

# Emergency Rules

## Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

### Division 2150—State Board of Registration for the Healing Arts Chapter 5—General Rules

#### EMERGENCY AMENDMENT

**20 CSR 2150-5.100 Collaborative Practice.** The board is amending subsection (2)(B).

*PURPOSE: The proposed amendment changes the mileage limitation.*

*EMERGENCY STATEMENT: The Missouri State Board of Registration for the Healing Arts and the Missouri State Board of Nursing (boards) find that an immediate danger to the public health, safety, or welfare requires emergency action by increasing the mileage restrictions to seventy-five (75) miles. In current regulation, an advanced practice registered nurse cannot be more than thirty (30) miles or fifty (50) miles in a health professional shortage area from the collaborating physician. This rule will expand that limit to seventy-five (75) miles. The mileage restriction directly impacts citizens' access to healthcare providers which can lead to rescheduled or missed appointments, delayed care, and missed or delayed medication use. These consequences lead to poorer management of chronic illness and thus poorer health outcomes.*

*Additionally, this emergency amendment is necessary to preserve a compelling governmental interest that requires an early effective date by addressing the public's access to healthcare to improve health outcomes, reduced health disparities, and lower healthcare expenditures. When Missourians have access to primary healthcare services and resources, their health problems are detected and treated earlier. The boards believe that procedures best calculated to assure fairness to all interested persons and parties in that the mileage restrictions have been discussed at several legislative hearings, at the Board of Nursing's March 2, 2018 board meeting, and in the Board of Healing Arts' March 9, 2018 mail ballot which provided adequate public notice for the proposed amendment. This emergency amendment limits its scope to the circumstances creating the emergency and complies with the protections extended by the Missouri and United States Constitutions. The board believes this emergency amendment to be fair to all interested persons and parties under the circumstances. This emergency amendment was filed April 16, 2018, becomes effective April 26, 2018, and expires February 5, 2019.*

#### (2) Geographic Areas.

(B) The following shall apply in the use of a collaborative practice arrangement by an APRN who provides health care services that include the diagnosis and initiation of treatment for acutely or chronically ill or injured persons:

1. If the APRN is providing services pursuant to section 335.175, RSMo, no mileage limitation shall apply;

*2. If the APRN is not providing services pursuant to section 335.175, RSMo, and is practicing in a federally-designated health professional shortage area (HPSA), the practice locations where the collaborating physician, or other physician designated in the collaborative practice arrangement, is no further than fifty (50) miles by road, using the most direct route available, from the collaborating APRN; or*

*3. If the APRN is not providing services pursuant to section 335.175, RSMo, and is practicing in a non-HPSA, the collaborating physician and collaborating APRN shall practice within [thirty (30)] seventy-five (75) miles by road of one another.*

*AUTHORITY: sections 334.104.3, 334.125, 335.036, and 335.175, RSMo Supp. 2013, and section 334.125, RSMo [Supp. 2014] 2016. This rule originally filed as 4 CSR 150-5.100. Original rule filed Jan. 29, 1996, effective Sept. 30, 1996. For intervening history, please consult the Code of State Regulations. Emergency amendment filed April 16, 2018, effective April 26, 2018, expires Feb. 5, 2019. An emergency amendment and a proposed amendment covering this same material will be published in the May 15, 2018, issue of the Missouri Register.*