NURSE PRACTITIONERS & APRN COLLEAGUES: MOVING HEALTH POLICY FORWARD

ANGELA THOMPSON DNP, FNP-C, BCADM, CDCES, FAANP



DISCLOSURE

No industry conflicts to report.

AANP wants NPs and APRN

colleagues to succeed!





PEARL

Practice Education Advocacy Research Leadership

AANP's Mission is to empower all NPs to advance accessible, personcentered, equitable, high-quality health care for diverse communities through *practice, education, advocacy, research and leadership*.







Percentage of US Gross Domestic Product

Per capita national health expenditures: \$11,582



3 in 5

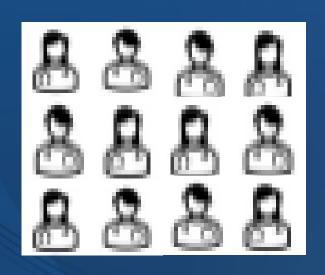
Americans have at least ONE chronic illness

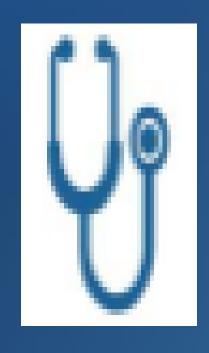
20.5% of Ohioans adults report having two or more chronic diseases

\$31.9 B Economic impact of chronic disease in Ohio

https://odh.ohio.gov/know-our-programs/chronic-disease/chronic-disease-conditions







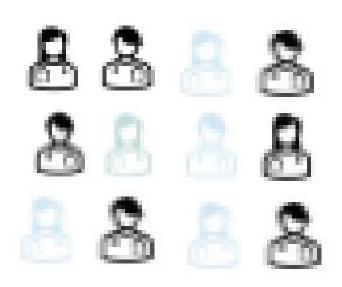
- 99 Million Americans live in primary care shortage areas
- Need 18K more providers to meet need

2.3 M Ohioans live without adequate access to care



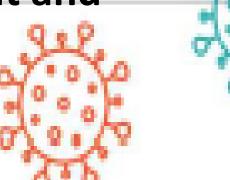
Source: HRSA https://data.hrsa.gov/topics/health-workforce/shortage-areas Kaiser Family Foundation https://www.kff.org/other/state-indicator/primary-care-health-professional-shortage-areas-

20% of all health care workers quit during pandemic



19% APRN Ohioans are over the age of 55

Covid, Burnout and Retirements



43% unemployed APRNs are not interested in nursing jobs





28 Days (national)8% increase since 2018

Average Waiting Time for Health Care Appointment

OHIO-39 Days

Rising healthcare costs

Wait times and back logs

Increasing number of health care deserts

Shortage of providers

Inequality in access and treatment

Covid Impact

Aging Population

STATE OF THE STATESRemoving Barriers to Practice

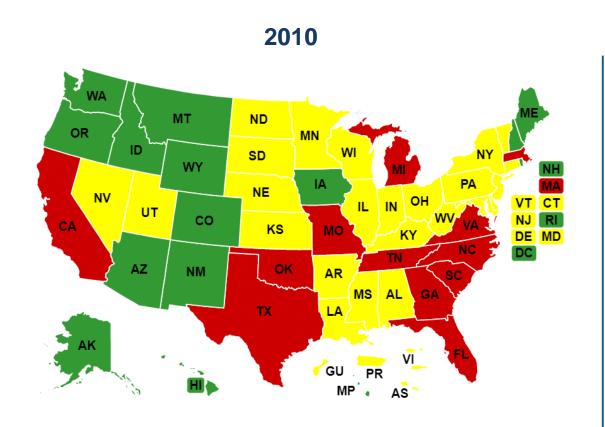


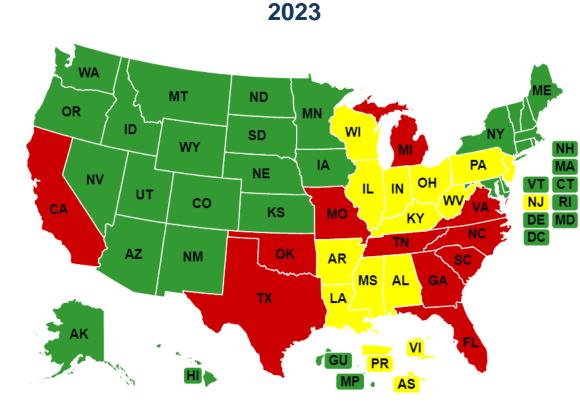
STATE POLICY PRIORITIES

Removing Barriers for NPs & Their Patients (support APRNs)

- Modernizing licensure laws.
- Streamlining care delivery with signature recognition.
- Promoting flexible and sustainable reimbursement.
- Including NPs in all health care delivery models.
- Improving public health.
- Supporting funding for NP education.











WHAT IS FPA? **CAN VS MAY**

Can: Ability

Hold active license as an RN

 Graduate from national accredited NP (CNS) CNM, CRNA) program

Pass National Board Certification Exam

State licensure = Can + May

May: the LEGAL permission for NPs (APRN) to

provide services



WHAT IS FPA?

What FPA does not:

- Mandate entrepreneurship
- Practicing in a vacuum
- Change legal and malpractice responsibilities



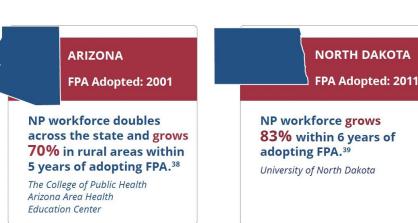
Why does it matter? Full and direct access to NP care is associated with:

- Decreased hospitalizations
- Better overall health outcomes
- Fewer emergency room visits for ambulatory sensitive conditions
- Lower health care costs with no difference in quality outcomes
- Better productivity and higher job satisfaction





Workforce Trends



APRN workforce grows
34% within 3 years of
adopting FPA.40

Many moved from
more restrictive states

Nevada State Board of Nursing

NP wo
20 state prima under
5 years

College Nebrask

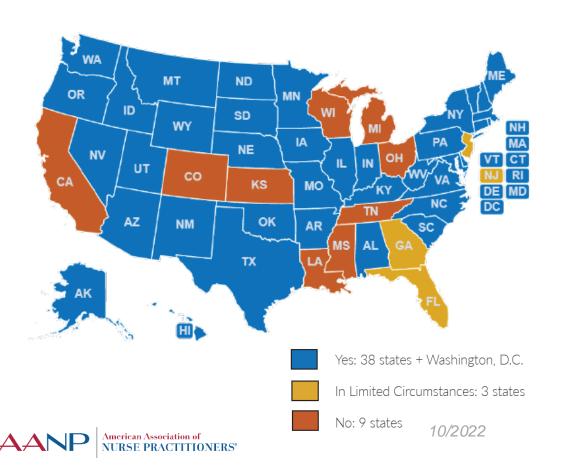
NEBRASKA

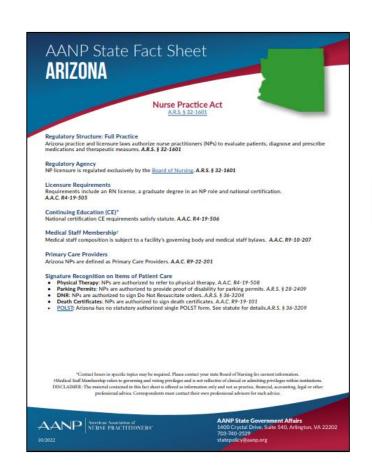
FPA Adopted: 2014

NP workforce grows in
20 state-designated
primary care medically
underserved areas within
5 years of adopting FPA.⁴¹

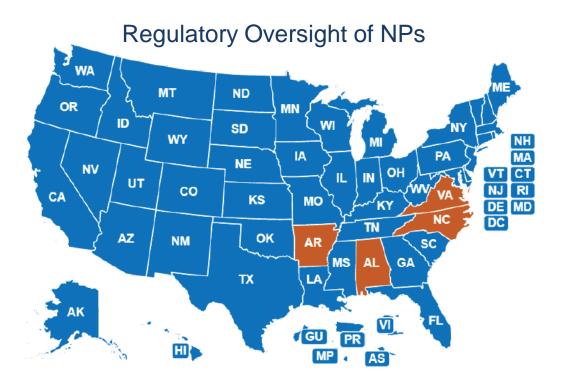
College of Nursing, University of
Nebraska Medical Center

NP Authorization to Sign Death Certificates









- Exclusive licensure and practice regulation by Nursing Board: 52 U.S Juristictions (46 states, D.C. + 5 territories)
- Joint licensure and/or practice regulation by Nursing and other regulatory entity: 4 states

10/2022





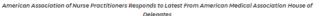
AANP STEEFERSTER

American Association of Nurse Practitioners -15 Jun. 2023, 11:57 ET









AUSTIN, Texas, June 15, 2023 / PRNewswire/ -- Today, the American Association of Nurse Practitioners® (AANP) issued the following statement concerning the American Medical Association's (AMA's) call for nurse practitioners (NPs) and other advanced practice registered nurses (APRNs) to be jointly regulated by boards of medicine and boards of nursing.

The AMA has once again dusted off its old protectionist playbook and demonstrated its commitment to put profit and powerplays ahead of patients and their access to high-quality health care.

During its recent House of Delegates meeting, the AMA reaffirmed multiple outdated policies that make it harder for patients to access qualified health care providers and called for the unnecessary and harmful joint regulation of NPs and other APRNs by boards of medicine and nursing. NPs practice advanced nursing, not medicine. Boards of medicine lack the requisite nursing experience and expertise to regulate nurses.

The only appropriate regulatory entities to oversee nursing licensure and practice are state boards of

Tweet this

"The only appropriate regulatory entities to oversee nursing licensure and practice are state boards of nursing," said AANP Chief Executive Officer Jon Fanning, MS, CAE, CNED. "Not only is the model proposed by the AMA flawed, but it has also been soundly rejected by 46 states and the District of Columbia. In the handful of states where NP practice is regulated outside the exclusive oversight of the board of nursing, the restrictive involvement of the board of medicine directly contributes to health care access challenges, resulting in continued low health care rankings, geographic disparities in care and unnecessary regulatory cost in these states.

Today, there are more than 355,000 NPs practicing across the United States, strengthening health care access and delivery in nearly every community in the country and every health care setting - including clinics, hospitals, Veterans Affairs and Indian Health Care facilities, emergency rooms, urgent care sites, private physician or NP practices (both managed and owned by NPs), nursing homes, schools, colleges, retail clinics, public health departments, nursemanaged clinics, homeless clinics and home health

"While the AMA continues its efforts and tactics designed to limit patient access to the health care provider of their choice, AANP and its members remain steadfast in our efforts to ensure that every patient gains equitable access to the health care they need, when and where they need it," said AANP President-Elect Stephen Ferrara, DNP. "Overwhelmingly, the American public supports policies that give them direct access to the health care provider who

Unfortunately, the AMA's tactics are not new. AANP will continue to fight for patients. AANP calls on the AMA to stop the rhetoric and resolutions that undermine patient choice, access and truly coordinated care. The AMA's ongoing fearmongering and physician-protectionist resolutions are negatively impacting the health of our nation. It's time the AMA retires its dated tactics and put patients first.

FEDERAL POLICY UPDATE

Removing Barriers for NPs (APRN) and Their Patients

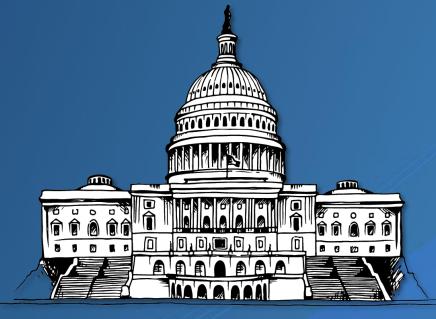


AANP CARRIES OUR PRO-NP, BIPARTISAN MESSAGE TO ...



The Administration, which is responsible for:

Regulations and Other Agency Actions



Congress, which is responsible for:

Legislation



ADMINISTRATION OFFICIALS



Xavier Becerra

Health and Human Services

Secretary



Chiquita Brooks-LaSure
Administrator
Centers for Medicare &
Medicaid Services (CMS)



Carole Johnson
Administrator
Health Resources & Services
Administration (HRSA)



Miriam Delphin-Rittmon
Assistant Secretary
Mental Health and
Substance Use



Denis McDonoughVeterans Affairs Secretary



COVID-19 Public Health Emergency (PHE) Termination

- COVID-19 PHE Ended on May 11, 2023.
- PHE included Medicare flexibilities for NPs.
- Congress has extended certain Medicare telehealth flexibilities through 2024.
- Drug Enforcement Administration (DEA) has extended teleprescribing policies.
- Eligibility determinations reinstated for Medicaid beneficiaries.
- Changes to coverage of COVID-19 testing and vaccination policies

Teleprescribing Flexibilities Extended

- On May 9, the Drug Enforcement Administration (DEA) and Substance Abuse and Mental Health
 Services Administration issued a temporary extension of the public health emergency (PHE) telehealth prescribing
 flexibilities.
- The temporary rule took effect on May 11, 2023, and extends the full set of telemedicine flexibilities adopted during the COVID-19 public health emergency for six months through Nov. 11, 2023.
- 10/10/23 UPDATE: The full set of telemedicine flexibilities adopted during the pandemic were extended to any practitioner-patient telemedicine relationships that have been or will be established up to Dec. 31st, 2024. The agencies are currently drafting new permanent telemedicine prescribing which they plan to release in the fall of 2024.



Centers for Medicare and Medicaid Services Releases Proposed CY 2024 Medicare Physician Fee Schedule

- Based on the fee schedule updates to the pool of total relative value units (RVUs), CMS estimates NPs will see a 2% increase in the valuation of PFS services they bill for calendar year (CY) 2024.
- CMS is proposing to expand who is authorized to supervise pulmonary rehabilitation, cardiac rehabilitation and intensive cardiac rehabilitation services by adding NPs, PAs and CNSs as practitioners authorized to supervise these services.
 - This provision would fulfill the statutory requirement to implement the changes made in section 51008 of the Bipartisan Budget Act of 2018 (Pub. L. 115-123, enacted Feb. 9, 2018), effective Jan. 1, 2024.
- CMS is proposing revisions to the Medicare Shared Savings Program (MSSP) beneficiary assignment methodology. Modifications to the window for assignment, and new definitions, will allow more opportunities for beneficiaries to be assigned based on their receipt of primary care services provided by NPs.
- The proposed rule delays the implementation of the time-based split (or shared) visit policy.
- CMS is proposing to pay separately for Community Health Integration, Social Determinants of Health (SDOH) Risk Assessment and Principal Illness Navigation services to account for resources when clinicians involve community health workers, care navigators and peer support specialists in furnishing medically necessary care.
- CMS is proposing to implement several telehealth-related provisions of the Consolidated Appropriations Act (CAA), 2023. For CY 2024, CMS is proposing to make payment when practitioners (including NPs) train and involve caregivers to support patients with certain diseases or illnesses (e.g., dementia) in carrying out a treatment plan.



SAMHSA Releases Guidance on Removal of the DATA (X-Waiver) Requirement

- The Consolidated Appropriations Act of 2023 repealed the requirement for providers to receive a Drug Addiction and Treatment Act (DATA) 2000 Waiver for medication-assisted treatment of opioid use disorder (OUD). SAMHSA and the DEA implemented this provision on Jan. 12, 2023. Going forward, a prescription for buprenorphine only requires a standard DEA registration number and there are no longer any patient caps.
- All practitioners who have a current DEA registration that includes Schedule III authority may now prescribe buprenorphine
 for OUD in their practice if permitted by applicable state law. Effective immediately, SAMHSA will no longer be accepting
 waiver applications.

New DEA Education Requirement

- A new, one-time education mandate was created that requires any provider who applies for, or renews, their registration with the DEA to complete eight hours of education related to opioid or other substance use disorders. The one-time, eight-hour training requirement must be affirmed on the DEA registrant's next scheduled DEA registration submission either the initial registration or the renewal occurring on or after June 27, 2023.
- Upon completion, the affirmation will not be included in subsequent registration renewals.
- The DEA also clarified that both new trainings and previously completed trainings including the DATA 2000 Waiver training — can count toward the practitioner meeting this requirement if those trainings are on the treatment and management of patients with opioid and other substance use disorders and are accredited by designated organizations, including AANP.
- Qualified training is available in the AANP CE Center.



Department of Education Final Rule on Total and Permanent Disability Loan Discharges

• Final rule authorizes NPs to certify when a student loan borrower has a total and permanent disability for the purposes of discharge their student loans — effective as of June 2023.

Department of Veterans Affairs (VA) Life Insurance Rule

 The VA updated the Servicemembers' Group Life Insurance Traumatic Injury Protection (TSGLI) program regulations. The final rule authorizes NPs to sign a hospital- or facilityapproved pass for a member to leave a hospital or treating facility as part of the member's treatment plan.

CMS Rural Emergency Hospital (REH) Final Rule

• REHs are a new rural Medicare provider type established by Congress in the Consolidated Appropriations Act of 2021 and will begin receiving payments on Jan. 1, 2023. Many of the policies within the CoPs recognize the important role NPs will play in REHs.



CARES Act Home Health Implementation

- On May 8, 2020, CMS issued an interim final rule permanently implementing Section 3708 of the CARES Act and has issued further guidance to clarify billing and coverage guidelines.
- As of April 2023, 40 states have taken temporary or permanent action to update corresponding state laws and regulations.

No Surprises Act Implementation

• Included as Section 108 of the Consolidated Appropriations Act of 2021 — most sections went into effect on Jan. 1, 2022. Visit cms.gov/nosurprises for further information.

ACO REACH Model

- Includes NP services benefit enhancement where participating ACOs can request that participating NPs be authorized to:
 - o Certify a patient's need for therapeutic shoes for the treatment of diabetes.
 - Order cardiac and pulmonary rehabilitation.
 - Order medical nutrition therapy.
 - Certify terminal illness for hospice.
 - Create care plan for home infusion services.
- Benefit enhancement will go into effect on Oct. 1, 2023.



CONGRESSIONAL LEADERSHIP



Majority Leader
Chuck Schumer
(D-NY)





Minority Leader
Mitch McConnell
(R-KY)



Speaker **VACANT**

Was Kevin McCarthy (R-CA)





Minority Leader
Hakeem Jeffries
(D-NY)



MAKEUP OF 118TH CONGRESS

Senate:

- 47 Democrats
- 49 Republicans
- 3 Independents
- 1 Vacancy
 - Rep. Dianne Feinstein (D-Ca)



House of Representatives:

- 222 Republicans
- 212 Democrats
- 1 Vacancy
 - Rep. David Cicilline (D-RI)



COMMITTEES OF JURISDICTION — HOUSE OF REPRESENTATIVES

Energy & Commerce

- Chairwoman Cathy McMorris Rodgers (R-WA).
- Ranking Member Frank Pallone (D-NJ).

Ways & Means

- Chairman Jason Smith (R-MO).
- Ranking Member Richie Neal (D-MA).

Education & the Workforce

- Chairwoman Virginia Foxx (R-NC).
- Ranking Member Bobby Scott (D-VA).

Veterans Affairs

- Chairman Mike Bost (R-IL).
- Ranking Member Mark Takano (D-CA).











COMMITTEES OF JURISDICTION — SENATE

Finance

- Chairman Ron Wyden (D-OR).
- Ranking Member Mike Crapo (R-ID).



- Chairman Bernie Sanders (I-VT).
- Ranking Member Bill Cassidy (R-LA).

Homeland Security & Governmental Affairs

- Chairman Gary Peters (D-MI).
- Ranking Member Rand Paul (R-KY).

Veterans Affairs

- Chairman Jon Tester (D-MT).
- Ranking Member Jerry Moran (R-KS).













OUR GOAL IS TO ELIMINATEALL BARRIERS TO PRACTICE FOR NPS.





REMOVE OUTDATED BARRIERS TO CARE IN MEDICARE AND MEDICAID

- H.R. 2713/S. 2418 Improving Care and Access to Nurses (ICAN) Act, introduced by:
 - Reps. Dave Joyce (R-OH), Kelly Armstrong (R-ND), Suzanne Bonamici (D-OR), Earl Blumenauer (D-OR), Glenn Grothman (R-WI), Ann Kuster (D-NH), Jen Kiggans (R-VA), Chris Pappas (D-NH), Jan Schakowsky (D-IL), Adrian Smith (R-NE) and Lauren Underwood (D-IL).
 - Sens. Jeff Merkley (D-OR) and Cynthia Lummins (R-WY).
- This legislation would remove barriers to practice including:
 - Authorize NPs to order cardiac and pulmonary rehabilitation for Medicare patients.
 - Authorize NPs to certify the need for therapeutic shoes for Medicare patients with diabetes.
 - Authorize the claims-based assignment of NP patients to Medicare Shared Savings Program without requiring the patient to receive a primary care service from a physician.
 - Authorize NPs to refer Medicare patients for medical nutrition therapy.
 - Authorize NPs to establish and review home infusion plans of care for Medicare patients.
 - Authorize hospice care programs to accept certification and recertification of eligibility orders from NPs for Medicare beneficiaries, and better align hospice billing policies for NPs and physicians.
 - Remove the requirement that skilled nursing facility care be provided under the supervision of a physician and authorize NPs to perform admitting examinations and all required Medicare patient assessments.
 - Make permanent the authorization for Medicare and Medicaid patients admitted to a hospital to be under the care of an NP.
 - Authorize a Medicaid patient receiving outpatient clinic services to be under the direction of an NP.
 - Authorize Medicare payment for NP locum tenens arrangements.

PROVIDE FEDERAL EMPLOYEES TIMELY ACCESS TO HEALTH CARE FOR WORKPLACE INJURIES

- S. 131/H.R. 618 Improving Access to Workers' Compensation for Injured Federal Workers Act, introduced by:
 - Senators Sherrod Brown (D-OH) and Susan Collins (R-ME).
 - Representatives Tim Walberg (R-MI) and Joe Courtney (D-CT).
- Currently, federal employees can select an NP as their health care provider under the Federal Employees Health Benefits Program and the majority of states authorize NPs to provide the diagnosis and treatment for a workplace related injury. However, contrary to the workers' compensation process in most states, the Federal Employees' Compensation Act (FECA) requires that only a physician can make the diagnosis, certify the injury and extent of the disability and oversee the patient's treatment and care.
- S. 131/H.R. 618 would authorize NPs to certify disabilities and oversee treatment for injured federal employees under FECA.
- This legislation passed the House of Representatives in the previous Congress with a strong bipartisan vote of 325-83.



AUTHORIZING NPS TO ORDER CARDIAC AND PULMONARY REHAB

- H.R. 2583 Increasing Access to Quality Cardiac Rehabilitation Care Act of 2023, introduced by:
 - Representatives Lisa Blunt Rochester (D-DE) and Adrian Smith (R-NE).
- NPs are clinically trained to provide timely and high-quality care to cardiac and pulmonary patients.
 NPs serve as frontline providers in critical care environments, including critical access hospitals, hospitals and hospital clinics, emergency rooms, intensive care units, cardiac catheterization laboratories, health centers, urgent care centers and many other sites. Authorizing NPs to order these safe and effective services will enable them to be involved in their patients' cardiac and pulmonary rehabilitation care from start to finish, creating greater continuity of care and increasing access for patients.
- H.R. 2583 would authorize NPs to order cardiac and pulmonary rehabilitation for Medicare patients.
- In the previous Congress, these bills garnered 8 cosponsors (3 D − 5 R) in the Senate and 65 cosponsors (47 D − 18 R) in the House.



ENSURING PATIENTS HAVE TIMELY ACCESS TO DIABETIC SHOES

- S. 260/H.R. 704 Promoting Access to Diabetic Shoes Act, introduced by:
 - Sens. Sherrod Brown (D-OH) and Susan Collins (R-ME).
 - Reps. Earl Blumenauer (D-OR) and Darin LaHood (R-IL).
- Currently, an NP's patient with diabetes must undergo the following multistep process to obtain medically
 necessary therapeutic shoes under Medicare: when the treating NP determines that the patient has a condition
 requiring therapeutic shoes, the NP must send the patient to a physician to make the same determination and
 to take over the patient's care related to diabetes. The physician then refers that patient to a "podiatrist or other
 qualified individual" to fit and furnish the shoes.
- S. 260/H.R. 704 would authorize NPs to certify their patients' need for therapeutic shoes.
- In the previous Congress, these bills garnered 8 cosponsors (1 D 6 R 1 I) in the Senate and 37 cosponsors (23 D 14 R) in the House.



INCLUDING NP PATIENTS IN THE MEDICARE ACO SHARED SAVINGS PROGRAM

- In the previous Congress: H.R. 6308 ACO Assignment Improvement Act, introduced by:
 - Reps. Derek Kilmer (D-WA), Mike Gallagher (R-WI), Kathleen Rice (D-NY) and Adrian Smith (R-NE).
- NPs are recognized in the Medicare Shared Savings Program (MSSP) as "ACO professionals," yet federal law limits NPs from being full participants in the program. A CMS regulation created a "voluntary alignment" pathway where patients can choose an NP as their primary care provider in an MSSP ACO and be assigned to the ACO. However, NP patients cannot be assigned to an MSSP ACO based on their claims data unless the patient receives one primary care visit from a primary care physician each year.
- H.R. 6308 would have improved the way beneficiaries are assigned under the MSSP by authorizing claims-based assignment of patients seen only by NPs to MSSP ACOs.
- In the previous Congress, this bill garnered 8 cosponsors (5 D 3 R) in the House.



NPS (APRNS): ENGAGING TO MOVE POLICY FORWARD



KEEPING OUR FINGER ON THE PULSE OF HEALTH CARE ISSUES

- Primary Care.
- Addiction Treatments Opioid Crisis.
- Post Acute Care Reform.
- Telehealth.
- Provider Non-Discrimination Section 2706 of the ACA.
- Public Health Emergency.
- Medicaid.

- Electronic Health Records.
- Provider Identification Truth in Health Care Marketing.
- Rural Health.
- Title VII and VIII Funding.
- National Health Service Corps.
- CHIP Funding.



LEVERS OF CHANGE



Laws (statute)
Changed only by elected officials
through legislation/bills.



Regulations
(administrative code)
Changed through executive
agencies
or boards.



Official Forms

Can be changed at direction of legislature or through agency regulatory changes.

WHAT DRIVES THE MOST EFFECTIVE OUTREACH TO LEGISLATORS?



TELL YOUR STORY

- Understand the Backdrop
- Understand the broader backstory
- Know the interests /drivers and turn-offs of your listener

- Story craft
 - OWhat's needed and why it's needed now
 - Pepper in meaningful data to your story
 - True & believable



TELL YOUR STORY

What's the problem or situation

(Affordability, Quality, Access, Workforce?)

Why the problem or situation needs to be fixed *now!*

What's the solution



Phrases to Choose	Phrases to Sidestep
Full & Direct Access Full Practice Authority Top of education	Expand Scope Independent
Effective Utilization Efficient Use of Resources	Cheaper
Interfere with providing care	"won't let us"
Consult, Coordinate, Refer	Collaboration (due to dual meaning)
Advanced Practice Registered Nurse CNM, CNS, CRNA, NP	Mid-level provider Limited License Provider Physician Extender
Workforce Build Capacity	
Maintain Quality, Maintain Safety	
Address Patient Needs	



TELL YOUR STORY



- Tips for framing your story
 - O How many constituents to you see a month?
 - Do you work in a "ooh! area" like rural health, FQHC, NP-owned business—be sure to highlight that.
 - O Share how you've had to alter/change your practice based on a practice or insurance issue? How has this impacted patients?
 - Is there care you are educated/certified/prepared to provide but don't have legal authorization to directly provide to your patients?
 - O Do your patients have issues finding a provider?

Stories are POWERFUL share yours.



BUILDING RELATIONSHIPS

- Interact with your state legislators and members of Congress.
 - Send them a letter.
 - Meet with them in their District/State office.
 - Invite them to your practice let them see you at work.
 - Attend a town hall meeting and ask them a question.



Elected officials need to hear from, meet and interact with NPs.

BUILDING RELATIONSHIPS

- Work on Campaigns and VOTE
- Attend a "Open House" and Community Forums



- Write a note of congratulations to the candidate that won and offer to serve as a consult on health issues or other areas where you have expertise.
- Send a "thank you" letter to your elected representative when they vote in support of an issue *not related to health care* that 's important to you.
- Forward a copy of a news article on a healthcare interest

American Association of NURSE PRACTITIONERS®



governmentaffairs@aanp.org

statepolicy@aanp.org

athompson@aanp.org