

Ohio Expands Prescriptive Authority for Certain Advanced Practice Registered Nurses

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On May 17, the Ohio Board of Nursing (the Board) adopted a new formulary which expands the prescriptive authority for certain of Ohio's advanced practice registered nurses (APRNs). Specifically, this new "exclusionary" formulary applies to Ohio's certified nurse practitioners, clinical nurse specialists and certified nurse midwives. The new formulary was adopted pursuant to [Ohio's House Bill 216](#) (HB 216), which amended ORC § 4723.50 to require, in part, that the Board adopt a new exclusionary formulary permitting APRNs to prescribe any controlled substances except as prohibited by federal or state law, and except for drugs or devices to perform or induce abortions. The exclusionary formulary also provides that the APRN's prescriptive authority shall not exceed that of the APRN's collaborating physician or podiatrist.

This new exclusionary formulary replaces Ohio's previous APRN formulary which limited prescriptive authority to only those drugs specifically identified therein. By permitting APRNs to potentially prescribe any controlled substance not otherwise prohibited by law, the new formulary appears to expand the prescriptive authority of Ohio's APRNs.

Ohio still requires APRNs to enter into "standard care agreements" (SCAs) with collaborating physicians and podiatrists, and these SCAs may contain additional restrictions on an APRN's authority. Given the exclusionary formulary's recent adoption, providers with existing SCAs should review them and, if necessary, make appropriate changes.

In connection with HB 216's changes to Ohio's nursing statutes, the Board is currently considering a new regulation to further clarify APRN prescriptive authority. The proposed regulation addresses HB216's formulary standards and imposes additional APRN practice standards regarding prescription of opioids for the treatment of acute pain. Comments to the proposed regulation will be considered at a public hearing on July 26th. Assuming the regulation is adopted, it is expected to become effective on or around August 31.

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