

CHAPTER 4

ADVANCED PRACTICE REGISTERED NURSE

Section 1. Statement of Purpose.

(a) The purpose of the board in adopting the rules and regulations in this chapter is to:

(i) Regulate the qualifications and practice of advanced practice registered nurses;

(ii) Set forth the requirements and procedures for being so qualified;

(A) Advanced practice registered nurses include but are not limited to, certified registered nurse anesthetist (CRNA), certified nurse-midwife (CNM), clinical nurse specialist (CNS), or certified nurse practitioner (CNP).

(iii) Provide criteria for the board to evaluate safe and competent advanced practice registered nursing;

(iv) Clarify the scopes of practice for advanced practice registered nurses;

(v) Identify behaviors which may impair the advanced practice registered nurse's ability to practice nursing with reasonable skill, safety, and integrity including, but not limited to:

(A) Fraud and deceit;

(B) Unsafe practice;

(C) Misappropriation of property;

(D) Abandonment;

(E) Abuse, including sexual abuse;

(F) Neglect including substandard care;

(G) Violation of privacy or confidentiality;

(H) Drug diversion - self/others;

(I) Sale, unauthorized use, or manufacturing of controlled/ illicit drugs;

(J) Criminal conviction;

(K) Failure to supervise or to monitor the performance of acts by any individual working under the direction of the advanced practice registered nurse;

(L) Unprofessional conduct;

(M) Boundary violations, including sexual boundaries.

- (N) Failure to comply with reasonable requests from the board including, but not limited to:
- (I) Responses to complaints;
 - (II) Responses to formal pleadings such as notice of hearing and/or petition and complaint;
 - (III) Responses to requests regarding application or renewal information.
- (O) Impairment.
- (I) Lack of nursing competence;
 - (II) Mental illness;
 - (III) Physical illness including, but not limited to, deterioration through the aging process or loss of motor skills; or
 - (IV) Chemical or alcohol impairment.

(b) The standards of nursing practice interpret the statutory definitions of professional and advanced nursing. The standards of advanced practice registered nursing evolve from nationally recognized professional organizations or accrediting agencies.

(c) Violations of the standards of advanced practice registered nursing, the rules and regulations, or the Wyoming Nurse Practice Act may result in such disciplinary action as the board may determine.

Section 2. Recognition

(a) Upon proof of compliance with board requirements, the board may recognize and renew recognition of those individuals who have met the qualifications of an advanced practice registered nurse.

(b) The board shall maintain an official listing of recognized advanced practice registered nurses.

(c) The board shall make the list available to the public upon request.

Section 3. Requirements for Initial Recognition as an Advanced Practice Registered Nurse.

(a) A registered professional nurse who is applying for initial recognition as an advanced practice registered nurse shall meet the following requirements:

(i) Submit a complete application and fees for initial recognition as an advanced practice registered nurse to the board;

(ii) Submit fingerprint cards and required fees to obtain state and national criminal history record information to the board of nursing;

(iii) Hold a current license as a registered professional nurse in Wyoming;

(iv) Provide an official transcript documenting completion of one of the following:

(A) A pre-accredited or accredited graduate-level advanced practice registered nurse educational program; or

(B) An accredited advanced practice registered nurse educational program prior to January 1, 1999, or as per a board-approved national certifying agency.

(v) Provide primary source documentation verifying national certification in the advanced practice registered nurse role and at least one population focus area of practice for which they are educationally prepared;

(A) The professional certification program should be nationally accredited by the American Board of Nursing Specialties (ABNS) or the National Commission for Certifying Agencies (NCCA).

(vi) Comply with the standards of nursing practice, the rules and regulations, and the Wyoming Nurse Practice Act.

Section 4. Graduate Temporary Permit for Advanced Practice Registered Nurses Who are Awaiting Results From the Certification Examination.

(a) This section shall control and take precedence over Chapter 2, Section 9(e) of these Rules and Regulations;

(b) Pending the receipt of a candidate's test results on the first national certification examination that measures advanced practice registered nurse role and population-focused competencies, the board may issue a temporary permit to a new graduate of a nationally pre-accredited or accredited nursing education program which prepares advanced practice registered nurses.

(i) To request a graduate temporary permit, the candidate shall:

(A) Provide proof of having applied for the applicant's first national certification examination that measures advanced practice registered nurse role and population-focused competencies offered after the candidate's graduation and for which the candidate was eligible.

(ii) A graduate temporary permit is valid for no longer than ninety (90) days and is nonrenewable.

(iii) A graduate temporary permit shall become invalid if the candidate fails to complete and pass the first national advanced practice registered nurse certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(iv) The graduate temporary permit shall be returned to the board if a candidate fails to complete and pass the first national advanced practice registered nurse certifying examination offered after the candidate's graduation and for which the candidate is eligible.

(A) The candidate shall be ineligible to practice as a graduate advanced practice registered nurse without a valid graduate temporary permit.

(v) A graduate of a nationally pre-accredited or accredited advanced practice registered nurse education program who has been issued a graduate temporary permit,

may use the title "Graduate Advanced Practice Registered Nurse" and the abbreviation, "G.A.P.R.N.".

(vi) A graduate advanced practice registered nurse holding a graduate temporary permit shall practice only under the supervision of an appropriately recognized advanced practice registered nurse or licensed physician.

(vii) A graduate advanced practice registered nurse holding a graduate temporary permit shall be held to the established standards of nursing and advanced practice registered nursing.

(c) The educational preparation and certification required under these rules shall be current and relevant to the individual's role and population focus area of advanced practice registered nursing.

Section 5. Requirements for Biennial Renewal of Advanced Practice Registered Nurse.

(a) An advanced practice registered nurse who is applying for biennial renewal of advanced practice registered nurse recognition shall meet the following requirements:

(i) Submit a complete application and fee(s) for biennial renewal of advanced practice registered nurse recognition and registered professional nurse licensure as stated in the procedures outlined under Chapter 2, Section 10;

(ii) Submit evidence of holding a current national certification as an advanced practice registered nurse in the recognized role and population focus area of advanced practice registered nursing;

(iii) If recognized in the State of Wyoming prior to July 1, 2005, and has maintained continuous recognition, but not nationally certified, the advanced practice registered nurse shall submit evidence of having completed the following:

(A) Sixty (60) or more contact hours of continuing education related to the recognized role and population focus area of advanced practice nursing; and

(B) Four hundred (400) or more practice hours in advanced practice nursing during the last two years.

(iv) An advanced practice registered nurse with prescriptive authority must submit documentation of completion of fifteen (15) hours of continuing education in pharmacology and clinical management of drug therapy.

(v) Comply with the standards of nursing practice, the rules and regulations, and the Wyoming Nurse Practice Act.

Section 6. Nationally Accredited Educational Programs Accepted by the Board.

(a) For purposes of this chapter, a nationally pre-accredited or accredited educational program which offers a formal post-graduate program in a role and population focus area of advanced practice registered nursing or which confers a master's degree or doctorate with a major in a role and population focus area of advanced nursing practice, may be accepted by the board.

(i) Education programs, including graduate degree granting (master's, doctoral) and post-graduate certificate programs, are accredited by a nursing or nursing-related

accrediting organization that is recognized by the U.S. Department of Education (USDE) and/or the Council for Higher Education Accreditation (CHEA).

Section 7. Standards of Advanced Practice Registered Nursing.

(a) The advanced practice registered nurse is subject at all times to the established Standards of Nursing Practice as stated in Chapter 3 of these rules and regulations, the standards and scope of practice established by national professional organizations and/or accrediting agencies representing the various core, role and population focus areas of advanced practice registered nursing, and the Wyoming Nurse Practice Act.

(b) The board recognizes advanced practice registered nurse core, role and population focus areas described in the scope of practice statements for advanced practice registered nurses issued by national professional organizations and/or accrediting agencies.

Section 8. Prescriptive Authority.

(a) The board may authorize an advanced practice registered nurse to prescribe medications and devices, within the recognized scope of advanced practice registered nursing role and population focus, and in accordance with all applicable state and federal laws including, but not limited to, the Wyoming Pharmacy Act [WS 33-24-101 through 33-24-204], the Wyoming Controlled Substances Act of 1971 [WS 35-7-1001 through 35-7-1101], the Federal Controlled Substances Act [21 U.S.C. 801 et seq], and their applicable Rules and Regulations.

(b) The board shall transmit to the State Board of Pharmacy a list of all advanced practice registered nurses who have prescriptive authority.

(i) The list shall include:

(A) The name of the authorized advanced practice registered nurse;

(B) The prescriber's registered nurse license number, role and population focus of the advanced practice registered nurse recognized by the board; and

(C) The effective date of prescriptive authority authorization.

(ii) The list shall be periodically updated to identify new advanced practice registered nurses who have been granted prescriptive authority.

(c) An advanced practice registered nurse who applies for authorization to prescribe drugs shall:

(i) Be currently recognized as an advanced practice registered nurse in Wyoming;

(ii) Provide evidence of completion of a minimum of two (2) semester credit hours, three (3) quarter credit hours or thirty (30) contact hours of course work approved by the board in pharmacology and clinical management of drug therapy or pharmacotherapeutics within the five (5) year period immediately before the date of application;

(iii) Comply with the standards of nursing practice, the rules and regulations, and the Wyoming Nurse Practice Act; and

(iv) Submit a completed application, on a form provided by the board, accompanied by the application fee established by Chapter 5, of these rules and regulations.

(d) Authorized prescriptions by an advanced practice registered nurse shall:

(i) Comply with all current and applicable state and federal laws including, but not limited to, the Wyoming Pharmacy Act [WS 33-24-101 through 33-24-204], the Wyoming Controlled Substances Act of 1971 [WS 35-7-1001 through 35-7-1101], the Federal Controlled Substances Act [21 U.S.C. 801 et seq], and their applicable Rules and Regulations; and

(ii) Be signed by the prescribing advanced practice registered nurse with the initials "APRN" or the initials of the nationally recognized role and population focus.

(e) Prescriptive authorization will be terminated if the advanced practice registered nurse has:

(i) Not maintained current recognition as an advanced practice registered nurse;

(ii) Prescribed outside the scope of recognized advanced practice registered nursing role and population focus or for other than therapeutic purposes;

(iii) Not completed four hundred (400) hours of practice as an advanced practice registered nurse within the past two (2) years;

(iv) Not documented fifteen (15) contact hours of pharmacology and/or pharmacotherapeutics within the past two (2) years; or

(v) Violated the standards of practice, the rules and regulations, or the Wyoming Nurse Practice Act.

(f) Advanced practice registered nurse's prescriptive authority must be renewed biennially.

(g) The board will notify the State Board of Pharmacy within two working days after termination of or change in the prescriptive authority of an advanced.

Section 9. Role and population Focus Title.

(a) Role and population focus of advanced practice registered nursing shall be declared, and the role and population focus to be utilized shall be the title(s) granted by nationally recognized professional organization(s) and/or accrediting agency(ies) or the title(s) of the role and population focus of nursing practice in which the advanced practice registered nurse has received postgraduate education preparation.

(b) In order to practice in one of the four roles and in a defined population, the advanced practice registered nurse must be recognized by the board in that particular role with a population focus of advanced practice nursing.

Section 10. Applicability.

(a) The provisions of Chapter 4: ADVANCED PRACTICE REGISTERED NURSE, Sections 1-11, are only applicable to a registered professional nurse who is recognized as an advanced practice registered nurse whose authorization to perform advanced and specialized acts of nursing practice, advanced nursing and medical diagnosis, and the administration and prescription of therapeutic and corrective measures comes from educational preparation, national certification, and recognition to practice in compliance with regulations established by the board.

(b) Nothing in Chapter 4: ADVANCED PRACTICE REGISTERED NURSE, Sections 1-11, prohibits the usual and customary practice of an advanced practice registered nurse in Wyoming from directly administering prescribed controlled substances under derived authority. In addition, the direct administration, or the ordering of controlled substances preoperatively, intraoperatively or postoperatively, by an advanced practice registered nurse (certified registered nurse anesthetist) does not involve prescribing within the meaning of 21 CFR 1308.02(f) or the board's administrative rules and regulations. These rules do not require any changes in the current practice and procedures of advanced practice registered nurses who are certified registered nurse anesthetists or the institutional and individual practitioners with whom they may practice.

(c) Nothing in Chapter 4: ADVANCED PRACTICE REGISTERED NURSE, Sections 1-11, prohibits the usual and customary practice of advanced practice registered nurses in Wyoming from providing/dispensing drugs in accordance with applicable state and federal laws.

(d) Nothing in Chapter 4: ADVANCED PRACTICE REGISTERED NURSE, Sections 1-11, limits or enhances the usual and customary practice of a registered nurse or a licensed practical nurse in Wyoming.

Section 11. Disciplinary Procedures.

(a) Grounds for Discipline:

(i) Engaging in any act inconsistent with uniform and reasonable standards of nursing practice, including but not limited to:

- (A) Fraud and deceit including, but not limited to, omission of required information or submission of false information written or verbal;
- (B) Performance of unsafe client care;
- (C) Misappropriation or misuse of property;
- (D) Abandonment;
- (E) Abuse, including emotional, physical or sexual abuse;
- (F) Neglect, including substandard care;
- (G) Violation of privacy or confidentiality in any form, written, verbal or technological;
- (H) Drug diversion – self/others;
- (I) Sale, unauthorized use, or manufacturing of controlled/illicit drugs;
- (J) Criminal conviction;
- (K) Failure to supervise or to monitor the performance of acts by any individual working under the direction of the advanced practice registered nurse;
- (L) Unprofessional conduct;
- (M) Boundary violations, including sexual boundaries;

(N) Failure to comply with reasonable requests from the board including, but not limited to:

- (I) Responses to complaints;
- (II) Responses to formal pleadings such as notice of hearing or petition and complaint;
- (III) Responses to requests regarding application or renewal information; and

(O) Impairment.

- (I) Lack of nursing competence;
- (II) Mental illness;
- (III) Physical illness including, but not limited to, deterioration through the aging process or loss of motor skills; or
- (IV) Chemical or alcohol impairment.

(ii) Failure to conform to the standards of prevailing nursing and advanced practice nursing, in which case actual injury need not be established.

(b) Disciplinary Records.

(i) The board shall maintain records of disciplinary actions and make available public findings of abuse, neglect, or misappropriation of property or other disciplinary findings.

(c) Disciplinary Notification.

(i) The board shall notify the advanced practice registered nurse's current employer, if applicable, of the disciplinary action.