



American Association of
NURSE PRACTITIONERS™

Remove Barriers To Nurse Practitioners' Ability To Practice

ACTION NEEDED: Enable NPs to practice to the full extent of their license

By amending current statutes or directing the Centers for Medicare and Medicaid Services to revise outdated rules and manuals, Congress should take action to remove obsolete limitations in federal laws and regulations that do not recognize nurse practitioners' advanced education and clinical preparation to furnish the full range of services they are licensed to provide.

Background: The landmark Institute of Medicine 2010 report, "The Future of Nursing: Leading Change, Advancing Health," includes recommendations for Congress and the Department of Health and Human Services to remove barriers limiting the ability of nurse practitioners and other advanced practice nurses to practice at the full extent of their license. These recommendations are supported by extensive evidence of the high quality, safety, and effectiveness of care provided by nurse practitioners. In order to ensure increased access to better care at lower costs for Americans, federal health care programs must eliminate policies that prevent nurse practitioners from providing patient care at the fullest extent of their license.

In spite of their recognized scope of practice, Medicare does not permit nurse practitioners to conduct assessments to admit the patients to skilled nursing facilities even though it authorizes them to order skilled nursing care. Similarly, Medicare does not allow NPs to provide the initial certification for hospice care, although they are authorized to serve as attending providers and recertify patients' eligibility. Medicare indirectly recognizes NPs to certify patients for home health care services by authorizing them to conduct the required face-to-face documentary examinations but still requires a physician to document that the nurse practitioner completed the certification evaluation. The need to revise these and other Medicare policies are discussed in separate fact sheets. In addition, Congress should address the following barriers to NP practice:

- Provide coverage of nurse practitioners' services as physician services are covered.
Several outdated regulatory barriers to NP practice could be removed simply by correcting the interpretation of the term "physician" to be consistent with current Medicare payment policies that authorize Part B payment to NPs for services within their scope of practice and that "would be covered if furnished by a physician" [63 Fed. Reg. 58814, 58908-58909 (Nov. 2, 1998)]. This simple change would enable nurse practitioners to certify Medicare beneficiaries for home health and hospice services and conduct examinations to admit patients to skilled nursing facilities.
- Recognize NPs as Primary Care Providers in all health care plans and programs.
Nurse practitioners should be recognized as primary care providers in all programs and settings. The Institute of Medicine's definition of primary care ("the provision of integrated, accessible health care services by clinicians who are accountable for addressing a large majority of personal health care needs, developing a sustained partnership with patient and practicing in the context of family and community") should serve as a benchmark for any legislation to expand access to primary care services.

Request: Congress and CMS should update and revise statutes and regulations to ensure patient access to nurse practitioner services.

For additional information, please contact the AANP Federal Health Policy Office at 703/740-2529 or federalpolicy@aanp.org.