

**Oklahoma Nursing Practice Act  
Title 59, Chapter 12, Section 567.1, et. seq.  
(Pertaining to Certified Nurse Midwives)**

**§567.3a Definitions**

5. "Advanced practice nurse" means a licensed registered nurse who:
- a. has successfully completed a formal program of study approved by the Board which is designed to prepare registered nurses to perform in an expanded role in the delivery of health care,
  - b. is nationally certified by an appropriate certifying body, recognized by the Board, and
  - c. has received a certificate of recognition from the Board.

The term "advanced practice nurse" shall include advanced registered nurse practitioners, clinical nurse specialists, nurse-midwives and certified registered nurse anesthetists.

8. "Nurse-midwife" means a qualified registered nurse who has received a certificate of recognition from the Oklahoma Board of Nursing who possesses evidence of certification according to the requirements of the American College of Nurse-Midwives, and has the right to use the title "Certified Nurse-Midwife" and the abbreviation "CNM". No other person shall assume such title or use such abbreviation or any other words, letters, signs, or figures to indicate that the person using the same is a certified nurse-midwife.

A certified nurse-midwife in accordance with the scope of practice of such certified nurse-midwife shall be eligible to obtain recognition as authorized by the Board to prescribe, as defined by the rules promulgated by the Board pursuant to this section and subject to the medical direction of a supervising physician. This authorization shall not include the dispensing of drugs, but shall not preclude, subject to federal regulations, the receipt of, the signing for, or the dispensing of professional samples to patients.

The certified nurse-midwife accepts responsibility, accountability, and obligation to practice in accordance with usual and customary advanced practice nursing standards and functions as defined by the scope of practice/role definition statements for the certified nurse-midwife;

9. "Nurse-midwifery practice" means providing management of care of normal newborns and women, antepartally, intrapartally, postpartally and gynecologically, occurring within a health care system which provides for medical consultation, medical management or referral, and is in accord with the standards for nurse-midwifery practice as defined by the American College of Nurse-Midwives;

11. "Supervising physician" means an individual holding a current license to practice as a physician from the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners, who supervises an advanced registered nurse practitioner, a clinical nurse specialist, or a certified nurse-midwife, and who is not in training as an intern, resident, or fellow. To be eligible to supervise such advanced practice nurse, such physician shall remain in compliance with the rules promulgated by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners;

12. "Supervision of an advanced practice nurse with prescriptive authority" means overseeing and accepting responsibility for the ordering and transmission by an advanced registered nurse practitioner, a clinical nurse specialist, or a certified nurse-midwife of written, telephonic, electronic or oral prescriptions for drugs and other medical supplies, subject to a defined formulary; and

**§567.4a . Prescriptive authority recognition -- Rules**

The rules regarding prescriptive authority recognition promulgated by the Oklahoma Board of Nursing pursuant to paragraphs 6 through 9, 11 and 12 of Section 567.3a of this title shall:

1. Define the procedure for documenting supervision by a physician licensed in Oklahoma to practice by the State Board of Medical Licensure and Supervision or the State Board of Osteopathic Examiners. Such procedure shall include a written statement that defines appropriate referral, consultation, and collaboration between the advanced practice nurse, recognized to prescribe as defined in paragraphs 6 through 9, 11 and 12 of Section 567.3a of this title, and the supervising physician. The written statement shall include a method of assuring availability of the supervising physician through direct contact, telecommunications or other appropriate electronic means for consultation, assistance with medical emergencies, or patient referral. The written statement shall be part of the initial application and the renewal application submitted to the Board for recognition for prescriptive authority for the advanced practice nurse. Changes to the written statement shall be filed with the Board within thirty (30) days of the change and shall be effective on filing;

2. Define minimal requirements for initial application for prescriptive authority which shall include, but not be limited to, evidence of completion of a minimum of forty-five (45) contact hours or three (3) academic credit hours of education in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic registered nurse preparation, approved by the Board. Such contact hours or academic credits shall be obtained within a time period of three (3) years immediately preceding the date of application for prescriptive authority;

3. Define minimal requirements for application for renewal of prescriptive authority which shall include, but not be limited to, documentation of a minimum of fifteen (15) contact hours or one (1) academic credit hour of education in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic registered nurse preparation, approved by the Board, within the two-year period immediately preceding the effective date of application for renewal of prescriptive authority;

4. Require that beginning July 1, 2002, an advanced practice nurse shall demonstrate successful completion of a master's degree in a clinical nurse specialty in order to be eligible for initial application for prescriptive authority under the provisions of this act;

9. a. Establish a Formulary Advisory Council that shall develop and submit to the Board recommendations for an exclusionary formulary that shall list drugs or categories of drugs that shall not be prescribed by advanced practice nurses recognized to prescribe by the Oklahoma Board of Nursing. The Formulary Advisory Council shall also develop and submit to the Board recommendations for practice-specific prescriptive standards for each category of advanced practice nurse recognized to prescribe by the Oklahoma Board of Nursing pursuant to the provisions of the Oklahoma Nursing Practice Act. The Board shall either accept or reject the recommendations made by the Council. No amendments to the recommended exclusionary formulary may be made by the Board without the approval of the Formulary Advisory Council.

b. The Formulary Advisory Council shall be composed of twelve (12) members as follows:

- (1) four members, to include a pediatrician, an obstetrician-gynecological physician, a general internist, and a family practice physician; provided that three of such members shall be appointed by the Oklahoma State Medical Association, and one shall be appointed by the Oklahoma Osteopathic Association,
- (2) four members who are registered pharmacists, appointed by the Oklahoma Pharmaceutical Association, and
- (3) four members, one of whom shall be an advanced registered nurse practitioner, one of whom shall be a clinical nurse specialist, one of whom shall be a certified nurse-midwife, and one of whom shall be a current member of the Oklahoma Board of Nursing, all of whom shall be appointed by the Oklahoma Board of Nursing.

c. All professional members of the Formulary Advisory Council shall be in active clinical practice, at least fifty percent (50%) of the time, within their defined area of specialty. The members of the Formulary Advisory Council shall serve at the pleasure of the appointing authority for a term of three (3) years. The terms of the members shall be staggered. Members of the Council may serve beyond the expiration of their term of office until a successor is appointed by the original appointing authority. A vacancy on the Council shall be filled for the balance of the unexpired term by the original appointing authority.

d. Members of the Council shall elect a chair and a vice-chair from among the membership of the Council. For the transaction of business, at least seven members, with a minimum of two members present from each of the identified categories of physicians, pharmacists and advanced practice nurses, shall constitute a quorum. The Council shall recommend and the Board shall approve and implement an initial exclusionary formulary on or before January 1, 1997. The Council and the Board shall annually review the approved exclusionary formulary and shall make any necessary revisions utilizing the same procedures used to develop the initial exclusionary formulary.

## OAC Title 485: OKLAHOMA BOARD OF NURSING

### 485:10-15-8. Practice as a Certified Nurse-Midwife

(a) **Qualifications.** Applicants for recognition as a Certified Nurse-Midwife must meet the following qualifications:

- (1) Hold a current license to practice as a Registered Nurse in Oklahoma
- (2) Successful completion of a nurse midwifery program accredited by the American College of Nurse-Midwives Division of Accreditation
- (3) Hold current certification for the practice of nurse-midwifery from the American Midwifery Certification Board (AMCB)
- (4) Proof of enrollment in a current cycle of continuing competency assessment (CCA) or Certificate Maintenance Program as maintained by the American Midwifery Certification Board

(b) **Applications.**

- (1) Applications must be completed and filed with the Board
- (2) The credentials of the applicant must be verified by the American College of Nurse-Midwives or American Midwifery Certification Board

(c) **Recognition for practice of Certified Nurse-Midwifery.** Upon receipt of a valid application as established by the Board, the Board may recognize for practice of Certified Nurse-Midwifery and approve for inclusion on its official listing, the name so recognized.

## SUBCHAPTER 16. REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY FOR ADVANCED PRACTICE NURSES

### 485:10-16-3. Initial application

The advanced practice nurse applicant for prescriptive authority shall:

- (1) hold a current R.N. license and recognition as an A.R.N.P., C.N.M. or C.N.S. in Oklahoma;
- (2) submit a completed application containing such information as the Board may prescribe and the required fee;
- (3) submit a written statement from an Oklahoma-licensed physician supervising prescriptive authority which identifies a mechanism for:
  - (A) appropriate referral, consultation, and collaboration between the advanced practice nurse and physician supervising prescriptive authority;
  - (B) availability of communication between the advanced practice nurse and physician supervising prescriptive authority through direct contact, telecommunications, or other appropriate electronic means for consultation, assistance with medical emergencies or patient referral;
- (4) submit documentation verifying completion of forty-five contact hours of Category B continuing education or three academic credit hours of education, as required by law and defined in the rules and

regulations, which are applicable to the scope of practice, in pharmacotherapeutics, clinical application, and use of pharmacological agents in the prevention of illness, and in the restoration and maintenance of health in a program beyond basic nursing preparation. Such contact hours or academic credits shall be obtained within a time period of three (3) years immediately preceding the date of receipt of application for prescriptive authority. The three (3) year time period may be waived if the applicant has graduated from their advanced practice educational program within a time period of three years immediately preceding the date of application for prescriptive authority and submits the following official documentation from the advanced practice program:

- (A) Course descriptions with course objectives verifying the integration of didactic and clinical hours in pharmacotherapeutic management content throughout the advanced practice program curriculum; and
  - (B) Credentials of the faculty teaching the courses verifying the faculty's scope of practice includes prescribing.
  - (C) Verification of the total number of contact hours completed in pharmacotherapeutics.
- (5) Submit documentation verifying successful completion of a graduate degree at an advanced practice level or post-master's certificate at an advanced practice level, if the Master's degree is in nursing.

### 485:10-16-5. Maintenance

(a) The advanced practice nurse may prescribe in writing, orally, or by other means of telecommunication, drugs or medical supplies which are not listed on the exclusionary formulary approved by the Board, and which are within the scope of practice for the advanced practice nurse, and that are not otherwise prohibited by law.

(b) The advanced practice nurse must have a supervising physician on file with the Board prior to prescribing drugs or medical supplies. Changes to the written statement between the advanced practice nurse and supervising physician shall be filed with the Board within 30 days of the change and shall be effective upon filing.

(c) The advanced practice nurse with prescriptive authority who prescribes Schedule III-V drugs will comply with state and Federal Drug Enforcement Administration (DEA) requirements prior to prescribing controlled substances.

- (1) The advanced practice nurse with prescriptive authority will submit in writing the assigned DEA number to the Board of Nursing within fourteen (14) days of receipt.
- (2) No more than a 30-day supply for Schedule III-V drugs shall be prescribed by the advanced practice nurse with prescriptive authority.

**485:10-16-8. Information which must be included on the prescription**

- (a) Prescriptions will comply with all applicable state and federal laws.
- (b) All prescriptions will include the following information:
  - (1) Name, title, address, and telephone number of the advanced practice nurse who is prescribing.
  - (2) Name of physician supervising prescriptive authority.
  - (3) Name of the client.
  - (4) Date of the prescription.
  - (5) Full name of the drug, dosage, route and specific directions for administration.
  - (6) DEA number of advanced practice nurse, if required.
- (c) Written prescriptions shall include the signature of the advanced practice nurse.
- (d) Records of all prescriptions will be documented in client records.

**485:10-16-9. Termination**

- Reasons for termination of prescriptive authority:
- (1) guilty of fraud or deceit in obtaining prescriptive authority;
  - (2) negligent prescribing;
  - (3) prescribing outside the scope of practice;
  - (4) prescribing for other than therapeutic purposes;
  - (5) violated the provisions of the prescriptive authority rules in this subchapter; or
  - (6) violated the Oklahoma Nursing Practice Act or Rules and Regulations.