

FIRST REGULAR SESSION

SENATE BILL NO. 545

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

2053S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 195.070, RSMo, and to enact in lieu thereof one new section relating to the administration of certain controlled substances by certified registered nurse anesthetists.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 195.070, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 195.070,
3 to read as follows:

195.070. 1. A physician, podiatrist, dentist, a
2 registered optometrist certified to administer
3 pharmaceutical agents as provided in section 336.220, or an
4 assistant physician in accordance with section 334.037 or a
5 physician assistant in accordance with section 334.747 in
6 good faith and in the course of his or her professional
7 practice only, may prescribe, administer, and dispense
8 controlled substances or he or she may cause the same to be
9 administered or dispensed by an individual as authorized by
10 statute.

11 2. An advanced practice registered nurse, as defined
12 in section 335.016, but not a certified registered nurse
13 anesthetist as defined in subdivision (8) of section
14 335.016, who holds a certificate of controlled substance
15 prescriptive authority from the board of nursing under
16 section 335.019 and who is delegated the authority to
17 prescribe controlled substances under a collaborative

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 practice arrangement under section 334.104 may prescribe any
19 controlled substances listed in Schedules III, IV, and V of
20 section 195.017, and may have restricted authority in
21 Schedule II. Prescriptions for Schedule II medications
22 prescribed by an advanced practice registered nurse who has
23 a certificate of controlled substance prescriptive authority
24 are restricted to only those medications containing
25 hydrocodone and Schedule II controlled substances for
26 hospice patients pursuant to the provisions of section
27 334.104. However, no such certified advanced practice
28 registered nurse shall prescribe controlled substance for
29 his or her own self or family. Schedule III narcotic
30 controlled substance and Schedule II - hydrocodone
31 prescriptions shall be limited to a one hundred twenty-hour
32 supply without refill.

33 **3. A certified registered nurse anesthetist, as such**
34 **term is defined in section 335.016, may select, issue orders**
35 **for, and administer controlled substances listed in**
36 **Schedules II, III, IV, and V of section 195.017 for and**
37 **during the course of providing anesthesia care to a patient**
38 **in a licensed facility pursuant to state law. The**
39 **provisions of this subsection shall not be construed as**
40 **authorizing a certified registered nurse anesthetist to**
41 **prescribe such controlled substances. Notwithstanding any**
42 **other provision of law to the contrary, a certified**
43 **registered nurse anesthetist shall not be required to obtain**
44 **a certificate of controlled substance prescriptive authority**
45 **from the board of nursing under section 335.019 in order to**
46 **exercise the authority provided by this subsection.**

47 [3.] **4. A veterinarian, in good faith and in the**
48 **course of the veterinarian's professional practice only, and**
49 **not for use by a human being, may prescribe, administer, and**

50 dispense controlled substances and the veterinarian may
51 cause them to be administered by an assistant or orderly
52 under his or her direction and supervision.

53 [4.] 5. A practitioner shall not accept any portion
54 of a controlled substance unused by a patient, for any
55 reason, if such practitioner did not originally dispense the
56 drug, except:

57 (1) When the controlled substance is delivered to the
58 practitioner to administer to the patient for whom the
59 medication is prescribed as authorized by federal law.

60 Practitioners shall maintain records and secure the
61 medication as required by this chapter and regulations
62 promulgated pursuant to this chapter; or

63 (2) As provided in section 195.265.

64 [5.] 6. An individual practitioner shall not
65 prescribe or dispense a controlled substance for such
66 practitioner's personal use except in a medical emergency.

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