

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
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 amendment changes the mileage limitation for services provided in any Missouri correction center.

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, particularly to the health, safety, and welfare of Missouri’s incarcerated population, requires emergency action by increasing the mileage restrictions to two-hundred (200) miles for service received in a Missouri correctional center. The mileage restriction directly impacts 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 access of Missouri’s incarcerated population to healthcare to improve health outcomes, reduce health disparities, and lower healthcare expenditures. 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 the Missouri State Board of Registration for the Healing Arts board meeting on March 21, 2022 and the Missouri State Board of Nursing’s March 22, 2022 mail ballot board meeting 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 March 28, 2022, becomes effective April 11, 2022, and expires October 7, 2022.*

(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, the collaborating physician and collaborating APRN shall practice within seventy-five (75) miles by road of one another; *[and]*
3. **If the APRN is providing services in any Missouri correctional center, as defined in section 217.010, RSMo, the collaborating physician and collaborating APRN shall practice within two hundred (200) miles by road of one another; and**

[3]4. Pursuant to section 630.875, RSMo, an APRN collaborating with a physician who is waiver-certified for the use of buprenorphine, may participate in the “Improved Access to Treatment for Opioid Addictions Program” (IATOAP) in any area of the state and provide all services and functions of an APRN. A remote collaborating physician working with an on-site APRN shall be considered to be on-site for the purposes of IATOAP.

AUTHORITY: sections [334.125 and 335.175, RSMo 2016, and sections] 334.104.3 and 335.036, 334.125 and 335.175, RSMo Supp. [2018] 2021. This rule originally filed as 4 CSR 200-4.200. Original rule filed Jan. 29, 1996, effective Sept. 30, 1996. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed March 28, 2022, effective April 22, 2022, expires October 7, 2022.*

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five-hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five-hundred dollars (\$500) in the time the emergency is effective.