

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILLS NOS. 1247 & 1445  
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.

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Section A. Section 195.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 195.070, to read as follows:

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

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, and may have restricted authority in

Schedule II. Prescriptions for Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone and Schedule II controlled substances for hospice patients pursuant to the provisions of section 334.104. However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill.

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

4. A veterinarian, in good faith and in the course of the veterinarian's professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

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

(1) When the controlled substance is delivered to the practitioner to administer to the patient for whom the medication is prescribed as authorized by federal law. Practitioners shall maintain records and secure the medication as required by this chapter and regulations promulgated pursuant to this chapter; or

(2) As provided in section 195.265.

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