

IMPORTANT PROVISIONS OF THE CRNP REGULATIONS EFFECTIVE DECEMBER 12, 2009

CRNPs who hold prescriptive authority approval from the Board are currently limited to prescribing Schedule II controlled substances for up to a 72-hour dose and Schedule III and IV controlled substances for up to 30-days. Under the new regulations, there are new time limits. A CRNP with prescriptive authority approval who wishes to prescribe under the new time limits **must file a Prescriptive Authority Change Form** with the Board. **CRNPs may not use the new time limits until the Change Form has been submitted and the CRNP has received a letter back from the Board.** The Prescriptive Authority Change Form is available on the Board's website under "Applications."

FREQUENTLY ASKED QUESTIONS ON CRNP PRESCRIPTIVE AUTHORITY

Section 1 - Controlled substance schedules and prescribing

Section 2 - Change in the collaborating physician for prescriptive authority, application questions

Section 3 - Initial Pennsylvania prescriptive authority approval

Section 1

- 1) **How do I change or add controlled substances to my prescriptive authority collaborative agreement?** To add or change controlled substances on your prescriptive authority collaborative agreement submit the *Prescriptive Authority Change form* found at www.dos.state.pa.us/nurse under "Applications." Refer to the CRNP Rules and Regulations Section 21.284(d)(1 and 2). A CRNP may write a prescription for a Schedule II controlled substance for up to a **30** day supply as identified in the collaborative agreement. A CRNP may write a prescription for a Schedule III or IV controlled substance for up to a **90** day supply as identified in the collaborative agreement.

- 2) **Do I need a DEA number to prescribe and dispense drugs?** A CRNP who wishes to prescribe and dispense controlled substances is required to register with the U.S. Department of Justice Drug Enforcement Administration (DEA) as mid-level practitioner and obtain a DEA number, unless exempt from DEA registration. To register with the DEA and obtain a DEA number, please contact the DEA, Office of Diversion Control at (800) 882 – 9539 or see the DEA office of Diversion Control website at <http://www.deadiversion.usdoj.gov/>. Questions regarding the Federal Controlled Substances Act may also be directed to this number. A prescribing CRNP may not use another practitioner's DEA number. If the CRNP does not wish to prescribe and dispense controlled substances a DEA number is not required.

Section 1 (continued)

- 3) **Is there a “Pennsylvania DEA number” required to prescribe and dispense controlled substances in the Commonwealth of Pennsylvania?** No. Some states require a separate state registration for practitioners prescribing controlled substances. Pennsylvania does not. However, Pennsylvania practitioners who prescribe controlled substances should be familiar with the provisions of the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. §§ 780-101 – 780-144, and the regulations of the Department of Health concerning controlled substances, 49 Pa. Code §§ 25.1 – 25.215.
- 4) **Which drugs may I prescribe and dispense?** The prescribing and dispensing parameters for CRNPs are found in the regulations at 49 Pa. Code § 21.284. The CRNP and collaborating physician determine the categories of drugs from which the CRNP may prescribe and dispense by completing the Board’s Collaborative Agreement for CRNP Prescriptive Authority form. A CRNP may prescribe and dispense a drug relevant to the CRNP’s specialty as stated in 49 Pa. Code § 21.284 (b).
- 5) **What documentation may be requested from the prescribing CRNP in order to fill a prescription?** A prescribing CRNP should be prepared to provide a copy of his/her prescriptive authority collaborative agreement, prescriptive authority approval number, Pennsylvania CRNP certification number and specialty, DEA number and NPI number if applicable.
- 6) **What should the prescription blank look like?** Prescriptions must bear the name, title and Pennsylvania CRNP certification number of the CRNP. When appropriate, the CRNP’s National Provider Identifier (NPI) number must appear on the prescription. Also, a DEA number, when appropriate, must be on the prescription.
- 7) **May I request, receive and sign for professional drug samples?** Refer to the CRNP Rules and Regulations Section 21.284a(a). A CRNP who holds current prescriptive authority approval may request, receive and sign for professional samples and may dispense professional samples to patients.
- 8) **Is a physician co-signature required?** CRNP’s who have current Board-issued prescriptive authority approval may prescribe and dispense drugs. A physician’s co-signature is not required if a CRNP has prescriptive authority unless required by facility policy.

Section 2

- 9) **If I already have prescriptive authority, how do I add a new collaborating physician and a new collaborative agreement?** A CRNP may add a new collaborating physician by submitting a new *CRNP Application for Prescriptive Authority*, which includes a new prescriptive authority collaborative agreement. Application forms are available on the Board of Nursing website at <http://www.dos.state.pa.us/nurse> under “Applications” or by contacting the Board of Nursing. When an additional prescriptive authority approval is granted by the Board, the CRNP will be sent another prescriptive authority approval that lists the new collaborating physician. **Since the CRNP has already provided verification that he or she completed the required advanced pharmacology course work with the first application, it does not need to be re-submitted.** The fee for an additional prescriptive authority application is \$30.

Section 2 (continued)

- 10) **What happens when I leave my job or cease collaborating with the physician with whom I have a collaborative agreement to prescribe and dispense?** When a collaborative agreement of a CRNP who prescribes and dispenses drugs is terminated because the CRNP leaves his/her job or ceases collaborating with the physician, approval for prescriptive authority with this collaborating physician ends. The CRNP **MUST** promptly notify the Board of Nursing that the agreement has been terminated by submitting the *Prescriptive Authority Change Form* available on the Board of Nursing website. The CRNP may not continue to prescribe and dispense drugs until a new *Application for CRNP Prescriptive Authority* is submitted and approved by the Board.
- 11) **When is the Prescriptive Authority Change form used?**
- To *terminate* an existing or expired collaborative agreement
 - To add or delete *substitute physicians* to an existing collaborative agreement
 - To change *controlled substance schedules or timeframes* on an existing collaborative agreement
 - To change *drug categories* on an existing collaborative agreement
- The Prescriptive Authority Change form may **not** be used to apply for a new prescriptive authority approval.
- 12) **I work with several physicians at one practice location. Must I submit an Application for CRNP prescriptive authority for each physician?** All physicians that the CRNP will be collaborating with under the prescriptive authority approval must be listed in the collaborative agreement. One physician must be listed as the collaborating physician and additional physicians may be listed as substitute physicians if practicing within the same practice location.
- 13) **Can a CRNP have more than one collaborating physician?** Yes. CRNPs may have an unlimited number of collaborating physicians. However, a collaborative agreement is required for each collaborating physician. Substitute physicians collaborate with the CRNP in accordance with the terms of the collaborative agreement on which they are listed.
- 14) **The CRNP Application for Prescriptive Authority requires at least one substitute physician in addition to my collaborating physician. Do I need a substitute physician?** As stated in the regulations at 49 Pa. Code § 21.285 (a)(1) the collaborative agreement for prescriptive authority must: “Be in writing, identify the parties, including the collaborating physician, the CRNP and at least one substitute physician who will provide collaboration if the collaborating physician is unavailable.” The agreement will not be approved without a substitute physician. Small practices often use a physician from a separate office to serve as the substitute physician in the event the collaborating physician is unavailable.
- 15) **I do not have professional liability insurance. Will my collaborative agreement be approved?** As stated in the regulations at 49 Pa. Code § 21.285 (8) you must be able to “Specify the amount of professional liability insurance that covers the CRNP.” Act 48 of 2007 included a provision that requires CRNPs practicing in the Commonwealth to be covered by malpractice insurance of at least \$1 million per occurrence and \$3 million in annual aggregate that is obtained from an insurer licensed or approved by the Pennsylvania Insurance Department or from a self-insurance plan approved by the Pennsylvania Insurance Department.

Section 3

- 16) **I have prescriptive authority in another state or jurisdiction. Can I endorse my prescriptive authority into Pennsylvania?** No. You must apply for Prescriptive Authority from the Pennsylvania Board of Nursing and comply with the regulations. Application forms are available on the Board of Nursing website <http://www.dos.state.pa.us/nurse> under “Applications” or by contacting the Board of Nursing.
- 17) **I am a CRNP who has never had Pennsylvania prescriptive authority before. Where do I start?** Pennsylvania nurse practitioner certification alone does not qualify a CRNP to prescribe and dispense drugs. A CRNP who has completed at least **45 hours** of course work specific to advanced pharmacology and who is practicing under a signed written agreement with a collaborating physician licensed in the Commonwealth may apply. The director of the CRNP program or their designee must complete and submit the “Verification of Advanced Pharmacology” form, which is attached to the *CRNP Application for Prescriptive Authority*. The fee for initial prescriptive authority is \$50.
- 18) **When may I start prescribing and dispensing drugs?** A CRNP must apply for and receive prescriptive authority approval from the Board before prescribing and dispensing **any** drugs. The Board will issue the CRNP a prescriptive authority approval number. A CRNP can check electronically if a Prescriptive Authority number has been issued. This may be checked through the “Verify a Professional License” link at www.licensepa.state.pa.us or by contacting the State Board of Nursing. The CRNP may not prescribe and dispense any drug prior to the issuance of a Prescriptive Authority approval number.
- 19) **My advanced pharmacology course work is more than five (5) years old. May I apply for Prescriptive Authority?** Refer to the CRNP Rules and Regulations Section 21.283(b)(2)(iii). The Board encourages an applicant to remain current about the prescribing and dispensing of drugs related to your specialty.
- 20) **Must the “Verification of Advanced Pharmacology” form be mailed directly from the program director?** The “Verification of Advanced Pharmacology” form must come **directly** from the program director or designee in an official school envelope. This form must be original, unaltered and bear an official school seal.
- 21) **When do I need to obtain continuing education for renewal of my prescriptive authority approval?** The CRNP who has prescriptive authority shall complete a minimum of 16 hours of State Board of Nursing approved continuing education in pharmacology in the two years prior to the biennial renewal date of the CRNP certification, as part of the requirement of 30 hours of continuing education biennially.

Further information and forms are available on the Board’s website at <http://www.dos.state.pa.us/nurse>. If you do not have a current copy of the Law and Regulations they are available at our website, or you may request them from the Board office at (717) 783-7142; or e-mail the Board at st-nurse@state.pa.us. You may also write to the Board at P.O. Box 2649, Harrisburg, PA 17105-2649.