

1 Board of Nursing

2

3 Adopted Permanent Rules Relating to Nurse Practitioners

4 Prescribing Authority

5

6 Rules as Adopted

7 6340.0100 DEFINITIONS.

8 Subpart 1. **Scope.** For the purpose of this chapter, the
9 following terms have the meanings given them.

10 Subp. 2. **Attachments.** "Attachments" means the materials
11 that must be submitted with the application to demonstrate
12 eligibility to prescribe drugs and therapeutic devices. The
13 materials include a copy of the certificate, completion
14 document, and written agreement.

15 Subp. 3. **Board.** "Board" means the Board of Nursing.

16 Subp. 4. **Certificate.** "Certificate" means the document
17 issued by a national professional nursing organization which
18 certifies nurse practitioners.

19 Subp. 5. **Collaborating physician.** "Collaborating
20 physician" means an individual physician licensed under
21 Minnesota Statutes, chapter 147, who agrees to delegate
22 prescribing authority to the nurse practitioner by giving
23 direction and review consistent with the written agreement.

24 Subp. 6. **Drug.** "Drug" has the meaning given it in
25 Minnesota Statutes, section 151.01, subdivision 5.

26 Subp. 7. **Drug categories or drug types.** "Drug categories"
27 or "drug types" means the major therapeutic classifications in
28 which medications are organized. The drug categories are:

29 A. anesthetics;

30 B. antiinfectives;

31 C. antineoplastic and immunosuppressant medications;

32 D. cardiovascular medications;

33 E. autonomic and central nervous system medications;

34 F. dermatological medications;

35 G. ear-nose-throat medications;

- 1 H. endocrine medications;
2 I. gastrointestinal medications;
3 J. immunologicals and vaccines;
4 K. musculoskeletal medications;
5 L. nutritional products;
6 M. blood modifiers and electrolytes;
7 N. obstetrical and gynecological medications;
8 O. ophthalmic medications;
9 P. respiratory medications;
10 Q. urological medications; and
11 R. diagnostic and miscellaneous medications.

12 Subp. 8. **Licensure.** "Licensure" means the process by
13 which the board confers legal authority upon an individual
14 authorizing the person to engage in professional nursing,
15 thereby certifying that those licensed have attained the minimal
16 degree of competency necessary to ensure that the public health,
17 safety, and welfare will be reasonably well protected.

18 Subp. 9. **National professional nursing organizations.**
19 "National professional nursing organizations" means the
20 organizations adopted by the board under Minnesota Statutes,
21 section 62A.15, subdivision 3a, with the authority to certify
22 nurse practitioners. The organizations are the American Nurses
23 Association, the National Certification Board of Pediatric Nurse
24 Practitioners and Nurses, and the Nurses Association of the
25 American College of Obstetricians and Gynecologists
26 Certification Corporation.

27 Subp. 10. **Nurse practitioner.** "Nurse practitioner" means
28 a registered nurse who has graduated from a program of study
29 designed to prepare a registered nurse for advanced practice as
30 a nurse practitioner and who is certified through a national
31 professional nursing organization.

32 Subp. 11. **Practice setting.** "Practice setting" means the
33 organizational entity and all its physical locations in which
34 the nurse practitioner and collaborating physician provide care
35 to patients.

36 Subp. 12. **Practice specialty.** "Practice specialty" means

1 the area in which the individual is certified as a nurse
2 practitioner. These areas are gerontological, adult, family,
3 school, pediatric, obstetric-gynecological, and neonatal.

4 Subp. 13. **Prescribe.** "Prescribe" means to direct, order,
5 or designate by means of a prescription the preparation, use of,
6 or manner of using a drug or therapeutic device.

7 Subp. 14. **Prescription.** "Prescription" means a signed
8 written order, or an oral order reduced to writing, given by a
9 practitioner authorized to prescribe drugs for patients in the
10 course of the practitioner's practice, issued for an individual
11 patient and containing the following: the date of issue, name
12 and address of the patient, name and quantity of the drug
13 prescribed, directions for use, and the name and address of the
14 prescriber.

15 Subp. 15. **Program of study.** "Program of study" means a
16 formal organized nursing curriculum composed of didactic and
17 supervised clinical experience that specifically prepares nurse
18 practitioners. The program of study must be accepted by a
19 national professional nursing organization that certifies nurse
20 practitioners, have a formal admission procedure, and recognize
21 the graduate by means of a completion document such as a
22 transcript or certificate.

23 Subp. 16. **Registration.** "Registration" means the process
24 by which the names and original license numbers of individuals
25 licensed by the board are listed as individuals authorized to
26 engage in professional nursing during a registration period.

27 Subp. 17. **Registration renewal.** "Registration renewal"
28 means the periodic process by which an individual who is
29 licensed and registered with the board to practice professional
30 nursing requests and obtains registration for the next
31 registration period.

32 Subp. 18. **Therapeutic device.** "Therapeutic device" means
33 durable medical equipment and assistive or rehabilitative
34 appliances, objects, or products that are required to implement
35 the overall plan of care for the patient.

36 Subp. 19. **Written agreement.** "Written agreement" means a

1 written document developed jointly by the nurse practitioner and
2 collaborating physician that contains statements that define the
3 delegated responsibilities that relate to the prescription of
4 drugs and therapeutic devices. The delegated prescribing
5 responsibilities must be consistent with the standards
6 established by the Minnesota Medical Association and the
7 Minnesota Nurses Association.

8 6340.0200 ELIGIBILITY CRITERIA FOR PRESCRIBING AUTHORITY.

9 Subpart 1. **Licensure and current registration.** An
10 applicant shall be licensed and currently registered to practice
11 professional nursing in Minnesota. The applicant shall not be
12 the subject of a board disciplinary order affecting the
13 applicant's license or current registration.

14 Subp. 2. **Graduation.** An applicant shall have completed a
15 program of study designed to prepare a registered nurse for
16 advanced practice as a nurse practitioner.

17 Subp. 3. **Certification.** An applicant shall be certified
18 as a nurse practitioner by one of the national professional
19 nursing organizations listed in part 6340.0100, subpart 9. An
20 applicant shall have a current certificate from the national
21 professional nursing organization that granted certification.

22 Subp. 4. **Written agreement.** An applicant shall have a
23 written agreement with a collaborating physician that is signed
24 and dated by the nurse practitioner and the collaborating
25 physician. The nurse practitioner shall have a written
26 agreement for each practice setting.

27 6340.0300 INITIAL APPLICATION PROCEDURE.

28 Subpart 1. **Procedure.** A nurse practitioner who seeks
29 prescribing authority shall follow the procedures in subparts 2
30 to 6.

31 Subp. 2. **Application.** An applicant shall obtain the
32 application forms and instruction for filing from the board.
33 Information required on the application includes the nurse
34 practitioner's name, registered nurse license number, home and
35 practice setting addresses, home and practice setting telephone

1 numbers, name of collaborating physician, drug categories and
2 therapeutic devices that the nurse practitioner has been
3 authorized to prescribe, and the practice specialty of the nurse
4 practitioner. The application must be notarized. An applicant
5 shall submit true, complete, and accurate information.

6 An applicant shall submit an application, fee, and
7 attachments for each written agreement.

8 Subp. 3. Fee. An applicant shall submit a fee of \$50 with
9 the application. The fee must be paid to the board ~~in-United~~
10 ~~States-currency, cashier's-check, or-money-order.~~ Personal
11 ~~checks-are-not-accepted.~~ If for any reason the applicant is not
12 eligible for prescribing authority, the fee is not refundable.

13 Subp. 4. Certificate. An applicant shall submit a
14 notarized copy of the current certificate issued to the nurse
15 practitioner by the national professional nursing organization.

16 Subp. 5. Graduation verification. An applicant shall
17 submit a notarized copy of a document such as a diploma, letter,
18 or certificate that indicates graduation from a nurse
19 practitioner program. An official transcript may be submitted
20 in lieu of the notarized document providing that the transcript
21 clearly indicates that the program of study prepared the
22 individual for practice as a nurse practitioner.

23 Subp. 6. Written agreement. An applicant shall submit a
24 copy of the written agreement between the nurse practitioner and
25 the collaborating physician.

26 Subp. 7. Nullification. The board shall nullify an
27 application that is not completed within one year. For a
28 nullified application, the fee shall be forfeited and the
29 application and other documents may be destroyed according to
30 the process specified in Minnesota Statutes, section 138.17,
31 subdivision 7. If an individual whose application has been
32 nullified seeks prescribing authority, the applicant shall
33 submit a new initial application, fee, and attachments.

34 6340.0400 CONFIRMATION OF ELIGIBILITY.

35 Subpart 1. Procedure. When the board has received a

1 completed application, fee, and attachments, the board shall
2 determine whether the nurse practitioner has demonstrated
3 eligibility to prescribe drugs and therapeutic devices. If the
4 applicant has demonstrated eligibility for prescribing
5 authority, the board shall issue a document and identification
6 number.

7 **Subp. 2. Document.** The board shall issue a document each
8 time the nurse practitioner submits the required evidence to
9 demonstrate eligibility to prescribe drugs and therapeutic
10 devices. The board shall print the nurse practitioner's name,
11 identification number, practice setting, and expiration date on
12 the document. The expiration date on the document is the same
13 as the registered nurse registration expiration date.

14 **Subp. 3. Identification number.** The board shall issue an
15 identification number to a nurse practitioner when the nurse
16 practitioner has demonstrated eligibility to prescribe drugs and
17 therapeutic devices. The identification number must include the
18 prefix "NP" and seven digits. The seven digits must be the
19 nurse practitioner's registered nurse license number, preceded
20 by zeros when necessary.

21 **6340.0500 VERIFICATION OF CONTINUING ELIGIBILITY.**

22 **Subpart 1. Cycle.** The nurse practitioner with prescribing
23 authority shall demonstrate continuing eligibility to prescribe
24 at the time of renewal of registered nurse registration. The
25 board shall mail a verification form for demonstrating ongoing
26 eligibility with the renewal of registration application.

27 **Subp. 2. Required information.** Information required on
28 the verification of continuing eligibility form includes the
29 nurse practitioner's name, registered nurse license number, home
30 and practice setting addresses, home and practice setting
31 telephone numbers, name of collaborating physician, drug
32 categories that the nurse practitioner has been authorized to
33 prescribe, and the practice specialty of the nurse
34 practitioner. The nurse practitioner shall submit true,
35 complete, and accurate information. The nurse practitioner

1 shall submit a verification form and fee for each written
2 agreement. In addition, the nurse practitioner shall submit a
3 copy of the current certificate issued by the national
4 professional nursing organization and a copy of the current
5 written agreement, signed and dated, by the nurse practitioner
6 and collaborating physician.

7 Subp. 3. Fee. The nurse practitioner must submit a fee of
8 \$20 with the verification of continuing eligibility. The fee
9 must be paid to the board and is not refundable.

10 6340.0600 LOSS OF ELIGIBILITY.

11 The nurse practitioner's prescribing authority ceases
12 immediately if one or more of the following occur:

13 A. change of collaborating physician within the
14 practice setting;

15 B. failure to renew registration as a registered
16 nurse;

17 C. failure to demonstrate continuing eligibility to
18 prescribe at the time of renewal of registration;

19 D. failure to maintain nurse practitioner certificate
20 issued by the national professional nursing organization;

21 E. change of employer;

22 F. termination of the written agreement by the
23 collaborating physician or the nurse practitioner;

24 G. revocation of the certificate by the national
25 professional nursing organization; or

26 H. disciplinary action taken by the board which
27 affects the registered nurse license or current registration
28 certificate.

29 The nurse practitioner shall report any of the occurrences
30 in subitems A to H to the board within 30 days.

31 6340.0700 PROCEDURE FOR REESTABLISHING PRESCRIBING AUTHORITY.

32 Subpart 1. Reestablishing prescribing authority; first
33 part. For loss of eligibility as described in part 6340.0600,
34 items A to D, the following documentation is required to
35 reestablish eligibility:

1 A. If the collaborating physician changes within the
2 practice setting, then the nurse practitioner shall submit a
3 copy of the written agreement that includes the name of the
4 current collaborating physician.

5 B. If the nurse practitioner fails to renew
6 registration as a registered nurse, then the nurse practitioner
7 shall meet the requirements for registered nurse reregistration.

8 C. If the nurse practitioner fails to demonstrate
9 continuing eligibility to prescribe at the time of renewal, then
10 the nurse practitioner shall submit the verification of
11 eligibility form and fee.

12 D. If the nurse practitioner fails to maintain
13 current certification, then the nurse practitioner shall meet
14 the certification requirements of the national professional
15 nursing organization and submit a copy of the current
16 certificate.

17 Subp. 2. Reestablishing prescribing authority; second part.
18 For loss of eligibility as listed in part 6340.0600, item E or
19 F, the nurse practitioner shall follow the procedures in items A
20 to D to reestablish eligibility.

21 A. An applicant shall obtain the application forms
22 and instruction for filing from the board. Information required
23 on the application includes the nurse practitioner's name,
24 registered nurse license number, home and practice setting
25 addresses, home and practice setting telephone numbers, name of
26 collaborating physician, drug categories and therapeutic devices
27 that the nurse practitioner has been authorized to prescribe,
28 and the practice specialty of the nurse practitioner. The
29 application must be notarized. An applicant shall submit true,
30 complete, and accurate information.

31 The nurse practitioner shall submit an application, fee,
32 and attachments for each written agreement.

33 B. An applicant shall submit a fee of \$50 with the
34 application. The fee must be paid to the board in United States
35 currency, cashier's check, or money order. Personal checks are
36 not accepted. If for any reason the applicant is not eligible

1 for prescribing authority, the fee is not refundable.

2 C. An applicant shall submit a copy of the current
3 certificate issued by the national professional nursing
4 organization.

5 D. An applicant shall submit a copy of the written
6 agreement between the nurse practitioner and the current
7 collaborating physician.

8 Subp. 3. Reestablishing prescribing authority; third
9 part. For loss of eligibility as listed in part 6340.0600, item
10 G, the national professional nursing organization shall have
11 reinstated the certificate. After the nurse practitioner has
12 been recertified, the nurse practitioner shall follow the
13 procedures in subpart 2 to reestablish eligibility.

14 Subp. 4. Reestablishing prescribing authority; fourth
15 part. For loss of eligibility as listed in part 6340.0600, item
16 H, the board shall have issued the nurse practitioner an
17 unconditional registered nurse license or current registration
18 certificate. After the board orders an unconditional license,
19 the nurse practitioner shall follow the procedures in subpart 2
20 to reestablish eligibility.

21 6340.0800 CHANGES REQUIRING NOTIFICATION TO THE BOARD.

22 Subpart 1. Name change. The nurse practitioner who has a
23 name change shall notify the board in writing within 30 days.

24 Subp. 2. Address change. The nurse practitioner who has a
25 change in home or practice setting address shall notify the
26 board in writing within 30 days.

27 Subp. 3. Telephone number change. The nurse practitioner
28 who has a change in home or practice setting telephone number
29 shall notify the board in writing within 30 days.

30 Subp. 4. Change in categories of drugs. The nurse
31 practitioner who adds or deletes categories of drugs shall
32 notify the board in writing within 30 days.

33 Subp. 5. Changes in written agreement. The nurse
34 practitioner and collaborating physician shall initial and date
35 any changes such as addition or deletion of drugs or therapeutic

1 devices. At the time of verification of continuing eligibility
2 to prescribe, the nurse practitioner shall submit a copy of the
3 current written agreement that incorporates the changes.

4 6340.0900 IDENTIFICATION.

5 Subpart 1. Identification. In writing prescriptions, the
6 nurse practitioner shall include the nurse practitioner's name,
7 initials, practice setting, and telephone number.

8 Subp. 2. Initials. The nurse practitioner shall use the
9 abbreviation "NP" with the prefix letter designating the
10 practice specialty as follows:

- 11 A. gerontological nurse practitioner, "GNP";
- 12 B. adult nurse practitioner, "ANP";
- 13 C. family nurse practitioner, "FNP";
- 14 D. school nurse practitioner, "SNP";
- 15 E. pediatric nurse practitioner, "PNP";
- 16 F. obstetric-gynecological nurse practitioner,
17 "OGNP"; and
- 18 G. neonatal nurse practitioner, "NNP."

19 6340.1000 NOTIFICATION OF PHARMACISTS.

20 Subpart 1. Initial notification. On March 1, 1992, and
21 every year thereafter, the board shall mail a list of all nurse
22 practitioners with prescribing authority to the Board of
23 Pharmacy and all pharmacies in Minnesota.

24 Subp. 2. Maintaining notification. After the initial and
25 the annual notification, the board shall notify the Board of
26 Pharmacy on a monthly basis of changes in the list of the
27 authorized nurse practitioners. This change list must include
28 additional nurse practitioners who are eligible to prescribe,
29 those nurse practitioners who have lost eligibility to
30 prescribe, and those nurse practitioners who have reestablished
31 their eligibility to prescribe.

32 Subp. 3. Nurse practitioner information. The information
33 about each nurse practitioner that must be included on every
34 list is as follows: the name of the nurse practitioner,
35 identification number, practice specialty, practice setting

1 name, practice setting address, and practice setting telephone
2 number. For those nurse practitioners who have lost eligibility
3 to prescribe, the practice setting telephone number may be
4 omitted.

5 Subp. 4. Master record. The board shall maintain
6 information on each nurse practitioner that includes the drug
7 categories and therapeutic devices that the nurse practitioner
8 is authorized to prescribe. This information shall be made
9 available to pharmacists on request.

10 6340.1100 VIOLATION OF RULES.

11 Any nurse practitioner who violates a rule in this chapter
12 is subject to board disciplinary action under Minnesota
13 Statutes, sections 148.261, subdivision 1, and 148.262.