

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: SB-1070

AN ACT ALLOWING ADVANCED PRACTICE REGISTERED NURSES AND

Title: PHYSICIAN ASSISTANTS TO ISSUE HOME HEALTH ORDERS.

Vote Date: 3/31/2021

Vote Action: Joint Favorable

PH Date: 3/29/2021

File No.: 536

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SPONSORS OF BILL:

The Public Health Committee

REASONS FOR BILL:

This bill allows physician assistants (PAs) and advanced practice registered nurses (APRNs) licensed in Connecticut or a bordering state the ability to issue orders for home health care, hospice care, and home health aide services. Current state law only allows a physician to issue these orders.

RESPONSE FROM ADMINISTRATION/AGENCY:

Deidre S. Gifford, MD, MPH, Acting Commissioner, Department of Public Health (DPH):

Ms. Gifford and the DPH supports allowing physician assistants (PAs) and advanced practice registered nurses (APRNs) the ability to issue home health care, hospice care, and home health aide service orders. DPH anticipated this change, and in 2019 when they began the home health regulation revision process, one of their first revisions was to allow PAs and APRNs the ability to issue these orders. Initially the COVID-19 pandemic led the federal government to issue guidance allowing PAs and APRNs the ability to issue these orders. They later made that change permanent and amended their regulations. Additionally, this language change is also part of Section 49 of HB 6666.

NATURE AND SOURCES OF SUPPORT:

Cale Bradford, Chief Governmental Relations Officer, Elara Caring:

Mr. Bradford and Elara Caring support HB 1070. Passage of the federal CARES Act in March 2020 allowed physician assistants (PAs) and advanced practice registered nurses (APRNs) to sign home health care orders on a permanent basis. This was a historical change that

acknowledged the value and prominence of PAs and APRN's in patient treatment and care coordination in a modern healthcare model. This change is necessary at the state level to ensure continued and timely access and services to ensure quality care for patients across the state.

Laurel Reagan, APRN, Director of Behavioral Health and Social Services, Hartford HealthCare at Home:

Ms. Reagan and Hartford HealthCare at Home support this bill because allowing physician assistants (PAs) and advanced practice nurse practitioners (APRNs) to issue home health care orders creates a more efficient process, removes administrative roadblocks, and increases timely care for patients that have most likely already been under their care and supervision for some time. Waiting for a physician to order home health care admission orders only creates unnecessary and timely delays resulting in increased health care costs and negatively impacting health outcomes.

PAs and APRNs have been successfully writing home health care orders since the beginning of the pandemic and need to continue this practice with permanent statutory change.

Veronica Mansfield, DNP, APRN, Middlesex Health:

Ms. Mansfield is an advanced practice registered nurse (APRNs) at Middlesex Health and she supports this bill. After 25 years as an APRN in many different clinical settings she has seen tremendous expansion in APRNs scope of practice. Unfortunately, this expansion did not include being able to issue an order for her patients to receive home health care. This required the order from a physician that may not have ever been under the care of said physician. This extra step created unnecessary delays and sometimes increased need for emergency care. This change will decrease delays in care and possibly lead to better outcomes for patients.

Tracy Wodatch, President and CEO, Connecticut Association for Healthcare at Home:

Ms. Wodatch and the Association support HB 1070 to allow physician assistants (PAs) and advanced practice nurse practitioners (APRNs) to issue home health care orders. Until the COVID-19 emergency, PAs and APRNs were not able to issue home health care orders and this was a serious constraint on patient care. Fortunately, the Federal CARES Act made it allowable in every state, if the state allowed for PAs and APRNs to issue these orders. Connecticut authorities soon issued an emergency order allowing PAs and APRNs to follow federal law. The Association would like to see this change be made permanent with this bill.

NATURE AND SOURCES OF OPPOSITION:

Michael Aronow, MD, President, Connecticut Orthopaedic Society (COS):

Mr. Aronow and the COS do not support this bill because it is not required or necessary to include physician assistants (PAs) in the language of the bill. Under current statute PAs work under the supervision of a physician and if the supervising physician directs the PA to write an order for home healthcare, hospice, or home health aide services, the order is valid. COS is also concerned that the language in this bill will expand the scope of service definition in state statute and allow for an "independent practice" interpretation of the law.

COS has similar concerns about advance practice registered nurses (APRNs) being permitted to meet the requirements for independent practice before they have met all the

requirements in Connecticut. These concerns extend to PAs and APRNs from bordering states and the possibility of them operating beyond their scope of practice if licensed in Connecticut. COS wants the DPH Scope of Practice Review process to evaluate this language before moving the bill through the legislative process.

Reported by: Kate Hamilton

Date: May 3, 2021