CHAPTER 4

ADVANCED PRACTITIONERS OF NURSING

Section 1. Statement of Purpose.

(a) These rules and regulations are adopted to implement the board’s authority to:

(i) Regulate the qualifications and practice of advanced practitioners of nursing;

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

(A) Advanced practitioners of nursing include but are not limited to clinical specialists, nurse practitioners, certified registered nurse midwives, and certified registered nurse anesthetists.

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

(iv) Clarify the scopes of practice for advanced practitioners of nursing;

(v) Identify behaviors which may impair the licensee’s ability to practice advanced nursing with reasonable skill and safety, 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;

(G) Chemical dependency;

(H) Drug diversion - self/others;

(I) Sale or unauthorized use 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 practitioner of nursing;

(L) Unprofessional conduct; and

(M) Boundary violations, including sexual boundaries.

(b) The standards of nursing practice interpret the statutory definitions of professional and advanced nursing. The standards of advanced nursing practice evolve from nationally recognized professional organizations and/or accrediting agencies.
Violations of the standards of nursing practice, the rules and regulations, and/or the Act may result in 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 practitioner of nursing.

(b) The board shall maintain an official listing of recognized advanced practitioners of nursing, and

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

Section 3. Requirements for Initial Recognition as an Advanced Practitioner of Nursing.

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

(i) Submit the application and fee for initial recognition as an advanced practitioner of nursing to the board;

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

(iii) Provide documentation of having completed a nationally accredited education program for preparation of advanced practitioners of nursing with a specific curriculum appropriate to the proposed specialty area of practice, accepted by the board, and

(iv) Provide documentation verifying national certification in a specific specialty area of advanced practice, accepted by the board; or

(v) Submit an official transcript confirming completion of a masters degree in nursing, with specific curriculum preparation at the advanced practice/clinical specialist level, accepted by the board;

(vi) Comply with the standards of nursing practice, the rules and regulations, and the Act; and

(vii) Submit a written plan of practice and collaboration. Such written plan shall conform to the following criteria:

(A) Specialty areas of advanced nursing practice;

   (I) Identify and describe the recognized specialty area(s) of advanced nursing practice.

(B) Scope of practice;

   (I) Describe the scope of practice for each recognized specialty area of advanced nursing practice, including recipients of care, in terms of:

      (1.) Education and experiential preparation, and

      (2.) Scope of practice statements from national professional nursing organizations and/or accrediting agencies representing that specialty area of advanced nursing practice.
Standards of practice;

Describe the plan for practicing advanced nursing according to the standards of practice for recognized specialty area(s), including but not limited to the following:

1. Methods of quality assurance,
2. Strategies for collaboration with licensed or otherwise legally authorized physician(s) or dentist(s), and
3. Consultation and referral patterns;

Advanced practitioner of nursing’s signature; and

Date.

The educational preparation and certification required under these rules shall be current and relevant to the individual’s specialty area(s) of advanced nursing practice.

Section 4. Requirements for Biennial Renewal of Advanced Practitioner of Nursing Recognition.

(a) An advanced practitioner of nursing who is applying for biennial renewal of advanced practitioner of nursing recognition shall meet the following requirements:

(i) Maintain current registered professional nurse licensure in Wyoming;

(ii) Submit the application and fee(s) for biennial renewal of advanced practitioner of nursing recognition and registered professional nurse licensure as stated in the procedures outlined under Section 10., Biennial Requirements of Recognition and/or Licensure for All Nurses of Chapter II;

(iii) Submit a current, written plan of practice and collaboration;

(iv) Comply with the standards of nursing practice, the rules and regulations, and the Act;

(v) If qualified by education, the advanced practitioner of nursing shall submit evidence of having completed sixty (60) contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice and a minimum of four hundred (400) practice hours in advanced nursing practice during the last two (2) years; or

(vi) If qualified by national certification, the advanced practitioner of nursing shall submit evidence of holding current national certification or recertification as an advanced practitioner of nursing in the recognized specialty area(s) of advanced nursing practice and evidence of having completed thirty (30) contact hours of continuing education related to the specialty area(s) of advanced nursing practice.

The biennial requirement for contact hours of continuing education related to the recognized specialty area(s) of advanced nursing practice may include twelve (12) hours of education in pharmacology and clinical management of drug therapy and/or hours of education relating to national certification.

Section 5. Nationally Accredited Educational Programs Accepted by the Board.
For purposes of this chapter, a nationally accredited educational program which offers a formal post-graduate program of a minimum length of one (1) academic year in a specialty area of nursing practice or which confers a master's degree or doctorate with a major in a clinical specialty area of nursing practice, may be accepted by the board as a nationally accredited educational program.

(i) A list of nationally accredited educational programs accepted by the board shall be maintained and annually reviewed by the board and made available to the public upon request.

Section 6. Nationally Recognized Professional Organizations and/or Accrediting Agencies Accepted by the Board.

(a) For the purposes of this chapter, a nationally recognized professional organization and/or accrediting agency which offers a national certification examination in a specialty area of nursing practice, establishes standards and scope of practice statements, and provides a mechanism for evaluating continued competency in the specialty area of nursing practice, may be accepted by the board as a nationally recognized professional organization and/or accrediting agency.

(i) A list of nationally recognized professional organizations and/or accrediting agencies accepted by the board shall be maintained and annually reviewed by the board and made available to the public upon request.

Section 7. Standards of Advanced Practitioners of Nursing Practice.

(a) The advanced practitioner of nursing is subject at all times to the established Standards of Nursing Practice as stated in Chapter III of these rules and regulations, the standards and scope of practice established by national professional organizations and/or accrediting agencies representing the various specialty areas of advanced nursing practice, and the Act.

(b) The board recognizes advanced and specialized acts of nursing practice described in the scope of practice statements for advanced practitioners of nursing issued by national professional organizations and/or accrediting agencies.

(c) When delivering health care services to the public, the advanced practitioner of nursing shall maintain a current, written plan of practice and collaboration at the practice site and on file with the board. Such written plan shall conform to the criteria described in Section 3 (a)(vii)(A-E) of this chapter.

Section 8. Prescriptive Authority.

(a) The board may authorize an advanced practitioner of nursing or "APN" to prescribe drugs, within the recognized scope of advanced specialty practice, 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.], their applicable Rules and Regulations.

(b) The board shall transmit to the State Board of Pharmacy a list of all advanced practitioners of nursing who are eligible for prescriptive authority.

(i) The list shall include:
(A) The name of the authorized advanced practitioner of nursing;

(B) The prescriber’s registered nurse license number and specialty area(s) of advanced nursing practice recognized by the Board of Nursing; and

(C) The effective date of prescriptive authority authorization.

(ii) The list shall be periodically updated to identify new advanced practitioners of nursing who are eligible for prescriptive authority.

(c) A registered nurse who applies for authorization to prescribe drugs shall:

(i) Be currently recognized as an advanced practitioner of nursing 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) Provide evidence of having completed four hundred (400) hours of advanced nursing practice in recognized area(s) of specialty within the two (2) year period immediately before the date of application;

(iv) Comply with the standards of nursing practice, the rules and regulations, and the Act;

(v) Submit an updated written plan of practice and collaboration. Such written plan shall conform to the criteria described in Section 3(a)(vii)(A-E) of this Chapter; and

(vi) Submit a completed application, on a form provided by the board, accompanied by the application fee established by Chapter V: FEES, of these rules and regulations.

(d) Authorized prescriptions by an advanced practitioner of nursing shall:

(i) Comply 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.], their applicable Rules and Regulations, and

(ii) Be signed by the prescriber with the initials "APN" and/or the initials of the recognized specialty area(s), and the prescriber's registered nurse license number assigned by the board.

(e) Prescriptive authorization will be terminated if the advanced practitioner of nursing has:

(i) Not maintained current recognition as an advanced practitioner of nursing;

(ii) Prescribed outside the scope of recognized advanced nursing specialty practice or for other than therapeutic purposes;

(iii) Not completed four hundred (400) hours of practice as an advanced practitioner of nursing within the past two (2) years;
Not documented twelve (12) 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 Act.

(f) Advanced practitioner of nursing prescriptive authority must be renewed biennially with the advanced practitioner of nursing’s recognition(s).

(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 practitioner of nursing.

Section 9. Specialty Title.

(a) Specialty area(s) of advanced nursing practice shall be declared, and the specialty title(s) 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 specialty area(s) of nursing practice in which the advanced practitioner of nursing has received postgraduate education preparation.

(b) In order to practice in a specialty area, the advanced practitioner of nursing must be recognized by the board in that specialty area of advanced nursing practice.

Section 10. Applicability.

(a) The provisions of Chapter IV: ADVANCED PRACTITIONERS OF NURSING, Sections 1-10, are only applicable to a registered professional 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 IV: ADVANCED PRACTITIONERS OF NURSING, Sections 1-10, prohibits the usual and customary practice of an advanced practitioner of nursing 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 practitioner of nursing (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 practitioners of nursing who are certified registered nurse anesthetists or the institutional and individual practitioners with whom they may practice.

(c) Nothing in Chapter IV: ADVANCED PRACTITIONERS OF NURSING, Sections 1-10, prohibits the usual and customary practice of advanced practitioners of nursing in Wyoming from providing/dispensing drugs in accordance with applicable state and federal laws.

(d) Nothing in Chapter IV: ADVANCED PRACTITIONERS OF NURSING, Sections 1-10, 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) Inability to function with reasonable skill and safety for the following reasons, including but not limited to:
(A) Physical or mental disability;
(B) Substance abuse/dependency;
(C) Client abandonment;
(D) Client abuse, including sexual abuse;
(E) Fraud or deceit;
(F) Client neglect;
(G) Boundary violations, including sexual boundaries;
(H) Performance of unsafe client care;

(ii) Misappropriation or misuse of property;
(iii) Criminal conviction;
(iv) Failure to conform to the standards of prevailing nursing and advanced practitioner of nursing practice, 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 practitioner of nursing’s current employer, if applicable, of the disciplinary action.