

SECOND REGULAR SESSION

# SENATE BILL NO. 1445

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

4989S.011

KRISTINA MARTIN, Secretary

## 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.

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Section A. Section 195.070, RSMo, is repealed and one new  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

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

11 2. An advanced practice registered nurse, as defined  
12 in section 335.016, but not a certified registered nurse  
13 anesthetist as defined in subdivision (8) of section  
14 335.016, who holds a certificate of controlled substance  
15 prescriptive authority from the board of nursing under  
16 section 335.019 and who is delegated the authority to

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 prescribe controlled substances under a collaborative  
18 practice arrangement under section 334.104 may prescribe any  
19 controlled substances listed in Schedules III, IV, and V of  
20 section 195.017, and may have restricted authority in  
21 Schedule II. Prescriptions for Schedule II medications  
22 prescribed by an advanced practice registered nurse who has  
23 a certificate of controlled substance prescriptive authority  
24 are restricted to only those medications containing  
25 hydrocodone and Schedule II controlled substances for  
26 hospice patients pursuant to the provisions of section  
27 334.104. However, no such certified advanced practice  
28 registered nurse shall prescribe controlled substance for  
29 his or her own self or family. Schedule III narcotic  
30 controlled substance and Schedule II - hydrocodone  
31 prescriptions shall be limited to a one hundred twenty-hour  
32 supply without refill.

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

47       **4. A veterinarian, in good faith and in the course of**  
48 **the veterinarian's professional practice only, and not for**

49 use by a human being, may prescribe, administer, and  
50 dispense controlled substances and the veterinarian may  
51 cause them to be administered by an assistant or orderly  
52 under his or her direction and supervision.

53 [4.] 5. A practitioner shall not accept any portion of  
54 a controlled substance unused by a patient, for any reason,  
55 if such practitioner did not originally dispense the drug,  
56 except:

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

63 (2) As provided in section 195.265.

64 [5.] 6. An individual practitioner shall not prescribe  
65 or dispense a controlled substance for such practitioner's  
66 personal use except in a medical emergency.

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