

THE REPORT OF THE DIRECTOR OF THE DIVISION OF PUBLIC HEALTH ON THE PROPOSAL TO MAKE CHANGES IN THE SCOPE OF PRACTICE OF APRNs

Date: May 24, 2021

To: The Speaker of the Nebraska Legislature
The Chairperson of the Executive Board of the Legislature
The Chairperson and Members of the Legislative Health and Human Services
Committee

From: Gary J. Anthone, MD
Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services



Introduction

The Regulation of Health Professions Act (as defined in Neb. Rev. Stat., Section 71 -6201, et. seq.) is commonly referred to as the Credentialing Review Program. The Department of Health and Human Services Division of Public Health administers this Act. As Chief Medical Officer I am presenting this report under the authority of this Act.

Brief Summary of the APRN Proposal

Modernize licensure and regulation of APRNs in Nebraska

- (1) Create a single APRN Practice Act
- (2) Align scope of practice for all APRNs with the national Consensus Model for APRN Regulation
- (3) Position Nebraska to enter the APRN licensure compact

The full text of the applicants' proposal can be found under the APRN subject area on the credentialing review program link at

<https://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>

Summary of Technical Committee and Board of Health Recommendations

The technical review committee members recommended in favor of the proposal. The Board of Health recommended against approval the proposal. I recommend against approval of this proposal for reasons discussed below.

The Director's Recommendations on the APRN Proposal

Discussion on the six statutory criteria of the Credentialing Review Program as they relate to the APRN proposal:

Criterion one: The health, safety, and welfare of the public are inadequately addressed by the present scope of practice or limitations on the scope of practice.

The proposal does not satisfy this criterion. Sufficient evidence has not been submitted to demonstrate that the current practice situation is limiting access to the services of the professionals under review.

Criterion two: Enactment of the proposed change in scope of practice would benefit the health, safety, or welfare of the public.

Passing this proposal would provide no clear benefit to the public health or welfare.

Criterion three: The proposed change in scope of practice does not create a significant new danger to the health, safety, or welfare of the public.

I am concerned that the CNM component of the proposal does not satisfy this criterion.

Criterion four: The current education and training for the health profession adequately prepares practitioners to perform the new skill or service.

I am not convinced that all members of the four respective professional groups under review have sufficient education and training to safely and effectively perform the new skills and services that the proposal would allow them to provide.

Criterion five: There are appropriate post-professional programs and competence assessment measures available to assure that the practitioner is competent to perform the new skill of service in a safe manner.

I am not convinced that there is sufficient uniformity in education and training among the four respective professional groups under review to be confident that all of these respective professionals can provide the proposed new skills and services safely and effectively.

Criterion six: There are adequate measures to assess whether practitioners are competently performing the new skill or service and to take appropriate action if they are not performing competently.

I am not convinced that there is sufficient uniformity among the four respective professional groups under review that the expectations defined in this criterion can be satisfied.

