

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for House Bill Nos. 348,
2 285 & 407, Page 3, Lines 22-33, by deleting all of said lines and inserting in lieu thereof the
3 following:
4

5 "(b) Maintain geographic proximity, except as specified in this paragraph. The following
6 provisions shall apply with respect to this requirement:

7 a. Until August 28, 2025, an advanced practice registered nurse providing services in a
8 correctional center, as defined in section 217.010, and his or her collaborating physician shall satisfy
9 the geographic proximity requirement if they practice within two hundred miles by road of one
10 another. An incarcerated patient who requests or requires a physician consultation shall be treated
11 by a physician as soon as appropriate;

12 b. The collaborative practice arrangement may allow for geographic proximity to be waived
13 for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-
14 210 (42 U.S.C. Section 1395x, as amended), as long as the collaborative practice arrangement
15 includes alternative plans as required in paragraph (c) of this subdivision. This exception to
16 geographic proximity shall apply only to independent rural health clinics, provider-based rural
17 health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-
18 4, and provider-based rural health clinics where the main location of the hospital sponsor is greater
19 than fifty miles from the clinic[-];

20 c. The collaborative practice arrangement may allow for geographic proximity to be waived
21 when the arrangement outlines the use of telehealth, as defined in section 191.1145;

22 d. In addition to the waivers and exemptions provided in this subsection, an application for a
23 waiver for any other reason of any applicable geographic proximity shall be available if a physician
24 is collaborating with an advanced practice registered nurse in excess of any geographic proximity
25 limit. The board of nursing and the state board of registration for the healing arts shall review each
26 application for a waiver of geographic proximity and approve the application if the boards
27 determine that adequate supervision exists between the collaborating physician and the advanced
28 practice registered nurse. The boards shall have forty-five calendar days to review the completed
29 application for the waiver of geographic proximity. If no action is taken by the boards within forty-

Action Taken _____ Date _____

1 five days after the submission of the application for a waiver, then the application shall be deemed
 2 approved. If the application is denied by the board, the provisions of section 536.063 for contested
 3 cases shall apply and govern proceedings for appellate purposes; and

4 e. The collaborating physician is required to maintain documentation related to this
 5 requirement and to present it to the state board of registration for the healing arts when requested;
 6 and"; and

7
 8 Further amend said amendment, Page 4, Lines 10-15, by deleting all of said lines and inserting in
 9 lieu thereof the following:

10
 11 "in the collaborative practice arrangement, every fourteen days; ~~and]~~

12 (10) The collaborating physician, or any other physician designated in the collaborative
 13 practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in
 14 which the advanced practice registered nurse prescribes controlled substances. The charts reviewed
 15 under this subdivision may be counted in the number of charts required to be reviewed under
 16 subdivision (9) of this subsection; and

17 (11) If a collaborative practice arrangement is used in clinical situations where a
 18 collaborating advanced practice registered nurse provides health care services that include the
 19 diagnosis and initiation of treatment for acutely or chronically ill or injured persons, then the
 20 collaborating physician or any other physician designated in the collaborative practice arrangement
 21 shall be present for sufficient periods of time, at least once every two weeks, except in extraordinary
 22 circumstances that shall be documented, to participate in a chart review and to provide necessary
 23 medical direction, medical services, consultations, and supervision of the health care staff."; and

24
 25 Further amend said amendment and page, Lines 16-21, by deleting all of said lines and inserting in
 26 lieu thereof the following:

27
 28 "4. The state board of registration for the healing arts pursuant to section 334.125 and the
 29 board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of
 30 collaborative practice arrangements. Such rules shall be limited to ~~[specifying geographic areas to~~
 31 ~~be covered,]~~ the methods of treatment that may be covered by collaborative practice arrangements
 32 and the requirements for review of services provided pursuant to collaborative practice
 33 arrangements including delegating authority to prescribe controlled substances. Any rules relating
 34 to geographic proximity shall allow a collaborating physician and a collaborating advanced practice
 35 registered nurse to practice within two hundred miles by road of one another until August 28, 2025,
 36 if the nurse is providing services in a correctional center, as defined in section 217.010. Any rules
 37 relating to dispensing"; and

38
 39 Further amend said amendment, Page 6, Line 4, by inserting after the word "nurse" the phrase "or a
 40 behavioral health physician and a behavioral health advanced practice registered nurse"; and

41
 42 Further amend said amendment and Page, Lines 12-25, by deleting all of said lines and inserting in
 43 lieu thereof the following:

1 "11. No contract or other [~~agreement~~] term of employment shall require a physician to act as
2 a collaborating physician for an advanced practice registered nurse against the physician's will. A
3 physician shall have the right to refuse to act as a collaborating physician, without penalty, for a
4 particular advanced practice registered nurse. No contract or other agreement shall limit the
5 collaborating physician's ultimate authority over any protocols or standing orders or in the
6 delegation of the physician's authority to any advanced practice registered nurse, but this
7 requirement shall not authorize a physician in implementing such protocols, standing orders, or
8 delegation to violate applicable standards for safe medical practice established by hospital's medical
9 staff.

10 "12. No contract or other [~~agreement~~] term of employment shall require any advanced
11 practice registered nurse to serve as a collaborating advanced practice registered nurse for any
12 collaborating physician against the advanced practice registered nurse's will. An advanced practice
13 registered nurse shall have the right to refuse to collaborate, without penalty, with a particular
14 physician."; and"; and
15

16 Further amend said amendment, Page 14, Line 7, by inserting after all of said line the following:
17

18 "3. A licensed nurse who holds an APRN license shall be disciplined on their APRN license
19 for any violations of this chapter."; and
20

21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.
23

24 THIS AMENDS 1242H03.06H