

# HOUSE BILL No. 1097

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-15-5-14; IC 25-23-1-19.4.

**Synopsis:** Advanced practice registered nurses. Provides that an advanced practice registered nurse with prescriptive authority and who has operated under a practice agreement with a practitioner for at least one year may operate without a practice agreement if certain conditions are met. Amends the hospital governing board requirements for the manner in which an advanced practice registered nurse who operates in the hospital will interact with other practitioners. Makes a conforming change.

**Effective:** July 1, 2019.

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January 3, 2019, read first time and referred to Committee on Public Health.

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First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1097

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-15-5-14, AS AMENDED BY P.L.129-2018,  
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 14. (a) As used in this section, "advanced practice  
4 registered nurse" means:  
5 (1) a nurse practitioner; or  
6 (2) a clinical nurse specialist;  
7 who is a registered nurse licensed under IC 25-23 and qualified to  
8 practice nursing in a specialty role based upon the additional  
9 knowledge and skill gained through a formal organized program of  
10 study and clinical experience, or the equivalent as determined by the  
11 Indiana state board of nursing.  
12 (b) As used in this section, "office" includes the following:  
13 (1) The office of the secretary of family and social services.  
14 (2) A managed care organization that has contracted with the  
15 office of Medicaid policy and planning under this article.  
16 (3) A person that has contracted with a managed care organization  
17 described in subdivision (2).



1 (c) The office shall reimburse eligible Medicaid claims for the  
 2 following services provided by an advanced practice registered nurse  
 3 employed by a community mental health center if the services are part  
 4 of the advanced practice registered nurse's scope of practice:

- 5 (1) Mental health services.
- 6 (2) Behavioral health services.
- 7 (3) Substance abuse treatment.
- 8 (4) Primary care services.
- 9 (5) Evaluation and management services for inpatient or  
 10 outpatient psychiatric treatment.
- 11 (6) Prescription drugs.

12 (d) The office shall include an advanced practice registered nurse  
 13 as an eligible provider for the supervision of a plan of treatment for a  
 14 patient's outpatient mental health or substance abuse treatment  
 15 services, if the supervision is in the advanced practice registered  
 16 nurse's scope of practice, education, and training.

17 (e) This section:

- 18 (1) may not be construed to expand an advanced practice  
 19 registered nurse's scope of practice; and
- 20 (2) is subject to IC 25-23-1-19.4(c). ~~and applies only if the service~~  
 21 ~~is included in the advanced practice registered nurse's practice~~  
 22 ~~agreement with a collaborating physician.~~

23 SECTION 2. IC 25-23-1-19.4, AS AMENDED BY P.L.129-2018,  
 24 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2019]: Sec. 19.4. (a) This section does not apply to certified  
 26 registered nurse anesthetists.

27 (b) As used in this section, "practitioner" has the meaning set forth  
 28 in IC 16-42-19-5. However, the term does not include the following:

- 29 (1) A veterinarian.
- 30 ~~(2) An advanced practice registered nurse.~~
- 31 ~~(3) (2) A physician assistant.~~

32 (c) **Except as provided in subsection (d)**, an advanced practice  
 33 registered nurse shall operate:

- 34 (1) ~~in collaboration~~ with a licensed practitioner as evidenced by  
 35 a practice agreement;
- 36 (2) by privileges granted by the governing board of a hospital  
 37 licensed under IC 16-21 with the advice of the medical staff of the  
 38 hospital that sets forth the manner in which an advanced practice  
 39 registered nurse ~~and a licensed practitioner~~ will cooperate,  
 40 coordinate, and consult with ~~each other practitioners~~ in the  
 41 provision of health care to their patients; or
- 42 (3) by privileges granted by the governing body of a hospital



1 operated under IC 12-24-1 that sets forth the manner in which an  
2 advanced practice registered nurse and a licensed practitioner will  
3 cooperate, coordinate, and consult with each other **practitioners**  
4 in the provision of health care to their patients.

5 **(d) An advanced practice registered nurse with prescriptive**  
6 **authority may operate without a practice agreement if the**  
7 **following conditions are met:**

8 **(1) The advanced practice registered nurse has operated**  
9 **under a practice agreement with a practitioner for at least one**

10 **(1) year.**

11 **(2) The practitioner described in subdivision (1) has been**  
12 **licensed in Indiana for a minimum of five (5) years with the**  
13 **practitioner's respective governing board.**

14 **(3) The practitioner has reviewed at least five percent (5%) of**  
15 **the advanced practice registered nurse's prescriptive charts**  
16 **during the practice agreement period.**

17 **(4) The advanced practice registered nurse has submitted an**  
18 **attestation to the board to the completion of the required one**  
19 **(1) year practice agreement.**

20 **The board shall include an "I" after the prescriptive authority**  
21 **license number to indicate the advanced practice registered nurse**  
22 **has completed the requirements under this subsection.**

