

Amend CSSB 532 (house committee printing) as follows:

(1) In the recital to SECTION 2 of the bill (page 2, line 7), between "(a)" and "and", insert ", (b), (c),".

(2) In SECTION 2 of the bill, in amended Section 157.053(a)(2), Occupations Code (page 2, line 14), strike "or advanced practice nurse" and substitute "~~[or advanced practice nurse]~~".

(3) In SECTION 2 of the bill, in amended Section 157.053(a)(5), Occupations Code (page 2, lines 23 and 24), strike "or advanced practice nurse".

(4) In SECTION 2 of the bill, in added Section 157.053(a)(6), Occupations Code (page 2, line 26), strike "or advanced practice nurse".

(5) In SECTION 2 of the bill, in added Section 157.053(a)(6), Occupations Code (page 3, line 1), between "time" and the period, insert "~~[or advanced practice nurse]~~".

(6) In SECTION 2 of the bill, immediately following amended Section 157.053(a), Occupations Code (page 3, between lines 1 and 2), insert the following:

(b) At a physician's primary practice site, a physician licensed by the board may delegate to a physician assistant ~~[or an advanced practice nurse]~~ acting under adequate physician supervision the act of administering, providing, or carrying out or signing a prescription drug order as authorized through a physician's order, a standing medical order, a standing delegation order, or another order or protocol as defined by the board.

(c) Physician supervision of the carrying out and signing of prescription drug orders must conform to what a reasonable, prudent physician would find consistent with sound medical judgment but may vary with the education and experience of the particular ~~[advanced practice nurse or]~~ physician assistant. A physician shall provide continuous supervision, but the constant physical presence of the physician is not required.

(7) In SECTION 2 of the bill, in amended Section 157.053(e)(1), Occupations Code (page 3, lines 4 and 5), strike "or advanced practice nurses" and substitute "~~[or advanced practice nurses]~~".

(8) Strike the recital to SECTION 3 of the bill (page 3, lines 11 and 12) and substitute the following:

SECTION 3. Section 157.0541, Occupations Code, is amended to read as follows:

Sec. 157.0541. PRESCRIBING AT ALTERNATIVE SITES.

(9) In SECTION 3 of the bill immediately following amended Section 157.0541(a), Occupations Code (page 3, between lines 17 and 18), insert the following:

(b) At an alternate site, a physician licensed by the board may delegate to a [~~an advanced practice nurse or~~] physician assistant, acting under adequate physician supervision, the act of administering, providing, or carrying out or signing a prescription drug order as authorized through a physician's order, a standing medical order, a standing delegation order, or another order or protocol as defined by the board.

(10) In SECTION 3 of the bill, strike amended Sections 157.0541(c) and (e), Occupations Code (page 3, line 18, through page 4, line 19) and substitute the following:

(c) Physician supervision is adequate for the purposes of this section if [~~the delegating physician~~]:

(1) the delegating physician:

(A) is on-site with the [~~advanced practice nurse or~~] physician assistant at least 10 [~~20~~] percent of the hours of operation of the site each month that the physician assistant is acting with delegated prescriptive authority and is available while on-site to see, diagnose, treat, and provide care to those patients for services provided or to be provided by the physician assistant to whom the physician has delegated prescriptive authority; and

(B) is not prohibited by contract from seeing, diagnosing, or treating a patient for services provided or to be provided by the physician assistant under delegated prescriptive authority [~~time~~];

(2) the delegating physician reviews at least 10 percent of the medical charts, including through electronic review of the charts from a remote location, for each physician assistant at the site; and

(3) the delegating physician is available through

direct telecommunication for consultation, patient referral, or assistance with a medical emergency.

(d) An alternate physician may provide appropriate supervision to a [~~an advanced practice nurse or~~] physician assistant under this section on a temporary basis as provided by board rule.

(e) Unless a waiver is granted under Section 157.0542(b-1), the [~~The combined~~] number of [~~advanced practice nurses and~~] physician assistants to whom a physician may delegate under this section and at a primary practice site under Section 157.053 may not exceed three physician assistants [~~or advanced practice nurses~~] or the full-time equivalent of three physician assistants [~~or advanced practice nurses~~].

(11) In the recital to SECTION 4 of the bill (page 4, line 21), between "by" and "adding", insert "amending Subsections (a) and (b) and".

(12) In SECTION 4 of the bill, immediately following the recital to that section (page 4, between lines 21 and 22), insert the following:

(a) On determining that the conditions of Subsection (b) have been met, the board may waive or modify any of the site or supervision requirements for a physician to delegate the carrying out or signing of prescription drug orders to a [~~an advanced practice nurse or~~] physician assistant under Sections 157.052, 157.053, 157.054, and 157.0541, or under board rules. The board may not waive the limitation on the number of primary or alternate practice sites at which a physician may delegate the carrying out or signing of prescription drug orders or the number of [~~advanced practice nurses or~~] physician assistants to whom a physician may delegate the carrying out or signing of prescription drug orders.

(b) The board may grant a waiver under Subsection (a) if the board determines that:

(1) the practice site where the physician is seeking to delegate prescriptive authority is unable to meet the requirements of this chapter or board rules or compliance would cause an undue burden without a corresponding benefit to patient care;

(2) safeguards exist for patient care and for fostering a collaborative practice between the physician and the ~~[advanced practice nurses and]~~ physician assistants; and

(3) if the requirement for which the waiver is sought is the amount of time the physician is on-site, the frequency and duration of time the physician is on-site when the ~~[advanced practice nurse or]~~ physician assistant is present is sufficient for collaboration to occur, taking into consideration the other ways the physician collaborates with the ~~[advanced practice nurse or]~~ physician assistant, including at other sites.

(13) In SECTION 4 of the bill, in added Section 157.0542(b-1), Occupations Code (page 4, lines 23 and 24), strike "or advanced practice nurse".

(14) In SECTION 4 of the bill, strike added Section 157.0542(b-1)(1), Occupations Code (page 5, lines 1 through 5), and substitute the following:

(1) the limitation on the number of physician assistants, or their full-time equivalents, if the board does not authorize more than six physician assistants or their full-time equivalents;

(15) Add the following appropriately numbered SECTIONS to the bill and renumber remaining SECTIONS of the bill accordingly:

SECTION _____. Chapter 301, Occupations Code, is amended by adding Subchapter N to read as follows:

SUBCHAPTER N. ADVANCED PRACTICE REGISTERED NURSES

Sec. 301.651. SCOPE OF PRACTICE. (a) Advanced practice registered nursing by a nurse practitioner, nurse anesthetist, nurse-midwife, or clinical nurse specialist is based on:

(1) knowledge and skills acquired in basic nursing education;

(2) licensure as a registered nurse;

(3) successful completion of a graduate-level advanced practice registered nursing program accredited by a national accrediting body recognized by the board;

(4) current certification in accordance with this chapter by a national certifying body recognized by the board in the appropriate advanced practice registered nursing role approved by

the board; and

(5) nursing care provided in an area with at least one targeted population group recognized and approved by the board.

(b) Practice as an advanced practice registered nurse is an expanded scope of nursing practice in a role approved by the board and in an area with a targeted population group recognized and approved by the board, with or without compensation or other personal profit, and includes the scope of practice of a registered nurse.

(c) The scope of practice of an advanced practice registered nurse includes advanced assessment, diagnosing, prescribing, and ordering.

(d) An advanced practice registered nurse may serve as a primary care provider of record.

Sec. 301.652. APPLICABILITY OF SUBCHAPTER TO REGISTERED NURSES. (a) This subchapter does not limit or modify the scope of practice of a registered nurse who is not an advanced practice registered nurse approved by the board.

(b) The scope of practice of a registered nurse includes any act of professional nursing the nurse is authorized to perform under this chapter.

Sec. 301.653. LICENSE REQUIRED. A person may not practice or offer to practice advanced practice registered nursing in this state unless the person is licensed as an advanced practice registered nurse.

Sec. 301.654. APPLICATION. An applicant for an advanced practice registered nurse license shall submit to the board an application on the form prescribed by the board, any required fee, and any other information required by the board.

Sec. 301.655. PRACTICE BY LICENSED ADVANCED PRACTICE REGISTERED NURSE. (a) A licensed advanced practice registered nurse may:

(1) diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources; and

(2) plan and initiate a therapeutic regimen that includes ordering and prescribing medical devices and equipment,

nutrition, and diagnostic and supportive services, including home health care, hospice, physical therapy, and occupational therapy.

(b) An advanced practice registered nurse shall practice as a licensed independent practitioner in accordance with standards established and recognized by the board to protect the public health and safety.

(c) An advanced practice registered nurse is accountable to patients, the nursing profession, and the board for:

(1) complying with the requirements of this chapter;
(2) providing quality advanced nursing care;
(3) recognizing the nurse's limits of knowledge and experience;

(4) planning for the management of situations beyond the nurse's expertise; and

(5) consulting with or referring patients to other health care providers as appropriate.

Sec. 301.656. PRESCRIBING AND ORDERING AUTHORITY. (a) The board may grant prescribing and ordering authority in accordance with this chapter through the issuance of an advanced practice registered nursing license to a registered nurse approved by the board to practice as an advanced practice registered nurse.

(b) As authorized by the board, an advanced practice registered nurse may prescribe, procure, administer, order, and dispense dangerous drugs and controlled substances.

SECTION _____. Subchapter A, Chapter 301, Occupations Code, is amended by adding Section 301.0021 to read as follows:

Sec. 301.0021. DEFINITION OF ADVANCED PRACTICE REGISTERED NURSE. (a) In this chapter, "advanced practice registered nurse" means a registered nurse licensed under this chapter who:

(1) has successfully completed a graduate-level education program accredited by a national accrediting organization recognized by the board that prepares the nurse to function as a nurse practitioner, nurse anesthetist, nurse-midwife, or clinical nurse specialist;

(2) if the education program required under Subdivision (1) was completed after January 1, 1996, has met requirements established or recognized by the board for national

certification;

(3) is licensed by the board to provide advanced practice registered nursing in an area with a targeted population group recognized and approved by the board; and

(4) meets requirements established by the board for continued competence.

(b) The term "advanced practice registered nurse" is synonymous with "advanced nurse practitioner" and "advanced practice nurse."

SECTION _____. The heading to Subchapter B, Chapter 157, Occupations Code, is amended to read as follows:

SUBCHAPTER B. DELEGATION TO [~~ADVANCED PRACTICE NURSES AND~~]
PHYSICIAN ASSISTANTS

SECTION _____. Section 157.051(2), Occupations Code, is amended to read as follows:

(2) "Carrying out or signing a prescription drug order" means completing a prescription drug order presigned by the delegating physician, or the signing of a prescription by a [~~registered nurse or~~] physician assistant.

SECTION _____. Sections 157.052(c) and (e), Occupations Code, are amended to read as follows:

(c) At a site serving a medically underserved population, a physician licensed by the board may delegate to a [~~registered nurse or~~] physician assistant acting under adequate physician supervision the act of administering, providing, or carrying out or signing a prescription drug order, as authorized by the physician through a physician's order, a standing medical order, a standing delegation order, or another order or protocol as defined by the board.

(e) Physician supervision is adequate for the purposes of this section if a delegating physician:

(1) is responsible for the formulation or approval of the physician's order, standing medical order, standing delegation order, or other order or protocol, and periodically reviews the order and the services provided patients under the order;

(2) is on-site to provide medical direction and consultation at least once every 10 business days during which the

~~[advanced practice nurse or]~~ physician assistant is on-site providing care;

(3) receives a daily status report from the ~~[advanced practice nurse or]~~ physician assistant on any problem or complication encountered; and

(4) is available through direct telecommunication for consultation, patient referral, or assistance with a medical emergency.

SECTION _____. Sections 157.054(a), (b), and (c), Occupations Code, are amended to read as follows:

(a) A physician licensed by the board may delegate, to one or more physician assistants ~~[or advanced practice nurses]~~ acting under adequate physician supervision whose practice is facility-based at a licensed hospital or licensed long-term care facility, the administration or provision of a drug and the carrying out or signing of a prescription drug order if the physician is:

(1) the medical director or chief of medical staff of the facility in which the physician assistant ~~[or advanced practice nurse]~~ practices;

(2) the chair of the facility's credentialing committee;

(3) a department chair of a facility department in which the physician assistant ~~[or advanced practice nurse]~~ practices; or

(4) a physician who consents to the request of the medical director or chief of medical staff to delegate the carrying out or signing of a prescription drug order at the facility in which the physician assistant ~~[or advanced practice nurse]~~ practices.

(b) A physician's authority to delegate under Subsection (a) is limited as follows:

(1) the delegation must be made under a physician's order, standing medical order, standing delegation order, or another order or protocol developed in accordance with policies approved by the facility's medical staff or a committee of the facility's medical staff as provided by the facility bylaws;

(2) the delegation must occur in the facility in which

the physician is the medical director, the chief of medical staff, the chair of the credentialing committee, or a department chair;

(3) the delegation may not permit the carrying out or signing of prescription drug orders for the care or treatment of the patients of any other physician without the prior consent of that physician;

(4) delegation in a long-term care facility must be by the medical director and is limited to the carrying out and signing of prescription drug orders to not more than three [~~advanced practice nurses or~~] physician assistants or their full-time equivalents; and

(5) a physician may not delegate at more than one licensed hospital or more than two long-term care facilities unless approved by the board.

(c) Physician supervision of the carrying out and signing of prescription drug orders must conform to what a reasonable, prudent physician would find consistent with sound medical judgment but may vary with the education and experience of the particular [~~advanced practice nurse or~~] physician assistant. A physician shall provide continuous supervision, but the constant physical presence of the physician is not required.

SECTION _____. Section 157.055, Occupations Code, is amended to read as follows:

Sec. 157.055. ORDERS AND PROTOCOLS. A protocol or other order shall be defined in a manner that promotes the exercise of professional judgment by the [~~advanced practice nurse and~~] physician assistant commensurate with the education and experience of that person. Under this section, an order or protocol used by a reasonable and prudent physician exercising sound medical judgment:

(1) is not required to describe the exact steps that [~~an advanced practice nurse or~~] a physician assistant must take with respect to each specific condition, disease, or symptom; and

(2) may state the types or categories of medications that may be prescribed or the types or categories of medications that may not be prescribed.

SECTION _____. Section 157.056, Occupations Code, is amended

to read as follows:

Sec. 157.056. PRESCRIPTION INFORMATION. The following information must be provided on each prescription subject to this subchapter:

- (1) the patient's name and address;
- (2) the drug to be dispensed;
- (3) directions to the patient regarding the taking of the drug and the dosage;
- (4) the intended use of the drug, if appropriate;
- (5) the name, address, and telephone number of the physician;
- (6) the name, address, telephone number, and identification number of the [~~registered nurse or~~] physician assistant completing or signing the prescription drug order;
- (7) the date; and
- (8) the number of refills permitted.

SECTION _____. Section 157.060, Occupations Code, is amended to read as follows:

Sec. 157.060. PHYSICIAN LIABILITY FOR DELEGATED ACT. Unless the physician has reason to believe the physician assistant [~~or advanced practice nurse~~] lacked the competency to perform the act, a physician is not liable for an act of a physician assistant [~~or advanced practice nurse~~] solely because the physician signed a standing medical order, a standing delegation order, or another order or protocol authorizing the physician assistant [~~or advanced practice nurse~~] to administer, provide, carry out, or sign a prescription drug order.

SECTION _____. Section 301.002(2), Occupations Code, is amended to read as follows:

(2) "Professional nursing" means the performance of an act that requires substantial specialized judgment and skill, the proper performance of which is based on knowledge and application of the principles of biological, physical, and social science as acquired by a completed course in an approved school of professional nursing. The term does not include acts of medical diagnosis or the prescription of therapeutic or corrective measures except as authorized for advanced practice registered nurses.

Professional nursing involves:

(A) the observation, assessment, intervention, evaluation, rehabilitation, care and counsel, or health teachings of a person who is ill, injured, infirm, or experiencing a change in normal health processes;

(B) the maintenance of health or prevention of illness;

(C) the administration of a medication or treatment as ordered by a practitioner, as that term is defined by Section 551.003 [~~physician, podiatrist, or dentist~~];

(D) the supervision or teaching of nursing;

(E) the administration, supervision, and evaluation of nursing practices, policies, and procedures;

(F) the requesting, receiving, signing for, and distribution of prescription drug samples to patients by an advanced practice [~~at sites in which a~~] registered nurse [~~is authorized to sign prescription drug orders as provided by Subchapter B, Chapter 157~~];

(G) the prescribing and ordering of controlled substances and dangerous drugs by an advanced practice registered nurse [~~the performance of an act delegated by a physician under Section 157.052, 157.053, 157.054, 157.0541, 157.0542, 157.058, or 157.059~~]; and

(H) the development of the nursing care plan.

SECTION _____. Section 301.005, Occupations Code, is amended to read as follows:

Sec. 301.005. REFERENCE IN OTHER LAW. (a) A reference in any other law to the former Board of Nurse Examiners means the Texas Board of Nursing.

(b) A reference in any other law to an "advanced nurse practitioner" or "advanced practice nurse" means an "advanced practice registered nurse."

SECTION _____. Section 301.152, Occupations Code, is amended to read as follows:

Sec. 301.152. RULES REGARDING ADVANCED PRACTICE REGISTERED NURSES [~~SPECIALIZED TRAINING~~]. (a) [~~In this section, "advanced practice nurse" means a registered nurse approved by the board to~~

~~practice as an advanced practice nurse on the basis of completion of an advanced educational program. The term includes a nurse practitioner, nurse midwife, nurse anesthetist, and clinical nurse specialist. The term is synonymous with "advanced nurse practitioner."~~

~~[(b)]~~ The board shall adopt rules to:

(1) establish:

(A) any specialized education or training, including pharmacology, that an advanced practice ~~[a]~~ registered nurse must have to prescribe and ~~[carry out a prescription drug]~~ order drugs and medical devices ~~[under Section 157.052]~~; and

(B) a system for assigning a prescriptive authorization ~~[an identification]~~ number to an advanced practice ~~[a]~~ registered nurse who provides the board with evidence of completing the specialized education and training requirement under Subdivision (1)(A); and

(2) ~~[approve a registered nurse as an advanced practice nurse; and~~

~~[(3)]~~ initially approve and biennially renew an advanced practice registered nurse's authority to prescribe and ~~[carry out or sign a prescription drug]~~ order drugs and medical devices ~~[under Chapter 157]~~.

(b) ~~[(c)]~~ At a minimum, the rules adopted under Subsection (a)(2) ~~[(b)(3)]~~ must:

(1) require completion of pharmacology and related pathology education for initial approval;

(2) require continuing education in clinical pharmacology and related pathology in addition to any continuing education otherwise required under Section 301.303; and

(3) provide for the issuance of a prescription authorization number to an advanced practice registered nurse approved under this section.

(c) ~~[(d)]~~ The signature of an advanced practice registered nurse attesting to the provision of a legally authorized service by the advanced practice registered nurse satisfies any documentation requirement for that service established by a state agency.

SECTION _____. Section 551.003(34), Occupations Code, is

amended to read as follows:

(34) "Practitioner" means:

(A) a person licensed or registered to prescribe, distribute, administer, or dispense a prescription drug or device in the course of professional practice in this state, including a physician, dentist, podiatrist, advanced practice registered nurse, or veterinarian but excluding a person licensed under this subtitle;

(B) a person licensed by another state, Canada, or the United Mexican States in a health field in which, under the law of this state, a license holder in this state may legally prescribe a dangerous drug;

(C) a person practicing in another state and licensed by another state as a physician, dentist, veterinarian, advanced practice registered nurse, or podiatrist, who has a current federal Drug Enforcement Administration registration number and who may legally prescribe a Schedule II, III, IV, or V controlled substance, as specified under Chapter 481, Health and Safety Code, in that other state; or

(D) a [~~an advanced practice nurse or~~] physician assistant to whom a physician has delegated the authority to carry out or sign prescription drug orders under Section 157.0511, 157.052, 157.053, 157.054, 157.0541, or 157.0542.

SECTION _____. Section 563.051(e), Occupations Code, is amended to read as follows:

(e) A practitioner may designate a licensed vocational nurse or a person having education equivalent to or greater than that required for a licensed vocational nurse to communicate the prescriptions of a [~~an advanced practice nurse or~~] physician assistant authorized by the practitioner to sign prescription drug orders under Subchapter B, Chapter 157.

SECTION _____. Section 563.053, Occupations Code, is amended to read as follows:

Sec. 563.053. DISPENSING OF DANGEROUS DRUGS IN CERTAIN RURAL AREAS. (a) In this section, "reimbursement for cost" means an additional charge, separate from that imposed for the physician's or advanced practice registered nurse's professional

services, that includes the cost of the drug product and all other actual costs to the physician or advanced practice registered nurse incidental to providing the dispensing service. The term does not include a separate fee imposed for the act of dispensing the drug itself.

(b) This section applies to an area located in a county with a population of 5,000 or less, or in a municipality or an unincorporated town with a population of less than 2,500, that is within a 15-mile radius of the physician's or advanced practice registered nurse's office and in which a pharmacy is not located. This section does not apply to a municipality or an unincorporated town that is adjacent to a municipality with a population of 2,500 or more.

(c) A physician who practices medicine or an advanced practice registered nurse who practices advanced practice nursing in an area described by Subsection (b) may:

(1) maintain a supply of dangerous drugs in the physician's or advanced practice registered nurse's office to be dispensed in the course of treating the physician's or advanced practice registered nurse's patients; and

(2) be reimbursed for the cost of supplying those drugs without obtaining a license under Chapter 558.

(d) A physician or advanced practice registered nurse who dispenses dangerous drugs under Subsection (c) shall:

(1) comply with each labeling provision under this subtitle applicable to that class of drugs; and

(2) oversee compliance with packaging and recordkeeping provisions applicable to that class of drugs.

(e) A physician who desires to dispense dangerous drugs under this section shall notify both the board and the Texas [~~State Board of~~ Medical Board [~~Examiners~~] that the physician practices in an area described by Subsection (b). An advanced practice registered nurse who desires to dispense dangerous drugs under this section shall notify both the board and the Texas Board of Nursing that the advanced practice registered nurse practices in an area described by Subsection (b). The physician or advanced practice registered nurse may continue to dispense dangerous drugs in the

area until the board determines, after notice and hearing, that the physician or advanced practice registered nurse no longer practices in an area described by Subsection (b).

SECTION _____. Section 481.002(39), Health and Safety Code, is amended to read as follows:

(39) "Practitioner" means:

(A) a physician, dentist, veterinarian, podiatrist, scientific investigator, advanced practice registered nurse, or other person licensed, registered, or otherwise permitted to distribute, dispense, analyze, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in this state;

(B) a pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or administer a controlled substance in the course of professional practice or research in this state;

(C) a person practicing in and licensed by another state as a physician, dentist, veterinarian, advanced practice registered nurse, or podiatrist, having a current Federal Drug Enforcement Administration registration number, who may legally prescribe Schedule II, III, IV, or V controlled substances in that state; or

(D) a [~~an advanced practice nurse or~~] physician assistant to whom a physician has delegated the authority to carry out or sign prescription drug orders under Section 157.0511, 157.052, 157.053, 157.054, 157.0541, or 157.0542, Occupations Code.

SECTION _____. Sections 483.001(12) and (13), Health and Safety Code, are amended to read as follows:

(12) "Practitioner" means a person licensed:

(A) by the Texas [~~State Board of~~] Medical Board [~~Examiners~~], State Board of Dental Examiners, Texas State Board of Podiatric Medical Examiners, Texas Optometry Board, Texas Board of Nursing, or State Board of Veterinary Medical Examiners to prescribe and administer dangerous drugs;

(B) by another state in a health field in which,

under the laws of this state, a licensee may legally prescribe dangerous drugs;

(C) in Canada or Mexico in a health field in which, under the laws of this state, a licensee may legally prescribe dangerous drugs; or

(D) a [~~an advanced practice nurse or~~] physician assistant to whom a physician has delegated the authority to carry out or sign prescription drug orders under Section 157.0511, 157.052, 157.053, 157.054, 157.0541, or 157.0542, Occupations Code.

(13) "Prescription" means an order from a practitioner, or an agent of the practitioner designated in writing as authorized to communicate prescriptions, or an order made in accordance with Subchapter B, Chapter 157, Occupations Code, or Section 203.353, Occupations Code, to a pharmacist for a dangerous drug to be dispensed that states:

(A) the date of the order's issue;

(B) the name and address of the patient;

(C) if the drug is prescribed for an animal, the species of the animal;

(D) the name and quantity of the drug prescribed;

(E) the directions for the use of the drug;

(F) the intended use of the drug unless the practitioner determines the furnishing of this information is not in the best interest of the patient;

(G) the name, address, and telephone number of the practitioner at the practitioner's usual place of business, legibly printed or stamped; and

(H) the name, address, and telephone number of the licensed midwife[~~registered nurse~~] or physician assistant, legibly printed or stamped, if signed by a licensed midwife[~~registered nurse~~] or physician assistant.

SECTION _____. Section 483.022(f), Health and Safety Code, is amended to read as follows:

(f) A practitioner may designate a person who is a licensed vocational nurse or has an education equivalent to or greater than that required for a licensed vocational nurse to communicate

prescriptions of a a [~~an advanced practice nurse or~~] physician assistant authorized by the practitioner to sign prescription drug orders under Subchapter B, Chapter 157, Occupations Code.

SECTION _____. Section 843.312, Insurance Code, is amended to read as follows:

Sec. 843.312. PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE REGISTERED NURSES. (a) A health maintenance organization may not refuse a request by a physician participating in the health maintenance organization delivery network and a physician assistant [~~or advanced practice nurse~~] who is authorized by the physician to provide care under Subchapter B, Chapter 157, Occupations Code, or an advanced practice registered nurse who is authorized to provide care under Subchapter N, Chapter 301, Occupations Code, to identify a physician assistant or advanced practice registered nurse as a provider in the network.

(b) A health maintenance organization may refuse a request under Subsection (a) if the physician assistant or advanced practice registered nurse does not meet the quality of care standards previously established by the health maintenance organization for participation in the network by physician assistants and advanced practice registered nurses.

SECTION _____. Section 1301.052, Insurance Code, is amended to read as follows:

Sec. 1301.052. DESIGNATION OF ADVANCED PRACTICE REGISTERED NURSE OR PHYSICIAN ASSISTANT AS PREFERRED PROVIDER. An insurer offering a preferred provider benefit plan may not refuse a request made by a physician participating as a preferred provider under the plan and an advanced practice registered nurse or physician assistant to have the advanced practice registered nurse or physician assistant included as a preferred provider under the plan if:

(1) the [~~advanced practice nurse or~~] physician assistant is authorized by the physician to provide care under Subchapter B, Chapter 157, Occupations Code, or the advanced practice registered nurse is authorized to provide care under Subchapter N, Chapter 301, Occupations Code; and

(2) the advanced practice registered nurse or

physician assistant meets the quality of care standards previously established by the insurer for participation in the plan by advanced practice registered nurses and physician assistants.

SECTION _____. The following sections of the Occupations Code are repealed:

- (1) Section 157.051(1);
- (2) Section 157.052(a)(3);
- (3) Section 157.058; and
- (4) Section 157.059.

SECTION _____. (a) Not later than January 1, 2010, the Texas Board of Nursing shall adopt the rules necessary to implement the changes in law made by this Act.

(b) Notwithstanding Subchapter N, Chapter 301, Occupations Code, as added by this Act, an advanced practice registered nurse who has been approved by the Texas Board of Nursing to provide advanced practice registered nursing care is not required to hold a license as an advanced practice registered nurse under Subchapter N until March 1, 2010.