



TEXAS BOARD OF NURSING
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Web Address: www.bon.texas.gov

28 February 2014

Dear Texas APRN:

You are receiving this letter to advise you of changes in the regulation of advanced practice nursing in the state of Texas.

During the 83rd Regular Legislative Session, Senate Bill (SB) 406 by Senator Jane Nelson made changes to regulatory terminology that included a new term—advanced practice registered nurse (APRN). APRN will replace the term “advanced practice nurse” that has been in use in Texas since the mid-1990’s as well as “advanced nurse practitioner” that was used prior to that time.

SB 406 also granted the Board clear authority to issue licenses to APRNs. This will be a second license. It is contingent upon licensure as a registered nurse (RN) and will not be issued without having a current, valid Texas RN license or a privilege to practice based on RN licensure in a state that is party to the Nurse Licensure Compact. Both the RN license and the APRN license must be in current status for you to practice in the state of Texas. If you are an APRN who has been approved to practice in more than one advanced practice role and population focus area (e.g. family nurse practitioner and nurse-midwife), only one license number will be issued. All advanced practice titles will be linked to a single APRN license number.

The APRN license number will deviate from the current format used for RN and vocational nurse licensure in the state of Texas. The new APRN license number will have an eight character format. Each license number will have the letters AP followed by six digits. For example, the APRN license number will appear as AP999999. There will not be a change to the RN license number format nor will the format for prescriptive authority identification numbers change.

We anticipate we will begin issuing the new license numbers on April 1, 2014. You will be able to verify your APRN licensure using either your Texas RN license number or your new APRN license number. Over the course of the next two years, we will send you a new wall certificate with your new APRN license number identified on the certificate. The wall certificates will be mailed to you following the next renewal of your license(s). *It is your responsibility to notify employers, third party payers and other appropriate entities of your new APRN license number.*

We also wanted to advise you of changes to the prescriptive authority regulations as a result of SB 406. In most cases, you are required to have prescriptive authority to order or prescribe drugs and devices, including durable medical equipment. The exemption for nurse anesthetists and nurse-midwives who provide controlled substances to their patients in labor and during the immediate postpartum period still exists. These APRNs may continue to order medications as they have always done under Chapter 157 of the Texas Medical Practice Act as these laws did not change.

Changes to the authority to prescribe and order controlled substances also came about as a result of the passage of SB 406. Under limited circumstances, APRNs with prescriptive authority and appropriate physician delegation may order or prescribe medications that are in Schedule II of the Controlled Substances Act. Please be advised that these provisions only apply to APRNs who are in facility-based hospital practices who are ordering these medications for patients who are receiving services in the hospital emergency department or for patients who have been admitted with the intent that they will stay in the hospital for at least 24 hours. APRNs may also order or prescribe medications for patients who have been certified as terminal and admitted as patients to a qualified hospice provider. These are the only patient care situations in which you may order or prescribe schedule II medications.

APRNs who have prescriptive authority *and* who order or prescribe controlled substances must complete an additional three contact hours of continuing education that is related to prescribing controlled substances. The three contact hours of continuing education related to ordering or prescribing controlled substances is in addition to the 20 contact hours required for APRN licensure renewal and the five hours required in pharmacotherapeutics if you have prescriptive authority. Please note that you are only required to complete the three contact hours of continuing education related to ordering or prescribing controlled substances if you have prescriptive authority *and* you order or prescribe these medications in your practice. The three contact hours of continuing education related to ordering or prescribing controlled substances does not have to be specific to schedule II medications. You will be required to attest to having completed these continuing education activities with every licensure cycle after January 1, 2015.

Finally, we want to make sure you are aware that delegation mechanism for prescriptive authority has changed. If you have prescriptive authority in a facility-based practice in a hospital or long term care facility, you may continue to have delegation of prescriptive authority for ordering or prescribing drugs and devices under a facility-based protocol. However, if you are not in a facility-based practice in one of these settings, you must have delegation of prescriptive authority through a prescriptive authority agreement developed by you and the delegating physician. SB 406 made several provisions that must be met as part of the prescriptive authority agreement, including requirements for chart reviews and face to face visits between you and the delegating physician. Due to variations in individual patient care situations, the Texas Board of Nursing does not have templates for facility-based protocols or prescriptive authority agreements. Some Texas APRN professional organizations have samples available for purchase, and we recommend you contact these organizations directly for information. Registration of prescriptive delegation is still required on the Texas Medical Board's website.

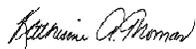
For additional information regarding the new laws and regulations, please visit our website (www.bon.texas.gov) to review the following:

- Board Rule 222, related to APRNs with Prescriptive Authority (new rule language adopted November 2013)
- Prescriptive Authority FAQs related to Senate Bill 406

For information regarding changes to Rule 193 of the Texas Medical Board's rules, please visit the Texas Medical Board's website at www.tmb.state.tx.us.

Thank you for your time and attention to this matter. We are happy to answer any questions you may have or provide you with any additional information that may be helpful to you. You are welcome to contact the APRN department staff by telephone at (512) 305-6843 during regular business hours or by e-mail at aprn@bon.texas.gov.

Sincerely,



Katherine Thomas, MN, RN, FAAN
Executive Director