



Ohio Board of Nursing

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MEMORANDUM

TO: BOARD MEMBERS
OHIO BOARD OF NURSING

FROM: HOLLY FISCHER
CHIEF LEGAL COUNSEL

SUBJECT: Administrative Rules Update

DATE: August 21, 2018

The Board has several rule initiatives following different timeframes. The following is a summary of the status of the rules.

Chronic/Sub-Acute Pain, Youth Concussion, and Dialysis Technician Training Time Reduction Rule Package

This rule package was filed on August 21, 2018. The filing was deferred to allow for the State Medical Board to file its chronic/sub-acute pain rule package, which it filed on August 20, 2018. In order to allow time for revisions required, and to allow for the earlier possible effective date, the following is the timetable:

September 21, 2018, 1:00 pm: Public Rules Hearing
October 15, 2018: JCARR Hearing
November 5, 2018: Proposed effective date

Five-Year Review Rules (including technical changes; MAT rule)

October 22, 2018: Filing date
November 28, 2018, 1:00 pm: Public Rules Hearing (Board meeting)
January 7, 2018: Proposed effective date

Medication-Assisted Treatment (MAT) Rule

The State Medical Board filed its proposed rules with the office of CSI on August 3, 2018. Due to this timing, I am recommending filing the Board's MAT rule with the five-year rules. Attached is the final draft version of proposed Rule 4723-9-13. The basic language and concepts were reviewed by the Board, the CPG, and the APRN Advisory Group/Interested Parties in May 2018. Based on comments received by both the Nursing Board and Medical Board, revisions to the original draft language are discussed in the Medical Board's CSI Business

2.1.1

Impact Analysis (attached). The Nursing Board's draft is substantially the same as the Medical Board's updated draft.¹

The Medical Board has indicated it will work on separate rules for treating alcoholism and for detoxification in the future, and the Nursing Board would continue to work to propose consistent rule language. For now, the Nursing Board's version of the rule authorizes APRN Clinical Nurse Specialists and Certified Nurse Practitioners to use medications, including scheduled drugs III, IV, and V, to treat substance use disorders (including both alcoholism and opioid dependence/addiction). General requirements for using MAT are located in 4723-9-13 (B):

- Compliance with all federal and state laws/regulations;
- 8 hours of CE biennially in substance abuse and addiction;
- Collaborating physician's normal course of practice and expertise involves MAT.

Special requirements apply for treatment of opioid dependence/addiction (OBOT) located in 4723-9-13(C). Further additional requirements apply if OBOT includes the use of buprenorphine (C)(9) and naltrexone (C)(10). Note that the Medical Board replaced most of the specific buprenorphine and naltrexone dosage level language in its original rule with language requiring dosing "according to FDA labeling."

¹ The Medical Board has separate rules for definitions and for naltrexone, and for PAs vs. physicians.