



NURSE PRACTITIONERS

NEW AUTHORITY TO PROVIDE MEDICATIONS

Effective January 1, 2000

Assembly Bill 1545 (Correa) and Senate Bill 816 (Escutia) were signed into law by Governor Gray Davis on October 8, 1999, and became law January 1, 2000. These bills amend nurse practitioner practice while furnishing drugs and devices to patients.

AB 1545, Chapter 914 (Correa) addresses the following:

NP name on the Rx label. Pharmacy law specifies what must be included on the medication label prepared by a pharmacist and placed on the patient's medication container. Formerly, the nurse practitioner (NP) writing an order for a medication did not have his or her name and title "NP" on the label; only the physician's name was on the patient medication container.

AB 1545 will direct the pharmacists to include the NP's name as well as the physician's name on the medication label.

Dispensing medication. Business and Professions Code Section 2725.1 allows registered nurses to dispense (hand to a patient) medications, except controlled substances, upon the valid order of a physician in primary, community, and free clinics.

AB 1545 amends this section to enable NPs to dispense drugs, including controlled substances, pursuant to a standardized procedure or protocol, in these clinics. Pharmacy law, Business and Professions Code Section 4076, is amended to include NPs dispensing using required pharmacy containers and labeling.

Signing for Sample Medications. Formerly, NPs could not sign for drug samples offered by representatives of pharmaceutical companies. Pharmaceutical companies supply medical offices with sample medications, and only physicians were permitted by law to sign the receipt from the pharmaceutical representative acknowledging receipt of the medication.

The new law adds this section to pharmacy law: an NP who functions pursuant to a standardized procedure, as described in Section 2836.1 or protocol, may sign for delivery or receipt of complimentary samples of dangerous drugs or dangerous devices that have been requested in writing by his or her supervising physician. Pharmacy law, Business and Professions Code Section 4061, is amended to reflect NPs accepting sample medications. NPs may sign the receipt of a manufacturer's sales representative for complimentary samples.

SB 816, Chapter 741 (Escutia) addresses the following:

Furnishing Controlled Substances. The new law requires the NP who has a furnishing number to obtain a DEA registration number to "order" controlled substances Schedule III, IV and V.

The Drug Enforcement Administration (DEA) monitors all prescribers who write for controlled substances. All prescribers who write for controlled substances are required to register with the DEA and obtain a DEA registration number. Currently, NPs with furnishing numbers have California legislative authority to furnish controlled substances, Schedule III, IV, and V.

Definition – Drug Order. Under current law, NPs furnish drugs and devices in accordance with standardized procedures or protocols developed by the NP and his or her supervising physician. This new law adds “**order**” or “**drug order**” to Business and Professions Code Section 2836.1. The new law changes furnishing of controlled substances Schedule III, IV, or V to mean issuing an **order** for a drug. The intent of this legislation is furnishing can now be known as an “order” and can be considered the same as an “order” initiated by the physician. This new law requires the NP who has a furnishing number to obtain a DEA number to “order” controlled substances, Schedule III, IV, and V.

Registration with the Federal Drug Enforcement Administration (DEA). The NP who has a furnishing number can obtain an application for a DEA number by calling:

San Francisco Field Division: 1-888-304-3251
Los Angeles Field Division: (213) 621-6700 or 1-888-415-9822
San Diego Field Division: (858) 616-4327

The address is:

United States Department of Justice
Drug Enforcement Administration
Central Station
P.O. Box 28083
Washington, D.C. 20038-8083