



# OKLAHOMA BOARD OF NURSING

## **COMPLIANCE AND BEST PRACTICE FOR AN ACT REGULATING ELECTRONIC PRESCRIBING**

63 O.S. § 2-309, effective January 1, 2020

**All Schedules II, III, IV, V:** Electronic prescribing shall be utilized for Schedules II, III, IV and V, subject to the federal requirements of E-Prescribing set forth in 21 C.F.R., § 1311, et. seq. Scheduled II controlled dangerous substances cannot be prescribed by Advanced Practice Registered Nurses (APRNs) with prescriptive authority. [63 O.S. § 2-312.C]

**E-Prescribing Does Not Apply To:** a practitioner who dispenses directly to an ultimate user; a practitioner who writes a prescription to be dispensed on federal property, including Tribal lands (provided it is documented in the patient chart); a practitioner who experiences temporary technological or electronic failure (provided it is documented in the patient chart); a practitioner who orders CDS to be administered through an on-site pharmacy in: a hospital, nursing facility, hospice in patient facility, outpatient dialysis facility continuum of care facility, or a penal institution; or a practitioner who has received a waiver from a licensing board. Prescriptive authority for APRNs shall not include dispensing drugs, but shall not preclude, subject to federal regulations, the receipt of, the signing for or the dispensing of professional samples to patients. [59 O.S. § 567.3a (6)(7)(8)]

**E-Prescribing Shall Not Be Used For:** compounded prescriptions containing two or more active pharmaceutical ingredients; a compounded infusion prescription containing two or more active pharmaceutical ingredients; prescriptions under approved research protocols; or if practitioner determines that an electronic prescription cannot be issued in a timely manner and the condition of the patient is at risk.

**Only CDS:** Non-scheduled medications may be written on prescription pads, not issued by OBNDD.

**Prescription Pads:** OBNDD will issue a pad of 100 prescriptions to every registrant and the pad will be mailed to the official registrant address. The prescription pad will note on the face it is to be used “for controlled substances only.” Additional prescription pads may be requested via the OBNDD website.

**Extensions:** APRNs may request an extension for up to one (1) year from the applicable licensing board via the written form available on the Oklahoma Board of Nursing website. Extensions may be issued for practitioners retiring within one (1) year; practitioners practicing volunteer medicine; practitioners with technological limitations that are not reasonably within the practitioner’s control. Other unique circumstances may be considered.

**Documentation:** *Practitioners shall indicate in the health record of a patient that an exception to the electronic record prescription requirement was utilized.* [63 O.S. § 2-309(A)(8)]

**Out-of-State Registrants and TeleMedicine:** The requirements of E-Prescribing only apply to registrants with a physical address in Oklahoma. Registrants residing out of state may continue their practice of verbal prescriptions or via U.S. Mail. If a telemedicine practitioner resides and practices from outside the State, the requirements of §2-309 do not apply. If a telemedicine practitioner resides and practices from within the State, E-Prescribing is required.

Disclaimer: This Best Practices document is subject to change without notice and is made available to facilitate understanding the changes to 63 O.S. §2-309. This is not intended to be an official interpretation or commentary on the intent of the law. 11/25/19