December 20, 2021

Dear Speaker Pelosi, Leader Schumer, Leader McConnell, and Leader McCarthy,

On behalf of the 44 undersigned organizations representing the Nursing Community Coalition (NCC), we write to express our support for the impactful actions to provide relief for healthcare providers during the current public health emergency through various waivers and regulatory efforts. As a cross section of education, practice, research, and regulation within the nursing profession, the Nursing Community Coalition recognizes the critical contributions made by nurses, including Advanced Practice Registered Nurses (APRNs),¹ to deliver high-quality, lifesaving, preventive, and palliative health care across all care settings, geographic areas, and social determinants of health. Collectively, we have advocated for the removal of barriers to practice and encouraged innovation, especially as our nation’s frontline providers respond to COVID-19. Ensuring that our patients have access to the highest quality nursing care, we urge Congress to take legislative action to make the following waivers permanent, beyond this Public Health Emergency (PHE):

- **Physician Services. 42 CFR §482.12(c)(1)–(2) and §482.12(c)(4):** Waiving requirements that Medicare patients admitted to a hospital be under the care of a physician, allowing other practitioners to practice to the top of their licensure, while authorizing hospitals to optimize their workforce strategies. For example, a recent report outlined that Certified Registered Nurse Anesthetists (CRNA’s) in states that experienced a major impact due to executive orders (including the removal of both state and federal requirements), were significantly more likely to experience expanded clinical practice.²

- **Physician Visits. 42 CFR 483.30(c)(3):** Allowing nurse practitioners (NPs) and clinical nurse specialists (CNS) to perform all mandatory visits in a skilled nursing facility (SNF) has enabled practices and SNFs to maximize their workforce. This waiver improves

¹ APRNs include certified nurse-midwives (CNMs), certified registered nurse anesthetists (CRNAs), clinical nurse specialists (CNSs) and nurse practitioners (NPs).

continuity of care and infection control by reducing unnecessary contacts between patients and multiple providers.

- **Physician Delegation of Tasks in SNFs. 42 CFR 483.30(e)(4):** Allowing APRNs to practice to the top of their licensure ensures, especially during this PHE, that patients continue to receive immediate access to high quality healthcare.

- **Responsibilities of Physicians in Critical Access Hospitals (CAHs). 42 CFR § 485.631(b)(2):** Making the physician physical presence waiver permanent allows certain APRNs in CAHs to practice to the full extent of their education and clinical training and enables the entire health care team to practice to its fullest capacity in provider shortage areas.

- **Rural Health Clinics (RHCs) and Federally Qualified Health Centers (FQHCs): Physician Supervision of NPs in RHCs and FQHCs. 42 CFR 491.8(b)(1):** Waiving the physician supervision of NPs in RHCs and FQHCs requirement has provided much needed workforce flexibility in rural and underserved communities where provider shortages are being exacerbated by COVID-19.

- **Anesthesia Services. 42 CFR §482.52(a)(5), §485.639(c) (2), and §416.42 (b)(2):** Allowing certified registered nurse anesthetists (CRNA), in accordance with a state emergency preparedness or pandemic plan, to practice to the full extent of their license by permanently extending the CMS waiver removing physician supervision as a Condition of Participation.

- **Flexibility for Telehealth:** Increased flexibility to provide telehealth to patients has been an essential component of providing care during COVID-19 and will continue to be integral to clinicians after the PHE. Specific telehealth provisions that we support making permanent include, removing the geographic limitations, removing originating site restrictions so that patients can receive telehealth in their homes, removing the limitation on the number of telehealth services by Medicare providers, and increased coverage and reimbursement for audio-only telehealth services. We also support the expansion of telehealth to previously uncovered services and visits when the clinician determines that it is clinically appropriate.

With over four million licensed Registered Nurses (RNs), APRNs, and nursing students, the profession embodies the drive and passion to ensure the health of patients, families, and our country continues to improve. The models of care implemented during these unprecedented times helps inform and improve healthcare throughout the nation. Therefore, we urge Congress to take legislative action to make permanent the above waivers so nurses and APRNs can continue to provide high quality health care to patients in all communities, including in rural and underserved areas, now and into the future. As these conversations continue, and if our organizations can be of any assistance or if you have any questions, please do not hesitate to contact the coalition’s Executive Director, Rachel Stevenson, at rstevenson@thenursingcommunity.org or at 202-463-6930, ext. 271.

Sincerely,

Academy of Medical-Surgical Nurses
Academy of Neonatal Nursing
American Academy of Ambulatory Care Nursing
American Association of Colleges of Nursing
American Association of Critical-Care Nurses

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American Association of Nurse Anesthesiology
American Association of Nurse Practitioners
American Nephrology Nurses Association
American Nurses Association
American Nursing Informatics Association
American Organization for Nursing Leadership
American Pediatric Surgical Nurses Association, Inc.
American Public Health Association, Public Health Nursing Section
American Psychiatric Nurses Association
American Society of PeriAnesthesia Nurses
Association for Radiologic and Imaging Nursing
Association of Community Health Nursing Educators
Association of periOperative Registered Nurses
Association of Public Health Nurses
Association of Rehabilitation Nurses
Association of Veterans Affairs Nurse Anesthetists
Commissioned Officers Association of the U.S. Public Health Service
Dermatology Nurses’ Association
Friends of the National Institute of Nursing Research
Gerontological Advanced Practice Nurses Association
Hospice and Palliative Nurses Association
Infusion Nurses Society
International Association of Forensic Nurses
National Association of Clinical Nurse Specialists
National Association of Hispanic Nurses
National Association of Neonatal Nurse Practitioners
National Association of Neonatal Nurses
National Association of Nurse Practitioners in Women's Health
National Association of Pediatric Nurse Practitioners
National Association of School Nurses
National Hartford Center of Gerontological Nursing Excellence
National League for Nursing
National Nurse-Led Care Consortium
National Organization of Nurse Practitioner Faculties
Oncology Nursing Society
Organization for Associate Degree Nursing
Society of Pediatric Nurses
Society of Urologic Nurses and Associates
Wound, Ostomy, and Continence Nurses Society

CC:
House Majority Leader Steny Hoyer
House Majority Whip Jim Clyburn
House Minority Whip Steve Scalise
Senate Majority Whip Richard Durbin
Senate Minority Whip John Thune
Chairman Ron Wyden, Senate Finance Committee
Ranking Member Mike Crapo, Senate Finance Committee
Chair Patty Murray, Senate HELP Committee
Ranking Member Richard Burr, Senate HELP Committee
Chairman Frank Pallone, House Energy & Commerce Committee
Ranking Member Cathy McMorris Rodgers, House Energy & Commerce Committee
Chairman Richard Neal, House Ways & Means Committee
Ranking Member Kevin Brady, House Ways & Means Committee