

NPs: Driving Health Policy Forward

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Selfless Plug

 -jldickensnp

 - jldickensnp



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Disclosure & Objectives

No industry conflicts to report.
AANP wants NPs to succeed!

Objectives:

1. Review recent policy changes that impact NP practice
2. Highlight policy trends at the state and federal level
3. Discuss how individual NPs can engage to make a positive difference in health policy



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AANP Mission Reflects Commitment

The mission of AANP is to empower all *nurse practitioners* to advance quality health care through *practice, education, advocacy, research and leadership.*

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Policy Goals

Removing Barriers for NPs & Their Patients

- Modernizing Licensure Laws
- Streamlining Care Delivery with NP Signature Recognition
- Promoting Flexible & Sustainable Reimbursement
- Including NPs in all Health Care Delivery Models
- Improving Public Health
- Supporting Funding for NP Education



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State of the States



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Making Progress:

Transforming Policy. Improving Health.

- Years of Progress in improving access & quality care
- 8 states in the last 9 years and 2 territories gained Full Practice Authority. Currently at 22 states and D.C., Guam and CNMI.
- Zero FPA states have since enacted new restrictions to rescind the gains of full practice authority
- Dozens of legislative efforts finalized in support of NPs and their patients

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2019 State Highlights

Licensure and Workforce:

- TX removed face-to-face meeting requirement for delegation agreements
- SC and GA passed NP preceptor incentive legislation

Signature Authority:

- MT adopted global signature authorization
- OK authorized physical therapists to accept NP orders past 30 days
- SD and SC established a POLST program--included NPs

Insurance, Credentialing & Privileging

- NY and CO authorized NPs to provide workman's comp
- NM passed non-discrimination requirements for hospital privileging

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2020 State Highlights

Licensure and Workforce:

- GA legislature passed bill to retire restrictions on APRN radiographic imaging
- CO legislature renewed Nurse Practice Act Sunset legislation with reduced hours for TTP
- VA passed NP preceptor incentive legislation

Signature Authority:

- ID and WY adopted global signature authorization
- IN authorized NPs to sign for and certify death certificates

Insurance, Credentialing & Privileging

- WY authorized NPs to provide workman's comp

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State Policy Trends



State Budget and Health Care
will be **TOP PRIORITES**
in most states in 2020 and 2021



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COVID-19 State Emergency Response



Temporarily Suspended or Waived Practice Agreement Requirements

- * As of July 20, 2020
- **5 states:** Temporary suspension of all practice agreement requirements
 - 3 states with expired suspension of all practice agreement requirements
- **13 states:** Temporary waiver of select practice agreement requirements
- **2 FPA states:** waive TTP requirements
- **7 states, 3 territories:** Currently no action on this issue

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Trending Policy Issues

Workforce & Licensure

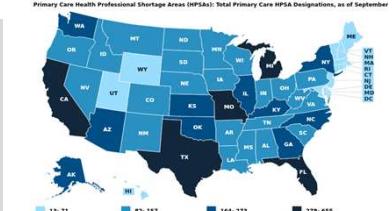
NP License

- Full Practice Authority
- Barrier Reduction
- Licensure Portability

Workforce

- Loan-repayment incentives for provider-shortage areas
- Tax credits for preceptors
- Modernizing licensure oversight and SOP for other health professionals
- Telehealth

Primary Care Provider Shortage Areas
Primary Care Health Professional Shortage Areas (HPSAs): Total Primary Care HPSA Designations, as of September



SOURCE: Kaiser Family Foundation's State Health Facts.

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Trending Policy Issues

Signature Recognition

Nurse Practitioner Authorization to Sign Death Certificates

- Authorizes NPs to “treat the paperwork”
- Global vs. “Laundry List”
- Issue Specific Bills

*15 states & DC with global
signature*
*CO, GA, HI, ID, ME, MA, MT,
NV, NC, RI, VT, VA,
WA, WV, WY*



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Trending Policy Issues

Public Health

- Efficient, integrated healthcare system
- Patient-empowered Decisions (POLST/MOLST)
- Vaping and tobacco products
- MAT access
- Immunizations
- Concussion care
- Primary care access and reforms



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Trending Policy Issues

Substance Use and Opioid Prescribing

Substance Abuse Disorder

- Medication Assisted Treatment
- Prevention Programs

Continued Focus on “Safe Prescribing”

- Prescription Drug Monitoring Programs
- Mandatory Provider CE
- Quantity Limitations
- Informed Consent, SBIRT Screening

*At right: AANP 2019 Infographic: Nurse Practitioners: Improving Patient Outcomes for Opioid Use Disorder



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AANP State Government Affairs: More Resources

- Legislative tracking & bill analysis
- Strategic planning
- Partnerships
- Aligned messaging & talking points
- Background information and expertise
- Best practices



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Reimbursement and Health System Design

AANP Initiatives

- Nurse Practitioner Support and Alignment Network
- Multistate Reimbursement Alliance

Franklin Harrington,
AANP Director of Reimbursement
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Federal Update

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Carrying Our Bipartisan and Pro-NP Message to...



The Administration:
Regulations and Other Agency Actions



Congress:
Pro-NP Legislation and Prevent New Barriers

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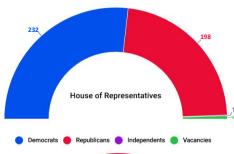
Key Regulatory Developments in 2019

- **EO 13890: Protecting and Improving Medicare for Our Nation's Seniors**
 - Ordered HHS to release regulations by 10/20 to remove federal barriers on providers and ensure appropriate reimbursement for NPs.
- **2020 Medicare Physician Fee Schedule on Student Documentation**
 - Authorized APRNs/PAs to review and verify a patient's medical record instead of re-documenting the information.
- **Maryland Total Cost of Care Model for Home Health Orders**
 - Approved a waiver to authorize all Medicare-enrolled NPs in Maryland to certify home health for beneficiaries.

More Information and Updates Available at AANP.org

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Makeup of 116th Congress



House of Representatives



Senate

House of Representatives

- 232 Democrats
- 198 Republicans
- 1 Independent
- 4 Vacancies

John Lewis (D-GA-5), Duncan Hunter (R-CA-50), Mark Meadows (R-NC-11), John Ratcliffe (R-TX-4)

Senate

- 53 Republicans
- 45 Democrats
- 2 Independents

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Committees of Jurisdiction – House of Representatives

- **Energy & Commerce**
 - Chairman Frank Pallone (D-NJ)
 - Ranking Member Greg Walden (R-OR)
- **Ways & Means**
 - Chairman Richard Neal (D-MA)
 - Ranking Member Kevin Brady (R-TX)
- **Education & Labor**
 - Chairman Bobby Scott (D-VA)
 - Ranking Member Virginia Foxx (R-NC)
- **Veterans Affairs**
 - Chairman Mark Takano (D-CA)
 - Ranking Member Phil Roe (R-TN)



Committees of Jurisdiction – Senate

- Finance
 - Chairman Chuck Grassley (R-IA)
 - Ranking Member Ron Wyden (D-OR)
- Health, Education, Labor, and Pensions
 - Chairman Lamar Alexander (R-TN)
 - Ranking Member Patty Murray (D-WA)
- Veterans Affairs
 - Chairman Jerry Moran (R-KS)
 - Ranking Member Jon Tester (D-MT)



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Our Goal is to Eliminate ALL Barriers to Practice for NPs

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Legislative Agenda for the 116th Congress

- Certifying patients' need for home health care
 - **H.R. 2150/S. 296 - Home Health Care Planning Improvement Act**
- Ensuring patients have timely access to diabetic shoes
 - **H.R. 808/S. 237 - Promoting Access to Diabetic Shoes Act**
- Including nurse practitioner patients in the Medicare ACO Shared Savings Program
 - **H.R. 900 - ACO Assignment Improvement Act**
- Authorizing NPs to supervise and order cardiac and pulmonary rehab
 - **H.R. 3911/S. 2842 - Increasing Access to Quality Cardiac Rehabilitation Care Act**

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Certifying Patients' Need for Home Health Care

- H.R. 2150/S. 296, *the Home Health Care Planning Improvement Act*
- Signed into law under H.R. 748: *the Coronavirus Aid, Relief, and Economic Security (CARES) Act*.
- CMS issued regulations to permanently implement this provision of the CARES Act.

THANK YOU!

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Ensuring Patients have Timely Access to Diabetic Shoes

- H.R. 808/S. 237, *Promoting Access to Diabetic Shoes Act*
 - House: Rep. Earl Blumenauer (D-OR) and Tom Reed (R-NY)
 - 91 Cosponsors (27 R – 64 D)*
 - Senate: Sen. Sherrod Brown (D-OH) and Susan Collins (R-ME)
 - 15 Cosponsors (8 R – 6 D – 1 I)*
- Last Congress, the bill had 4 cosponsors in the Senate (3 R – 1 D) and 33 cosponsors in the House (13 R – 20 D).
- This legislation would authorize NPs to certify their patients' need for diabetic shoes.

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Including NP Patients in the Medicare ACO Shared Savings Program

- H.R. 900, the *ACO Assignment Improvement Act*
 - House: Reps. Derek Kilmer (D-WA), Pete King (R-NY), Grace Meng (D-NY), Eleanor H. Norton (D-DC), Scott Tipton (R-CO)
 - 12 Cosponsors (3 R – 9 D)*
 - Last Congress, the bill had 23 cosponsors in the House (7 R – 16 D).
 - As changes to the Medicare system are made and payment models evolve, it is imperative that NPs are full partners in Accountable Care Organization (ACO) models.

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*As of July 29, 2020

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Authorizing NPs to Supervise & Order Cardiac and Pulmonary Rehab

- H.R. 3911/S. 2842, the *Increasing Access to Quality Cardiac Rehabilitation Care Act*
 - House: Reps. John Lewis (D-GA) and Adrian Smith (R-NE)
 - 9 Cosponsors (4 R – 5 D)*
 - Senate: Sen. Shelley Moore Capito (R-WV) and Amy Klobuchar (D-MN)
 - 7 Cosponsors (3 R – 4 D)*
- Introduced in 2019 for the first time in July (House) and November (Senate).
- Congress passed the *Bipartisan Budget Act* (BBA) in 2018, which authorizes NPs to supervise these programs beginning in 2024.
- This legislation authorizes NPs to both supervise and order these services beginning in 2020.

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Keeping Our Finger on the Pulse of Health Care Issues

- Primary Care
- Addiction Treatments – Opioid Crisis
- Post Acute Care Reform
- Tele-Health
- Provider Non-Discrimination -Section 2706 of the ACA
- MACRA Implementation (Regulations)
- Medicaid
- Electronic Health Records
- Provider Identification – Truth in Health Care Marketing Act
- Rural Health
- Cardiac Rehab
- Title VII & VIII Reauthorization/Funding
- National Health Service Corp Reauthorization
- CHIP Funding

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Federal Successes

- Passage of the Coronavirus Aid, Relief and Economic Security Act (CARES) Act, which includes provisions authorizing NPs to certify patients (including health care services to Medicare and Medicaid patients) permanently, thereby lifting this federal barrier to NP practice. The law also strengthens funding for personal protective equipment (PPE).
- The SUPPORT for Patients and Communities Act (H.R. 6) was signed into law, permanently authorizing NPs and PAs to prescribe MATs. This law also authorizes CNMs, CNSs and CRNAs to prescribe MATs through October 1, 2023.
- CMS finalized policy effective in 2019, to authorize patients who voluntarily align with an ACO professional, including an NP, to be assigned to the ACO without requiring one primary care service from a primary care physician.
- HHS released the *Reforming America's Healthcare System Through Choice and Competition* report urging FPA for NPs.
- President Trump signed Executive Order 13889 ordering HHS to conduct a review on regulations to reduce barriers and ensure appropriate reimbursement for NPs.
- MedPAC recommended ending incident-to billing.
- CMS updated guidance for Medicare Administrative Contractor advisory committees to authorize inclusion of NPs and other clinicians.
- SGR repealed and replaced with MACRA - using provider neutral language.
- Legislation passed to allow NPs to certify DME orders.
- A 5-year authorization for NPs to prescribe MATs signed into law.

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The AANP-PAC raised \$266,141 and contributed \$150,000 to Members of Congress in 2019.

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What Tools are Most Effective in Your Outreach to Legislators

- Grassroots
- Media
- Coalitions
- Data
- Lobbying



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Continuing Your Advocacy

- Interact with 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
- District work periods provide great opportunities to get to know your Members of Congress and their staff



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

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Save the Date

2021 Health Policy Conference
Washington, D.C. | Feb. 28 – March 2

Health Care and the Impact of the 2020 Election



Current Legislative Landscape and Key Policy Updates

Meet With Members of Congress on Capitol Hill Day

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THANK YOU

 statepolicy@aanp.org
 governmentaffairs@aanp.org

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I am

Dr. James LaVelle Dickens and I approved this message!!!!

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