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HOME HEALTH CARE PLANNING IMPROVEMENT ACT

BACKGROUND

Nurse Practitioners (NPs), clinical nurse specialists (CNSs), certified nurse midwives (CNMs), and physicians' assistants (PAs) are playing an increasing role in the delivery of our nation's health care. Moreover, many state laws and regulations authorize NPs, CNSs, CNMs, and PAs to complete and sign physical exam forms and other types of medical certification documents.

The federal government has also recognized the growing role of these vital health professionals. The Balanced Budget Act of 1997 (BBA), P.L. 105-35, allows Medicare to reimburse NPs, CNSs, and PAs for providing physician services to Medicare patients. These physician services include surgery, consultation, and home and institutional visits. NPs and PAs can certify Medicare eligibility for skilled nursing facility services. The Centers for Medicare & Medicaid Services (CMS) now allows NPs, CNSs, and PAs to sign Certificates of Medical Necessity (CMNs) required to file a claim for home medical equipment under Medicare. Since 1988, CNMs have been authorized to provide maternity-related services to the relatively small population of disabled women of childbearing age who are Medicare-eligible.

Despite the expanded role of NPs, CNSs, CNMs, and PAs, CMS continues to prohibit them from certifying home health services to Medicare beneficiaries. According to CMS, the Medicare statute requires "physician" certification on home health plans of care.

The Institute of Medicine released a study about the future of nursing in October of 2010 which recommends that NPs and CNSs be allowed to certify eligibility for Medicare home health services.

NEED FOR LEGISLATION

- NPs, CNSs, CNMs and PAs are increasingly providing necessary medical services to Medicare beneficiaries, especially in rural and underserved areas.
- NPs, CNSs, CNMs and PAs in rural or underserved areas are sometimes more familiar with particular cases than the attending physician, so allowing them to sign orders may be most appropriate.
- NPs, CNSs, CNMs, and PAs are sometimes more readily available than physicians to expedite the processing of paperwork, ensuring that home health agencies will be reimbursed in a timely manner and that care to the beneficiary will not be interrupted.

- The Institute of Medicine released a study about the future of nursing in October of 2010 recommending that NPs and CNSs be allowed to certify eligibility for Medicare home health services.

LEGISLATION

The Home Health Care Planning Improvement Act (S. 227, H.R. 2267) would instruct CMS to allow NPs, CNSs, CNMs, and PAs to certify Medicare home health plans of care.

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