

Examining Ohio Senate Bill 83/House Bill 141

A Prescription for Better Health Care

Ohio Senate Bill 83/House Bill 141 Overview

Ohio Senate Bill 83 (SB 83) and Ohio House Bill 141 (HB 141) will enhance the ability of advanced practice nurses (APNs) to prescribe Schedule II controlled medications. APNs are registered nurses who have obtained at least a Master's degree, specialty certification and advanced pharmacology training.

ABOUT SCHEDULE II MEDICATIONS

Schedule II controlled medications are classified by the Drug Enforcement Agency as those with a high potential for abuse. This category of medications includes fentanyl, oxycodone/acetaminophen (Percocet) and attention deficit disorder medications such as Ritalin. These medications are essential for comfort and pain management for patients in hospice or palliative care; oncology patients; patients with chronic, post-surgical or acute pain from fractures or burns; and children with attention deficit disorder.

CURRENT STATUS OF THE BILL

SB 83 is sponsored by Senator Scott Oelslager (R-North Canton). It was introduced in the Ohio Senate on Feb. 3, 2011. HB 141 is sponsored by Bruce W. Goodwin (R-Defiance). It was introduced in the Ohio House on March 8, 2011.

SB 83/HB 141 ...

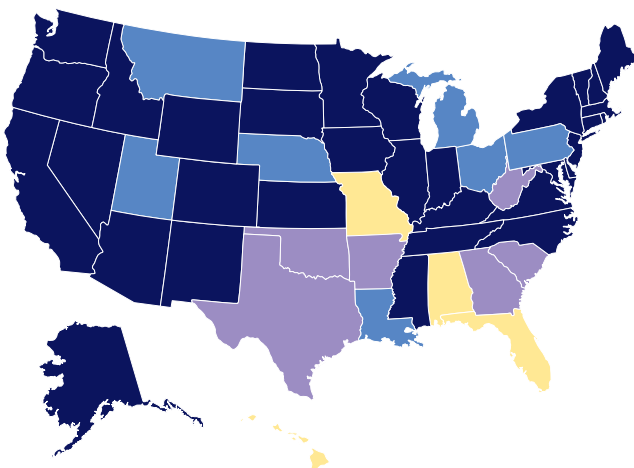
- Improves treatment for Ohioans by providing access to prompt and appropriate health care.
- Requires APNs to complete additional education specific to Schedule II medications.
- Maintains the collaborative relationship that currently exists between physicians and APNs.
- Brings Ohio in line with 33 other states that currently allow APNs to prescribe Schedule II medications without the restrictions that exist in Ohio.

SB 83/HB 141 Enhances Current Ohio Law

Currently in Ohio, APNs with a certificate to prescribe can prescribe Schedule II through V controlled medications, however, they are limited in prescribing Schedule II medications to only a 24-hour supply for terminally ill patients and only after an initial prescription has been written by a physician.

Thirty-three states currently allow APNs to prescribe Schedule II medications without the restrictions that exist in Ohio. Since 2000, Ohio APNs have legally prescribed scheduled drugs (mainly Schedule III, IV and V), and the Ohio Board of Pharmacy has not pursued prosecution of any APN for criminal drug violations during that time. This includes the most widely abused drug in both Ohio and the nation – hydrocodone/acetaminophen (Vicodin) – a Schedule III drug.

ADVANCED PRACTICE NURSES' PRESCRIPTIVE AUTHORITY



- States in which APNs can prescribe only legend drugs (all medications that require a prescription, but are not controlled substances)
- States in which APNs can prescribe Schedule II-V controlled substances
- States in which APNs can prescribe only Schedule III-V controlled substances
- States in which APNs can prescribe Schedule II-V controlled substances, but Schedule II substances only in limited circumstances

Current as of March 10, 2011 • Source: Drug Enforcement Agency
<http://www.deadiversion.usdoj.gov/drugreg/practioners/index.html>

SB 83/HB 141 Improves Care and Access to Treatment for Ohioans

APNs function in a variety of settings, including outpatient primary care, acute care hospitals and intensive care units, home health, hospice and extended care facilities. They play an important role in providing quality health care to Ohioans. Many of the conditions commonly treated by APNs require management of moderate to severe pain. Schedule II medications are an important part of the treatment regime for these patients.

Prompt treatment of pain is important to the restoration of comfort and function and the promotion of quality of life for the patients typically treated by APNs. Untreated or under-treated pain can lead to prolonged hospital stays, depression, difficulty with self-care, difficulty sleeping, anxiety, loss of appetite and missed days from school or work. Increased health care costs related to frequent emergency department visits and prolonged hospitalizations also can result. Amending the law to enhance the ability of APNs to prescribe Schedule II medications will foster prompt and appropriate patient care in a safe and effective manner and allow APNs to better serve their patients.

The benefits of SB 83/HB 141 in providing Ohioans with access to prompt and appropriate health care are why the bill already has the support of major hospitals and health systems in Ohio, as well as a number of health care trade associations and physicians.

Safeguards for Schedule II Prescribing in Ohio

A number of safeguards are currently in place for Schedule II prescribing in Ohio and will be maintained under SB 83/HB 141, including:

- APNs are not permitted to dispense controlled medications.
- Only written prescriptions for Schedule II medications are accepted.
- Refills are not permitted on Schedule II medications.
- All prescriptions for Schedule II medications are tracked by prescriber and patient by the Ohio Board of Pharmacy's OARRS program. This helps reduce the risk of abuse of medications. Any licensed prescriber may be investigated by the Ohio Board of Pharmacy at any time if concerns about prescribing arise.

In addition, SB 83/HB 141 requires collaborating physicians to allow their APNs to prescribe Schedule II medications by specifically addressing this authority in quality monitoring measures within their written contract for care delivery called the Standard Care Arrangement. If a collaborating physician is opposed to an APN prescribing Schedule II medications, then regardless of whether or not the APN has completed the additional education, the physician can prohibit the APN from doing so.

About Advanced Practice Nurses

APNs are registered nurses (RNs) who have received a Master's or Doctoral degree and provide advanced clinical care to patients or specific groups of patients. APNs must pass national board exams to be certified in their specialty. They are licensed in the state of Ohio as RNs and are granted a certificate of authority by the state which recognizes them as advanced practice nurses. In order to prescribe in Ohio, APNs also must receive a certificate to prescribe from the state, which requires initial and ongoing education related to prescribing.

Like all nurses, APNs focus on the promotion of health, prevention of illness and the management of acute and chronic illnesses. Advanced education and training allows APNs to provide additional services according to a Standard Care Arrangement developed between the APN and his or her collaborating physician.



Ohio Association of Advanced Practice Nurses

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