

CR 94-129

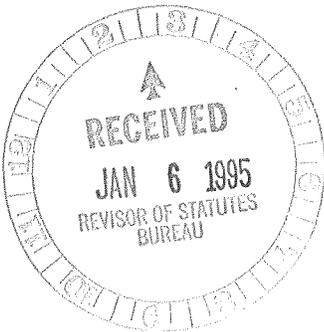
**CERTIFICATE**

**STATE OF WISCONSIN  
DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:**

*I, Alfred J. Hall, Jr., Director, Bureau of Health Service Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Board of Nursing, do hereby certify that the annexed rules were duly approved and adopted by the Board of Nursing on the 5th day of January, 1995.*

*I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.*



**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 5th day of January, 1995.**

*Alfred J. Hall Jr.*  
\_\_\_\_\_  
**Alfred J. Hall, Jr., Director  
Bureau of Health Service Professions  
Department of Regulation and  
Licensing**

3-1-95

STATE OF WISCONSIN  
BOARD OF NURSING

---

IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	BOARD OF NURSING
BOARD OF NURSING	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 94-129)

---

ORDER

An order of the Board of Nursing to renumber N 5.02 (2), (3) and (4); to amend N 5.01 (2) and 5.07 (1) (intro.); and to create N 5.02 (2) and (3), 5.03 (4) and (5), 5.08 (3), 7.04 (13m) and chapter N 8 relating to the certification of advanced practice nurse prescribers.

Analysis prepared by the Department of Regulation and Licensing.

---

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2), Stats., and s. 441.16, Stats., as created by 1993 Wisconsin Act 138.

Statutes interpreted: s. 441.16, Stats.

In this proposed rule-making order the Board of Nursing creates ss. N 5.03 (4) and (5), N 5.08 (3), N 7.04 (13m) and Chapter N 8 setting forth the guidelines by which an advanced practice nurse may prepare prescription orders. The rules created in this rule-making implement s. 441.16 (3), Stats., created by 1993 Wisconsin Act 138, effective March 23, 1994.

The intent of the Board of Nursing in adopting rules in ch. N 8 is to specify education, training or experience that a registered nurse must satisfy to call himself or herself an advanced practice nurse; to establish appropriate education, training and examination requirements that an advanced practice nurse must satisfy to qualify for a certificate to issue prescription orders; to define the scope of practice within which an advanced practice nurse prescriber may issue prescription orders; to specify the classes of drugs, individual drugs or devices that may not be prescribed by an advanced practice nurse prescriber; to specify the conditions to be met for a registered nurse to administer a drug prescribed or directed by an advanced practice nurse prescriber; to establish procedures for maintaining a certificate to issue prescription orders, including requirements for continuing education; and to establish the minimum amount of malpractice insurance required of an advanced practice nurse prescriber shall have.

---

## TEXT OF RULE

SECTION 1. N 5.01 (2) is amended to read:

N 5.01 (2) The intent of the board of nursing in adopting rules in this chapter is to specify the requirements and procedures for renewal of the license of a registered nurse, an advanced practice nurse prescriber, a licensed practical nurse, or a nurse-midwife, for obtaining a duplicate renewal card, and for notifying the bureau of health service professions of name or address changes.

SECTION 2. N 5.02 (2), (3) and (4) are renumbered 5.02 (4), (5) and (6).

SECTION 3. N 5.02 (2) and (3) are created to read:

N 5.02 (2) "Certificate" means a certificate of an advanced practice nurse prescriber.

(3) "Certificate holder" means a person holding a certificate as an advanced practice nurse prescriber.

SECTION 4. N 5.03 (4) and (5) are created to read:

N 5.03 (4) **ADVANCED PRACTICE NURSES.** No person may use the title "advanced practice nurse" or append to his or her name the letters "A.P.N." unless he or she meets the qualifications described in s. N 8.02 (1).

(5) **ADVANCED PRACTICE NURSE PRESCRIBERS.** No person may practice or attempt to practice as an advanced practice nurse prescriber or use the title "advanced practice nurse prescriber" or append to his or her name the letters "A.P.N.P.", or otherwise indicate that he or she is certified to practice as an advanced practice nurse prescriber unless he or she is both currently certified under s. 441.16 (2), Stats., and is currently certified by a national certifying body approved by the board as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist.

SECTION 5. N 5.07 (1) (intro.) is amended to read:

N 5.07 (1) (intro.) **DUPLICATE RENEWAL CARD.** (1) A duplicate renewal card may be issued to a registered nurse, advanced practice nurse prescriber, licensed practical nurse or nurse-midwife whose card has been lost, stolen, or destroyed, or whose name or address has been changed, upon the filing with the bureau of an application for duplicate renewal card. The application shall include:

SECTION 6. N 5.08 (3) is created to read:

N 5.08 (3) An advanced practice nurse certified to issue prescription orders who has failed to renew the certificate within 5 years after its renewal date shall, as a condition for renewal, show evidence of meeting all current requirements for a certificate under s. N 8.03.

SECTION 7. N 7.04 (13m) is created to read:

N 7.04 (13m) Violating any provision of s. 441.16, Stats., or ch. N 8.

SECTION 8. Chapter N 8 is created to read:

### Chapter N 8

#### CERTIFICATION OF ADVANCED PRACTICE NURSE PRESCRIBERS

N 8.01 AUTHORITY AND INTENT. (1) The rules in this chapter are adopted pursuant to authority of ss. 15.08 (5) (b), 227.11 (2) and 441.16, Stats., and interpret s. 441.16, Stats.

(2) The intent of the board of nursing in adopting rules in this chapter is to specify education, training or experience that a registered nurse must satisfy to call himself or herself an advanced practice nurse; to establish appropriate education, training and examination requirements that an advanced practice nurse must satisfy to qualify for a certificate to issue prescription orders; to define the scope of practice within which an advanced practice nurse prescriber may issue prescription orders; to specify the classes of drugs, individual drugs or devices that may not be prescribed by an advanced practice nurse prescriber; to specify the conditions to be met for a registered nurse to administer a drug prescribed or directed by an advanced practice nurse prescriber; to establish procedures for maintaining a certificate to issue prescription orders, including requirements for continuing education; and to establish the minimum amount of malpractice insurance required of an advanced practice nurse prescriber.

N 8.02 DEFINITIONS. As used in this chapter:

(1) "Advanced practice nurse" means a registered nurse who possesses the following qualifications:

(a) The registered nurse has a current license to practice professional nursing in this state;

(b) The registered nurse is currently certified by a national certifying body approved by the board as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist; and,

(c) For applicants who receive national certification as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist after July 1, 1998, the registered nurse holds a master's degree in nursing or a related health field granted by a college or university accredited by a regional accrediting agency approved by the board of education in the state in which the college or university is located.

(2) "Advanced practice nurse prescriber" means an advanced practice nurse who has been granted a certificate to issue prescription orders under s. 441.16 (2), Stats.

(3) "Board" means the board of nursing.

(4) "Clinical pharmacology/therapeutics" means the identification of individual and classes of drugs, their indications and contraindications, their likelihood of success, their side-effects and their interactions, as well as, clinical judgment skills and decision-making, based on thorough interviewing, history-taking, physical assessment, test selection and interpretation, pathophysiology, epidemiology, diagnostic reasoning, differentiation of conditions, treatment decisions, case evaluation and non-pharmacologic interventions.

(5) "Collaboration" means a process which involves 2 or more health care professionals working together, in each other's presence when necessary, each contributing one's respective area of expertise to provide more comprehensive care than one alone can offer.

(6) "Health care professional" has the meaning given under s. 180.1901 (1m), Stats.

(7) "Patient health care record" has the meaning given under s. 146.81 (4), Stats.

N 8.03 QUALIFICATIONS FOR CERTIFICATION AS AN ADVANCED PRACTICE NURSE PRESCRIBER. An applicant for initial certification to issue prescription orders shall be granted a certificate by the board if the applicant complies with all of the following:

(1) Has a current license to practice as a professional nurse in this state.

(2) Is currently certified by a national certifying body approved by the board as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist.

(3) For applicants who receive national certification as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist after July 1, 1998, holds a master's degree in nursing or a related health field granted by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located.

(4) Has completed at least 45 contact hours in clinical pharmacology/therapeutics within 3 years preceding the application for a certificate to issue prescription orders.

(5) Has passed a jurisprudence examination for advanced practice nurse prescribers.

N 8.04 APPLICATION PROCEDURE. An applicant for a certificate to practice as an advanced practice nurse prescriber shall file a completed notarized application on a form provided by the board. The application shall include:

(1) The signature of the applicant.

(2) The fee specified under s. 440.05 (1), Stats.

(3) Evidence of current certification by a national certifying body approved by the board as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist.

(4) For applicants who receive national certification as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist after July 1, 1998, certification of the grant of a master's degree in nursing or a related health field from, and submitted directly to the board by a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located.

(5) Satisfactory evidence of completion of at least 45 contact hours in clinical pharmacology/therapeutics within 3 years preceding the application for a certificate.

Note: Application forms are available on request to the Board of Nursing, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

N 8.05 CONTINUING EDUCATION. (1) Every advanced practice nurse prescriber shall submit to the board evidence of having completed an average of at least 8 contact hours per year in clinical pharmacology/therapeutics relevant to the advanced practice nurse prescriber's area of practice.

(2) Evidence of completion of continuing education meeting the requirements of sub. (1) shall be submitted to the board on a schedule consistent with the schedule for submission of evidence of continuing education hours established by the advanced practice nurse prescriber's national certifying body.

N 8.06 PRESCRIBING LIMITATIONS. The advanced practice nurse prescriber:

(1) May issue only those prescription orders appropriate to the advanced practice nurse prescriber's areas of competence, as established by his or her education, training or experience.

(2) May not issue a prescription order for any schedule I controlled substance.

(3) May not prescribe, dispense or administer any amphetamine, sympathomimetic amine drug or compound designated as a schedule II controlled substance pursuant to the provisions of s. 161.16 (5), Stats., to or for any person except for any of the following:

(a) Use as an adjunct to opioid analgesic compounds for the treatment of cancer-related pain.

(b) Treatment of narcolepsy.

(c) Treatment of hyperkinesis.

(d) Treatment of drug-induced brain dysfunction.

(e) Treatment of epilepsy.

(f) Treatment of depression shown to be refractory to other therapeutic modalities.

(4) May not prescribe, order, dispense or administer any anabolic steroid for the purpose of enhancing athletic performance or for other nonmedical purpose.

(5) Shall, in prescribing or ordering a drug for administration by a registered nurse or licensed practical nurse under s. 441.16 (3) (cm), Stats., present evidence to the nurse and to the administration of the facility where the prescription or order is to be carried out that the advanced practice nurse prescriber is properly certified to issue prescription orders.

**N 8.07 PRESCRIPTION ORDERS.** (1) Prescription orders issued by advanced practice nurse prescribers shall:

(a) Specify the date of issue.

(b) Specify the name and address of the patient.

(c) Specify the name, address and business telephone number of the advanced practice nurse prescriber.

(d) Specify the name and quantity of the drug product or device prescribed, including directions for use.

(e) Bear the signature of the advanced practice nurse prescriber.

(2) Prescription orders issued by advanced practice nurse prescribers for a controlled substance shall be written in ink or indelible pencil or shall be typewritten, and shall contain the practitioner's controlled substances number.

N 8.08 MALPRACTICE INSURANCE COVERAGE. (1) Advanced practice nurse prescribers shall maintain in effect malpractice insurance in an amount not less than the amount set forth in s. 655.23 (4), Stats.

(2) Every advanced practice nurse who is certified to issue prescription orders shall annually submit to the board satisfactory evidence that he or she has in effect malpractice insurance required by sub. (1).

N 8.09 DISPENSING. (1) Except as provided in sub. (2), advanced practice nurse prescribers shall restrict their dispensing of prescription drugs to complimentary samples dispensed in original containers or packaging supplied by a pharmaceutical manufacturer or distributor.

(2) An advanced practice nurse prescriber may dispense drugs to a patient if the treatment facility at which the patient is treated is located at least 30 miles from the nearest pharmacy.

N 8.10 CASE MANAGEMENT AND COLLABORATION WITH OTHER HEALTH CARE PROFESSIONALS. (1) Advanced practice nurse prescribers shall communicate with patients through the use of modern communication techniques.

(2) Advanced practice nurse prescribers shall facilitate collaboration with other health care professionals, at least 1 of whom shall be a physician, through the use of modern communication techniques

(3) Advanced practice nurse prescribers shall facilitate referral of patient health care records to other health care professionals and shall notify patients of their right to have their health care records referred to other health care professionals.

(4) Advanced practice nurse prescribers shall provide a summary of a patient's health care records, including diagnosis, surgeries, allergies and current medications to other health care providers as a means of facilitating case management and improved collaboration.

(5) The board shall promote communication and collaboration among advanced practice nurses, physicians and other health care professionals, including notification to advanced practice nurses of mutual educational opportunities and available communication networks.

---

(END OF TEXT OF RULE)

---

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 1/5/95

Agency Jacqueline Johnson RVM  
Chairperson  
Board of Nursing

10/24/94

**CORRESPONDENCE/MEMORANDUM**

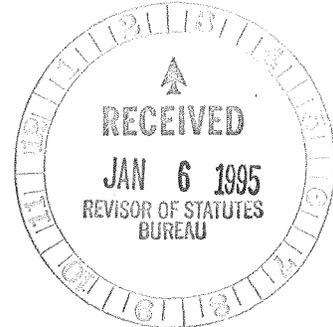
**STATE OF WISCONSIN**

**DATE:** January 6, 1995

**TO:** Gary Poulson  
Assistant Revisor of Statutes

**FROM:** Pamela A. Haack, Administrative Assistant  
Department of Regulation and Licensing  
Office of Administrative Rules

**SUBJECT:** Final Rule-Making Order



**Agency: BOARD OF NURSING**

**Clearinghouse Rule: 94-129**

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the code.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.