

Trends In APRN Practice Authority



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Conference
Newport Beach, California**

Introduction



- **Co-Lead, Workgroup #1: Barriers to Nursing SOP**
 - California Action Coalition, Future of Nursing Campaign for Action
 - 2011 – Present
- **Legal Nurse Consultant**
 - 2009 – Present
- **Director, Health Policy & Practice, CANP**
 - 1999 - 2009
- **Member, California Board of Registered Nursing**
 - 2005 – 2009
 - President, 2009
 - Vice President, 2006 – 2008
 - Member, Education & Licensing Committee
 - Chair, Nursing Practice Committee

Objectives



- By the end of the presentation, the attendee will be able to:
 - Discuss national trends in APRN practice authority;
 - Differentiate practice authority trends among APRN roles;
 - Identify states with full practice authority, transition to full practice authority, and those with collaborative / supervisory / attestation / consultation requirements;
 - Describe APRN transition to full practice authority in nine states;
 - Discuss upcoming APRN legislation across the nation.

APRN Practice Authority



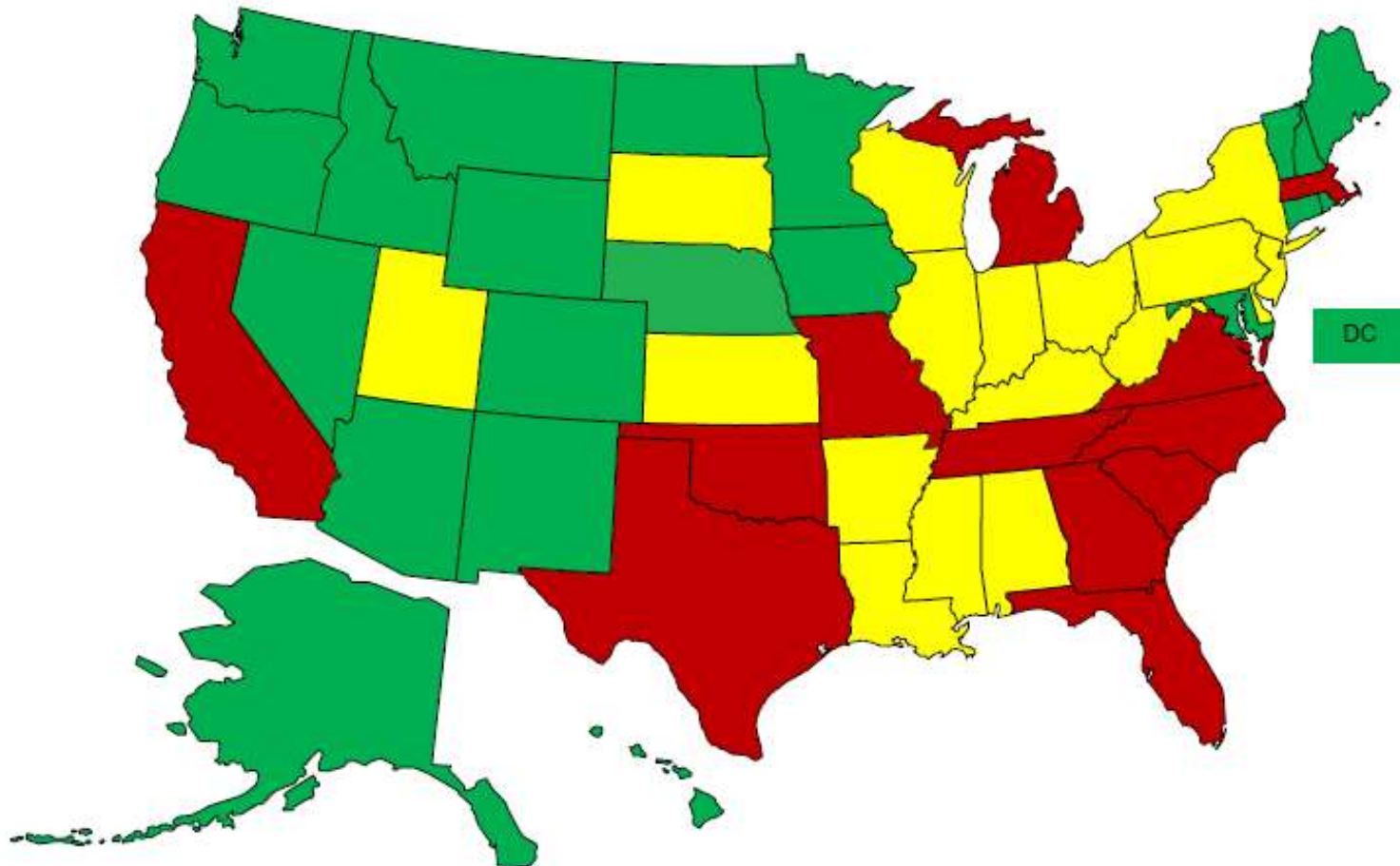
- *The Nurse Practitioner*, 28th Annual APRN Legislative Update
 - Legislative & Regulatory Updates
 - State-by-state review:
 - ✦ Legal authority
 - ✦ Reimbursement
 - ✦ Prescriptive Authority
 - Includes **all** APRN Roles
 - US Territories
 - ✦ Commonwealth of the Northern Mariana Islands



NP Practice Authority: AANP



2015 Nurse Practitioner State Practice Environment



APRN Practice Authority



- 2015 State Legislative Highlights
 - Practice Authority
 - ✦ **Delaware**
 - Independent practice for **all 4 APRN roles**
 - Transition: **2-year** *and* minimum of **4,000 full-time hour** collaborative agreement (Hospital or integrated clinical practice setting).
 - Practice and Prescriptive Authority

APRN Practice Authority



- 2015 State Legislative Highlights
 - Practice Authority
 - ✦ **Maryland**
 - Full practice authority for **CNPs, CNMs & CNSs**
 - **Removal** of CNP Attestation of Collaboration with MD
 - 2014 regulatory amendment removed collaboration requirement for CNMs and CNSs
 - Transition: **18-month collaboration period** (CNP or physician)
 - CRNAs – maintain Affirmation of Collaboration filed with the BON (anesthesiologist, physician, or dentist)

APRN Practice Authority



- 2015 State Legislative Highlights
 - Practice Authority
 - ✦ **Nebraska**
 - Full practice authority for **CNPs**
 - **Eliminates** NP Integrated Practice Agreement (IPA)
 - Transition: **2,000-hours** (Physician or CNP)

APRN Practice Authority



- 2015 State Legislative Highlights
 - Reimbursement Authority
 - ✦ **Connecticut**
 - Identifies **APRNs** as “**telehealth providers**” & provides for reimbursement of services
 - ✦ **Colorado**
 - Adds **APN** to Medicaid Provider Rate Review Committee
 - ✦ **Oregon**
 - Assurance of full reimbursement for NP services regardless of billing provider (clinic or NP)
 - **Eliminates loophole** in Payment Parity Law

APRN Practice Authority



- 2015 State Legislative Highlights
 - Prescriptive Authority
 - ✦ **Arkansas**
 - APRNs authorized to prescribe hydrocodone combination products reclassified to CS II
 - New Requirements
 - 2 hours CS CE for all prescribers authorized after 12/31/15
 - Physician evaluation if CS prescribed for chronic nonmalignant pain q 6 months
 - Review of pts Rx history on PDMP q 6 months & signed pain contract (some exceptions)

APRN Practice Authority



- 2015 State Legislative Highlights
 - Prescriptive Authority
 - ✦ **Colorado**
 - **Removed** 1,800-hour prescribing preceptorship & 1,800-hour prescribing mentorship with a physician or physician & APN
 - **Replaced** with **1,000-hour mentorship** with a physician **or** APN
 - Once completed, full practice & prescriptive authority is authorized
 - ✦ **Connecticut**
 - Requires all prescribers to **review PDMP** prior to prescribing > **72-hour supply of CS** & no less than 90-day review when prescribed on an ongoing basis

APRN Practice Authority



- 2015 State Legislative Highlights
 - Prescriptive Authority
 - ✦ **Illinois**
 - Eliminated monthly physician consultation in APN collaborative agreement
 - **Exception: renewal of CS II prescriptions**
 - ✦ **Indiana**
 - Authorizes APNs to prescribe **CS III-V** for **weight loss** or **obesity** (when certain conditions are met)
 - ✦ **Missouri**
 - Enacted “**Restricted CSII Authority**”; Hydrocodone-containing products
 - Limited to 120-day supply

APRN Practice Authority



- 2015 State Legislative Highlights
 - Prescriptive Authority
 - ✦ **New Jersey**
 - Requires all prescribers to access PDMP when CS is prescribed for the first time and at least quarterly thereafter for long-term treatment (several exceptions)
 - ✦ **Ohio**
 - Requires all prescribers to register with the Ohio Automated Rx Reporting System (OARRS)
 - Requires review of patient information prior to initial prescription of opioid or benzodiazepine (some exceptions)

APRN Practice Authority

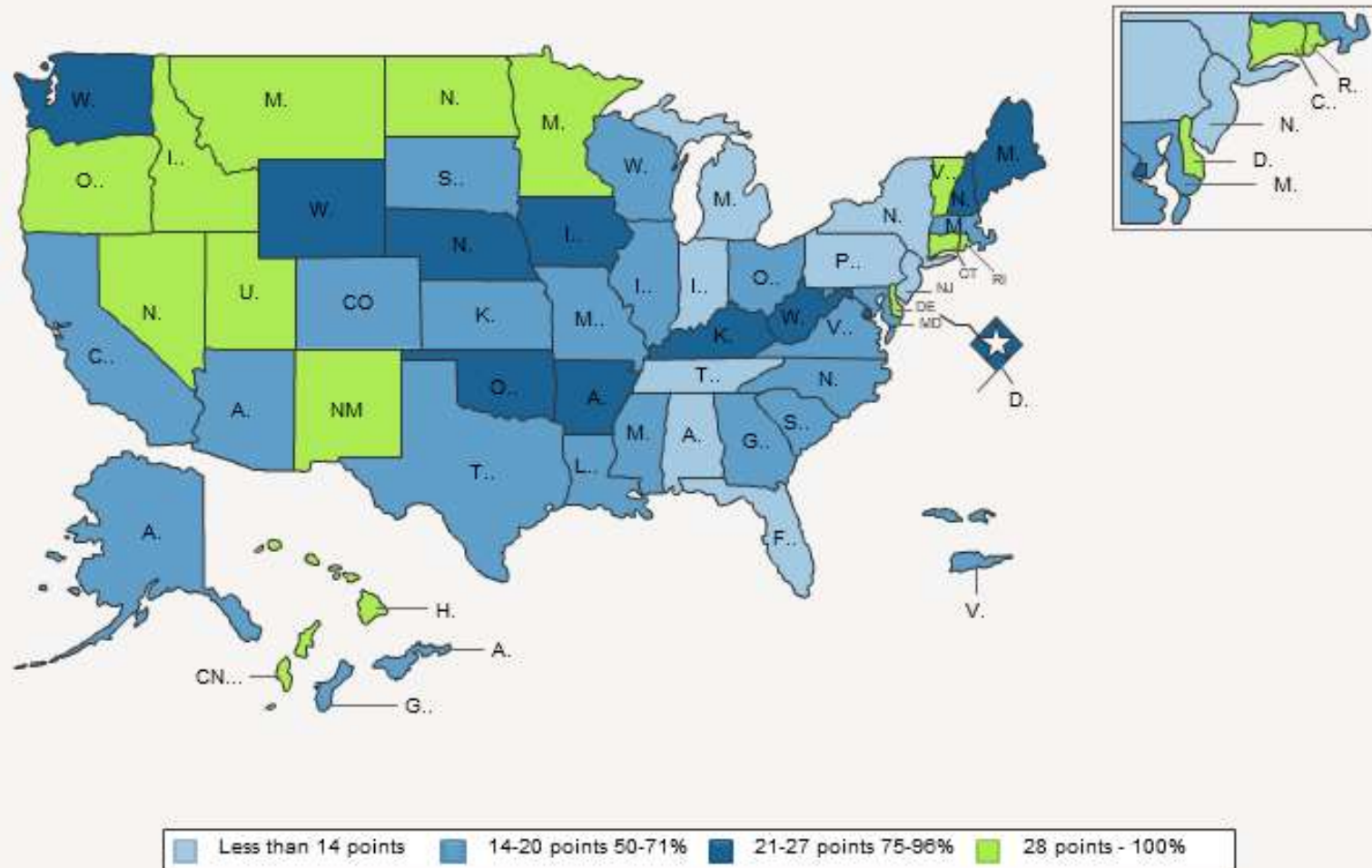


- National Council of State Boards of Nursing
- Campaign for APRN Consensus
 - **Consensus Model for APRN Authority**
 - ✦ 2008 Publication
 - ✦ Purpose: “Consensus”
 - ✦ Categories:
 - Licensure
 - Accreditation
 - Certification
 - Education

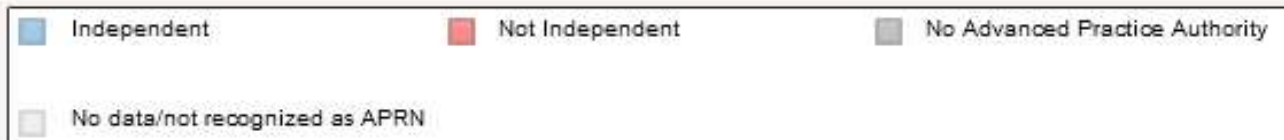
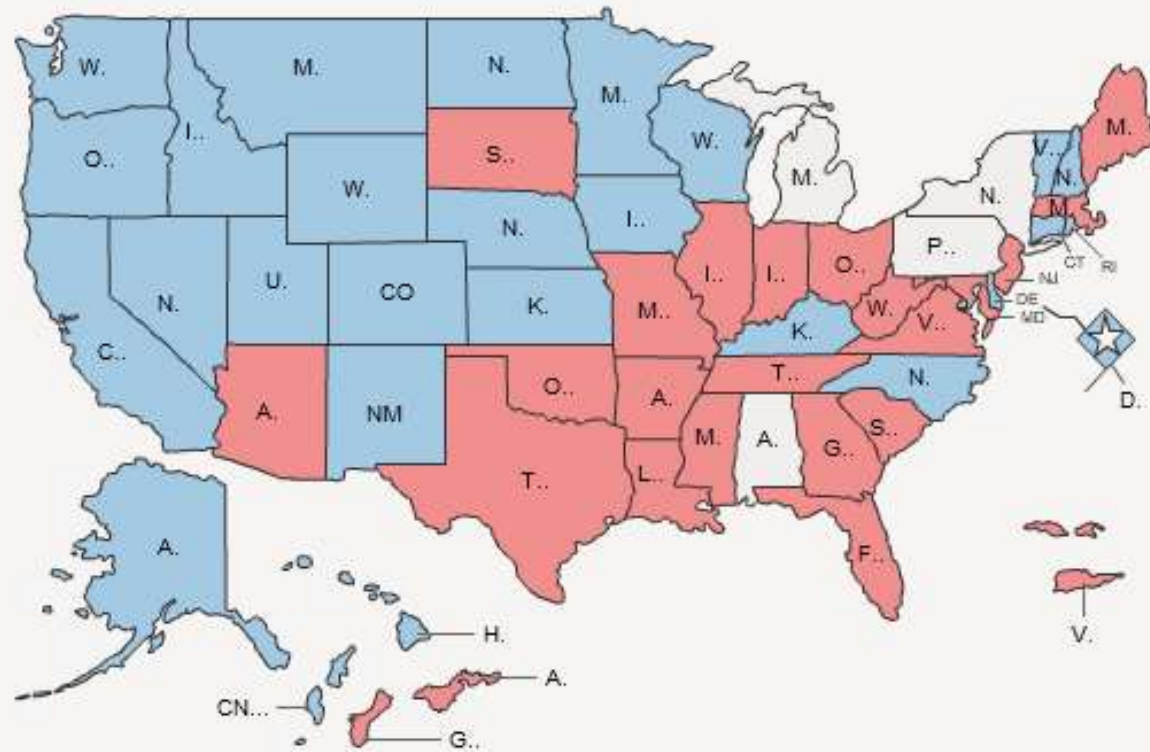


Consensus Model Implementation Status

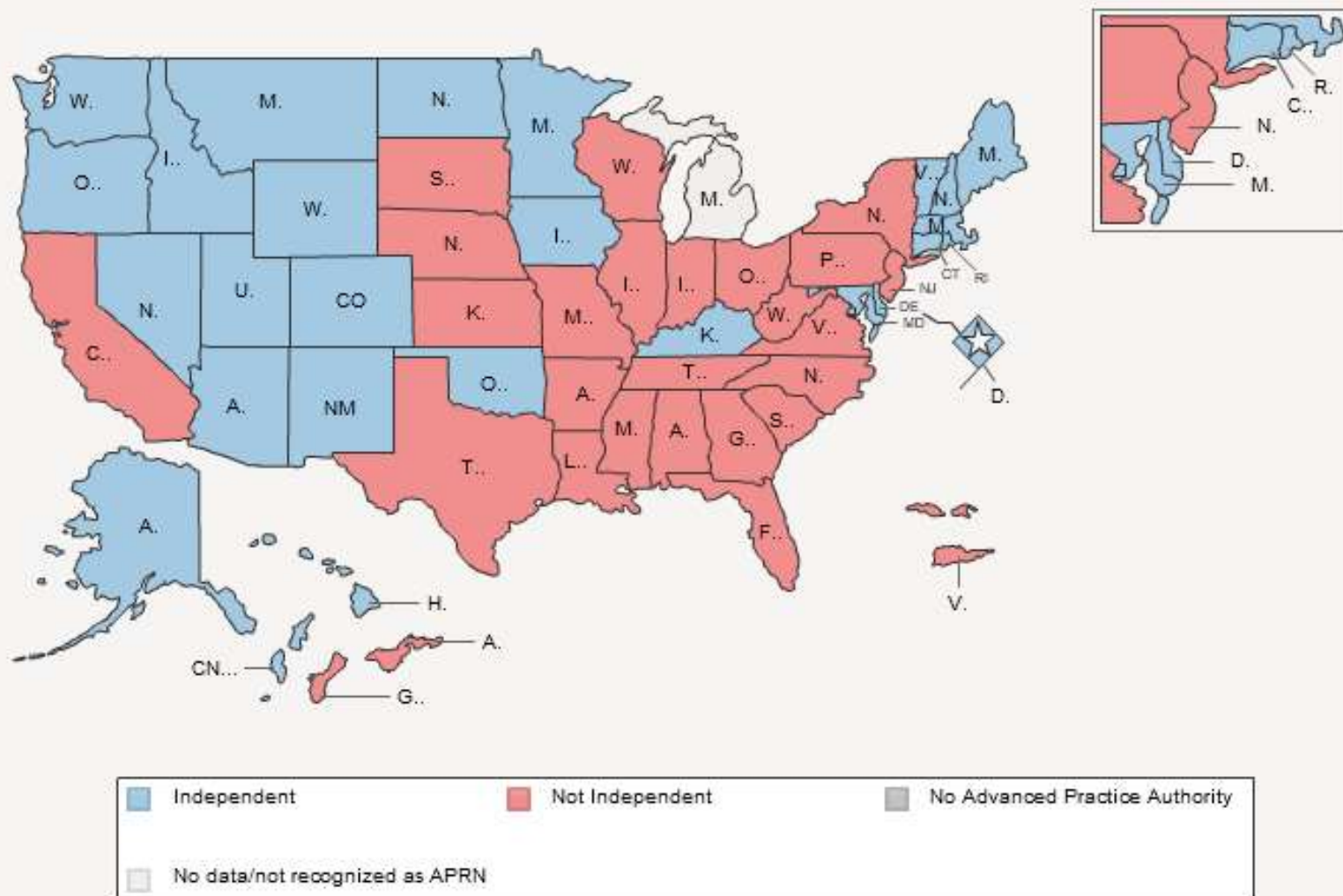
This map is an overview of each state's consensus model implementation status.



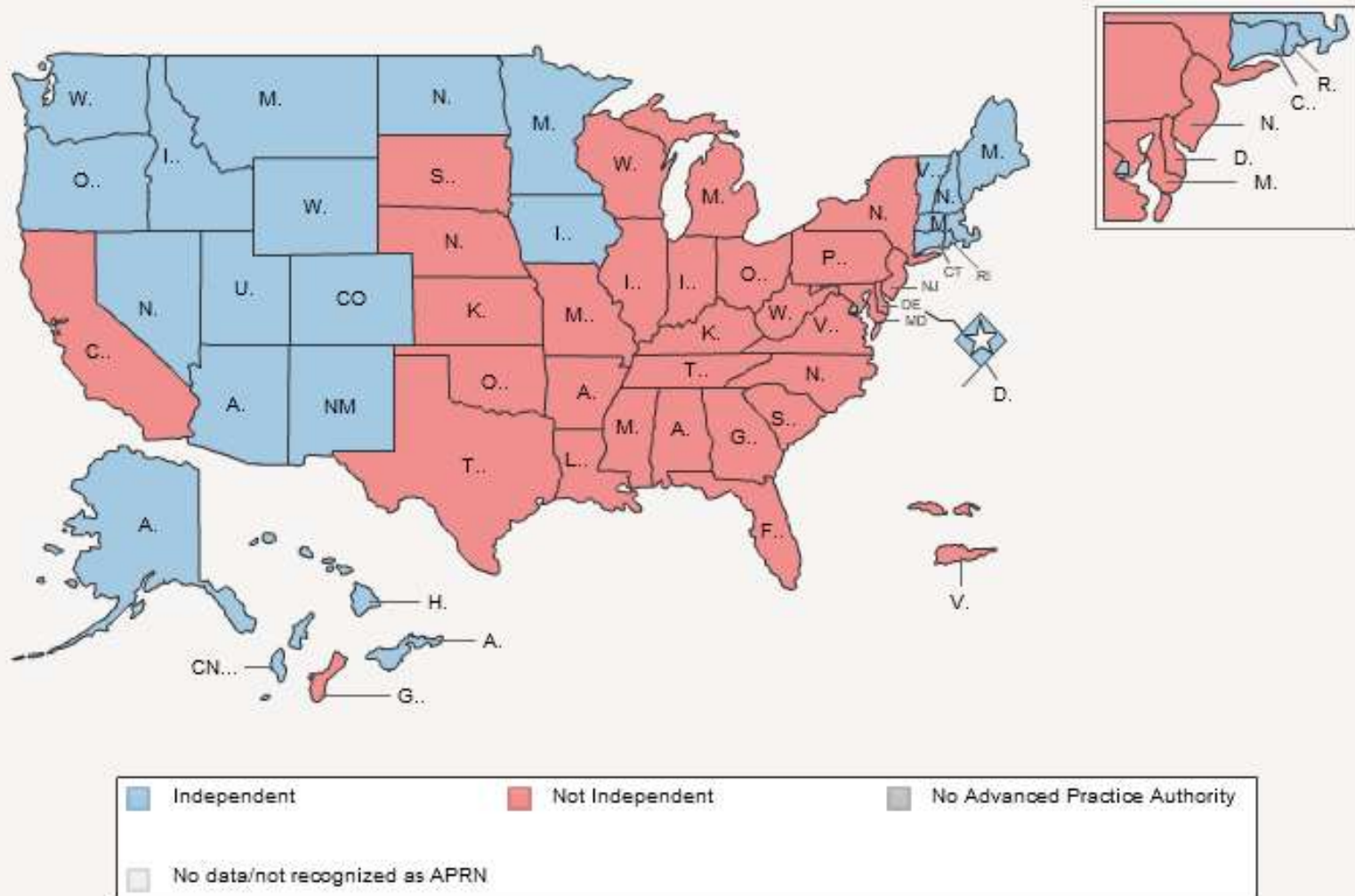
APRN Practice Authority: CRNA



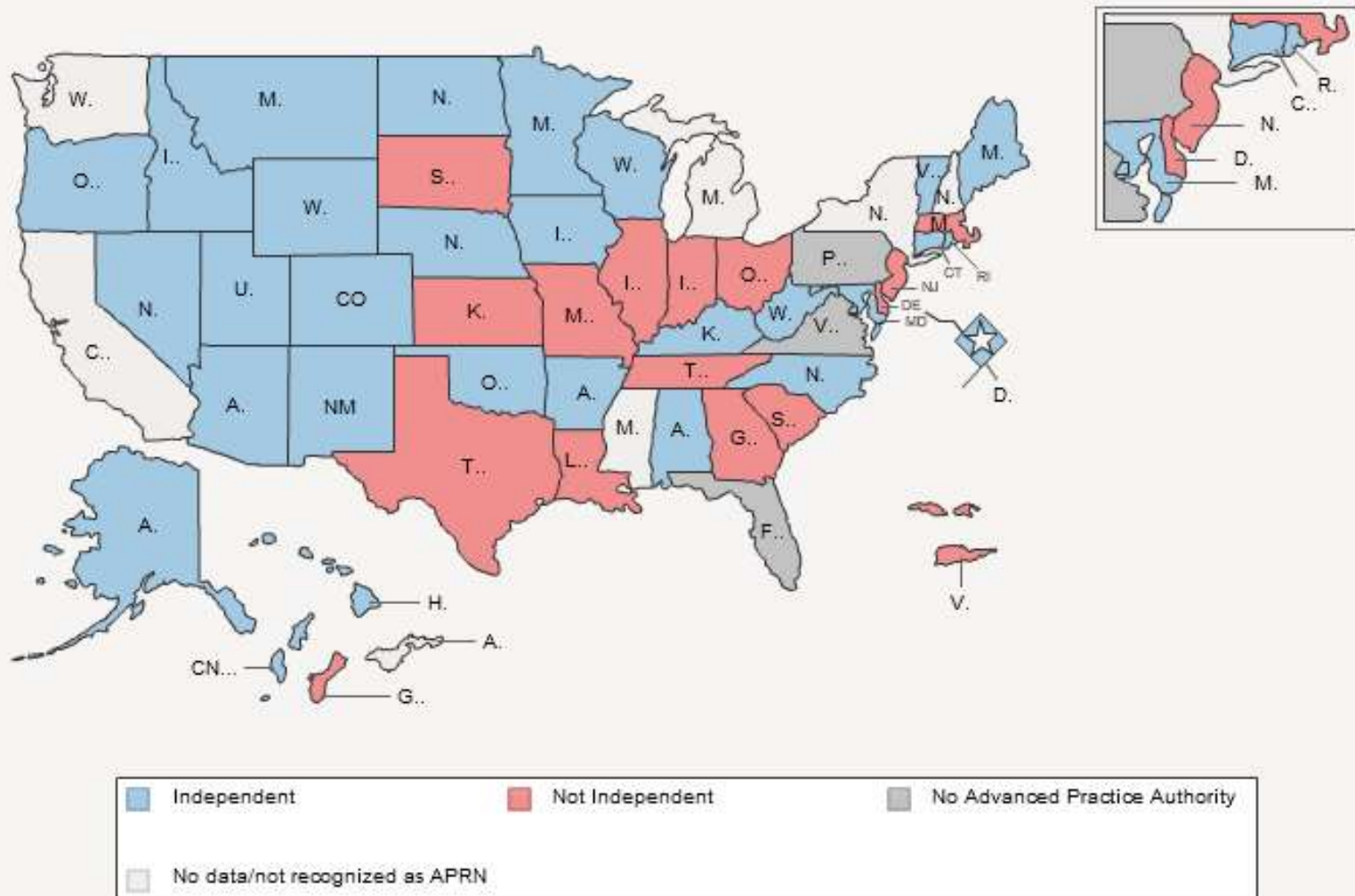
APRN Practice Authority: CNM



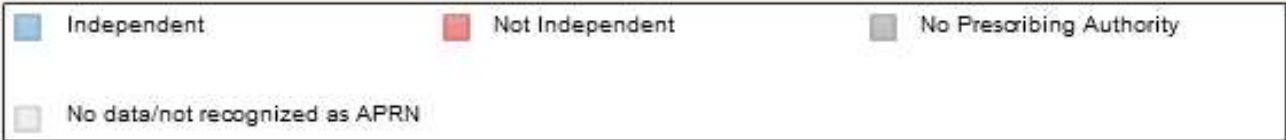
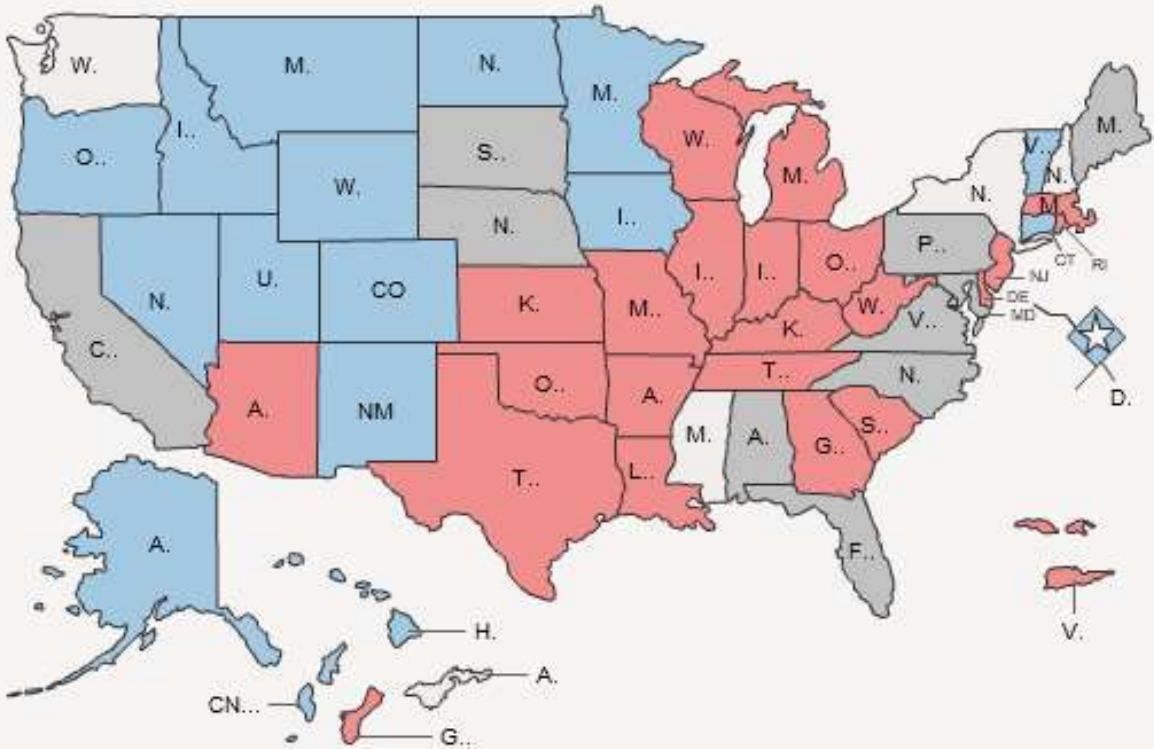
CNM Independent Prescriptive Authority



APRN Practice Authority: CNS



CNS Independent Prescriptive Authority



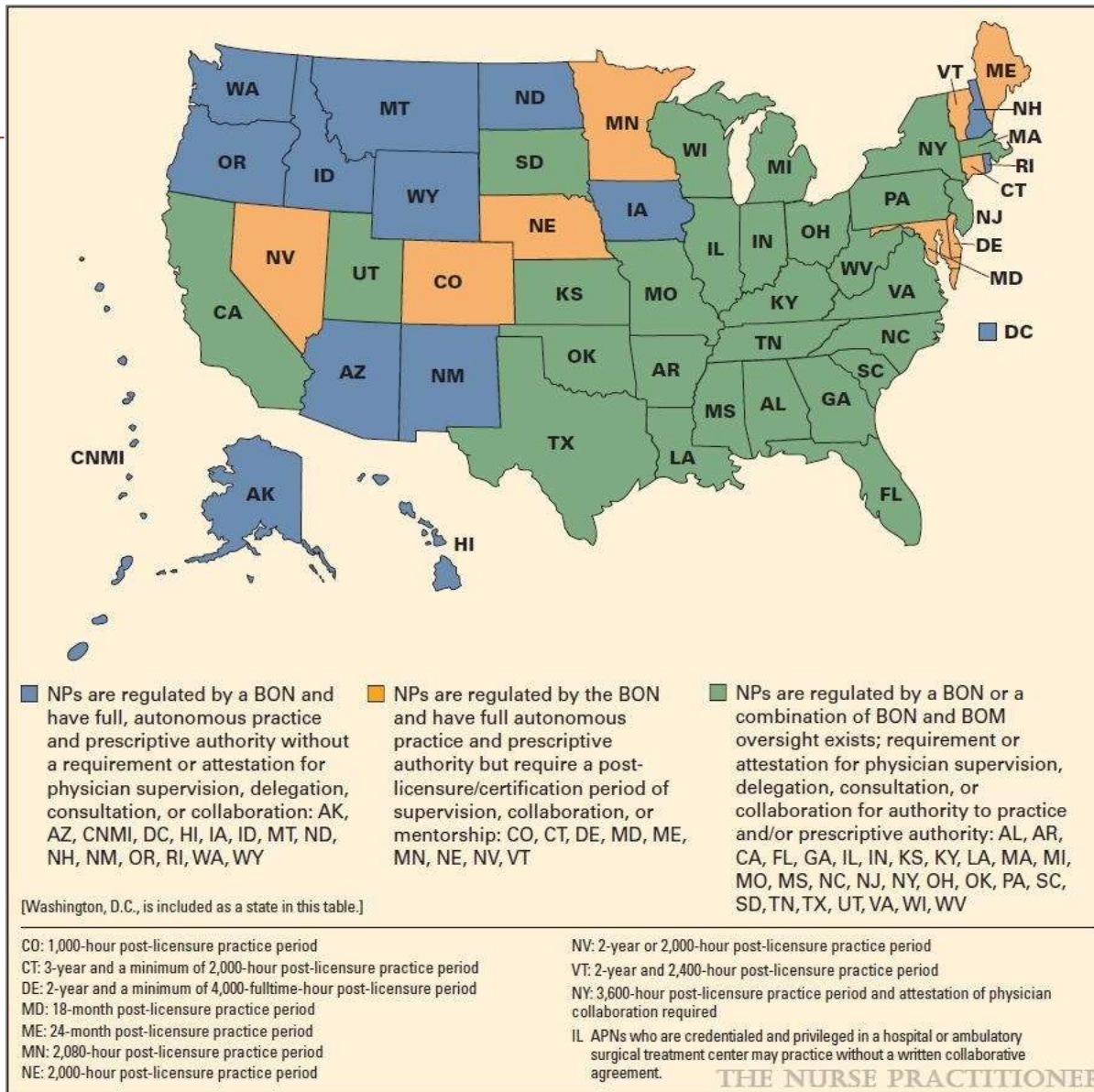
Full Practice Authority



- Defined
 - “...implies **autonomous authority** to provide healthcare within a **legally-defined scope of practice**, granted to a healthcare provider by a regulatory board upon successful completion of a formal academic program and demonstration of competency in that profession.”

Phillips, 2015

Figure. Summary of Practice Authority for NPs



28th Annual APRN Legislative Update: Advancements continue for APRN practice

Phillips, Susanne J.
 The Nurse Practitioner. 41(1):21-48,
 January 16, 2016.
 doi:
 10.1097/01.NPR.0000475369.78429.54

Figure. Summary of Practice Authority for NPs*

Practice Authority: Transition to Practice



- Period of practice **prior** to full practice authority with **varying degrees** of oversight .
- Completion following education, demonstration of competence and licensure.
 - Full practice authority granted following this period
- Mandatory legal requirement
- State variability
- **Lacks evidence of necessity**

Practice Authority: Growing Variability?



- **Full practice authority**
 - Upon licensure & certification
 - Following completion of a transition to practice period
- **Attestation of Collaboration with a physician**
 - Filed with the BON/BRN
- **Collaboration**
 - Defined mechanism
- **Delegation of practice**
- **Team-based practice**
- **Supervision**
 - Direct
 - Indirect

National Trends



States Authorizing Full Practice Authority Upon Licensure

AK, DC, HI*, ID, IA, MT, NM, ND*, OR, WY

4 Roles

NH, RI*, WA

3 Roles

AZ

2 Roles

CT, MA*, MD*, MN*, NE, UT

1 Role

* Enactment of full practice authority since 2010; Implementing ACA Medicaid Expansion

“Transition” Legislation Across the Nation



States Authorizing Full Practice Authority Following a Mandated Post-Licensure Practice Period

State	Year Passed	Requirement	Oversight Requirement
Maine	1995/2007	24 Months CNP	Physician or CNP – supervised practice
Colorado	2010 2015	1,000 hours 4 Roles	Prescribing Mentorship with a physician or APN
Vermont	2011	24 months & 2,400 hours 4 Roles	Collaborative Agreement with an APRN or physician
Nevada	2013	2 Years or 2,000 hours CNP, CNS, CNM	Collaborating physician-approved protocols for CS II prescribing

“Transition” Legislation Across the Nation



States Authorizing Full Practice Authority Following a Mandated Post-Licensure Practice Period

State	Year Passed	Requirement	Oversight Requirement
Minnesota	2014	2,080 hours CNP, CNS	Collaborative Agreement with an APRN or physician
Connecticut	2014	3 Years & 2,000 hour minimum CNP, CNS	Collaborative Agreement with a physician
Nebraska	2015	2,000 hours CNP	Transition-to-practice Agreement with a supervising provider (NP, MD or DO in the same specialty)

“Transition” Legislation Across the Nation



States Authorizing Full Practice Authority Following a Mandated Post-Licensure Practice Period

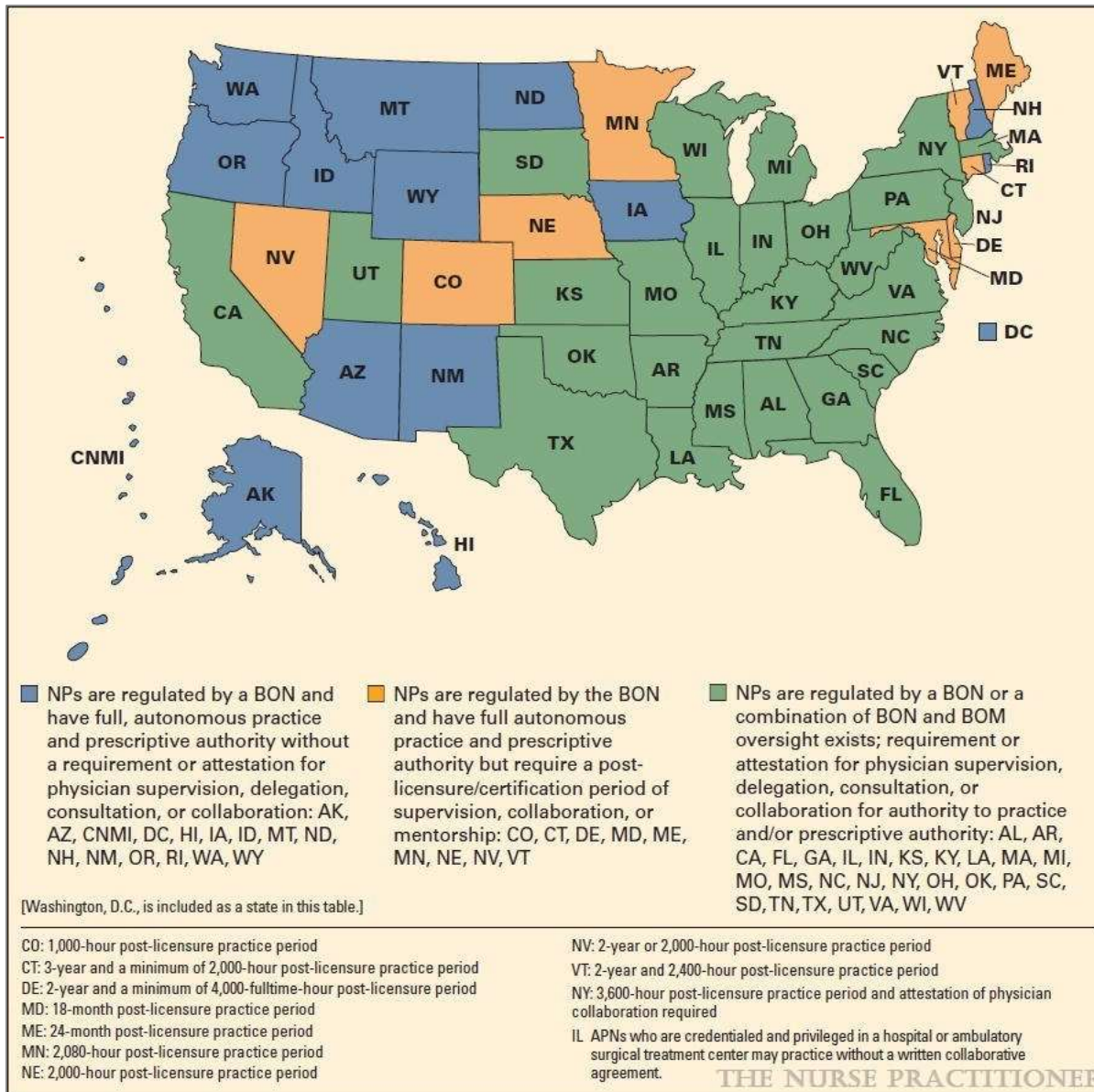
State	Year Passed	Requirement	Oversight Requirement
Delaware	2015	2-year & 4,000 FT-hour minimum 4 Roles	Collaborative Agreement with a hospital or integrated clinical setting *Independent Practice defined separately from FPA
Maryland	2015	18 months CNP	Collaboration period with a CNP or physician mentor *Attestation of Collaboration removed

Ongoing POLITICAL Debate (Not Policy)



- **“Political Compromise”** to mitigate turf-battles by well-funded opponents
- 9 states pass “transition-to-practice” legislation since ACA roll-out
- Several states plan to use this strategy in the 2016 legislative session

Figure. Summary of Practice Authority for NPs



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Thank You!



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