

**GEORGIA DEPARTMENT OF HUMAN RESOURCES
DIVISION OF PUBLIC HEALTH**

EFFECTIVE DATE: February 13, 2009

TITLE: AIDS Drug Assistance Program (ADAP) and Advanced Practice Registered Nurse (APRN) Prescriptive Authority for Nurses Not Employed by Public Health

PURPOSE:

The purpose of this policy is to provide the options and procedures for the AIDS Drug Assistance Program (ADAP) to accept written prescriptions, applications and recertification forms issued by an APRN who is not a public health nurse and is practicing under SB 480 (O.C.G.A. § 43-34-26.3) and all applicable Rules. By accepting APRN written prescriptions, applications and recertification forms, it will allow ADAP to expedite client access to HIV/AIDS medications.

AUTHORITY:

The Rules of the Georgia Composite State Board of Medical Examiners Chapter 360-32.02, Nurse Protocol Agreement Pursuant to O.C.G.A. § 43-34-26.3, and the Georgia State Board of Nursing Rules, Rule 410-13-.02 as authorized by O.C.G.A. § 43-34-26.3. The Rules of the Georgia State Board of Pharmacy Chapter 480-22-.12

GENERAL PROVISIONS:

1. APRN is defined as a registered professional nurse licensed by the Georgia Board of Nursing (BON) who is recognized by the BON as having met the requirements established by the BON to engage in advanced nursing practice and who holds a master's degree or other graduate degree approved by the BON and national board certification in his or her area of specialty, or a person who was recognized as an advanced practice registered nurse by the BON on or before June 30, 2006. O.C.G.A. § 43-26-3(1.1).
2. Physician means a person licensed to practice medicine pursuant to Article 2, Chapter 34 of Title 43 and: whose principal place of practice is within this state (GA); or whose principal place of practice is outside this state (GA) but within 50 miles from the location where the nurse protocol agreement is being utilized within this state. O.C.G.A. § 43-34-26.3(a)(12).
3. Delegating physician means a physician who has entered into a nurse protocol agreement pursuant to Code Section 43-34-26.3. O.C.G.A. § 43-34-26.3(a)(5).
4. Nurse protocol agreement is defined as a written document mutually agreed upon and signed by an APRN and a physician, by which document the physician delegates to that APRN the authority to perform certain medical acts pursuant to Code Section 43-34-26.3(a)(10), which may include, without being limited to, the ordering of drugs, medical devices, medical treatments, diagnostic studies, or in life-threatening situations, radiographic imaging tests.
5. The Department refers to the "Department of Human Resources."
6. APRN's described herein must comply with:
 - a. The Rules of the Georgia Composite State Board of Medical Examiners Chapter 360-32-.02, Nurse Protocol Agreement Pursuant to O.C.G.A. § 43-34-26.3 available online at <http://medicalboard.georgia.gov>

- b. The Georgia State Board of Nursing Rules, 410-13-.02 available online at <http://sos.georgia.gov/PLB/RN/#>
 - c. All applicable state and federal laws, rules and regulations
7. ADAP may only accept written prescriptions, applications, and recertification forms from APRNs who have a current nurse protocol agreement approved by the Composite State Board of Medical Examiners (Board).
8. The nurse protocol agreement should include treatment of persons with HIV disease and the APRN must demonstrate HIV experience (e.g., national HIV/AIDS certification, managed at least 20 HIV patients in the past 24 months, completed at least 30 credits or contact hours of HIV/AIDS related continuing education within the last 24 months).
9. The APRN must submit to ADAP:
 - a. APRN's name, title, and credentials, practice address, phone number, and email address
 - b. Delegating physician's name, credentials, practice address, and phone number
 - c. Copies of his/her current nurse protocol agreement with letter of review (approval letter) from the Board
 - d. Supporting documentation of HIV experience, if not listed in the protocol agreement.
10. The APRN must at least annually resubmit his/her nurse protocol agreement and letter of review from the Board to ADAP.
11. Delegating physicians should have experience in caring for clients with HIV/AIDS and be an ordering physician for ADAP. See the Division's *Medical Guidelines for the CARE of HIV-Infected Adults and Adolescents*, Section 1. Clinic Personnel, available online at <http://health.state.ga.us/pdfs/epi/hivstd/HIVmedicalguidelinesJune2005.pdf>
12. ADAP will review the APRN's nurse protocol agreement and verify that it is on the Board's "List of Approved APRN Protocols."
13. ADAP will notify the APRN and delegating physician of the APRN's ADAP provider status within 30 days of receiving the APRN's contact information and nurse protocol agreement with approval letter from the Board.
14. If approved, the ADAP Coordinator or designee will notify the central ADAP Pharmacy (Fulton-DeKalb Hospital Authority [Grady]) and the Pharmacy Benefits Manager to add the approved APRN to the participating provider list for prescription processing for the ADAP. Then the APRN may begin to submit applications/recertification forms and prescriptions for ADAP clients.
15. ADAP will maintain a list of APRNs approved to submit applications/recertification forms and prescriptions for ADAP clients.
16. The APRN must ensure that ADAP applications or recertification forms are thoroughly completed prior to submission to ADAP including signing and dating each form.
17. The delegating physician's name and phone number must be included on the ADAP application/recertification form.

18. The APRN must provide medical management of HIV infection in accordance with the U.S. Department of Health and Human Services (DHHS) HIV-related guidelines (available at <http://www.aidsinfo.nih.gov/>) including:
 - a. Antiretroviral treatment
 - b. Maternal-child transmission
 - c. Management of tuberculosis and opportunistic infections
19. Prescription drug orders must be written on forms that comply with the nurse protocol agreement, be signed by the APRN, and be written for drugs on the ADAP Formulary.
20. In the case that the APRN's nurse protocol agreement is terminated, the APRN or delegating physician must submit notification of termination in writing to ADAP within 10 working days of the date of termination of the nurse protocol agreement.
21. If terminated, the ADAP Coordinator or designee will immediately notify the central ADAP Pharmacy (Fulton-DeKalb Hospital Authority [Grady]) and the Pharmacy Benefits Manager to remove the approved APRN from the participating provider list for prescription processing for the ADAP. Alternative Method Demonstration Project (AMDP).
22. Criteria to deny APRN ADAP provider status

The APRN fails to:

 - a. Have an active nurse protocol agreement approved by the Board.
 - b. Submit required documentation to ADAP.
 - c. Annually resubmit nurse protocol agreement and letter from the Composite State Board of Medical Examiners to ADAP.
 - d. Demonstrate experience managing HIV disease.
 - e. Comply with the Board Rules, Chapter 360-32-.02, the BON's Rules, 410-13-.02, and any applicable state or federal laws.
 - f. Provide treatment in accordance to the US DHHS HIV-related guidelines

The Department reserves the right to deny or terminate APRN ADAP provider status based upon any information that would lead the Department to believe that it is not in the best interest of the public's safety and/or welfare to permit the individual to serve.

23. ADAP will periodically evaluate drug utilization and prescribing practices for quality purposes.

APPROVED:  DATE: 11 Feb 2009
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 Acting Director
 Division of Public Health