

BURR ARTICLE

Nurse Practitioner and Nurse Midwife Prescribing Practices

by *Kelli Carpenter Fleming*

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An ongoing debate in the healthcare field involves the scope of practice for allied health professionals, for example, nurse practitioners and nurse midwives. Allied health professionals oftentimes desire the ability to perform additional services through an expansion of their scope of practice. However, many members of the physician medical community believe that certain practices and services should only be reserved for those individuals who have attended medical school. In Alabama, these two schools of thought have recently come together to grant nurse practitioners and nurse midwives an expansion of their scope of practice, while still retaining oversight by licensed physicians.

The Alabama Legislature recently passed Act 2013-223, which now gives nurse practitioners and nurse midwives the authority to prescribe certain controlled substances. Prior to the Act's passage, Alabama was only one of two (2) states that did not allow such prescribing practices.

Act 2013-223 was proposed by Senators Greg Reed (R-5th District), Del Marsh (R- 12th District), and Jabo Waggoner (R-16th District). The premise behind the Act was jointly devised over a two (2) year period by the Alabama Board of Medical Examiners and the Nurse Practitioners Alliance.

The Act gives nurse practitioners and nurse midwives the ability to obtain a Qualified Alabama Controlled Substances Certificate and prescribe controlled substances in Schedules III, IV, and V. Nurse practitioners and nurse midwives who have entered into a Collaborative Practice Agreement with a collaborating physician and who have obtained a Qualified Alabama Controlled Substances Certificate may prescribe Schedules III, IV, and V without the collaborating physician's review or signature, as long as such prescribing practices are agreed to in the Collaborative Practice Agreement. However, the Act does not allow the nurse practitioner or nurse midwife to purchase, obtain, maintain, or order any stock supply or inventory of any controlled substance. Further, the nurse practitioner or nurse midwife may not prescribe controlled substances to himself, herself, or his/her spouse, child, or parent.

The Alabama Board of Medical Examiners is designated as the certifying board for the registration and approval of a Qualified Alabama Controlled Substances Certificate. In order to obtain a Qualified Alabama Controlled Substances Certificate, a nurse practitioner or nurse midwife must have been in active, clinical practice with a collaborating physician for at least twelve (12) months. Further, the nurse practitioner or nurse midwife must have obtained fourteen (14) continuing medical education hours in pharmacology. Four (4) more continuing medical education hours in pharmacology must be obtained every two (2) years in order to renew the Qualified Alabama Controlled Substances

Certificate. For nurse practitioners or nurse midwives interested, upcoming pharmacology seminars are scheduled for July 13-14 in Birmingham and August 9-11 in Orange Beach.

Act 2013-223 passed the Alabama Senate with only one dissenting vote (Hank Sanders, D - 23rd District) and passed the Alabama House of Representatives unanimously. The Act was signed into law by Governor Bentley on May 10, 2013, and will take effect on the first day of the fifth month following its approval by the Governor (*i.e.*, by my math, on October 1, 2013). Regulations implementing the Act are expected to be issued by the Alabama Board of Medical Examiners.

According to the Alabama Board of Medical Examiners, the Act is "a major step forward in the provision of quality medical care for the citizens of the state of Alabama."



[Kelli Carpenter Fleming](#)
Attorney at Law

Birmingham Office
Phone (205) 458-5429
E-Mail kfleming@burr.com

420 North 20th Street, Suite 3400
Birmingham, Alabama 35203
www.burr.com

Kelli Fleming practices with Burr & Forman LLP and works exclusively within the firm's Health Care Practice Group.