

### CNMs and Prescriptive Authority

Please complete this brief survey if you have been notified by the Colorado Department of Regulatory Agencies (DORA) that you no longer have prescriptive authority. The results of this survey will inform efforts of the ACNM Chapter leadership and lobbyists to help solve identified issues related to Prescriptive Authority.

**PLEASE RETURN THIS SURVEY TO: Jennifer Miles before 10 am or to Nancy Acheff before you leave today. Or, you can email the information to [jennifer@milesgovtrelations.com](mailto:jennifer@milesgovtrelations.com)**

Certified Nurse Midwife Full Name: Janelle Komorowski

Phone Number (970) 420-2606 Email Address: [bbcatcher@gmail.com](mailto:bbcatcher@gmail.com)

Did you receive a letter from DORA saying that you no longer have prescriptive authority?

Yes  No (I found out via my office manager who saw that my name on the DORA site still had "provisional" listed. I then called DORA and was told my prescriptive authority had expired because I had failed to file my paperwork. I had filed all my paperwork several months prior, but it was apparently lost).

If yes, please answer the following questions:

1. Did the letter indicate a reason for loss of Rx authority? If yes, what was the stated reason?

They claimed I had never filed the paperwork for Rx authority, even though I had copies of everything I had sent. Because I did not have a signed certified mail delivery certificate they would not accept my word for it nor let me refile.

2. Have you contacted DORA about this issue? If so, whom did you speak to, what did you learn, and were they helpful?

I contacted them as soon as I found out that I was still listed in provisional status, within just a few days of the expiration. I was told my prescriptive privileges had expired and I had to do everything over from square one, as if I were a new grad, including getting a \$50 certification verification from AMCB, and official transcripts from my program, along with course descriptions. I did all of this, to the tune of \$325. I told them I wanted to hand-deliver my application and get a signed verification of each page received in the package so that they could not say (again) that everything had been lost. I spoke to Rita Postolowski, who assured me they could do this for me, and told me to ask for Sabrina when I came in, so that she could verify the contents of my application package. She told me that it would then take 10 days to get my prescriptive privileges back.

After driving 90 minutes to the DORA office, Sabrina refused to see me. I asked the front desk person to sign a checklist I had made, verifying that I had submitted each page requested. He refused to do so, and said they would only be willing to email me a verification that my application had been received. In the end, no one would help me, so I had to leave.

I never received the verification. I called at least a dozen times. The answering machine states they will return our calls within 48 hours. No one EVER returned a phone call. I spoke personally with someone by the name of Janelle, who took over for Sabrina when she went on

an extended leave, and she promised three different times to call me back the same day. Not once did she ever get back to me.

The ten days I was told it would take to get my privileges reinstated stretched into five weeks, where I was actively practicing but unable to prescribe. I would call daily, trying to find out where my application was in the process, or just if they had any record of my application being on file. I finally received my notification of prescriptive privileges 5 1/2 weeks after hand-delivering my application. The icing on the cake was receiving a notice that, since I had "let my Rx privileges lapse", I will now have to complete an 1800 hour prescribing mentorship before I can have full privileges. This despite the fact that I have been prescribing for 12 years.

I was told that if I had had proof of submitting my application, they would have let me re-do it without having to go through the beginner's application process. My question is, if they will not give me proof of submitting my application, how can I provide them with proof?

In their voicemail message, DORA boasts of how their mission is to protect the consumer. That is lovely, and I believe as midwives we all want to protect our clients. But how about a smidgen of customer service for the midwives who are paying huge bucks to DORA for licenses, and getting nothing in return?

3. Have you been in contact with anyone else about this, such as a legislator or the Colorado Nurses Association? If so, whom have you contacted?

No, but if I knew who might be able to help me I would most certainly contact them. I have attempted to get names/addresses of officials at DORA who are supervisory to the ones I have had poor service from, but have been unable to get any type of contact information such as phone, email or mailing address.

4. Has your issue been resolved?

No, now that I have submitted everything and all the fees, I received a letter stating that because my prescriptive authority expired, I must repeat an 1800 hour mentored prescriptive experience. I personally feel this is ridiculous. I already have a letter from my employer stating that I have worked for him for over 3000 hours with prescriptive experience, and they will not accept this. I have to do a mentored experience.

5. Please describe your nurse midwifery education and training, including whether or not you have a graduate (master's degree), the dates of your training and any certifications/trainings:

I hold a masters degree from Stonybrook University (SUNY) from 1998. I have been in active full-scope practice, prescribing since that time. I have ALSO, NRP, BLS, and ACLS certifications. I have taught nurse-midwifery as both a didactic and a clinical instructor for several years now, and have acted as preceptor for a number of midwifery students.

6. How has the loss of Rx authority affected your work? Have you lost a job, had to have other colleagues handle your patients' Rx needs, or is your job at risk if this is not resolved?

Absolutely. I chose to jump through their hoops and do all the paperwork as a new grad so that my colleagues would have the least impact from this, but it still took over five weeks from the time I hand-delivered my COMPLETE application (transcripts and course descriptions were included) until they gave me back provisional status. I think this is extremely poor service. What particularly upsets me is they would never return phone calls, even though they promise on their recording to return all calls within 48 hours. I was promised a receipt of my application, which they never sent, despite repeated requests from me. I did not know until the day my application was given provisional status if they even were considering it complete, or if they would request additional information. They simply gave abominable customer service. If I treated patients that way, I would no longer have a job.

## **Fran Ricker**

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**From:** Carol Welden <carolwelden@gmail.com>  
**Sent:** Tuesday, November 29, 2011 10:47 AM  
**To:** franricker@nurses-co.org  
**Subject:** rxn issue

Hi Fran, Thank you for your work with CNA and the APN issues with RXN. I think I have tried to contact you before. I lost my job I had been working for 3 years because my RXN expired and I had never received a notification from the board that the expiration date was coming up. Do you have any information regarding the number of APNs who did not receive notification? I have my hearing with the unemployment people tomorrow. I feel helpless and as if the state of CO has conspired against me in my job. Thanks again for your help. Carol Welden, FNP

## **Please Support HB12-1065**

### Concerning the Deadline for Advanced Practice Nurses to Retain Prescriptive Authority

- This bill extends the deadline for ***qualified*** Advance Practice Nurses to file an application to retain Prescriptive Authority.
- The Advance Practice Nurse must have been granted Prescriptive Authority prior to July 1, 2010. Thus, there is an assurance of public safety.
- The Advance Practice Nurse must file an application and the corresponding fee with the Board of Nursing, and in addition, complete an Articulated Plan, prior to September 30, 2012.
- More than 10% of the qualified Nurse Practitioners did not file by July 1, 2010 for a multitude of reasons. Among the reasons is that many were confused by the requirements of an “articulated plan,” or that the paperwork was mailed to DORA but not received.
- Extending the deadline allows for no disruption in health care, and assures patients throughout Colorado of access to health care.

**From:** "Rohini Kanniganti, MD" <rohinikanniganti@gmail.com>  
**Subject:** Re: HB12-1065  
**Date:** February 13, 2012 10:18:16 AM MST  
**To:** annelmcgihon@gmail.com, raquel@coloradoafp.org, Brent Keeler <drfbrentk@comcast.net>

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Dear Colleagues,

I am writing in support of HB12-1065, and in support of the Advance Practice Nurses who missed the deadline to submit a letter of attestation regarding an Articulated Plan for their ongoing prescriptive authority by June 30, 2011.

It was the intent of the original legislation that those APNs who had prescriptive authority be grandfathered in if they had met the original requirements for getting prescriptive authority and had a collaborative relationship with a physician at the time that the requirements for prescribing were changed. This bill would extend the deadline while imposing a fine so that those individuals who summarily lost their privileges will have another opportunity to submit the necessary paperwork.

I have worked with Nurse Practitioners and I have found them to be safe and competent providers who prescribe medications appropriately. Allowing those who have prescribed safely and without adverse incident in the past to regain their privileges will minimize the disruption of care to the patients they serve.

Thank you for your consideration.

Sincerely,

Dr. Rohini Kanniganti, MD, MSPH \_\_\_\_\_  
address 1505 Sumac Ave , Boulder, CO 80304 \_\_\_\_\_  
email [rohinikannigantimd@gmail.com](mailto:rohinikannigantimd@gmail.com) \_\_\_\_\_  
phone 303 815 3122 \_\_\_\_\_

**From:** JoAnn <gaston.joann@gmail.com>  
**Subject:** HB12-1065  
**Date:** February 13, 2012 9:12:52 AM MST  
**To:** annelmcgihon@gmail.com, raquel@coloradoafp.org, drfbrentk@comcast.net

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Greetings,

I am writing in support of HB12-1065, and in support of the Nurse Practitioners who missed the deadline to submit their Attestation of Prescriptive authority by June 30, 2011.

The Colorado legislature changed the statute granting Nurse Practitioners prescriptive authority. Under the legislation, NPs were no longer required to work in collaborative agreements, but instead were required to file paperwork, including an articulated plan for safe prescribing, to maintain an individual's prescriptive authority.

The legislation provided that if a Nurse Practitioner was granted Prescriptive Authority in Colorado prior to July 1, 2010, he or she "must complete an Articulated Plan... by July 1, 2011 in order to retain Prescriptive Authority. If the Nurse Practitioner fails to meet the requirements... within the specified period, the Nurse Practitioner's Provisional Prescriptive Authority will expire..."

I have received care from Nurse Practitioners who demonstrate both their concern for patient safety and knowledge of the risks and benefits of the medications, by prescribing these medications to patients appropriately.

I support legislation that allows those NPs who missed the deadline to be 'grandfathered' back in without exception, so that the practices where these NPs work, and their clientele, have no disruption to their care.

Thank you for your consideration.

Sincerely,

JoAnn Gaston

16 Valley Place #503

[jaggma@gmail.com](mailto:jaggma@gmail.com)

719-264-1997

**From:** Ada Torres <adamariatorres@hotmail.com>   
**Subject:** Support HB12-1065  
**Date:** February 13, 2012 10:27:38 AM MST  
**To:** <annelmcgihon@gmail.com>, <raquel@coloradoafp.org>, <drfbrentk@comcast.net>

1 Attachment, 24 KB

Dear Ms. Anne McGihon, Raquel Alexander, CEO, and Dr Brent Keeler MD President, CMS:

As a health advocate, health patient, and NP supporter, I am writing in support of HB12-1065, and in support of the Nurse Practitioners who missed the deadline to submit their Attestation of Prescriptive authority by June 30, 2011.

The Colorado legislature changed the statute granting Nurse Practitioners prescriptive authority. Under the legislation, NPs were no longer required to work in collaborative agreements, but instead were required to file paperwork, including an articulated plan for safe prescribing, to maintain an individual's prescriptive authority.

The legislation provided that if a Nurse Practitioner was granted Prescriptive Authority in Colorado prior to July 1, 2010, he or she "must complete an Articulated Plan... by July 1, 2011 in order to retain Prescriptive Authority. If the Nurse Practitioner fails to meet the requirements... within the specified period, the Nurse Practitioner's Provisional Prescriptive Authority will expire...."

I have received exceptional care from the same Nurse Practitioner for over 12 years, and she demonstrated both her concern for patient safety and knowledge of the risks and benefits of any medications she prescribed to me. Unfortunately, due to her extensive schedule takign care of patients, she falls into this category.

I support legislation that allows those NPs who missed the deadline to be 'grandfathered' back in without exception, so that the practices where these NPs work, and their clientele, have no disruption to their care.

Thank you for your consideration.

Sincerely,

Ada Torres, MA

Executive Director

[AdaMariaTorres@Hotmail.com](mailto:AdaMariaTorres@Hotmail.com)

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Latino American Health Network

2125 E. LaSalle St, Suite L42,

Colorado Springs, CO 80909 -- By Appointment ONLY

and CoFounder of

God's CLIP: Christian Ladies In Prayer

"Beloved, I wish above all things that you may prosper and be in **health**, even as your soul prospers."

3 John 1.2 Christian Bible



**From:** Jill Carnahan <DrJCarnahan@comcast.net>   
**Subject:** Support for HB12-1065  
**Date:** February 14, 2012 5:56:03 AM MST  
**To:** annelmcgihon@gmail.com, drfbrentk@comcast.net, raquel@coloradoafp.org

1 Attachment, 829 KB

To Whom It May Concern:

I am writing in support of HB12-1065, and in support of the Advance Practice Nurses who missed the deadline to submit a letter of attestation regarding an Articulated Plan for their ongoing prescriptive authority by June 30, 2011.

It was the intent of the original legislation that those APNs who had prescriptive authority be grandfathered in if they had met the original requirements for getting prescriptive authority and had a collaborative relationship with a physician at the time that the requirements for prescribing were changed. This bill would extend the deadline while imposing a fine so that those individuals who summarily lost their privileges will have another opportunity to submit the necessary paperwork.

I have worked with Nurse Practitioners and I have found them to be safe and competent providers who prescribe medications appropriately. Allowing those who have prescribed safely and without adverse incident in the past to regain their privileges will minimize the disruption of care to the patients they serve.

Thank you for your consideration.

Sincerely,

JILL CARNAHAN, MD

**Jill C. Carnahan, MD, ABFM, ABIHM**  
**Medical Director, Flatiron Functional Medicine**  
**75 MANHATTAN DRIVE, SUITE 1**  
**Boulder, CO 80303**  
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Jill C. Carnahan  
MD, ABFM, ABIHM

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