

# House Research Act Summary

**CHAPTER:** 362

**SESSION:** 2002 Regular Session

**TOPIC:** Protocols for nurses for prescribing and administering drugs; certification of advanced practice registered nurses; nursing home bed transfer; epinephrine

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## Overview

This act establishes requirements under which registered nurses may prescribe legend drugs according to a protocol and registered and licensed practical nurses may administer vaccines according to a protocol. Current law authorizes prescribers to direct registered nurses and others to prescribe and administer legend drugs according to protocols, and this act clarifies that licensed practical nurses may administer vaccines and establishes protocol requirements in the Nurse Practice Act. This act also allows waivers of the certification requirement to practice as an advanced practice registered nurse, for a limited period, if certain criteria are met. In addition, this act authorizes the transfer of certain nursing home beds and requires the EMS Regulatory Board to make epinephrine available on emergency ambulance calls.

### Section

- 1 **Prescription by protocol.** Adds subd. 8 to § 148.235. Allows a registered nurse to apply a protocol to prescribe a legend drug if the protocol has been predetermined and delegated by a practitioner with prescribing authority, if the nurse is caring for a patient whose condition falls within the protocol, and if the protocol specifies when the drug may be prescribed or administered.
- 2 **Vaccine by protocol.** Adds subd. 9 to § 148.235. Allows a registered or licensed practical nurse to apply a protocol to administer a vaccine if the protocol has been predetermined and delegated by a practitioner with prescribing authority, if the nurse is caring for a patient whose characteristics fall within the protocol, and if the protocol specifies when the vaccine should not be administered.
- 3 **Certification of advanced practice registered nurses.** Amends § 148.284. Before July 1, 2007, allows a clinical nurse specialist to petition the Board of Nursing for a waiver of the certification requirements to practice as an advanced practice registered nurse, if the nurse is academically prepared as a clinical nurse specialist in a specialty area for which there is no

certification. Lists criteria the nurse must meet to be eligible for a waiver. Allows the Board to grant a permit for up to 12 months to allow the nurse to engage in supervised post-graduate clinical experience, and allows the Board to renew a waiver for three-year periods if the nurse continues to be ineligible for certification.

- 4 **Prescribing and filing.** Amends § 151.37, subd. 2. Amends a subdivision governing prescribing, dispensing, and administering legend drugs by licensed practitioners, to require that when a practitioner prescribes a legend drug by directing a nurse to adhere to specific guidelines and protocols for prescribing and administering the drug, the practitioner's and nurse's activities must comply with sections 1 and 2 of this act. Also strikes a term, with the effect of allowing licensed practical nurses to administer vaccines.
- 5 **Transfer of beds.** Adds subd. 9 to § 256B.437. Allows the St. Louis County Board of Commissioners to amend its planned closure rate adjustment application to allow up to 100 beds from a county-owned nursing facility to be transferred to other nursing facilities, and to assign some or all of the planned closure rate adjustment to these nursing facilities.
- 6 **Epinephrine on emergency ambulance calls.** Requires the Emergency Medical Services Regulatory Board, in cooperation with other organizations, to establish a plan to ensure epinephrine is available on emergency ambulance calls made in Minnesota on or after September 1, 2002. Requires the Board to report to the legislature on the success of implementing the policy. Makes this section effective the day following final enactment.