an approved nurse education program, the chancellor may forgive the principal and interest of the student's

loans received under division (C)(1)(a) of this section at a rate of twenty-five per cent per year, for a maximum of four years, for each year in which the borrower is so employed. A deferment of the service obligation, and other conditions regarding the forgiveness of loans may be granted as provided by the rules adopted under division (D)(7) of this section.

(c) Loans awarded under division (C)(1)(a) of this section shall be awarded on the basis of the student's expected family contribution, with preference given to those applicants with the lowest expected family contribution. However, the chancellor may consider other factors the chancellor determines relevant in ranking the applications.

(d) Each loan awarded to a student under division (C)(1)(a) of this section shall be not less than five thousand dollars per year.

(2) Twenty-five per cent of available funds shall be awarded to students enrolled in prelicensure nurse education programs for registered nurses, as defined in section 4723.01 of the Revised Code.

(3) Twenty-five per cent of available funds shall be awarded to students enrolled in prelicensure professional nurse education programs for licensed practical nurses, as defined in section 4723.01 of the Revised Code, or as determined by the chancellor with preference given to nurse education programs aimed at increasing enrollment in an area of need.

After January 1, 2012, the chancellor shall determine the manner in which to distribute loans under this section.

(D) Subject to the requirements specified in division (C) of this section, the chancellor shall adopt rules in accordance with Chapter 119. of the Revised Code establishing:

(1) Eligibility criteria for receipt of a loan;

(2) Loan application procedures;	81
(3) The amounts in which loans may be made and the total amount that may be loaned to an individual;	82 83
(4) The total amount of loans that can be made each year;	84
(5) The percentage of the money in the fund that must remain in the fund at all times as a fund balance;	85 86
(6) Interest and principal repayment schedules;	87
(7) Conditions under which a portion of principal and interest obligations incurred by an individual under the program will be forgiven;	88 89 90
(8) Ways that the program may be used to encourage individuals who are members of minority groups to enter the nursing profession;	91 92 93
(9) Any other matters incidental to the operation of the program.	94 95
(E) The obligation to repay a portion of the principal and interest on a loan made under this section shall be forgiven if the recipient of the loan meets the criteria for forgiveness established by division (C)(1)(b) of this section, in the case of loans awarded under division (C)(1)(a) of this section, or by the chancellor under the rule adopted under division (D)(7) of this section, in the case of other loans awarded under this section.	96 97 98 99 100 101 102
(F) The receipt of a loan under this section shall not affect a student's eligibility for assistance, or the amount of that assistance, granted under section 3333.12, 3333.122, 3333.22, 3333.26, 3333.27, 5910.03, 5910.032, or 5919.34 of the Revised Code, but the rules of the chancellor may provide for taking assistance received under those sections into consideration when determining a student's eligibility for a loan under this section.	103 104 105 106 107 108 109

Sec. 3333.29. (A) As used in this section, "state institution of higher education" has the same meaning as in section 3345.011 of the Revised Code. 110
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(B) The chancellor of the Ohio board of regents shall establish, within the Ohio skills bank, a mechanism to facilitate communication, cooperation, and partnerships among state institutions of higher education with nursing education programs and between state institutions of higher education and hospitals in this state to meet regional and statewide nursing education needs. 113
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Sec. 4723.01. As used in this chapter: 120

(A) "Registered nurse" means an individual who holds a current, valid license issued under this chapter that authorizes the practice of nursing as a registered nurse. 121
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(B) "Practice of nursing as a registered nurse" means providing to individuals and groups nursing care requiring specialized knowledge, judgment, and skill derived from the principles of biological, physical, behavioral, social, and nursing sciences. Such nursing care includes: 124
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(1) Identifying patterns of human responses to actual or potential health problems amenable to a nursing regimen; 129
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(2) Executing a nursing regimen through the selection, performance, management, and evaluation of nursing actions; 131
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(3) Assessing health status for the purpose of providing nursing care; 133
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(4) Providing health counseling and health teaching; 135

(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 136
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professional practice;	139
(6) Teaching, administering, supervising, delegating, and evaluating nursing practice.	140 141
(C) "Nursing regimen" may include preventative, restorative, and health-promotion activities.	142 143
(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.	144 145 146 147
(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.	148 149 150
(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:	151 152 153 154 155 156
(1) Observation, patient teaching, and care in a diversity of health care settings;	157 158
(2) Contributions to the planning, implementation, and evaluation of nursing;	159 160
(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 practical nurse upon proof of completion of a course in medication administration approved by the board of nursing.	161 162 163 164 165 166 167 168

(4) Administration to an adult of intravenous therapy	169
authorized by an individual who is authorized to practice in this	170
state and is acting within the course of the individual's	171
professional practice, on the condition that the licensed	172
practical nurse is authorized under section 4723.17 or 4723.171 of	173
the Revised Code to perform intravenous therapy and performs	174
intravenous therapy only in accordance with those sections;	175
(5) Delegation of nursing tasks as directed by a registered	176
nurse;	177
(6) Teaching nursing tasks to licensed practical nurses and	178
individuals to whom the licensed practical nurse is authorized to	179
delegate nursing tasks as directed by a registered nurse.	180
(G) "Certified registered nurse anesthetist" means a	181
registered nurse who holds a valid certificate of authority issued	182
under this chapter that authorizes the practice of nursing as a	183
certified registered nurse anesthetist in accordance with section	184
4723.43 of the Revised Code and rules adopted by the board of	185
nursing.	186
(H) "Clinical nurse specialist" means a registered nurse who	187
holds a valid certificate of authority issued under this chapter	188
that authorizes the practice of nursing as a clinical nurse	189
specialist in accordance with section 4723.43 of the Revised Code	190
and rules adopted by the board of nursing.	191
(I) "Certified nurse-midwife" means a registered nurse who	192
holds a valid certificate of authority issued under this chapter	193
that authorizes the practice of nursing as a certified	194
nurse-midwife in accordance with section 4723.43 of the Revised	195
Code and rules adopted by the board of nursing.	196
(J) "Certified nurse practitioner" means a registered nurse	197
who holds a valid certificate of authority issued under this	198
chapter that authorizes the practice of nursing as a certified	199

nurse practitioner in accordance with section 4723.43 of the Revised Code and rules adopted by the board of nursing.

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

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

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

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

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

(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 231
4731.51 of the Revised Code, a dentist acting within the dentist's 232
scope of practice in accordance with Chapter 4715. of the Revised 233
Code, or a physician, and, when administering anesthesia, the 234
certified registered nurse anesthetist is in the immediate 235
presence of the podiatrist, dentist, or physician. 236

(N) "Standard care arrangement" means a written, formal guide 237
for planning and evaluating a patient's health care that is 238
developed by one or more collaborating physicians or podiatrists 239
and a clinical nurse specialist, certified nurse-midwife, or 240
certified nurse practitioner and meets the requirements of section 241
4723.431 of the Revised Code. 242

(O) "Advanced practice nurse" means a certified registered 243
nurse anesthetist, clinical nurse specialist, certified 244
nurse-midwife, or certified nurse practitioner. 245

(P) "Dialysis care" means the care and procedures that a 246
dialysis technician is authorized to provide and perform, as 247
specified in section 4723.72 of the Revised Code. 248

(Q) "Dialysis technician" means an individual who holds a 249
current, valid certificate or temporary certificate issued under 250
this chapter that authorizes the individual to practice as a 251
dialysis technician in accordance with section 4723.72 of the 252
Revised Code. 253

(R) "Certified community health worker" means an individual 254
who holds a current, valid certificate as a community health 255
worker issued by the board of nursing under section 4723.85 of the 256
Revised Code. 257

Sec. 4723.06. (A) The board of nursing shall: 258

(1) Administer and enforce the provisions of this chapter, 259
including the taking of disciplinary action for violations of 260

section 4723.28 of the Revised Code, any other provisions of this 261
chapter, or rules adopted under this chapter; 262

(2) Develop criteria that an applicant must meet to be 263
eligible to sit for the examination for licensure to practice as a 264
registered nurse or as a licensed practical nurse; 265

(3) Issue and renew nursing licenses, dialysis technician 266
certificates, and community health worker certificates, as 267
provided in this chapter; 268

(4) Define the minimum curricula and standards for 269
educational programs of the schools of professional nursing and 270
schools of practical nursing in this state; 271

(5) Survey, inspect, and grant full approval to prelicensure 272
nursing education programs that meet the standards established by 273
rules adopted under section 4723.07 of the Revised Code. 274
Prelicensure nursing education programs include, but are not 275
limited to, associate degree, baccalaureate degree, diploma, and 276
doctor of nursing programs leading to initial licensure to 277
practice nursing as a registered nurse and practical nurse 278
programs leading to initial licensure to practice nursing as a 279
licensed practical nurse. 280

(6) Grant conditional approval, by a vote of a quorum of the 281
board, to a new prelicensure nursing education program or a 282
program that is being reestablished after having ceased to 283
operate, if the program meets and maintains the minimum standards 284
of the board established by rules adopted under section 4723.07 of 285
the Revised Code. If the board does not grant conditional 286
approval, it shall hold an adjudication under Chapter 119. of the 287
Revised Code to consider conditional approval of the program. If 288
the board grants conditional approval, at its first meeting after 289
the first class has completed the program, the board shall 290
determine whether to grant full approval to the program. If the 291

board does not grant full approval or if it appears that the 292
program has failed to meet and maintain standards established by 293
rules adopted under section 4723.07 of the Revised Code, the board 294
shall hold an adjudication under Chapter 119. of the Revised Code 295
to consider the program. Based on results of the adjudication, the 296
board may continue or withdraw conditional approval, or grant full 297
approval. 298

(7) Place on provisional approval, for a period of time 299
specified by the board, a program that has ceased to meet and 300
maintain the minimum standards of the board established by rules 301
adopted under section 4723.07 of the Revised Code. At the end of 302
the period, the board shall reconsider whether the program meets 303
the standards and shall grant full approval if it does. If it does 304
not, the board may withdraw approval, pursuant to an adjudication 305
under Chapter 119. of the Revised Code. 306

(8) Approve continuing nursing education programs and courses 307
under standards established in rules adopted under section 4723.07 308
of the Revised Code; 309

(9) Approve peer support programs, under rules adopted under 310
section 4723.07 of the Revised Code, for nurses, for dialysis 311
technicians, and for certified community health workers; 312

(10) Establish a program for monitoring chemical dependency 313
in accordance with section 4723.35 of the Revised Code; 314

(11) Establish the practice intervention and improvement 315
program in accordance with section 4723.282 of the Revised Code; 316

(12) Issue and renew certificates of authority to practice 317
nursing as a certified registered nurse anesthetist, clinical 318
nurse specialist, certified nurse-midwife, or certified nurse 319
practitioner; 320

(13) Approve under section 4723.46 of the Revised Code 321
national certifying organizations for examination and 322

certification of certified registered nurse anesthetists, clinical	323
nurse specialists, certified nurse-midwives, or certified nurse	324
practitioners;	325
(14) Issue and renew certificates to prescribe in accordance	326
with sections 4723.48 and 4723.485 <u>4723.486</u> of the Revised Code;	327
(15) Grant approval to the planned classroom and clinical	328
study required by section 4723.483 <u>4723.482</u> of the Revised Code to	329
be eligible for a certificate to prescribe;	330
(16) Make an annual edition of the formulary established in	331
rules adopted under section 4723.50 of the Revised Code available	332
to the public either in printed form or by electronic means and,	333
as soon as possible after any revision of the formulary becomes	334
effective, make the revision available to the public in printed	335
form or by electronic means;	336
(17) Provide guidance and make recommendations to the general	337
assembly, the governor, state agencies, and the federal government	338
with respect to the regulation of the practice of nursing and the	339
enforcement of this chapter;	340
(18) Make an annual report to the governor, which shall be	341
open for public inspection;	342
(19) Maintain and have open for public inspection the	343
following records:	344
(a) A record of all its meetings and proceedings;	345
(b) A file of holders of nursing licenses, registrations, and	346
certificates granted under this chapter; dialysis technician	347
certificates granted under this chapter; and community health	348
worker certificates granted under this chapter. The file shall be	349
maintained in the form prescribed by rule of the board.	350
(c) A list of prelicensure nursing education programs	351
approved by the board;	352

(d) A list of approved peer support programs for nurses, 353
dialysis technicians, and certified community health workers. 354

(B) The board may fulfill the requirement of division (A)(8) 355
of this section by authorizing persons who meet the standards 356
established in rules adopted under section 4723.07 of the Revised 357
Code to approve continuing nursing education programs and courses. 358
Persons so authorized shall approve continuing nursing education 359
programs and courses in accordance with standards established in 360
rules adopted under section 4723.07 of the Revised Code. 361

Persons seeking authorization to approve continuing nursing 362
education programs and courses shall apply to the board and pay 363
the appropriate fee established under section 4723.08 of the 364
Revised Code. Authorizations to approve continuing nursing 365
education programs and courses shall expire, and may be renewed 366
according to the schedule established in rules adopted under 367
section 4723.07 of the Revised Code. 368

In addition to approving continuing nursing education 369
programs under division (A)(8) of this section, the board may 370
sponsor continuing education activities that are directly related 371
to the statutes and rules pertaining to the practice of nursing in 372
this state. 373

Sec. 4723.48. (A) A clinical nurse specialist, certified 374
nurse-midwife, or certified nurse practitioner seeking authority 375
to prescribe drugs and therapeutic devices shall file with the 376
board of nursing a written application for a certificate to 377
prescribe. The board of nursing shall issue a certificate to 378
prescribe to each applicant who meets the requirements specified 379
in section 4723.482 or ~~4723.484~~ 4723.485 of the Revised Code. 380

Except as provided in division (B) of this section, the 381
initial certificate to prescribe that the board issues to an 382
applicant shall be issued as an externship certificate. Under an 383

externship certificate, the nurse may obtain experience in 384
prescribing drugs and therapeutic devices by participating in an 385
externship that evaluates the nurse's competence, knowledge, and 386
skill in pharmacokinetic principles and their clinical application 387
to the specialty being practiced. During the externship, the nurse 388
may prescribe drugs and therapeutic devices only when one or more 389
physicians are providing supervision in accordance with rules 390
adopted under section 4723.50 of the Revised Code. 391

After completing the externship, the holder of an externship 392
certificate may apply for a new certificate to prescribe. On 393
receipt of the new certificate, the nurse may prescribe drugs and 394
therapeutic devices in collaboration with one or more physicians 395
or podiatrists. 396

(B) In the case of an applicant who on May 17, 2000, was 397
approved to prescribe drugs and therapeutic devices under section 398
4723.56 of the Revised Code, as that section existed on that date, 399
the initial certificate to prescribe that the board issues to the 400
applicant under this section shall not be an externship 401
certificate. The applicant shall be issued a certificate to 402
prescribe that permits the recipient to prescribe drugs and 403
therapeutic devices in collaboration with one or more physicians 404
or podiatrists. 405

In the case of an applicant who meets the requirements of 406
division (C) of section 4723.482 of the Revised Code, the initial 407
certificate to prescribe that the board issues to the applicant 408
under this section shall not be an externship certificate. The 409
applicant shall be issued a certificate to prescribe that permits 410
the recipient to prescribe drugs and therapeutic devices in 411
collaboration with one or more physicians or podiatrists. 412

Sec. 4723.482. (A) ~~An~~ Except as provided in divisions (C) and 413
(D) of this section, an applicant shall include with the 414

application submitted under section 4723.48 of the Revised Code 415
all of the following: 416

(1) Subject to section 4723.483 of the Revised Code, evidence 417
of holding a current, valid certificate of authority issued under 418
this chapter to practice as a clinical nurse specialist, certified 419
nurse-midwife, or certified nurse practitioner; 420

(2) Except for a person who on May 17, 2000, was approved to 421
prescribe drugs and therapeutic devices under section 4723.56 of 422
the Revised Code, as that section existed on that date, evidence 423
of successfully completing the instruction in advanced 424
pharmacology and related topics specified in division (B) of this 425
section; 426

(3) The fee required by section 4723.08 of the Revised Code 427
for a certificate to prescribe; 428

(4) Any additional information the board of nursing requires 429
pursuant to rules adopted under section 4723.50 of the Revised 430
Code. 431

(B) All of the following apply to the instruction required 432
under division (A)(2) of this section: 433

(1) The instruction must be obtained not longer than three 434
years before the application for the certificate to prescribe is 435
filed. 436

(2) The instruction must be obtained through a course of 437
study consisting of planned classroom and clinical study that is 438
approved by the board of nursing in accordance with standards 439
established in rules adopted under section 4723.50 of the Revised 440
Code. 441

(3) The content of the instruction must be specific to the 442
applicant's nursing specialty and include all of the following: 443

(a) A minimum of thirty contact hours of training in advanced 444

pharmacology that includes pharmacokinetic principles and clinical 445
application and the use of drugs and therapeutic devices in the 446
prevention of illness and maintenance of health; 447

(b) Training in the fiscal and ethical implications of 448
prescribing drugs and therapeutic devices; 449

(c) Training in the state and federal laws that apply to the 450
authority to prescribe; 451

(d) Any additional training required pursuant to rules 452
adopted under section 4723.50 of the Revised Code. 453

(C) An applicant who practiced or is practicing as a clinical 454
nurse specialist, certified nurse-midwife, or certified nurse 455
practitioner in another jurisdiction or as an employee of the 456
United States government, and is not seeking authority to 457
prescribe drugs and therapeutic devices by meeting the 458
requirements of division (A) or (D) of this section, shall include 459
with the application submitted under section 4723.48 of the 460
Revised Code all of the following: 461

(1) Subject to section 4723.483 of the Revised Code, evidence 462
of holding a current, valid certificate of authority issued under 463
this chapter to practice as a clinical nurse specialist, certified 464
nurse-midwife, or certified nurse practitioner; 465

(2) The fee required by section 4723.08 of the Revised Code 466
for a certificate to prescribe; 467

(3) Either of the following: 468

(a) Evidence of having held, for a continuous period of at 469
least one year during the three years immediately preceding the 470
date of application, valid authority issued by another 471
jurisdiction to prescribe therapeutic devices and drugs, including 472
at least some controlled substances; 473

(b) Evidence of having been employed by the United States 474

government and authorized, for a continuous period of at least one 475
year during the three years immediately preceding the date of 476
application, to prescribe therapeutic devices and drugs, including 477
at least some controlled substances, in conjunction with that 478
employment. 479

(4) If the applicant includes the evidence described in 480
division (C)(3)(a) of this section, documentation from a licensed 481
physician in a form acceptable to the board that the prescribing 482
component of the nurse's practice was overseen or supervised by a 483
licensed physician in the other jurisdiction; 484

(5) If the applicant includes the evidence described in 485
division (C)(3)(b) of this section, documentation from a licensed 486
physician employed by the United States government in a form 487
acceptable to the board that the prescribing component of the 488
nurse's practice was overseen or supervised by a licensed 489
physician employed by the United States government; 490

(6) Evidence of having completed a two-hour course of 491
instruction approved by the board in the laws of this state that 492
govern drugs and prescriptive authority; 493

(7) Any additional information the board requires pursuant to 494
rules adopted under section 4723.50 of the Revised Code. 495

(D) An applicant who practiced or is practicing as a clinical 496
nurse specialist, certified nurse-midwife, or certified nurse 497
practitioner in another jurisdiction or as an employee of the 498
United States government, and is not seeking authority to 499
prescribe drugs and therapeutic devices by meeting the 500
requirements of division (A) or (C) of this section, shall include 501
with the application submitted under section 4723.48 of the 502
Revised Code all of the following: 503

(1) Subject to section 4723.483 of the Revised Code, evidence 504
of holding a current, valid certificate of authority issued under 505

this chapter to practice as a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner; 506
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(2) The fee required by section 4723.08 of the Revised Code for a certificate to prescribe; 508
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(3) Either of the following: 510

(a) Evidence of having held, for a continuous period of at least one year during the three years immediately preceding the date of application, valid authority issued by another jurisdiction to prescribe therapeutic devices and drugs, excluding controlled substances; 511
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(b) Evidence of having been employed by the United States government and authorized, for a continuous period of at least one year during the three years immediately preceding the date of application, to prescribe therapeutic devices and drugs, excluding controlled substances, in conjunction with that employment. 516
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(4) If the applicant includes the evidence described in division (D)(3)(a) of this section, documentation from a licensed physician in a form acceptable to the board that the prescribing component of the nurse's practice was overseen or supervised by a licensed physician in the other jurisdiction; 521
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(5) If the applicant includes the evidence described in division (D)(3)(b) of this section, documentation from a licensed physician employed by the United States government in a form acceptable to the board that the prescribing component of the nurse's practice was overseen or supervised by a licensed physician employed by the United States government; 526
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(6) Any additional information the board requires pursuant to rules adopted under section 4723.50 of the Revised Code. 532
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Sec. 4723.484. (A) Except as provided in division (B) of this section, to successfully complete an externship as required under 534
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section 4723.485 of the Revised Code, the holder of an externship certificate must complete at least one thousand five hundred hours during which the certificate holder's prescribing practices are supervised in accordance with division (A) of section 4723.48 of the Revised Code. 536
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(B) A holder of an externship certificate who obtained the certificate by meeting the requirements of division (D) of section 4723.482 of the Revised Code, to successfully complete an externship as required under section 4723.485 of the Revised Code, must do both of the following: 541
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(1) Complete at least five hundred hours during which the certificate holder's prescribing practices are supervised in accordance with division (A) of section 4723.48 of the Revised Code; 546
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(2) Complete a two-hour course of instruction approved by the board of nursing in the laws of this state that govern drugs and prescriptive authority. 550
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Sec. ~~4723.484~~ 4723.485. (A) A certificate to prescribe issued under section 4723.48 of the Revised Code as an externship certificate is valid for not more than one year, unless earlier suspended or revoked by the board of nursing. The certificate may be extended for an additional year if the holder submits to the board evidence of continued participation in an externship. If an externship is terminated for any reason, the nurse shall notify the board. 553
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(B) To be eligible for a certificate to prescribe after receiving an externship certificate, an applicant shall include with the application submitted under section 4723.48 of the Revised Code all of the following: 561
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(1) A statement from a supervising physician attesting to the 565

applicant's successful completion of the externship;	566
(2) The fee required by section 4723.08 of the Revised Code for a certificate to prescribe;	567 568
(3) Any additional information the board requires pursuant to rules adopted under section 4723.50 of the Revised Code.	569 570
Sec. 4723.485 4723.486. (A) A certificate to prescribe issued under section 4723.48 of the Revised Code that is not issued as an externship certificate is valid for two years, unless otherwise provided in rules adopted under section 4723.50 of the Revised Code or earlier suspended or revoked by the board. The board of nursing shall renew certificates to prescribe according to procedures and a renewal schedule established in rules adopted under section 4723.50 of the Revised Code.	571 572 573 574 575 576 577 578
(B) The board may renew a certificate to prescribe if the holder submits to the board all of the following:	579 580
(1) Evidence of having completed during the previous two years at least twelve hours of continuing education in advanced pharmacology, or, if the certificate has been held for less than a full renewal period, the number of hours required by the board in rules adopted under section 4723.50 of the Revised Code;	581 582 583 584 585
(2) The fee required under section 4723.08 of the Revised Code for renewal of a certificate to prescribe;	586 587
(3) Any additional information the board requires pursuant to rules adopted under section 4723.50 of the Revised Code.	588 589
(C) The continuing education in pharmacology required under division (B)(1) of this section must be received from an accredited institution recognized by the board. The hours of continuing education required are in addition to any other continuing education requirement that must be completed pursuant to this chapter.	590 591 592 593 594 595

Sec. 4723.50. (A) In accordance with Chapter 119. of the 596
Revised Code, the board of nursing shall adopt rules as necessary 597
to implement the provisions of this chapter pertaining to the 598
authority of clinical nurse specialists, certified nurse-midwives, 599
and certified nurse practitioners to prescribe drugs and 600
therapeutic devices and the issuance and renewal of certificates 601
to prescribe. Initial rules shall be adopted not later than twenty 602
months after ~~the effective date of this section~~ May 17, 2000. 603

The board shall adopt rules that are consistent with the 604
recommendations the board receives from the committee on 605
prescriptive governance pursuant to section 4723.492 of the 606
Revised Code. After reviewing a recommendation submitted by the 607
committee, the board may either adopt the recommendation as a rule 608
or ask the committee to reconsider and resubmit the 609
recommendation. The board shall not adopt any rule that does not 610
conform to a recommendation made by the committee. 611

(B) The board shall adopt rules under this section that do 612
all of the following: 613

(1) Establish a formulary listing the types of drugs and 614
therapeutic devices that may be prescribed by a clinical nurse 615
specialist, certified nurse-midwife, or certified nurse 616
practitioner. The formulary may include controlled substances, as 617
defined in section 3719.01 of the Revised Code. The formulary 618
shall not permit the prescribing of any drug or device to perform 619
or induce an abortion. 620

(2) Establish safety standards to be followed by a nurse when 621
personally furnishing to patients complete or partial supplies of 622
antibiotics, antifungals, scabicides, contraceptives, prenatal 623
vitamins, antihypertensives, drugs and devices used in the 624
treatment of diabetes, drugs and devices used in the treatment of 625
asthma, and drugs used in the treatment of dyslipidemia. 626

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

(a) Quality assurance standards;

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

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

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

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

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

(6) Establish requirements for board approval of the two-hour course of instruction in the laws of this state as required under division (C)(6) of section 4723.482 of the Revised Code and division (B)(2) of section 4723.484 of the Revised Code;

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

following: 657

(a) Standards and procedures to be used in evaluating a 658
nurse's participation in an externship. ~~Regardless of the method~~ 659
~~of evaluation used, a nurse shall not be required to participate~~ 660
~~in an externship longer than one thousand eight hundred hours.~~ 661

(b) Standards and procedures for the supervision that a 662
physician must provide during an externship, including supervision 663
provided by working with the nurse and supervision provided by 664
making timely reviews of the records of patients treated by the 665
nurse. The manner in which supervision must be provided may vary 666
according to the location where the nurse is practicing and with 667
the nurse's level of experience. 668

Section 2. That existing sections 3333.28, 4723.01, 4723.06, 669
4723.48, 4723.482, 4723.484, 4723.485, and 4723.50 of the Revised 670
Code are hereby repealed. 671

Section 3. Notwithstanding the requirement of division (A) of 672
section 4723.50 of the Revised Code that the Board of Nursing 673
adopt rules consistent with the recommendations the Board receives 674
from the Committee on Prescriptive Governance, the Board shall 675
amend the rules that were adopted under section 4723.50 of the 676
Revised Code to reflect the amendment by this act of sections 677
4723.48 and 4723.482 and the enactment by this act of new section 678
4723.484 of the Revised Code. Until the rules have been amended 679
accordingly, the Board shall not enforce any rule that is 680
inconsistent with sections 4723.48 and 4723.482 of the Revised 681
Code as amended by this act and new section 4723.484 as enacted by 682
this act. 683