

# STATEMENT OF SCOPE

## BOARD OF NURSING

**Rule No.:** N 8

**Relating to:** Advanced Practice Nurse Prescriber Collaboration with Other Health Care Professionals

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to update the requirements concerning collaboration with other health care professionals to be more consistent with current health care practices and recognize the increasing need for public access to quality health care. Specifically, the proposed rule will repeal s. N 8.10 (2) and (7), which require an advanced practice nurse prescriber (APNP) to work in a collaborative relationship with at least one physician or dentist and to document that relationship. The rules as updated will continue to require APNPs to facilitate referral of and provide a summary of patient health care records to other health care professionals as a means of improving care management and collaboration, and require the board to promote communication and collaboration among APNPs, physicians, dentists, and other health care professionals.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

As part of Emergency Order 16, issued by Governor Evers in response to the COVID-19 public health emergency, s. N 8.10 (2) and (7) concerning collaboration with other health care professionals were temporarily suspended. The Board recognizes the success these measures had in helping meet the need for public access to health care without compromising patient safety, and also recognizes the need for APNPs to continue to work in a collaborative relationship with physicians, dentists, and other health care professionals as appropriate. As such, the Board is proposing the above-identified updates as a long-term means to address the increasing need for public access to quality health care.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats., provides an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 441.16 (3) (b), Stats., provides the Board shall promulgate rules for “[d]efining the scope of practice within which an advanced practice nurse may issue prescription orders.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

120 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Advanced practice nurses, other health care professionals, entities that employ advanced practice nurses and other health care professionals, and individuals accessing health care services.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule is anticipated to have minimal to no economic impact on small businesses. As the repeal of s. N 8.10 (2) and (7) proposed by the Board would reduce recordkeeping requirements, the proposed rule is anticipated to have a positive economic impact on APNPs in independent practice.

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Authorized Signature

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Date Submitted

**1. Opioid abuse statistics coming out of COVID:**

Law Enforcement Alerts (Incidents Occurred Between March-August 2020)		March-August 2019	% Compared to the Same Time in 2019
Overdose Incident	83	67	+23.88%
Suspected Fatal Narcotic Overdose	73	53	+37.74%
Suspected Non Fatal Opioid Related Drug Overdose	477	378	+26.19%
Data-Driven Alerts March-July 2020		March-July 2019	% Compared to the Same Time in 2019
Concurrent Benzodiazepine and Opioid	89568	98913	-9.45%
Early Refill	74854	76675	-2.37%
High Opioid Daily Dose	67815	83182	-18.47%
Long Term Opioid Therapy	105127	126425	-16.85%
Multiple Prescribers Or Pharmacies	44117	66136	-33.2935%
Multiple Same Day Prescriptions	3700	5662	-34.65%

**2. Framework of referral criteria from PDMP reporting: potential criteria**

- Prescribing by Drug Class (compared to other prescribers within the same specialty).

Drug Classification	Prescription Orders (Number)	Prescription Orders (Percentile %)	Average Doses per Prescription (Number)	Average Doses per Prescription (Percentile %)
Opioid				
Benzodiazepine				
Stimulant				
Other				

- Prescribing by Specific Drugs
  - a. Formulation
  - b. Days Supplied
  - c. Patient Age
  - d. Daily MME
- Prescribing by Payment Type
- Special Distribution/Average Distance Traveled by Patients (miles)
- Summary of prescriber's ePDMP usage