June 25, 2013

An Open Letter to Nevada Advanced Practitioners of Nursing from The Nevada State Board of Nursing

On June 3, 2013, Governor Sandoval signed Assembly Bill 170. This act amended the Nevada Revised Statutes regarding the practice requirements of Advanced Practitioners of Nursing in Nevada. However, it should be emphasized that the Governor’s signature did not change the scope of practice of Advanced Practitioners of Nursing in Nevada. This letter is designed to highlight the changes to Nevada Law that will occur on July 1, 2013.

Specifically:

1. On July 1, 2013, your Nevada Advanced Practitioner of Nursing (APN) Certificate will become a Nevada Advanced Practice Registered Nurse (APRN) License. Your APN number will remain the same, i.e. APN00123, but it will become license number APRN00123. The Nevada State Board of Nursing (NSBN) database/website will automatically change your title. You will not receive a new wall certificate unless you request a new wall license from NSBN in writing and include payment of $25.00.

2. If you have clinically practiced as an APN for more than 2 years or clinically practiced as an APN for more than 2,000 hours, you are no longer required to have a formal, written collaborative agreement with a physician.

3. If you have clinically practiced as an APN for less than 2 years or you have clinically practiced as an APN for less than 2,000 hours, you are required to have a formal, written collaborative agreement with a physician with written protocols if you are prescribing Schedule II controlled substances. If you are not prescribing Schedule II controlled substances, then you are not required to have a formal, written collaborative agreement with a physician with written protocols.

4. If you are currently practicing in a group practice and will continue to do so after July 1, 2013, you do not need to do anything to change your status with the NSBN. Nothing in the new law prohibits you from working with a physician under a collaborative relationship/agreement with written protocols. These written collaborative agreements and protocols are simply no longer required by law, unless you have been clinically practicing for less than 2 years or 2000 hours AND will be prescribing Schedule II controlled substances (See, number 3 above).
5. On July 1, 2013, for APRNs who have clinically practiced for more than 2 years or 2,000 hours, you are not required to inform NSBN that you no longer have a written collaborative agreement with written protocols with a physician.

6. You must update your practice site information with the Board if there are changes. During your next renewal you will be asked questions about your practice site and whether or not you have a written collaborative agreement with a physician.

7. All Nevada APRNs must have documentation demonstrating competence in their area of practice. APRNs will not be able to practice beyond the scope of the nationally established scope of practice standards for their role (CNM, Nurse psychotherapist, CNP, or CNS) and for their specific population unless the APRN can clearly document that she is competent to do so and the procedures she will be practicing are within the scope of practice for APRNs as provided in the Nevada Nurse Practice Act, found in Chapter 632 of the NRS, and the applicable regulations found in Chapter 632 of the NAC. Practice beyond scope is grounds for professional discipline.

8. A Nevada APRN must maintain an active Nevada RN license. This requirement is unchanged.

9. The laws regarding your APRN prescribing privileges, as regulated by the Nevada State Board of Pharmacy (Board of Pharmacy) and the United States Drug Enforcement Administration (DEA) have not changed. Specifically:

   a. You must have a certificate from the Board of Pharmacy to prescribe any controlled substances in Nevada.
   b. You must have a certificate from the Board of Pharmacy to prescribe any dangerous drugs in Nevada.
   c. You must have a certificate from the Board of Pharmacy to dispense any dangerous drugs in Nevada.
   d. You must have a certificate from the DEA to prescribe controlled substances in Nevada.

You can find information, the Nevada laws and regulations governing prescribing (NRS Chapters 453-454 and 639, and NAC Chapters 453-454 and 639), and the required applications for Board of Pharmacy certificates on the Board of Pharmacy’s website, bop.nv.gov. The Board of Pharmacy Staff is available to answer questions related to prescribing at (775) 850-1440.
10. It is highly recommended that all APRNs carry malpractice insurance. It is anticipated that a Nevada Nursing Regulation will soon be passed to require Nevada APRNs to carry malpractice insurance in the amount of $1,000,000 each claim professional liability insurance and $3,000,000 aggregate professional liability insurance.

11. It is highly recommended that all APRNs have national certification in their primary role – nurse practitioner, clinical nurse specialist, or certified nurse midwife. After July 1, 2014, APRNs who become licensed in Nevada will be required to obtain national certification in their primary role to practice as an APRN in Nevada. APRNs that have a current Nevada APRN license on July 1, 2014, will be “grandfathered”, which means those individuals will not be required to have national certification. However, it is highly recommended that all Nevada APRNs obtain national certification.

12. If, after July 1, 2013, you are considering opening your own APRN health care business, there are a variety of other non-nursing legal requirements that you should consider. For example, you might need a Nevada State, County and/or City business license. In addition, your business may be considered a facility regulated by the Nevada Department of Health and Human Services.

13. If you have any questions about your Nevada APRN practice or the new law, please do not hesitate to call NSBN. We are willing and able to answer any questions you may have related to licensure requirements and scope of practice.

Sincerely,

NEVADA STATE BOARD OF NURSING

Debra Scott, MSN, RN, FRE
Executive Director