

## NURSE PRACTITIONER PRACTICE AGREEMENT

(To be completed by applicants EMPLOYED by Kaleida Health)

#### INTRODUCTION

\_\_\_\_\_\_\_, RN, NP, meets the qualifications and practice requirements as stated in Article 139 of New York Education Law, holds a certificate as a Nurse Practitioner pursuant to §6910 of New York Education Law and herein meets the requirements of maintaining a collaborative practice agreement with \_\_\_\_\_\_\_, MD, a duly licensed and currently registered physician in good standing under Article 131 of New York State Education Law.

#### SCOPE OF PRACTICE

The practice of a registered professional nurse as a nurse practitioner may include the diagnosis of illness and physical conditions and the performance of therapeutic and corrective measures including prescribing medications for patients whose conditions fall within the authorized scope of practice as identified on their NYS issued certificate. These privileges include the prescribing of all controlled substances under a DEA number. The nurse practitioner, as a registered nurse, may also diagnose and treat human responses to actual or potential health problems through such services as case finding, health counseling, health teaching and provision of care supportive to or restorative of life and well-being. This practice will take place at \_\_\_\_\_\_ (Kaleida Health site noted above).

The following exceptions to the certified scope of practice have been agreed upon by the undersigned parties (list exceptions, if any).

#### PRACTICE AGREEMENT

NP agrees to perform service in accordance with this Practice Agreement and the Practice Protocols agreed upon between the NP and Collaborating Physician, and approved by Kaleida Health; a copy of such protocols are attached hereto and made part hereof as **Appendix A**. Such protocols shall be filed with the New York State Education Department within ninety (90) days of the date of this Agreement.

#### **RESOLUTION OF DISAGREEMENTS**

a. In the event of a disagreement between NP and Collaborating Physician, with respect to the method of treatment or diagnosis of any particular patient that is within the scope of practice of both parties, the following process will be utilized to resolve conflicts:

If either party questions the protocol, or if the conflict involves an issue not covered by an existing protocol, the Chief Medical Officer of Kaleida Health will arbitrate and will be responsible for a definite decision. This decision will prevail in every circumstance with the understanding that the Nurse

Practitioner will be insulated from any and all liability related to the Chief Medical Officer's exercise of professional judgment.

b. In the event of a disagreement between NP and a non-collaborating physician, the NP shall consult with the Collaborating Physician and the Collaborating Physician's opinion will prevail.

#### PHYSICIAN CONSULTATION

The Collaborating Physician, or the Collaborating Physician's designee, shall be at all times available to NP for consultation. Such availability will include either on-site or electronic access, including but not limited to, telephone, facsimile, and email.

#### **RECORD REVIEW**

A representative sample of patient records shall be reviewed by the Collaborating Physician every three months to determine if NP's practice is congruent with the practice protocols identified in **Appendix A**. Summarized results of this review will be signed by both parties and shall be maintained at the NP's practice site for possible regulatory agency review.

#### PROVISION FOR ABSENCE OF COLLABORATING PHYSICIAN

In the unexpected event that the Collaborating Physician of record must be absent due to extended illness or leave of absence, the NP shall be notified and an interim acting Collaborating Physician determined. It will then be the responsibility of the NP to notify the State Education Department of the change in practice.

#### PROVISION FOR UNEXPECTED ABSENCE OF NP

In the event that the NP must be absent due to extended illness or leave of absence, the Collaborating Physician will be notified and will be responsible for making provisions within the practice site to maintain continuity of care for all patients. The NP will be responsible to notify the State Education Department of the change of practice.

#### **REVIEW AND MODIFICATION OF THIS AGREEMENT**

This Agreement will be reviewed on an annual basis and may be modified or amended only in writing.

#### MISCELLANEOUS

This Agreement will be governed by, and construed in accordance with, the laws of the State of New York. The parties agree to submit to the personal and exclusive jurisdiction of the courts located in Erie County, New York. This Agreement contains the entire agreement between the parties with respect to its subject matter, and supersedes any prior agreement or understanding. If any section or portion of this Agreement will be determined to be invalid, such determination will not affect the enforceability or validity of the remainder of this Agreement. Any waiver of a breach of any of the provisions of this Agreement will not be deemed a waiver of any other provision of this Agreement. All headings are included for convenience of reference only and are not of substantive effect.

Having read and understood the full contents of this document, the parties hereto agree to be bound by its terms.

Nurse Practitioner's Name (Print)

Nurse Practitioner's Signature

Date

Collaborating Physician's Name (Print)

Collaborating Physician's Signature

Date

### **APPENDIX A**

The practice protocols, as outlined on the attached listing, serve only as a guide and the nurse practitioner is not bound and shall not be liable for strict adherence to the aforementioned texts since such texts do not address and cannot contemplate every exigent circumstance and every relevant factor. Accordingly, where there is a disagreement between the aforementioned texts and the nurse practitioner's professional judgment, or there is a circumstance or situation not explicitly identified in the aforementioned texts, the nurse practitioner's professional judgment space.

# Nurse Practitioner: Approved Protocol Texts

(Please note: Electronic or other published editions of these written protocols that reflect current medical and nursing practice are acceptable. The New York State Board for Nursing categorized the protocols based on practice areas or population groups to make relevant protocols easier to locate. A nurse practitioner may opt to use protocols from one or more of these categories.)

#### Protocols Commonly Used In Acute or Tertiary Care Practice

- Barkley, T. W., & Myers, C. M. (2007) *Practice Guidelines For Acute Care Nurse Practitioners* (2nd ed.) Philadelphia, PA: Saunders.
- Cooper, D. H., Krainik, A. J., Lubner, S. J. & Reno, H. (2010) *Washington Manual of Medical Therapeutics* (33rd ed.) Philadelphia, PA: Lippincott, Williams and Wilkins.
- Donn, S. M. (2003) The Michigan Manual Of Neonatal Intensive Care Philadelphia, PA: Hanley & Belfus.
- Eagle, K. A., Baliga, R. R., Armstrong, W. F., Bach, D. S., & Bates, E. R. (2008) *Practical Cardiology: Evaluation And Treatment Of Common Cardiovascular Disorders* (2nd ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Robertson, J., Shilkofski, N. (2009) *The Harriet Lane Handbook: A Manual for Pediatric House Officers* (18th ed.) Philadelphia, PA: Elsevier Mosby.
- Lovell, W. W., Weinstein, S.W., & Morrissy, R.T. (2005) *Lovell and Winter's Pediatric Orthopedics* (6th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.

#### Protocols Commonly Used In Mental Health Practice

- American Psychiatric Association Staff (2000) *Diagnostic And Statistical Manual Of Mental Disorders, DSM-IV-TR: Text Revision* (4th ed.) Arlington, VA: American Psychiatric Publishing, Inc.
- American Psychiatric Association Staff (2013) *Diagnostic And Statistical Manual Of Mental Disorders, DSM-V-TR: Text Revision* (5th ed.) Arlington, VA: American Psychiatric Publishing, Inc.
- Carey, W., Coleman, W., Crocker, A., Elias E. (2009) *Developmental and Behavioral Pediatrics* (4th ed.) Philadelphia: Elsevier Sanders.
- Jellineck, M., Patel B., Froehle, M. (2002) *Bright Futures In Practice: Mental Health Volume I. Practice Guide* Arlington, VA: National Center For Education in Maternal and Child Health.
- Jellineck, M., Patel B., Froehle, M. (2002) *Bright Futures In Practice: Mental Health Volume II. Tool Kit* Arlington, VA: National Center For Education in Maternal and Child Health.
- Parker, S., & Zuckerman, B. & Augustyn, M.C. (Editors). (newest). Behavioral And Developmental Pediatrics: A Handbook For Primary Care Boston: Little, Brown and Company.
- Sadock, B. J., & Sadock, V. A. (2007) Kaplan And Sadock's Synopsis Of Psychiatry (10th ed.) Philadelphia, PA: Lipincott Williams & Wilkins.
- Sadock, B., & Sadock, V. (2010) Kaplan & Sadock's Pocket Handbook Of Clinical Psychiatry (5th ed.) Philadelphia, PA: Lippincott Williams and Wilkins.

#### Protocols commonly used in Oncology or Palliative Care Practice

- Camp-Sorrell, D., & Hawkins, R. A. (2006) *Clinical Manual For The Oncology Advanced Practice Nurse* (2nd ed.) Pittsburgh, PA: Oncology Nursing Society.
- Ferrell, B. R., & Coyle, N. (2010) Textbook of Palliative Nursing (3rd ed.) New York, NY: Oxford University Press, Inc.
- Hanks, G., Cherny, N., Christakis, N., Fallon, M., Kaasa, S., & Portenoy, R. (2009). Oxford Textbook of Palliative Medicine (4th ed.) New York, NY: Oxford University Press, Inc.
- Pasero, C, & Mc Caffrey, M. (2011) Pain Assessment And Pharmacologic Management Philadelphia, PA: Elsevier.
- Yarbro, C. H., Wujcik, D., & Gobel, B. H. (Editors.) (2011) *Cancer Nursing: Principles and Practice* (7th ed.) Sudbury, MA: Jones and Bartlett.

#### Protocols commonly used in Adult Care or Gerontologic Practice

- Goroll, A., & Mulley, A. (Editors) (2009) *Primary Care Medicine: Office Evaluation And Management Of The Adult Patient* Phildelphia, PA: Lippincott, Williams & Wilkins.
- Hazzard, W., & Halter, J. (2009) Hazzard's Geriatric Medicine And Gerontology (6th ed.) New York, NY: McGraw-Hill Professional.
- Kennedy-Malone, L., Fletcher, K. R., & Plank, L. M. (2004) *Management Guidelines For Nurse Practitioners Working With Older Adults* (2nd ed.) Philadelphia, PA: F. A. Davis Company.
- Wallace, M. (2007) Essentials of Gerontological Nursing New York, NY: Springer.

Protocols Commonly Used in Family, Holistic or General Primary Care Practice

- Chan, P. D., & Johnson, M. T. (2009) *Treatment Guidelines For Medicine And Primary Care* (11th ed.) Mission Viejo, CA: Current Clinical Strategies Publishing.
- Cooper, D. H., Krainik, A. J., Lubner, S. J. & Reno, H. (2010) *Washington Manual Of Medical Therapeutics* (33rd ed.) Philadelphia, PA: Lippincott, Williams and Wilkins.
- Dunphy, L. M., Winland-Brown, J. E., Porter, B. O., & Thomas, D. J. (2007) *Primary Care: The Art And Science Of Advanced Practice Nursing* (2nd ed.) Philadelphia, PA: F. A. Davis Company.
- Fauci, A.S. (2011) Harrison's Principles Of Internal Medicine (18th ed.) New York, NY: McGraw-Hill Professional.
- Gonzalez, R., & Kutner, J.S. (2012) Current Practice Guidelines In Primary Care 2012 New York, NY: McGraw-Hill Companies.

- King, T. E., & Wheeler, M. B. (2007) *Medical Management Of Vulnerable And Underserved Patients: Principles, Practice, And Populations* New York, NY: McGraw-Hill Medical Publishing Division.
- Mengel, Mark and Schweibert, L. Peter. (2009) *Family Medicine: Ambulatory Care And Prevention* New York, NY: McGraw-Hill Health.
- Mulley, A. G., Goroll, A. H., & Mulley, A. G. (2009) *Primary Care Medicine: Office Evaluation And Management Of The Adult Patient* (6th ed.). Philadelphia, PA: Lippincott Williams & Wilkins.
- Planned Parenthood Federation of America. (2001) *Manual Of Medical Standards And Guidelines* New York, N.Y.: National Medical Division, Planned Parenthood Federation of America. Request in writing to: Kathy Coventry, Medical Communications Manager, 810 Seventh Avenue, New York, NY 10019.
- Rakel, R. E. (2007) Textbook Of Family Medicine (7th ed.) Philadelphia, PA: Saunders Elsevier.
- Tierney, L. M., & Henderson, M. C. (2012) *The Patient History: Evidence-Based Approach* New York, NY: Lange Medical Books/McGraw-Hill Medical Pub. Division.
- Tierney, L. M., McPhee, S. J., & Papadakis, M. A. (Editors.) (2010) *Current Medical Diagnosis & Treatment* New York, NY: Lange McGraw-Hill Medical. Good 2013 edition.

Protocols Commonly Used In OB-GYN, Women's Health or Perinatal Practice

- Dickey, R.P. (2010) Managing Contraceptive Pill Patients (14th ed.) Dallas TX: EMIS, Inc.
- Gibbs, R. S., & Danforth, D. N. (2008) *Danforth's Obstetrics And Gynecology* (10th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Hackley, B., Kriebs, J.M., Rousseau, M.E. (2007) *Primary Care Of Women: A Guide For Midwives And Women's Health Providers* Sudbury, MA: Jones and Bartlett.
- Heath, C., & Sulik, S., (Editors) (2010) Primary Care Procedures In Women's Health Springer.
- Hawkins, J. W., Roberto-Nichols, D. M., & Stanley-Haney, J. L. (2011) *Guidelines For Nurse Practitioners In Gynecologic Settings* (10th ed.) New York, NY: Springer Pub.
- Lawrence R.A. & Lawrence, R.M. (2010) *Breastfeeding: A Guide For The Medical Profession* (7th ed.) Maryland Heights, MO: Elsevier/Mosby.
- Martin, R.J., Fanaroff, A.A., & Walsh, M.C. (2010) Fanaroff And Martin's Neonatal-Perinatal Medicine: Diseases Of The Fetus And Infant (9th ed., Vols. 1-2) St. Louis, MO: Elsevier Health Science.
- Nathan, L., Goodwin, T. M., Decherney, A. H., & Laufer, N. (2012) *Current Diagnosis And Treatment, Obstetrics And Gynecology* (11th ed.) New York, NY: McGraw-Hill/Appleton & Lange.
- Niswander, K. Manual of Obstetrics Boston, MA. Little Brown.
- Star, W., Lommel, L., Shannon, M. (2004) Women's Primary Health Care: Protocols For Practice (2nd ed.) San Francisco: UCSF Nursing Press.
- Tharpe, N., Farley, C. & Jordan, R.G. (2012) *Clinical Practice Guidelines for Midwifery and Women's Health* (4th ed.) Sudbury, MA: Jones and Bartlett.
- Thureen, Deacon, Hernandez, Hall (2005) Assessment And Care Of The Newborn (2nd ed.) St. Louis: Elsevier/Saunders.
- Walker, M. (2011) Breastfeeding Management For The Clinician: Using The Evidence (2nd ed.) Sudbury, MA: Jones and Bartlett.

Protocols Commonly Used in Neonatal or Pediatric Practice

- American Academy of Pediatrics. (2008) Bright Futures: Guidelines for Health Supervision of Infants, Children, and Adolescents -Third Edition Elk Grove Village, IL: American Academy of Pediatrics.
- American Academy of Pediatrics Staff. (2008) *Pediatric Primary Care: Tools For Practice* Elk Grove Village, IL: American Academy of Pediatrics.
- American Academy of Pediatrics. (2012) 2012 Red book: Report of the Committee on Infectious Diseases (29th ed.) Elk Grove Village, IL: American Academy of Pediatrics.?
- Boynton, R. W., Dunn, E. S., Stephens, G. R., & Pulcini, J. (2009) *Manual Of Ambulatory Pediatrics* (6th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Burns, C.E., Brady, M.A., Dunn, A. M., & Starr, N.A., and Blosser. (2012) *Pediatric Primary Care* (5th ed.) St. Louis: Saunders Elsevier Co.
- Carey, W., Coleman, W., Crocker, A., Elias E. (2009) *Developmental And Behavioral Pediatrics* (4th ed.) Philadelphia: Elsevier Sanders.
- Centers for Disease Control and Prevention. (2011). Vaccines And Immunizations See, <u>www.cdc.gov/vaccines/</u>
- Cloherty, J. P., Eichenwald, E. C., & Stark, A. R. (2008) *Manual Of Neonatal Care* (6th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Hay, W., Levin, M., Deterding, R & Abzug, M. (2012) Current Diagnosis And Treatment Pediatrics (21st ed.) Lange Publisher
- Jellineck, M., Patel B., Froehle, M. (2002) *Bright Futures In Practice: Mental Health Volume I. Practice Guide* Arlington, VA: National Center For Education in Maternal and Child Health.
- Jellineck, M., Patel B., Froehle, M. (2002) *Bright Futures In Practice: Mental Health Volume II. Tool Kit* Arlington, VA: National Center For Education in Maternal and Child Health.
- Kleigman, R. M., Marcdante, K.J., Jenson, H.B. & Behrman, R. E. (2011) *Nelson's Essentials Of Pediatrics* (19th ed.) Philadelphia: Elsevier Saunders.
- Lewis, K. D., & Bear, B. J. (2009) Manual Of School Health: A Handbook For School Nurses, Educators, And Health Professionals (3rd ed.) St. Louis, MO: Saunders.

- Lovell, W. W., Weinstein, S.W., & Morrissy, R.T. (2005) *Lovell And Winter's Pediatric Orthopedics* (6th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- MacDonald, M.G., Ramasethu, J., & Vargas, A. (2007) Atlas Of Procedures In Neonatology (4th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Martin, R.J., Fanaroff, A.A., & Walsh, M.C. (2010) Fanaroff and Martin's Neonatal-Perinatal Medicine: Diseases Of The Fetus And Infant (9th ed., Vols. 1-2) St. Louis, MO: Elsevier Health Science.
- McInerny, T., Adam, H., Campbell, D., & Kamat, D. (2008) AAP Textbook Of Pediatric Primary Care Elk Grove Village, IL: American Academy of Pediatrics
- Neinstein, L. S. Adolescent Health Care: A Practical Guide Baltimore: Williams & Wilkins.
- Parker, S., & Zuckerman, B. & Augustyn, M.C. (Editors.) (2012) *Behavioral And Developmental Pediatrics: A Handbook For Primary Care* Boston: Little, Brown and Company.
- Rudolph, A.M., Karmel, R.K., Overby, K.J. (2002) *Rudolphs's Fundamentals Of Pediatrics* (3rd ed.) New York, NY: McGraw-Hill Companies.
- Taketomo, C. K., Hodding, J. H., & Kraus, D. M. (2010) *Pediatric Dosage Handbook: International Edition* (17th ed.) Hudson, OH: Lexi-Comp, Inc.
- Thureen, Deacon, Hernandez, Hall (2005) Assessment And Care Of The Newborn (2nd ed.) St. Louis: Elsevier/Saunders.

All Approved Protocols Listed

- American Academy of Pediatrics. (2008) Bright Futures: Guidelines For Health Supervision Of Infants, Children, And Adolescents -Third Edition Elk Grove Village, IL: American Academy of Pediatrics.
- American Academy of Pediatrics Staff. (2008) *Pediatric Primary Care: Tools For Practice*. Elk Grove Village, IL: American Academy of Pediatrics.
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- Gibbs, R. S., & Danforth, D. N. (2008) Danforth's Obstetrics And Gynecology (10th ed.) Philadelphia, PA: Lippincott Williams & Wilkins.
- Gonzalez, R., & Kutner, J.S. (2012) Current Practice Guidelines In Primary Care 2012. New York, NY: McGraw-Hill Companies.
- Goroll, Allan H [Editor] and Mulley Albert G [Editor] (2009) *Primary Care Medicine: Office Evaluation And Management Of The Adult Patient*. Phildelphia, PA: Lippincott, Williams & Wilkins.
- Hackley, B., Kriebs, J.M., Rousseau, M.E. (2007) *Primary Care Of Women: A Guide For Midwives And Women's Health Providers* Sudbury, MA: Jones and Bartlett.
- Hanks, G., Cherny, N., Christakis, N., Fallon, M., Kaasa, S., & Portenoy, R. (2009) Oxford Textbook Of Palliative Medicine (4th ed.) New York, NY: Oxford University Press, Inc.
- Hawkins, J. W., Roberto-Nichols, D. M., & Stanley-Haney, J. L. (2011) *Guidelines For Nurse Practitioners In Gynecologic Settings* (10th ed.) New York, NY: Springer Pub.
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- Lewis, K. D., & Bear, B. J. (2009) Manual Of School Health: A Handbook For School Nurses, Educators, And Health Professionals (3rd ed.) St. Louis, MO: Saunders.
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- Pasero, C, & Mc Caffrey, M. (2011) Pain Assessment And Pharmacologic Management Philadelphia, PA: Elsevier
- Planned Parenthood Federation of America. (2001) *Manual Of Medical Standards And Guidelines* New York, N.Y.: National Medical Division, Planned Parenthood Federation of America. Request in writing to: Kathy Coventry, Medical Communications Manager, 810 Seventh Avenue, New York, NY 10019.
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- Thureen, Deacon, Hernandez, Hall (2005) Assessment and Care of the Newborn (2nd ed.) St. Louis: Elsevier/Saunders.
- Tierney, L. M., & Henderson, M. C. (2012) *The Patient History: Evidence-Based Approach* New York, NY: Lange Medical Books/McGraw-Hill Medical Pub. Division.
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- Wallace, M. (2007) Essentials of Gerontological Nursing New York, NY: Springer.
- Yarbro, C. H., Wujcik, D., & Gobel, B. H. (Editors.) (2011) *Cancer Nursing: Principles and Practice* (7th ed.) Sudbury, MA: Jones and Bartlett.