A Bill  
STATE OF ARKANSAS  
93RD GENERAL ASSEMBLY  
REGULAR SESSION, 2021  

By: Representative L. Johnson  
By: Senator K. Hammer  

For An Act To Be Entitled  
AN ACT TO AUTHORIZE FULL INDEPENDENT PRACTICE AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS WHO MEET CERTAIN REQUIREMENTS; TO CREATE THE FULL INDEPENDENT PRACTICE CREDENTIALING COMMITTEE TO REVIEW AND APPROVE APPLICATIONS FOR FULL INDEPENDENT PRACTICE AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS; AND FOR OTHER PURPOSES.  

Subtitle  
TO AUTHORIZE FULL INDEPENDENT PRACTICE AUTHORITY FOR CERTIFIED NURSE PRACTITIONERS WHO MEET CERTAIN REQUIREMENTS; AND TO CREATE THE FULL INDEPENDENT PRACTICE CREDENTIALING COMMITTEE.  

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

SECTION 1. DO NOT CODIFY. Legislative intent.  
It is the intent of the General Assembly to:  
(1) Provide a legitimate pathway to full practice authority for certified nurse practitioners; and  
(2) Reevaluate the composition of the Full Independent Practice Credentialing Committee in three (3) years.  

SECTION 2. Arkansas Code Title 17, Chapter 87, Subchapter 3, is
amended to add an additional section to read as follows:

17-87-314. Full independent practice authority — Full Independent
Practice Committee — Members and duties — Definition.

(a) As used in this section, "full independent practice authority"
means the ability of a certified nurse practitioner to practice with
prescriptive authority without a collaborative practice agreement as
described in § 17-87-310.

(b)(1) The Full Independent Practice Credentialing Committee may grant
a certificate of full independent practice authority to a certified nurse
practitioner who submits:

   (A) An application;
   (B) An appropriate application fee as determined by the
Full Independent Practice Credentialing Committee;
   (C) Proof of successful completion of six thousand two
hundred forty (6,240) hours of practice under a collaborative practice
agreement with a physician; and
   (D) Any other relevant information as determined by the
Full Independent Practice Credentialing Committee.

(2) A certificate of full independent practice authority shall
be renewed every three (3) years with an appropriate renewal fee as
determined by the Full Independent Practice Credentialing Committee.

(c) A certified nurse practitioner with a certificate of full
independent practice authority may receive and prescribe drugs, medicines, or
therapeutic devices appropriate to the certified nurse practitioner's area of
practice.

(d)(1) The Full Independent Practice Credentialing Committee is
created within the Department of Health.

(2) The Full Independent Practice Credentialing Committee shall
consist of the following members:

   (A) The following members appointed by the Governor:
       (i) Three (3) faculty physicians from each of the
       following institutions upon consulting with the heads of the institutions:
           (a) The College of Medicine of the University
               of Arkansas for Medical Sciences;
           (b) The Arkansas College of Osteopathic
               Medicine in Fort Smith; and
(c) The New York Institute of Technology
College of Osteopathic Medicine at Arkansas State University in Jonesboro;
(iii) Three (3) faculty certified nurse practitioners from nursing schools in this state upon consulting with the heads of the nursing schools; and
(iv) One (1) certified nurse practitioner from the state at large;
(B) The Director of the Arkansas State Medical Board as an ex officio nonvoting member; and
(C) The Director of the Arkansas State Board of Nursing as an ex officio nonvoting member.
(3)(A)(i) Committee members shall serve three-year terms.
(ii) Committee members shall not serve more than two (2) consecutive terms.
(B) A committee member shall serve until a successor is appointed by the appropriate appointing entity.
(4)(A) The Full Independent Practice Credentialing Committee shall elect a chair with powers and duties determined by the Full Independent Practice Credentialing Committee.
(B) The chair may be elected for no more than two (2) consecutive terms.
(5)(A) A quorum of the Full Independent Practice Credentialing Committee shall be five (5) members.
(B) The Full Independent Practice Credentialing Committee shall hold a meeting at least quarterly and at other times the Full Independent Practice Credentialing Committee considers advisable to perform the duties described in subsection (e) of this section.
(6) The members of the Full Independent Practice Credentialing Committee shall receive mileage and per diem as is now provided to members of the appropriate appointing entity.
(e) The Full Independent Practice Credentialing Committee shall:
(1)(A) Review and approve or deny all applications for a certificate of full independent practice authority for certified nurse practitioners and for renewal of a certificate of full independent practice authority for a certified nurse practitioner.
(B) If the Full Independent Practice Credentialing Committee denies an application for a certificate of full independent practice authority, the Full Independent Practice Credentialing Committee shall explain the reasons for the denial in writing to the applicant;

(2) Review complaints made against certified nurse practitioners who has a certificate of full independent practice authority;

(3) Review recommendations made by the Arkansas State Medical Board and the Arkansas State Board of Nursing and notify the certified nurse practitioner of any action taken by the Full Independent Practice Credentialing Committee based on the recommendations;

(4)(A) If the action taken is suspension or revocation of the certificate of full independent practice authority, hold a hearing providing the certified nurse practitioner who has a certificate of full independent practice authority with ten (10) days' notice in writing to appear before the Full Independent Practice Credentialing Committee, at the time and place as the Full Independent Practice Credentialing Committee may direct, to show cause as to why his or her certificate of full independent practice authority should not be suspended or revoked.

(B) At the hearing, the Full Independent Practice Credentialing Committee shall:

(i)(a) Have the power to subpoena witnesses.

(b) The chair of the Full Independent Practice Credentialing Committee or his or her designee shall sign subpoenas and have the power to administer oaths;

(ii) Hear evidence; and

(iii)(a) Determine if the certificate of full independent practice authority should be suspended or revoked.

(b) If the Full Independent Practice Credentialing Committee determines that the certificate of full independent practice authority should be suspended or revoked, the suspension or revocation shall take place immediately.

(C) However, only the Arkansas State Board of Nursing has the authority to suspend or revoke the nursing license of a certified nurse practitioner; and

(5) Provide reports quarterly and upon request regarding the number of applicants approved and denied to the Senate Committee on Public

(f)(1) The Full Independent Practice Credentialing Committee may consult with the Arkansas State Medical Board and the Arkansas State Board of Nursing as determined by the Full Independent Practice Credentialing Committee based on the complaint.

(2) The Arkansas State Medical Board and the Arkansas State Board of Nursing may make recommendations to the Full Independent Practice Credentialing Committee.

(g) A certified nurse practitioner whose certificate of full independent practice authority has been denied, suspended, or revoked by the committee under this section may appeal the action of the committee under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.

(h) A certified nurse practitioner with a certificate of full independent practice authority shall conspicuously identify the certificate of full independent practice authority and that the certified nurse practitioner is not required to have a collaborative practice agreement on signage in the office where the certified nurse practitioner practices.

SECTION 3. Arkansas Code § 17-87-310(a), concerning prescriptive authority for advanced practice registered nurses, is amended to read as follows:

(a) The Arkansas State Board of Nursing may grant a certificate of prescriptive authority to an advanced practice registered nurse who:

(1) Submits proof of successful completion of an Arkansas State Board of Nursing-approved advanced pharmacology course that shall include preceptorial experience in the prescription of drugs, medicines, and therapeutic devices; and

(2) Has either:

   (A) A certificate of full independent practice authority under § 17-87-314; or

   (B) A collaborative practice agreement with a practicing physician who is licensed under the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq., or a podiatrist licensed by the Arkansas Board of Podiatric Medicine under § 17-96-101 et seq., if employed by the podiatrist, and who has training in scope,
specialty, or expertise to that of the advanced practice registered nurse on
file with the Arkansas State Board of Nursing.

/s/L. Johnson

APPROVED: 3/22/21