

CHAPTER 59 NURSE-PRACTITIONERS

5900 **APPLICABILITY**

5900.1 This chapter shall apply to applicants for and holders of a certificate to practice nurse-practitioners.

5900.2 Chapters 40 (Health Occupations: General Rules), 41 (Health Occupations: Administrative Procedures), and 54 (Registered Nursing) of this title shall supplement this chapter.

AUTHORITY: Unless otherwise noted, the authority for this chapter is § 302(14) of the District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6-99, D.C. Code § 2-3303.2(14) (1988 Repl. Vol.), 33 DCR 729, 732 (February 7, 1986), and Mayor's Order 86-110, 33 DCR 5220 (August 22, 1986).

SOURCE: Final Rulemaking published at 36 DCR 3505 (May 12, 1989).

5901 **GENERAL REQUIREMENT**

5901.1 Only a person currently licensed, as a registered nurse under Chapter 54 of this title shall be eligible to apply for a license to practice as a nurse-practitioner under this chapter.

SOURCE: Final Rulemaking published at 36 DCR 3505 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

(There is no section 5902)

5903 **RENEWAL OF CERTIFICATE**

5903.1 A holder of a certificate to practice as a nurse-practitioner shall renew his or her certificate by submitting a completed application on the forms required by the Board and paying the required fees prior to the expiration of the certificate.

5903.2 The Board's staff shall mail out applications for renewal at least sixty (60) days prior to the date the certificate expires.

5903.3 A certificate holder shall have the burden of notifying the Board if a renewal notice is not received.

5903.4 A certificate holder shall notify the Board in writing of a change of home or business address within thirty (30) days of the change.

5903.5 A certificate holder applying for renewal of a certificate to practice as a nurse-practitioner shall:

- (a) Maintain current licensure as a registered nurse in the District of Columbia;

- (b) Submit evidence of current national certification or recertification, as applicable, by the American Nurses Credentialing Center (ANCC) or other national certifying body approved by the Board; and
 - (c) Beginning with the 2006 renewal period, submit proof of completion of fifteen (15) contact hours of continuing education, which shall include a pharmacology component. A continuing education program, course, seminar, or workshop shall be approved by the ANCC or other nationally certifying organization recognized by the Board and related to the certificate holder's specialty. Only continuing education hours obtained in the two (2) years immediately preceding the application date will be accepted.
- 5903.6 A certificate holder shall submit a verification form of completion, for each program, course, seminar, or workshop for which continuing education is claimed.
- 5903.7 A certificate holder applying for renewal of a certificate who fails to submit proof of having completed the requirements as set forth in § 5903.5 by the date the certificate expires may renew the certificate within sixty (60) days after the expiration by submitting the required documents and paying the required late fees.
- 5903.8 Upon submitting the required documents and paying the required late fees, the certificate holder shall be deemed to have possessed a valid certificate during the period between the expiration of the certificate and the submission of the required documents and fees.
- 5903.9 If a certificate holder applying for renewal of a certificate fails to submit proof of completion of the requirements as set forth in § 5903.5 or pay the late fee within sixty (60) days after the expiration of the certificate holder's certificate, the certificate shall be considered to have lapsed on the date of expiration and the certificate holder shall thereafter be required to apply for reinstatement of an expired certificate and meet all requirements and fees for reinstatement.
- 5903.10 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew the certificate after expiration, if the certificate holder's failure to submit proof of the requirements or pay the late fee was for good cause. As used in this section "good cause" includes the following:
- (a) Serious and protracted illness of the certificate holder; and
 - (b) The death or serious and protracted illness of a member of the certificate holder's immediate family.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3506 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002); as amended by Final Rulemaking published at 51 DCR 7228 (July 23, 2004).

5904 EDUCATIONAL REQUIREMENTS

- 5904.1 An applicant for a license to practice as a nurse-practitioner shall furnish proof satisfactory to the Board, in accordance with § 608(c) of the Act, D.C. Official Code § 3-1206.08, that the applicant has successfully completed a post-basic nursing education program applicable to the area of practice approved by the Board or accredited by a nationally recognized body accepted by the Board and which is relevant to the nurse-practitioner's area of practice.
- 5904.2 Repealed

5904.3 Repealed

5904.4 Repealed

SOURCE: Final Rulemaking published at 36 DCR 3505, 3506 (May 12, 1989); as amended by Final Rulemaking published at 37 DCR 2747, 2752 (May 4, 1990); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

(There is no section 5905)

5906 CERTIFICATION BY ENDORSEMENT

5906.1 An applicant is eligible for certification by endorsement if the applicant is currently licensed or certified, in good standing, as a nurse practitioner under the laws of a state or territory of the United States.

5906.2 To apply for certification by endorsement, an applicant shall:

- (a) Submit a completed application on the forms required by the Board;
- (b) Submit a copy of his or her current license or certificate as a nurse practitioner with the application;
- (c) Obtain licensure or certification verification from the current state or territory of licensure or certification, that the license or certificate is current and in good standing. The verification form must be sent directly to the Board by the verifying Board;
- (d) Meet any other requirements as set forth by the Board; and
- (e) Pay all required fees.

5906.3 An application that remains incomplete for ninety (90) days or more from the date of submission shall be considered abandoned, and closed by the Board. The applicant shall thereafter be required to reapply, submit the required documents and completed forms, and pay the required fees.

5906.4 Nothing in this section shall be construed to prohibit the Board from utilizing other authorized databases to verify current licensure standing in other jurisdictions of the U.S. and to review disciplinary records.

SOURCE: Final Rulemaking published at 49 DCR 11751 (December 27, 2002); as amended by Final Rulemaking published at 51 DCR 7228 (July 23, 2004).

5907 STANDARDS OF CONDUCT

5907.1 A nurse practitioner shall adhere to the standards set forth in the American Nurses Association's "Code of Ethics," as they may be amended or republished from time to time.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3507 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002); as amended by Final Rulemaking published at 51 DCR 7228 (July 23, 2004).

5908 SCOPE OF PRACTICE

5908.1 A nurse-practitioner shall practice in accordance with §§ 604 and 606 of the Act, D.C. Code §§ 2-3306.4 and 2-3306.7 (1988).

5908.2 Repealed

5908.3 Repealed

SOURCE: Final Rulemaking published at 36 DCR 3505, 3508 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

5909 PRESCRIPTIVE AUTHORITY

5909.1 A nurse-practitioner shall have authority to prescribe legend drugs and controlled substances subject to the limitations set forth in § 5910.

5909.2 A nurse-practitioner shall have authority to prescribe drugs only while certified in accordance with this chapter.

5909.3 Prescriptions for drugs shall comply with all applicable District of Columbia and federal laws.

5909.4 A nurse-practitioner who administers or prescribes a prescription drug shall enter in the patient's chart on the date of the transaction or, if the chart is not available, no later than the next office day, the following information:

(a) Each prescription that a nurse-practitioner orders; and

(b) The name, strength, and amount of each drug that a nurse-practitioner administers.

5909.5 Pursuant to § 514 of the Act, D.C. Official Code § 3-1205.14(a)(19), the Board may suspend or revoke the license or take other disciplinary action against any applicant or licensee who prescribes, dispenses, or administers drugs when not authorized to do so.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3508 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

5910 PRESCRIBING CONTROLLED SUBSTANCES

5910.1 A nurse-practitioner shall have authority to prescribe those drugs on Schedules II through V established pursuant to the District of Columbia Uniform Controlled Substances Act of 1981, D.C. Law 4-29, D.C. Code §§ 33-501 et seq., that are authorized by the protocol under which the nurse-practitioner is practicing.

5910.2 A nurse-practitioner shall not prescribe a controlled substance unless a licensed, certified nurse practitioner meets the following requirements:

(a) Possesses a valid controlled substances certificate of registration from the United States Drug Enforcement Administration (DEA); and

- (b) Possesses a valid District of Columbia controlled substances registration pursuant to D.C. Official Code §§ 48-901.02 et seq., the District of Columbia Uniform Controlled Substances Act.

5910.3 A nurse-practitioner shall not issue a refillable prescription for a controlled substance.

5910.4 A nurse-practitioner shall maintain a current and complete log of all controlled substances that the nurse practitioner prescribes in accordance with regulations for record keeping promulgated by the United States Drug Enforcement Administration.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3510 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

(There is on section 5911)

5912 USE OF TITLES OR ABBREVIATIONS

5912.1 Only a person certified by the Board to practice as a nurse-practitioner may use the title or abbreviation "Nurse-Practitioner," "Certified Nurse-Practitioner," or "C.N.P.".

5912.2 A nurse-practitioner may place the title or abbreviations in § 5912.1 after his or her name, alone or in combination with other letters or words identifying categories of specialization, including, but not limited to, the following:

- (a) Adult Nurse-Practitioner;
- (b) Pediatric Nurse-Practitioner;
- (c) Family Nurse-Practitioner;
- (d) Gerontologic Nurse-Practitioner;
- (e) Neonatal Nurse-Practitioner;
- (f) School Nurse-Practitioner; and
- (g) Psychiatric Nurse-Practitioner.

5912.3 A speciality area of nursing practice shall be declared, and the specialty title to be utilized shall be the title which is granted by a nationally recognized accrediting body or the title of the specialty area of nursing practice in which the nurse practitioner has received postgraduate educational preparation.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3512 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

5913 PRACTICE OF A CERTIFIED REGISTERED NURSE-PRACTITIONER IN HEALTH CARE FACILITIES REQUIRING A FORMAL EVALUATION

5913.1 An APRN shall be evaluated by another APRN licensed to practice in the same specialty area.

SOURCE: Final Rulemaking published at 49 DCR 11751 (December 27, 2002).

5914 SUPERVISED PRACTICE OF STUDENTS

5914.1 A student may practice as a nurse practitioner only in accordance with the Act and this chapter.

5914.2 A student fulfilling education requirements for certification and practicing within the limitations set forth in § 103(c) of the Act, D.C. Official Code § 3-1201.03(c), shall be authorized to engage in the supervised practice as a nurse practitioner without a District of Columbia certificate.

5914.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.

5914.4 Only a nurse practitioner certified under the Act, who is an appointed faculty member of the accredited school or college, or a preceptor meeting the requirements set forth in chapter 56 of this Title, shall be authorized to supervise the practice of a student.

5914.5 A student who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the ANCC or other certifying body approved by the Board.

5914.6 All supervised practice of a student shall take place under general or immediate supervision.

5914.7 A student under this section shall not assume administrative or technical responsibility for the operation of a nurse practitioner program, unit, service, or institution.

5914.8 A student shall identify himself or herself as such before practicing as a nurse practitioner. A student shall wear a picture identification badge with lettering clearly visible to the client bearing the name of the student and the position title.

5914.9 A student shall not receive compensation of any nature, directly or indirectly, from a client or client's family member.

5914.10 The appointed supervising faculty member shall be fully responsible for the practice by a student during the period of supervision and may be subject to disciplinary action for violations of the Act or this chapter by the student.

5914.11 The Board may deny an application for a certificate by, or take other disciplinary action against, a student who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the student to practice.

SOURCE: Final Rulemaking published at 51 DCR 7228 (July 23, 2004).

5915 SUPERVISED PRACTICE OF GRADUATES

- 5915.1 A graduate may practice as a nurse practitioner only in accordance with the Act and this chapter.
- 5915.2 An individual may be authorized to engage in the supervised practice as a nurse practitioner as a graduate nurse practitioner, without a District of Columbia certificate if the individual:
- (a) Graduated from post-basic nursing education program for nurse practitioners approved by the ANCC or other certifying board approved by the board;
 - (b) Is awaiting the results of the certification examination given by the ANCC or other certifying body approved by the board; and
 - (c) Has an initial application pending for certification to practice as a nurse practitioner in the District of Columbia.
- 5915.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5915.4 Within five (5) business days after the application for certification has been received by the Board's staff, the Board's staff shall, at the request of the applicant, issue a supervised practice letter to the applicant to document that his or her application is pending and that he or she is authorized to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Ninety (90) days from the date of issuance;
 - (b) Upon receipt of written notice to the applicant of denial of certification;
 - (c) Upon receipt of notice to the applicant that the applicant has failed the certification examination; or
 - (d) Upon receipt of written notice to the applicant from the Board that the application for certification has been denied, whichever occurs first.
- 5915.5 Upon receipt of the practice letter, the graduate shall inform employers of the date of expiration of the letter and shall immediately cease practice as a nurse practitioner on that date or upon receipt of written notice as set forth in § 5915.4, whichever date is the earliest. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice as a nurse practitioner in the District.
- 5915.6 The graduate shall immediately notify the Board and the graduate's supervisor of the results of the certification examination.
- 5915.7 Only a nurse practitioner certified under the Act, who is a supervisor, shall be authorized to supervise practice as a nurse practitioner by a graduate.
- 5915.8 A supervisor shall not supervise more than two (2) graduates at one time.
- 5915.9 All supervised practice of a graduate shall take place under general or immediate supervision.

5916 SUPERVISED PRACTICE OF APPLICANTS FOR CERTIFICATION BY ENDORSEMENT

- 5916.1 An applicant may practice as a nurse practitioner only in accordance with the Act and this chapter.
- 5916.2 An applicant for certification by endorsement shall be authorized to engage in the supervised practice as a nurse practitioner in the District of Columbia without a District of Columbia certificate if the applicant:
- (a) Is currently certified by the ANCC or a certifying body approved by the Board;
 - (b) Is currently licensed, in good standing, under the laws of a state or territory of the United States; and
 - (c) Has an initial application pending for certification by endorsement to practice as a nurse practitioner in the District of Columbia.
- 5916.3 A person who has been denied a certificate, denied a license, disciplined, convicted of an offense that bears directly upon his or her fitness to be licensed, or who has such an action pending in the District of Columbia or another jurisdiction shall not practice pursuant to this section unless first authorized by the Board in writing.
- 5916.4 Within five (5) business days after the application for certification by endorsement has been received by the Board's staff, the Board's staff shall issue a practice letter to the applicant to document that his or her application is pending and that he or she is eligible to practice under the Act and this chapter. The practice letter is not renewable and shall expire:
- (a) Ninety (90) days from the date of issuance; or
 - (b) Upon receipt of written notice from the Board that the application for certification has been denied, whichever date is the earliest.
- 5916.5 Upon receipt of the practice letter, the applicant shall inform employers of the date of expiration of the letter and shall immediately cease practice as a nurse practitioner. The graduate thereafter may practice in any other area for which the graduate is qualified and licensed in the District, until receipt of a certificate to practice as a nurse practitioner in the District.
- 5916.6 Only a nurse practitioner certified under the Act, who is a supervisor, shall be authorized to supervise practice as a nurse practitioner by a graduate.
- 5916.7 A supervisor shall not supervise more than two (2) applicants at one time.
- 5916.8 All supervised practice of an applicant shall take place under general or immediate supervision.
- 5916.9 An applicant who practices pursuant to this section shall only practice at a hospital, long-term care facility, a health facility operated by the District or federal government, or other health care facility considered appropriate by the Board.
- 5916.10 An applicant under this section shall not assume administrative or technical responsibility for the operation of a nurse practitioner program, unit, service, or institution.
- 5916.11 An applicant shall not receive compensation of any nature, directly or indirectly, from a client or client's family member, except for a salary based on hours worked under supervision.

5916.12 The supervisor shall be fully responsible for all practice by an applicant during the period of supervision and is subject to disciplinary action for any violation of the Act or this chapter by the applicant.

5916.13 The Board may deny an application for a certificate by, or take other disciplinary action against, an applicant who is found to have violated the Act or this chapter. The Board may, in addition to any other disciplinary actions permitted by the Act, revoke, suspend, or restrict the privilege of the applicant to practice.

SOURCE: Final Rulemaking published at 51 DCR 7228 (July 23, 2004).

5999 DEFINITIONS

5999.1 For purposes of this chapter, the following terms have the meanings ascribed:

Act - Health Occupation Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 et seq.).

Applicant - a person applying for a license to practice as a nurse-practitioner under this chapter.

Board - the Board of Nursing, established by § 204 of the Act, D.C. Official Code § 3-1202.04.

Certificate - a certificate to practice as a nurse practitioner under this chapter.

Certified nurse practitioner - a registered nurse trained in an educational program and certified by a recognized national certification organization to provide healthcare services who, when functioning within the authorized scope of practice, is qualified to assume primary responsibility for the care of patients.

Clinical practice - the routine application of the principles of a nurse-practitioner to the diagnosis and treatment of disease and the maintenance of health.

Graduate - an individual who has graduated from a post-basic nursing education program for preparation to practice as a nurse practitioner.

Supervisor - a registered nurse-practitioner certified under the Act who is responsible for the supervision of a student, graduate, or applicant.

5999.2 The definitions in § 4099 of chapter 40 of this title are incorporated by reference into and are applicable to this chapter.

SOURCE: Final Rulemaking published at 36 DCR 3505, 3512 (May 12, 1989); as amended by Final Rulemaking published at 49 DCR 11751 (December 27, 2002); as amended by Final Rulemaking published at 51 DCR 7228 (July 23, 2004).