

NURSE PRACTICE ACT OF THE STATE OF ARKANSAS



TITLE 17
PROFESSIONS, OCCUPATIONS, AND BUSINESSES
SUBTITLE 3. MEDICAL PROFESSIONS

CHAPTER 87

NURSES

ARKANSAS STATE BOARD OF NURSING
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SUBCHAPTER 1 – GENERAL PROVISIONS

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17-87-101. License required – Purpose.

(a) In order to safeguard life and health, a person practicing or offering to practice nursing for compensation shall be required to submit evidence that he or she is qualified to so practice and shall be licensed as provided in this chapter:

- (1) Professional nursing;
- (2) Advanced practice registered nursing;
- (3) Registered practitioner nursing;
- (4) Practical nursing; or
- (5) Psychiatric technician nursing.

(b) It is unlawful for any person not licensed by the Arkansas State Board of Nursing:

- (1) To practice or offer to practice professional nursing, advanced practice registered nursing, registered practitioner nursing, practical nursing, or psychiatric technician nursing; or
- (2) To use any sign, card, or device to indicate that the person is a professional registered nurse, an advanced practice registered nurse, a registered nurse practitioner, a licensed practical nurse, or a licensed psychiatric technician nurse.

History

Acts 1971, No. 432, § 1; 1979, No. 613, § 1; 1980 (1st Ex. Sess.), No. 14, § 1; A.S.A. 1947, § 72-745; Acts 1995, No. 409, § 1; 2013, No. 604, § 1.

17-87-102. Definitions.

As used in this chapter:

- (1) “Board” means the Arkansas State Board of Nursing;
- (2) “Collaborative practice agreement” means a written plan that identifies a physician who agrees to collaborate with an advanced practice registered nurse in the joint management of the health care of the advanced practice registered nurse's patients and that outlines procedures for consultation with or referral to the collaborating physician or other healthcare professional as indicated by a patient's healthcare needs;
- (3) “Consulting physician” means a physician licensed under the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq., with obstetrical privileges in a hospital, who has agreed to practice in consultation with a certified nurse midwife;
- (4)
 - (A) “Practice of advanced practice registered nursing” means the delivery of healthcare services for compensation by a professional nurse who has gained additional knowledge and skills through successful completion of an organized program of nursing education that certifies nurses for advanced practice roles as certified nurse practitioners, certified registered nurse anesthetists, certified nurse midwives, and clinical nurse specialists.
 - (B) “Practice of advanced practice registered nursing” includes the practice of nursing as a:

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- (i) Certified nurse practitioner;
 - (ii) Certified registered nurse anesthetist;
 - (iii) Certified nurse midwife; and
 - (iv) Clinical nurse specialist;
- (5) “Practice of certified nurse midwifery” means the performance for compensation of advanced nursing practices by a certified nurse midwife that are relevant to the management of women's health care, focusing on pregnancy, childbirth, the postpartum period, care of the newborn, family planning, and gynecological needs of women within a healthcare system that provides for consultation, collaborative management, or referral as indicated by the health status of the client;
- (6) “Practice of certified nurse practitioner nursing” means the performance for compensation of advanced nursing practices by a registered nurse who, as demonstrated by national certification, has advanced knowledge and practice skills in the delivery of nursing services;
- (7)
- (A) “Practice of certified registered nurse anesthesia” means the performance for compensation of advanced nursing practices by a certified registered nurse anesthetist that are relevant to the administration of anesthetics under the supervision of, but not necessarily in the presence of, a licensed physician, licensed dentist, or other person lawfully entitled to order anesthesia.
 - (B) A certified registered nurse anesthetist may order nurses, within his or her scope of practice, to administer drugs preoperatively and postoperatively in connection with an anesthetic or other operative or invasive procedure, or both, that will be or has been provided;
- (8) “Practice of clinical nurse specialist nursing” means the performance for compensation of advanced nursing practices by a registered nurse who, through study and supervised practice at the graduate level and as evidenced by national certification, has advanced knowledge and practice skills in a specialized area of nursing practice;
- (9) “Practice of licensed practical nursing” means the performance for compensation of nursing practices by a licensed practical nurse that are relevant to the care of the ill, injured, or infirm, or the delegation of certain nursing practices to other personnel as set forth in rules established by the board, under the direction of a registered nurse, an advanced practice registered nurse, a licensed physician, or a licensed dentist that do not require the substantial specialized skill, judgment, and knowledge required in professional nursing;
- (10) “Practice of professional nursing” means the performance by a registered nurse or an advanced practice registered nurse for compensation of any acts involving:
- (A) The observation, care, and counsel of the ill, injured, or infirm;
 - (B) The maintenance of health or prevention of illness of others;
 - (C) The supervision and teaching of other personnel;
 - (D) The delegation of certain nursing practices to other personnel as set forth in rules established by the board; or
 - (E) The administration of medications and treatments as prescribed by practitioners authorized to prescribe and treat in accordance with state law when such acts require substantial specialized judgment and skill based on knowledge and application of the principles of biological, physical, and social sciences;
- (11) “Practice of psychiatric technician nursing” means the performance for compensation of nursing practices by a licensed psychiatric technician nurse that are relevant to the care of the physically and mentally impaired, injured, or infirm or the delegation of certain nursing practices to other personnel as set forth in rules established by the board, and the carrying out of medical orders under the direction of a professional registered nurse, an advanced practice

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registered nurse, a licensed physician, or a licensed dentist, when such activities do not require the substantial specialized skill, judgment, and knowledge required in professional nursing; and

(12)

(A) “Practice of registered nurse practitioner nursing” means the performance for compensation of nursing practices by a registered nurse practitioner that are relevant to the delivery of healthcare services in collaboration with and under the direction of a licensed physician or under the direction of protocols developed with a licensed physician.

(B) A registered nurse practitioner is authorized to engage in nursing practices as recognized by the nursing profession and as authorized by the board.

History

Acts 1971, No. 432, § 2; 1979, No. 404, §§ 1, 7; 1979, No. 613, § 2; A.S.A. 1947, § 72-746; Acts 1995, No. 409, § 2; 1997, No. 1065, § 1; 1999, No. 1208, § 1; 2013, No. 604, § 2; 2015, No. 1156, § 14; 2019, No. 315, §§ 1537-1539.

17-87-103. Exceptions.

This chapter does not prohibit:

- (1) The furnishing of nursing assistance in an emergency;
- (2) The practice of nursing that is incidental to their program of study by students enrolled in nursing education programs approved by the Arkansas State Board of Nursing;
- (3) The practice of any legally qualified nurse of another state who is employed by the United States Government or any bureau, division, or agency while in the discharge of his or her official duties in installations where jurisdiction has been ceded by the State of Arkansas;
- (4) The practice of any legally qualified and licensed nurse of another state, territory, or foreign country whose responsibilities include transporting patients into, out of, or through this state while actively engaged in patient transport that does not exceed forty-eight (48) hours in this state;
- (5) Nursing or care of the sick when done in connection with the practice of the religious tenets of any church by its adherents;
- (6) The care of the sick when done in accordance with the practice of religious principles or tenets of any well-recognized church or denomination that relies upon prayer or spiritual means of healing;
- (7) The administration of anesthetics under the supervision of, but not necessarily in the presence of, a licensed physician, dentist, or other person lawfully entitled to order anesthesia by a graduate nurse anesthetist awaiting certification results while holding a temporary permit;
- (8) The administration of anesthetics under the supervision of, but not necessarily in the presence of, a licensed physician, dentist, or other person lawfully entitled to order anesthesia by a registered nurse who is enrolled as a bona fide student pursuing a course in a nurse anesthesia school that is approved by a nationally recognized accrediting body and whose graduates are acceptable for certification by a nationally recognized certifying body, provided the giving or administering of the anesthetics is confined to the educational requirements of the course and under the direct supervision of a qualified instructor;
- (9) Hospital-employed professional paramedics from administering medication for diagnostic procedures under the direction of a physician;
- (10) The prescription and administration of drugs, medicines, or therapeutic devices in the presence of and