

COMMONWEALTH OF PENNSYLVANIA
STATE BOARD OF NURSING
P.O. BOX 2649
HARRISBURG, PA 17105-2649

PHONE: (717) 783-7142
www.dos.pa.gov/nurse

Email: st-nurse@pa.gov
FAX: (717) 783-0822

Prescription of Suboxone by CRNPs

The State Board of Nursing has been receiving numerous inquiries regarding the prescription of Suboxone, a Schedule III controlled substance, by certified registered nurse practitioners (CRNPs) with prescriptive authority.

As a government agency, the Board's activities are limited to that authorized by the Professional Nursing Law (RN Law), Act of May 22, 1951 (P.L. 317, No. 69), *as amended*, 63 P.S. § 211 *et. seq.* and the Practical Nurse Law (PN Law), Act of March 2, 1956, P.L. 1956-1211, *as amended*, 63 P.S. § 601 *et. seq.* Nowhere do the Acts confer authority on the Board to issue advisory opinions or pre-approve specific conduct. Commonwealth Court has held that where the legislature has not provided authority for a licensing board to pre-approve conduct of its licensees, such pre-approval decisions are in the nature of an advisory opinion and thus a nullity. See, *Avis Rent-A-Car Systems v. Department of State*, 548 A.2d 402 (Pa. Cmwlth. 1988).

While the Board is not permitted to provide an advisory opinion, it directs your attention to Section 21.284(d)(2) of the Board's regulations which specifically addresses the prescription of Schedule III controlled substances by CRNPs. Please note that nowhere in the Board's regulations does it regulate specific drugs within Schedule III. Of course, the additional requirements in Sections 21.282a -21.288 apply to CRNP Practice and prescribing and dispensing. The Board's regulations are available on this webpage.

Additionally, please note that there may be additional restrictions/requirements in other state or federal laws on the prescription of a particular drug or Schedule. Questions regarding the application and interpretation of the Board's regulations, other applicable laws and regulations or the relationship between a collaborating physician and the CRNP's prescriptive authority collaborative agreement should be referred to private legal counsel who can review proposed scenarios.