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6/93

ALABAMA STATE BOARD
OF MEDICAL EXAMINERS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Medical Examiners

RULE NO. & TITLE: Chapter 540-X-8-.01, Definitions

INTENDED ACTION: To amend the rule

SUBSTANCE OF PROPOSED ACTION: To amend the definition of "Quality Assurance"

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments concerning the proposed new rule(s) orally or in writing to: Patricia E. Shaner, General Counsel, Alabama State Board of Medical Examiners, Post Office Box 946, Montgomery, Alabama 36101-0946, by mail or in person between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, until and including Friday, April 3, 2015. Persons wishing to obtain copies of the text of this rule and submit data, views, or comments or arguments orally should contact Patricia E. Shaner, by telephone (334-242-4116) during said period in order to set up an appointment for a hearing respecting such oral data, views, or arguments.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 3, 2015

CONTACT PERSON AT AGENCY: Patricia E. Shaner



Larry D. Dixon, Executive Director

540-X-8-.01 Definitions. The following definitions will apply to these rules:

(1) BOARD OF MEDICAL EXAMINERS. The State Board of Medical Examiners established pursuant to Code of Alabama 1975, as amended § 34-24-53.

(2) BOARD OF NURSING. The Board of Nursing established under Code of Alabama 1975, as amended, § 34-21-2.

(3) ADVANCED PRACTICE NURSE IN COLLABORATIVE PRACTICE. A registered nurse who has gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles and has been approved by the Board of Nursing to engage in the practice of advanced practice nursing.

Two categories of advanced practice nurses are subject to the requirements of collaborative practice:

(a) Certified registered nurse practitioners (CRNP).

(b) Certified nurse midwives (CNM).

(4) ADVANCED PRACTICE NURSING - COLLABORATIVE PRACTICE. The delivery of health care services by registered nurses who have gained additional knowledge and skills through successful completion of an organized program of nursing education that prepares nurses for advanced practice roles as certified registered nurse practitioners or certified nurse midwives:

(a) Practice as a certified registered nurse practitioner (CRNP) is the performance of nursing skills by a registered nurse who has demonstrated by certification advanced knowledge and skills in the delivery of nursing services within a health care system that provides for consultation, collaborative management or referral

as indicated by the health status of the client.

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

(5) COLLABORATION. A formal relationship between one or more certified registered nurse practitioners or certified nurse midwives and a physician or physicians under which these nurses may engage in advanced practice nursing as evidenced by written protocols approved according to the requirements of Code of Alabama 1975, as amended, § 34-21-80, et. seq., or exempted according to requirements of this statute. The term collaboration does not require direct, on-site supervision of the activities of a certified registered nurse practitioner or a certified nurse midwife by the collaborating physician. The term does require such medical oversight and direction as required by the rules and regulations of the Board of Nursing and the Board of Medical Examiners.

(6) PHYSICIAN OR COLLABORATING PHYSICIAN. A doctor of medicine or a doctor of osteopathy licensed to practice medicine in Alabama who agrees in writing to practice in collaboration with one or more certified registered nurse practitioners or certified nurse midwives according to the rules and regulations adopted by the Board of Nursing and the Board of Medical Examiners.

(7) JOINT COMMITTEE OF THE BOARD OF NURSING AND THE STATE

BOARD OF MEDICAL EXAMINERS FOR ADVANCED PRACTICE NURSES. The Joint Committee of the Board of Nursing and the Board of Medical Examiners for Advanced Practice Nurses is a committee composed of the following, pursuant to Code of Alabama 1975, as amended, § 34-21-80, et. seq.

- (a) Two physicians licensed to practice medicine in the State of Alabama;
 - (b) One registered nurse licensed to practice professional nursing in the State of Alabama;
 - (c) One licensed physician engaged in collaborative practice with a certified registered nurse practitioner or a certified nurse midwife in the State of Alabama;
 - (d) One certified registered nurse practitioner engaged in advanced practice nursing with a physician in the State of Alabama; and
 - (e) One certified nurse midwife engaged in advanced practice with a physician in the State of Alabama.
- (8) **LEGEND DRUG.** Any drug, medicine, chemical or poison bearing on the label the words, "Caution, federal law prohibits dispensing without prescription" or similar words indicating that such drug, medicine, chemical, or poison may be sold or dispensed only upon the prescription of a licensed practitioner, except that the term legend drug will not include any drug, substance, or compound which is listed Schedules I through V of the Alabama Uniform Controlled Substances Act.
- (9) **PRESCRIBE OR PRESCRIBING.** The act of issuing a prescription for a legend drug.
- (10) **PRESCRIPTION.** An order for a legend drug which is issued and signed by a practitioner authorized by law to prescribe and administer such drugs and is

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

(11) **PROTOCOL.** A document approved according to Code of Alabama 1975, as amended, § 34-21-81, establishing the permissible functions and activities to be performed by certified registered nurse practitioners and certified nurse midwives and signed by collaborating physicians and any nurse practitioners or nurse midwives practicing with those physicians.

(12) **MEDICAL OVERSIGHT.** Concurrent and on-going collaboration between a physician and a CRNP or CNM and documentation of time together in a practice site; may include but is not limited to direct consultation and patient care, discussion of disease processes and medical care, review of patient records, protocols and outcome indicators, and other activities to promote positive patient outcomes.

(13) **QUALITY ASSURANCE.** Documented evaluation of the clinical practice of the certified registered nurse practitioner or certified nurse midwife against established patient- defined quality outcome indicators measures, using a specified percentage or selected, meaningful sample of patient records which will identify areas needing improvement, set performance goals, and assess progress towards meeting established goals, with a summary of findings, conclusions, and, if indicated, recommendations for change. The physician's signature on the patient record does not constitute quality improvement monitoring.

(14) **PRINCIPAL PRACTICE SITE.** The main location at which the collaborating physician is engaged in the practice of medicine.

(15) **REMOTE PRACTICE SITE.** An approved site for collaborative practice without a collaborative or covering physician on-site. The collaborating physician's

principal practice site, acute care hospitals, skilled nursing facilities, licensed, special-care assisted living facilities and licensed assisted living facilities are not remote practice sites for the purpose of these rules.

(16) **READILY AVAILABLE.** Response by the collaborating or covering physician by telephone, telecommunication or radio for consultation, referral or direct medical intervention for a patient as indicated by the needs of a patient and based on usual and customary standards of medical practice.

(17) **DIRECT MEDICAL INTERVENTION.** Physical presence of a physician to attend the patient as defined in the collaborative practice protocol.

Author: Alabama Board of Medical Examiners.

Statutory Authority: Code of Alabama 1975, as amended, § 34-24-53 and § 34-21-81.

History: This new Chapter 8 - Advanced Practice Nurses: Collaborative Practice replaces Chapter 8 - Nurse Midwives. This chapter is being filed as a joint effort by the Alabama Board of Nursing and the Alabama Board of Medical Examiners. Amended/Approved For Publication: March 20, 1996.

Approved/Adopted: June 19, 1996. Effective Date: July 25, 1996.

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