

1 HB268
2 217937-4
3 By Representatives Kitchens and McCutcheon
4 RFD: Boards, Agencies and Commissions
5 First Read: 03-FEB-22

1 has been certified by the Board of Nursing to engage in the
2 practice of advanced practice nursing. There shall be four
3 categories of advanced practice nurses: Certified registered
4 nurse practitioners (CRNP), certified nurse midwives (CNM),
5 certified registered nurse anesthetists (CRNA), and clinical
6 nurse specialists (CNS). Certified registered nurse
7 practitioners and certified nurse midwives are subject to
8 collaborative practice agreements with an Alabama physician.
9 Certified registered nurse anesthetists and clinical nurse
10 specialists are not subject to collaborative practice
11 agreements with an Alabama physician and are not subject to
12 the requirements of Sections 34-21-82, 34-21-83, and 34-21-85
13 to 34-21-92, inclusive, and are prohibited from engaging in
14 any of the acts or functions of a certified registered nurse
15 practitioner (CRNP) or a certified nurse midwife (CNM) as
16 established by this article and regulations adopted under this
17 article.

18 "(4) ADVANCED PRACTICE NURSING. The delivery of
19 health care services by registered nurses who have gained
20 additional knowledge and skills through successful completion
21 of an organized program of nursing education that prepares
22 nurses for advanced practice roles as certified registered
23 nurse practitioners, certified nurse midwives, certified nurse
24 anesthetists, and clinical nurse specialists:

25 "a. Practice as a certified registered nurse
26 practitioner (CRNP) means the performance of nursing skills by
27 a registered nurse who has demonstrated by certification that

1 he or she has advanced knowledge and skills in the delivery of
2 nursing services within a health care system that provides for
3 consultation, collaborative management, or referral as
4 indicated by the health status of the client.

5 "b. Practice as a certified nurse midwife (CNM)
6 means the performance of nursing skills by a registered nurse
7 who has demonstrated by certification that he or she has
8 advanced knowledge and skills relative to the management of
9 women's health care focusing on pregnancy, childbirth, the
10 postpartum period, care of the newborn, family planning, and
11 gynecological needs of women, within a health care system that
12 provides for consultation, collaborative management, or
13 referral as indicated by the health status of the client.

14 "c. Practice as a certified registered nurse
15 anesthetist (CRNA) means providing anesthesia care, and the
16 performance of or the assistance in any act involving the
17 determination, preparation, administration, procedural
18 ordering, or monitoring of any drug used to render an
19 individual insensible to pain for surgical and other
20 therapeutic or diagnostic procedures. The nurse anesthetist is
21 qualified in accordance with Section 27-46-3 and is licensed
22 by the Board of Nursing and functions under the direction of
23 or in coordination with a physician licensed to practice
24 medicine, a podiatrist, or a dentist, who is immediately
25 available. Nothing in this paragraph shall be construed to
26 restrict the authority of a health care facility to adopt

1 policies relating to the provision of anesthesia and analgesia
2 services.

3 "d. Practice of clinical nurse specialist (CNS)
4 nursing means the performance of nursing skills by a
5 registered nurse who, through study and supervised practice at
6 the graduate level and as evidenced by certification, has
7 advanced knowledge and practice skills in a specialized area
8 of practice, except that a clinical nurse specialist may not
9 do any of the following:

10 "1. Perform delegated medical acts or engage in
11 collaborative practice as described in this article.

12 "2. Perform any of the functions of a certified
13 registered nurse practitioner or a certified nurse midwife as
14 described in this article and the regulations adopted under
15 this article, whether or not performed within a collaborative
16 practice relationship.

17 "3. Prescribe drugs of any type. A clinical nurse
18 specialist may perform nursing services permitted under this
19 subdivision as an independent contractor.

20 "(5) COLLABORATION. A formal relationship between
21 one or more certified registered nurse practitioners and
22 certified nurse midwives and a physician or physicians under
23 which these nurses may engage in advanced practice nursing as
24 evidenced by written protocols approved in accordance with the
25 requirements of this article or exempted in accordance with
26 requirements of this article. The term collaboration does not
27 require direct, on-site supervision of the activities of a

1 certified registered nurse practitioner or a certified nurse
2 midwife by the collaborating physician. The term does require
3 such professional oversight and direction as may be required
4 by the rules and regulations of the State Board of Medical
5 Examiners and the Board of Nursing.

6 "(6) COORDINATION WITH. When an anesthesiologist is
7 not physically present, the working relationship between a
8 physician, a podiatrist, or a dentist and a certified
9 registered nurse anesthetist licensed to practice in this
10 state. Each contributes his or her respective expertise in the
11 provision of patient care, which includes the discussion of
12 patient treatment, diagnosis, and consultation.

13 "(7) JOINT COMMITTEE OF THE STATE BOARD OF MEDICAL
14 EXAMINERS AND THE BOARD OF NURSING FOR ADVANCED PRACTICE
15 NURSES. The Joint Committee of the State Board of Medical
16 Examiners and the Board of Nursing for Advanced Practice
17 Nurses shall mean and shall be a committee composed of all of
18 the following:

19 "a. Two physicians licensed to practice medicine in
20 the State of Alabama.

21 "b. One registered nurse licensed to practice
22 professional nursing in the State of Alabama.

23 "c. One licensed physician engaged in a
24 collaborative practice with a certified registered nurse
25 practitioner or a certified nurse midwife in the State of
26 Alabama.

1 "d. One certified registered nurse practitioner
2 engaged in advanced practice with a physician in the State of
3 Alabama.

4 "e. One certified nurse midwife engaged in advanced
5 practice with a physician in the State of Alabama.

6 "(8) LEGEND DRUG. Any drug, medicine, chemical, or
7 poison bearing on the label the words, "Caution, Federal Law
8 prohibits dispensing without prescription" or similar words
9 indicating that such drug, medicine, chemical, or poison may
10 be sold or dispensed only upon the prescription of a licensed
11 practitioner, except that the term legend drug shall not
12 include any drug, substance, or compound which is listed in
13 Schedules I through V of the Alabama Uniform Controlled
14 Substances Act.

15 "~~(6)~~(9) PHYSICIAN or COLLABORATING PHYSICIAN. A
16 doctor of medicine or a doctor of osteopathy licensed to
17 practice medicine in Alabama who agrees in writing to practice
18 in collaboration with one or more certified registered nurse
19 practitioners or certified nurse midwives in accordance with
20 the rules and regulations adopted by the State Board of
21 Medical Examiners and the Board of Nursing.

22 "~~(9)~~(10) PRESCRIBE or PRESCRIBING. The act of
23 issuing a written prescription for a legend drug.

24 "~~(10)~~(11) PRESCRIPTION. An order for a legend drug
25 which is written and signed by a practitioner authorized by
26 law to prescribe and administer such drugs and which is

1 intended to be filled, compounded, or dispensed by a
2 pharmacist.

3 "(12) PROCEDURAL ORDERING. The ordering of the
4 anesthesia plan including the ordering of medications and
5 tests before, during, or after analgesia or anesthesia in
6 accordance with the anesthesia plan.

7 ~~"(11)~~ (13) PROTOCOL. A document approved in
8 accordance with Section 34-21-87 establishing the permissible
9 functions and activities to be performed by certified
10 registered nurse practitioners and certified nurse midwives
11 and signed by collaborating physicians and any nurse
12 practitioners or nurse midwives practicing with those
13 physicians."

14 Section 2. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Boards, Agencies
and Commissions..... 03-FEB-22

Read for the second time and placed
on the calendar with 1 substitute
and..... 23-FEB-22

Read for the third time and passed
as amended..... 01-MAR-22

Yeas 102, Nays 0, Abstains 0

Jeff Woodard
Clerk