

“Battles Ongoing: Nurse Practitioners and the Fight for Practice Authority in Florida”

Summary:

This video gives voice to early nurse leaders involved in the evolution of early state scope-of-practice laws that enabled the practice of nurse practitioners in Florida. It illustrates the long battles fought for the right to practice with Florida as an exemplar of unique challenges faced at the state level. The video includes information about the history of the fight for practice authority in Florida from the 1970s until 2020.

Credits:

Producers: Kim Curry, PhD, APRN, FAANP
Carolyn Torre, RN, MA, APN, FAANP

Videographer: Ryan French

Editors: Ryan French
Kim Curry

Writer and Interviewer: Kim Curry

Interviewees: Jean Aertker, DNP, APRN, FNP-BC, COHN-S, FAANP
Natalia Cruz, MSN, APRN
Frances Jennings, BSN, FPNP
Patricia Quigley, PhD, MPH, APRN, CRRN, FAAN, FAANP
Bonnie Sklaren, MSN, APRN

Grant support: Eleanor Crowder Bjoring Center for Nursing Historical Inquiry at the University of Virginia

Summary:

Written histories of early nurse practitioner (NP) history exist, but stories from individual states where the battles for scope of practice laws were originally fought are rare. Many of the earliest leaders have retired and state-level accomplishments have not been recognized or systematically documented. Florida is a key southern state for which documentation and informants are available to illuminate the early battles of the 1970s and 1980s to gain authorization for practice and prescribing authorization for NPs.

Beginning in the early 1970s, scattered references to nurse practitioners in Florida can be found in the minutes of the state nurses association, but these early NPs had no statutory recognition and no prescribing rights. In 1975, the minutes of the Florida Board of Nursing (BON) included a mention of the possible need to create a third licensure category for advanced registered nurses. The following year, Board of Nursing minutes indicated slow progress being made, and proposed rules for advanced practice nurses had been drafted. Prior to this, nurses granted an expanded scope of practice were termed “nurse specialists”. These nurses attended graduate certificate programs.

Initially, nurses requesting the new designation “nurse practitioner” made individual appeals to the Board of Nursing to be so designated, and the board used case-by-case rulemaking to determine which nurses would be granted the title nurse practitioner. By 1978, Florida had 173 nurse practitioners, 311 certified nurse anesthetists and 23 certified nurse midwives. The state Nurse Practice Act (NPA) was finally amended to include a formal discussion of the nurse practitioner role 1979.

After the state NPA was amended, a second battle for prescriptive privileges for medication began. This second wave of activism resulted in the addition of prescribing to the NPA in 1985, but rule-making to codify this privilege took an additional three years, including a joint committee to settle concerns raised by some physicians. The committee authorized NPs to prescribe legend drugs under a protocol agreement between the NP and a collaborating physician beginning in 1988.

Legislative efforts by organized medicine have focused on controlling advanced practice nurses. For example, in 1981, physicians sponsored House and Senate bills related to NP practice and protocols that would have placed NP practice under the regulation and control of the Board of Medicine. A coalition between the Florida Nurses Association and Florida Association of Nurse Anesthetists (FANA) demonstrated how effective a unified voice could be in the political process. A very diluted bill was passed that had no effect on NP scope of practice or regulation of practice, and NPs remained under the BON. State and local NP support groups grew and became politically active in response to these challenges to practice privileges.

Beginning in 1996, nurse practitioners in Florida fought for 20 years for the ability to order controlled substances, finally achieving this victory in 2016. Four years later, selected practitioners were granted full practice authority if they worked in primary care areas and could demonstrate to the board that they met the selected criteria. The battles fought by Florida’s nurse practitioners to achieve practice authority have been almost immeasurably expensive in terms of time, money, and missed opportunities to meet ever increasing needs for healthcare. An understanding of these battles provides a lesson in the importance of being knowledgeable about our history and resolute in pursuing the freedom to care for our patients.