

# Senate Bill 226

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## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes requirement that Oregon State Board of Nursing notify State Board of Pharmacy upon authorizing nurse practitioner or clinical nurse specialist to dispense prescription drugs.  
Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to nursing; creating new provisions; amending ORS 678.390; and prescribing an effective  
3 date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 678.390 is amended to read:

6 678.390. (1) The Oregon State Board of Nursing may authorize a nurse practitioner or clinical  
7 nurse specialist to write prescriptions, including prescriptions for controlled substances listed in  
8 schedules II through V.

9 (2) A nurse practitioner or clinical nurse specialist may submit an application to the Oregon  
10 State Board of Nursing to dispense prescription drugs. [*The Oregon State Board of Nursing shall*  
11 *provide immediate notice to the State Board of Pharmacy upon approving an application submitted by*  
12 *a nurse practitioner or clinical nurse specialist to dispense prescription drugs.*]

13 (3) An application for the authority to dispense prescription drugs under this section must in-  
14 clude any information required by the Oregon State Board of Nursing by rule.

15 (4) Prescription drugs dispensed by a nurse practitioner or clinical nurse specialist must be  
16 personally dispensed by the nurse practitioner or clinical nurse specialist, except that nonjudg-  
17 mental dispensing functions may be delegated to staff assistants when:

18 (a) The accuracy and completeness of the prescription is verified by the nurse practitioner or  
19 clinical nurse specialist; and

20 (b) The prescription drug is labeled with the name of the patient to whom it is being dispensed.

21 (5) The Oregon State Board of Nursing shall adopt rules requiring:

22 (a) Prescription drugs dispensed by nurse practitioners and clinical nurse specialists to be either  
23 prepackaged by a manufacturer registered with the State Board of Pharmacy or repackaged by a  
24 pharmacist licensed by the State Board of Pharmacy under ORS chapter 689;

25 (b) Labeling requirements for prescription drugs dispensed by nurse practitioners and clinical  
26 nurse specialists that are the same as labeling requirements required of pharmacies licensed under  
27 ORS chapter 689;

28 (c) Record keeping requirements for prescriptions and prescription drug dispensing by a nurse  
29 practitioner and a clinical nurse specialist that are the same as the record keeping requirements  
30 required of pharmacies licensed under ORS chapter 689;

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (d) A dispensing nurse practitioner and a dispensing clinical nurse specialist to have available  
 2 at the dispensing site a hard copy or electronic version of prescription drug reference works com-  
 3 monly used by professionals authorized to dispense prescription medications; and

4 (e) A dispensing nurse practitioner and a dispensing clinical nurse specialist to allow represen-  
 5 tatives of the State Board of Pharmacy, upon receipt of a complaint, to inspect a dispensing site  
 6 after prior notice to the Oregon State Board of Nursing.

7 (6) The Oregon State Board of Nursing has sole disciplinary authority regarding nurse practi-  
 8 tioners and clinical nurse specialists who have prescription drug dispensing authority.

9 (7) The authority to write prescriptions or dispense prescription drugs may be denied, suspended  
 10 or revoked by the Oregon State Board of Nursing upon proof that the authority has been abused.  
 11 The procedure shall be a contested case under ORS chapter 183. Disciplinary action under this  
 12 subsection is grounds for discipline of the nurse practitioner or clinical nurse specialist in the same  
 13 manner as a licensee may be disciplined under ORS 678.111.

14 **SECTION 2. (1) The amendments to ORS 678.390 by section 1 of this 2023 Act become**  
 15 **operative on January 1, 2024.**

16 **(2) The Oregon State Board of Nursing may take any action before the operative date**  
 17 **specified in subsection (1) of this section that is necessary to enable the board to exercise,**  
 18 **on or after the operative date specified in subsection (1) of this section, all of the duties,**  
 19 **functions and powers conferred on the board by the amendments to ORS 678.390 by section**  
 20 **1 of this 2023 Act.**

21 **SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
 22 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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