

45:14-13

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 45:14-13

(Nurse mid-wives-
-certified--prescribe
drugs)

LAWS OF: 1991

CHAPTER: 97

Bill No: A3531

Sponsor(s): Imprevduto

Date Introduced: May 17, 1990

Committee: Assembly: Commerce & Regulated Professions

Senate: Labor

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: October 18, 1990

Senate: February 28, 1991

Date of Approval: April 9, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping--attached:
KBG/SLJ

[FIRST REPRINT]
ASSEMBLY, No. 3531

STATE OF NEW JERSEY

INTRODUCED MAY 17, 1990

By Assemblyman IMPREVEDUTO

1 AN ACT concerning the prescription of certain medications by
2 certified nurse midwives, amending R.S.45:14-13, R.S.45:14-14
3 and R.S.45:14-15 and supplementing chapter 9 of Title 45 of
4 the Revised Statutes.

5
6 BE IT ENACTED *by the Senate and General Assembly of the*
7 *State of New Jersey:*

8 1. (New section) As used in this act:

9 "Board" means the State Board of Medical Examiners.

10 "Certified nurse midwife" means a certified nurse midwife
11 registered with the board.

12 "Drug" means drugs, medicine and devices, ¹[excluding
13 controlled dangerous substances listed as Schedule I in section 5
14 of P.L. 1970, c. 226 (C. 24:21-5)] as determined by the board¹.

15 2. (New section) A certified nurse midwife who meets the
16 qualifications pursuant to section 3 of this act may prescribe
17 drugs, as delineated in standing orders and practice protocols
18 developed in agreement between a certified nurse midwife and a
19 collaborative physician. ¹The practice protocols shall be
20 established in accordance with standards adopted by the board.¹

21 3. (New section) To qualify to prescribe drugs pursuant to
22 section 2 of this act, a certified nurse midwife shall have
23 completed 30 contact hours, as defined by the National Task
24 Force on the Continuing Education Unit, in pharmacology or a
25 pharmacology course, acceptable to the board, in an accredited
26 institution of higher education approved by the Department of
27 Higher Education or the board.

28 4. (New section) A certified nurse midwife shall apply on a
29 form prescribed by the board to obtain the authority to prescribe
30 drugs pursuant to section 2 of this act and shall present evidence
31 acceptable to the board of meeting the requirements of section 3
32 of this act.

33 5. (New section) If the board determines that a certified nurse
34 midwife who is permitted to prescribe drugs pursuant to this act
35 has violated any provisions of this act or any provision of a
36 regulation pertaining to certified nurse midwives or violated any
37 State or federal law or regulation applicable to the prescription
38 of drugs, the board shall prohibit that certified nurse midwife

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted October 4, 1990.

1 from prescribing any drugs.

2 6. (New section) The board shall promulgate rules and
3 regulations in accordance with the "Administrative Procedure
4 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) necessary to
5 effectuate the purposes of this act.

6 7. R.S.45:14-13 is amended to read as follows:

7 45:14-13. No person who is not a registered pharmacist of this
8 [state] State, or an apprentice employed in a pharmacy under the
9 immediate personal supervision of a registered pharmacist, shall
10 compound, dispense, fill or sell prescriptions of physicians,
11 dentists, veterinarians [or], any other medical practitioners or
12 certified nurse midwives licensed or approved to write
13 prescriptions for drugs and medicines.

14 (cf: R.S.45:14-13)

15 8. R.S.45:14-14 is amended to read as follows:

16 45:14-14. The term "prescription" as used in [sections]
17 R.S.45:14-13, R.S.45:14-15 to R.S.45:14-17 [of this Title] means
18 an order for drugs or medicines or combinations or mixtures
19 thereof, written or signed by a duly licensed physician, dentist,
20 veterinarian [or], other medical practitioner or a certified nurse
21 midwife licensed or approved to write prescriptions intended for
22 the treatment or prevention of disease in man or animals, and
23 includes orders for drugs or medicines or combinations or
24 mixtures thereof transmitted to pharmacists through word of
25 mouth, telephone, telegraph or other means of communication by
26 a duly licensed physician, dentist, veterinarian [or], other medical
27 practitioner or a certified nurse midwife licensed or approved to
28 write prescriptions intended for the treatment or prevention of
29 disease in man or animals, and such prescriptions received by
30 word of mouth, telephone, telegraph or other means of
31 communication shall be recorded in writing by the pharmacist and
32 the record so made by the pharmacist shall constitute the original
33 prescription to be filed by the pharmacist as provided for in
34 [section] R.S.45:14-15 [of this Title], but no prescription, for any
35 narcotic drug, except as provided in section [24:18-7 of the
36 Revised Statutes] 15 of P.L.1970, c.226 (C.24:21-15), shall be
37 given or transmitted to pharmacists, in any other manner, than in
38 writing signed by the physician, dentist, veterinarian [or], other
39 medical practitioner or certified nurse midwife giving or
40 transmitting the same, nor shall such prescription be renewed or
41 refilled.

42 (cf: P.L.1952, c.351, s.2)

43 9. R.S.45:14-15 is amended to read as follows:

44 45:14-15. The registered pharmacist compounding, dispensing,
45 filling or selling a prescription shall place the original written
46 prescription in a file kept for that purpose for a period of not less
47 than [5] five years if such period is not less than [2] two years
48 after the last refilling, and affix to the container in which the

1 prescription is dispensed, a label bearing the name and complete
2 address of the pharmacy or drug store in which dispensed, the
3 brand name or generic name of the product dispensed unless the
4 prescriber states otherwise on the original written prescription,
5 the date on which the prescription was compounded and an
6 identifying number under which the prescription is recorded in his
7 files, together with the name of the physician, dentist,
8 veterinarian [or], other medical practitioner or certified nurse
9 midwife prescribing it and the directions for the use of the
10 prescription by the patient, as directed on the prescription of the
11 physician, dentist, veterinarian [or], other medical practitioner or
12 certified nurse midwife licensed or approved to write
13 prescriptions. Every registered pharmacist who fills or
14 compounds a prescription, or who supervises the filling or
15 compounding of a prescription by a person other than a
16 pharmacist registered in this State, shall place his name or
17 initials on the original prescription or on the label affixed to the
18 container in which the prescription is dispensed or in a book kept
19 for the purpose of recording prescriptions. The board of
20 pharmacy or any of its agents is hereby empowered to inspect the
21 prescription files and other prescription records of a pharmacy
22 and to remove from said files and take possession of any original
23 prescription; providing, that the authorized agent removing or
24 taking possession of an original prescription shall place in the file
25 from which it was removed a copy certified by said person to be a
26 true copy of the original prescription thus removed; provided
27 further, that the original copy shall be returned by the board of
28 pharmacy to the file from which it was removed after it has
29 served the purpose for which it was removed.

30 (cf: P.L.1979, c.146, s.1)

31 10. This act shall take effect immediately.

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REGULATED PROFESSIONS

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36 Permits certified nurse midwives to prescribe certain
37 medications.

1 brand name or generic name of the product dispensed unless the
2 prescriber states otherwise on the original written prescription,
3 the date on which the prescription was compounded and an
4 identifying number under which the prescription is recorded in his
5 files, together with the name of the physician, dentist,
6 veterinarian [or], other medical practitioner or certified nurse
7 midwife prescribing it and the directions for the use of the
8 prescription by the patient, as directed on the prescription of the
9 physician, dentist, veterinarian [or], other medical practitioner or
10 certified nurse midwife licensed or approved to write
11 prescriptions. Every registered pharmacist who fills or
12 compounds a prescription, or who supervises the filling or
13 compounding of a prescription by a person other than a
14 pharmacist registered in this State, shall place his name or
15 initials on the original prescription or on the label affixed to the
16 container in which the prescription is dispensed or in a book kept
17 for the purpose of recording prescriptions. The board of
18 pharmacy or any of its agents is hereby empowered to inspect the
19 prescription files and other prescription records of a pharmacy
20 and to remove from said files and take possession of any original
21 prescription; providing, that the authorized agent removing or
22 taking possession of an original prescription shall place in the file
23 from which it was removed a copy certified by said person to be a
24 true copy of the original prescription thus removed; provided
25 further, that the original copy shall be returned by the board of
26 pharmacy to the file from which it was removed after it has
27 served the purpose for which it was removed.

28 (cf: P.L.1979, c.146, s.1)

29 10. This act shall take effect immediately.

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STATEMENT

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33 This bill provides that certified nurse midwives who are
34 registered by the State Board of Medical Examiners may
35 prescribe drugs, medicine and devices pursuant to standing orders
36 and practice protocols developed between themselves and
37 collaborative physicians, except for controlled dangerous
38 substances listed as Schedule I in section 5 of P.L.1970, c.226
39 (C.24:21-5).

40 The bill also requires a certified nurse midwife to complete 30
41 contact hours of continuing education in pharmacology or a
42 pharmacology course in an accredited institution of higher
43 education approved by the Department of Higher Education or
44 the board before being permitted to prescribe any drugs.

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REGULATED PROFESSIONS

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48 Permits certified nurse midwives to prescribe certain
49 medications.

ASSEMBLY COMMERCE AND REGULATED PROFESSIONS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3531

STATE OF NEW JERSEY

DATED: AUGUST 8, 1990

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 3531.

This bill provides that certified nurse midwives who are registered by the State Board of Medical Examiners may prescribe drugs, medicine and devices pursuant to standing orders and practice protocols developed between themselves and collaborative physicians, except for controlled dangerous substances listed as Schedule I in section 5 of P.L.1970, c.226 (C.24:21-5).

The bill also requires a certified nurse midwife to complete 30 contact hours of continuing education in pharmacology or a pharmacology course in an accredited institution of higher education approved by the Department of Higher Education or the board before being permitted to prescribe any drugs.

SENATE LABOR, INDUSTRY AND PROFESSIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 3531

STATE OF NEW JERSEY

DATED: JANUARY 17, 1991

The Senate Labor, Industry and Professions Committee reports favorably Assembly, No. 3531 (1R).

This bill provides that certified nurse midwives who are determined to be qualified by the State Board of Medical Examiners may prescribe certain drugs, medicine and devices pursuant to standing orders and practice protocols developed between themselves and collaborative physicians.

To qualify to prescribe drugs, medicine and devices, a certified nurse midwife must complete 30 contact hours of continuing education in pharmacology or a pharmacology course acceptable to the board. The State Board of Medical Examiners must prohibit a certified nurse midwife who has qualified to prescribe from prescribing any drugs, medicine or devices if it determines that she has violated any provision of this bill, any regulation pertaining to certified nurse midwives or any State or federal law or regulation applicable to the prescription of drugs, medicine or devices.

The bill, as amended, also provides that the State Board of Medical Examiners would determine which drugs, medicine and devices qualified certified nurse midwives may prescribe and would establish standards for the practice protocols.