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**LEGISLATION AND RULES COMMITTEE  
BOARD OF NURSING**

**Room 121B, 1400 East Washington Avenue, Madison**  
**Contact: Sharon Henes (608) 266-2112**  
**October 19, 2015**

*Notice: The following agenda describes the issues that the Committee plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Committee. A quorum of the Board may be present during the committee meeting.*

**8:00 a.m.**

**AGENDA**

**CALL TO ORDER – ROLL CALL – OPEN SESSION**

- A. Approval of Agenda (1)**
- B. Approval of the Minutes of June 22, 2015 (2)**
- C. Legislation and Administrative Rules Matters – Discussion and Consideration (3-6)**
  - 1) Draft Amending N 8 Relating to Advanced Practice Nurse Prescriber
  - 2) Update on Legislation and Pending or Possible Rulemaking Projects
- D. Public Comments**

**ADJOURNMENT**

The next scheduled meeting is November 23, 2015.

**LEGISLATION AND RULES COMMITTEE  
BOARD OF NURSING  
MEETING MINUTES  
June 22, 2015**

**PRESENT:** Peter Kallio, Jeffrey Miller, Luann Skarlupka

**STAFF:** Dan Williams, Executive Director; Sharon Henes, Rules Coordinator; Other Department Staff

**CALL TO ORDER**

The Chair called the meeting to order at 8:02 a.m. A quorum of three (3) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Luann Skarlupka moved, seconded by Peter Kallio, to adopt the agenda as published. Motion carried unanimously.

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to recommend to the Board the rulemaking order revising N 7 as amended at the committee meeting. Motion carried unanimously.

**MOTION:** Peter Kallio moved, seconded by Luann Skarlupka, to request DSPS staff draft a Scope Statement revising N 8 relating to changing from within 3 to within 5 years of application the pharmacology credits shall be completed, clarify the continuing education requirement and add treatment of ADD/ADHD to the prescribing exception. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Peter Kallio moved, seconded by Luann Kallio, to adjourn the Legislation and Rules Committee meeting. Motion carried unanimously.

The meeting adjourned at 11:55 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

|                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                    |  |
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| 1) Name and Title of Person Submitting the Request:<br><br><b>Sharon Henes</b><br><b>Administrative Rules Coordinator</b>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                | 2) Date When Request Submitted:<br><br><b>12 October 2015</b><br>Items will be considered late if submitted after 12:00 p.m. on the deadline date:<br>▪ 8 business days before the meeting                                                                                                                                                                                                         |  |
| 3) Name of Board, Committee, Council, Sections:<br><br><b>Board of Nursing Legislation Committee</b>                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| 4) Meeting Date:<br><br><b>19 October 20015</b>                                                                                                                                                                                                                                                                                                                                            | 5) Attachments:<br><input type="checkbox"/> Yes<br><input type="checkbox"/> No                                                                                                 | 6) How should the item be titled on the agenda page?<br><b>A. Approval of Agenda</b><br><b>B. Legislative and Administrative Rules Matters – Discussion and Consideration</b><br><b>1. Draft amending N 8 Relating to Advanced Practice Nurse Prescriber</b><br><b>2. Update on Legislation and Pending and Possible Rulemaking Projects</b><br><b>C. Public Comments</b><br><b>D. Adjournment</b> |  |
| 7) Place Item in:<br><input checked="" type="checkbox"/> Open Session<br><input type="checkbox"/> Closed Session<br><input type="checkbox"/> Both                                                                                                                                                                                                                                          | 8) Is an appearance before the Board being scheduled?<br><br><input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> )<br><input type="checkbox"/> No | 9) Name of Case Advisor(s), if required:                                                                                                                                                                                                                                                                                                                                                           |  |
| 10) Describe the issue and action that should be addressed:                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| 11) Authorization                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| <i>Sharon Henes</i>                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                | <i>12 October 2015</i>                                                                                                                                                                                                                                                                                                                                                                             |  |
| Signature of person making this request                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                | Date                                                                                                                                                                                                                                                                                                                                                                                               |  |
| Supervisor (if required)                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                | Date                                                                                                                                                                                                                                                                                                                                                                                               |  |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda)                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                | Date                                                                                                                                                                                                                                                                                                                                                                                               |  |
| Directions for including supporting documents:<br>1. This form should be attached to any documents submitted to the agenda.<br>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.<br>3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. |                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                    |  |

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TEXT OF RULE

SECTION 1. N 8.02(c) is amended to read:

N 8.02 (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 or doctoral 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.

SECTION 2. N 8.03 (intro) is amended to read:

**N 8.03 ~~Qualifications for certification~~ Certification as an advanced practice nurse prescriber.** An applicant for initial certification ~~to issue prescription orders~~ as an advanced practice nurse prescriber shall be granted a certificate by the board if the applicant complies with all of the following:

SECTION 2. N 8.03 (1) is renumbered to N 8.03 (1m) and amended to read:

**N 8.03 (1) ~~Has~~ Provides evidence of holding** a current license to practice as a professional nurse in this state or ~~has~~ a current license to practice professional nursing in another state which has adopted the nurse licensure compact.

SECTION 3. N 8.03 (1) is created to read:

N 8.03 (1) Submits an application form and the fee under s. 440.05(1), Stats.

SECTION 4. N 8.03 (2), (3), (4), and (5) are amended to read:

**N 8.03 (2) ~~Is currently certified~~ Provides 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.

**(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,~~ Provides evidence of a master's or doctoral degree in nursing or a related health field granted by a college or university accredited by a regional accrediting agency organization approved by the state board of education in the state in which the college or university is located Council for Higher Education Accreditation. This subs. does not apply to those who received national certification as a nurse practitioner, certified nurse-midwife, certified registered nurse anesthetist or clinical nurse specialist before July 1, 1998.**

**(4) ~~Has completed at least~~ Provides evidence of completion of 45 contact hours in clinical pharmacology/ or therapeutics within ~~3~~ 5 years preceding the application for a certificate ~~to issue prescription orders.~~**

(5) ~~Has passed~~ Evidence of passing a jurisprudence examination for advanced practice nurse prescribers.

SECTION 5. N 8.04 is repealed.

SECTION 6. N 8.045 is created to read:

**N 8.045 Renewal.** A person holding an advanced practice nurse prescriber may renew the certificate by doing all of the following:

- (1) Pay the renewal fee as determined by the department under s. 440.03(9)(a), Stats., the workforce survey fee and any applicable late renewal fee.
- (2) Complete the nursing workforce survey to the satisfaction of the board.
- (3) Certify completion of the continuing education required under N 8.05.
- (4) Provide 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.

SECTION 7. N 8.05 (1) is amended to read:

**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~~ complete 16 contact hours per year biennium in clinical pharmacology/ or therapeutics relevant to the advanced practice nurse prescriber's area of practice, including at least 2 contact hours in responsible prescribing of controlled substances.

SECTION 8. N 8.06 (3) (g) is created to read:

N 8.06 (3) (g) Treatment of attention deficit disorder or attention deficit hyperactivity disorder.

SECTION 9. N 8.06 (5) is amended to read:

**N 8.06 (5)** Shall, ~~in prescribing or ordering a drug for administration by a registered nurse or licensed practical nurse under s. 441.16 (3) (em), Stats.~~ upon request, present evidence to the nurse ~~and~~ or 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.

SECTION 10. N 8.07 (2) is amended to read:

**N 8.07 (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~~ submitted electronically as permitted by state and federal law, and shall contain the practitioner's controlled substances number.

SECTION 11. N 8.09 (2) is amended to read:

**N 8.09 (2)** An advanced practice nurse prescriber may dispense drugs to a patient ~~if at the treatment facility at which the patient is treated is located at least 30 miles from the nearest pharmacy.~~

SECTION 12. N 8.10 (title) is amended to read:

N 8.10 ~~Case~~ **Care management and collaboration with other health care professionals.**

SECTION 13. N 8.10 (5) is amended to read:

**N 8.10 (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.~~

SECTION 14. N 8.10 (6) is amended to read:

**N 8.10 (6)** To promote ~~ease~~ care management, the advanced practice nurse prescriber may order laboratory testing, ~~radiographs~~ imaging or electrocardiograms appropriate to his or her area of competence as established by his or her education, training, or experience.

SECTION ?. EFFECTIVE DATE. 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.

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(END OF TEXT OF RULE)  
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