

**Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 12-0548.01 Christy Chase x2008

HOUSE BILL 12-1065

HOUSE SPONSORSHIP

Gardner D. and Lee,

SENATE SPONSORSHIP

(None),

House Committees

Health and Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE DEADLINE FOR AN ADVANCED PRACTICE NURSE WHO**
102 **WAS GRANTED PRESCRIPTIVE AUTHORITY PRIOR TO JULY 1,**
103 **2010, TO DEVELOP AN ARTICULATED PLAN FOR PURPOSES OF**
104 **RETAINING PRESCRIPTIVE AUTHORITY.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Pursuant to legislation in 2009, the standards for advanced practice nurses (APNs) to obtain prescriptive authority were modified to require

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

APNs, in addition to obtaining specified levels of education and experience, to develop an articulated plan for safe prescribing that documents how the APN will collaborate with physicians and other health care professionals in his or her practice of prescribing medications. Under the 2009 legislation, APNs who were granted prescriptive authority prior to July 1, 2010, were permitted to retain that authority but were required to develop an articulated plan of safe prescribing within one year, or by July 1, 2011.

The bill allows the state board of nursing, on a case-by-case basis, to extend the deadline by which APNs with prescriptive authority granted before July 1, 2010, are required to develop an articulated plan, but in no case is the board allowed to extend the deadline beyond July 1, 2012. An APN seeking a deadline extension must submit to the board, prior to July 1, 2012, an application and fee and an attestation that he or she has developed an articulated plan. The board is to adopt rules establishing the criteria for granting a deadline extension. A decision of the board regarding a deadline extension request is not appealable.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-38-111.6, **amend** (4.5) (c) (I) as follows:

12-38-111.6. Prescriptive authority - advanced practice nurses - rules. (4.5) (c) An advanced practice nurse who was granted prescriptive authority prior to July 1, 2010, shall satisfy the following requirements in order to retain prescriptive authority:

(I) (A) ~~Within one year after the effective date of the rules adopted to implement this subsection (4.5)~~ EXCEPT AS PROVIDED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (I), NO LATER THAN JULY 1, 2011, the advanced practice nurse shall develop an articulated plan as specified in subparagraph (II) of paragraph (b) of this subsection (4.5); except that to verify development of an articulated plan, the advanced practice nurse shall obtain the signature of either a physician or a physician and advanced practice nurse who has prescriptive authority and experience in prescribing medications, ~~and the signing physician or~~

1 ~~advanced practice nurse shall be~~ IS practicing in Colorado, and ~~have~~ HAS
2 education, training, experience, and active practice that corresponds with
3 the role and population focus of the advanced practice nurse developing
4 the plan. If an advanced practice nurse with prescriptive authority granted
5 prior to July 1, 2010, fails to develop the required articulated plan within
6 the specified period, the advanced practice nurse's prescriptive authority
7 expires for failure to comply with the statutory requirements.

8 (B) THE BOARD, ON A CASE-BY-CASE BASIS, MAY EXTEND THE
9 DEADLINE FOR AN ADVANCED PRACTICE NURSE TO DEVELOP AN
10 ARTICULATED PLAN, BUT IN NO EVENT SHALL THE BOARD EXTEND THE
11 DEADLINE BEYOND JULY 1, 2012. PRIOR TO JULY 1, 2012, AN ADVANCED
12 PRACTICE NURSE SEEKING A DEADLINE EXTENSION SHALL SUBMIT TO THE
13 BOARD AN APPLICATION, THE REQUIRED FEE, THE SIGNED VERIFICATION
14 THAT HE OR SHE DEVELOPED AN ARTICULATED PLAN BY JULY 1, 2011, AS
15 REQUIRED BY SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I), AND
16 ANY OTHER INFORMATION OR DOCUMENTATION REQUIRED BY THE BOARD.
17 THE BOARD SHALL ADOPT RULES ESTABLISHING CRITERIA FOR GRANTING
18 A DEADLINE EXTENSION. A DECISION BY THE BOARD TO GRANT OR DENY
19 A DEADLINE EXTENSION IS NOT APPEALABLE.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.