



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 90-30 – Regulations Governing the Licensure of Nurse Practitioners Department of Health Professions December 3, 2004

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

Pursuant to Chapter 855 of the 2004 Acts of the Assembly, the Board of Nursing (board) proposes to amend these regulations so as to indicate that the written protocol between the supervising physician and the nurse practitioner include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements. The board also proposes to clarify that this authority must be in accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician.

Estimated Economic Impact

Chapter 855 of the 2004 Acts of the Assembly introduced section § 54.1-2957.02 to the Code of Virginia. Section § 54.1-2957.02 in its entirety is as follows: "Whenever any law or regulation requires a signature, certification, stamp, verification, affidavit or endorsement by a physician, it shall be deemed to include a signature, certification, stamp, verification, affidavit or endorsement by a nurse practitioner." Prior to this legislative act, nurse practitioners were not

permitted to sign various forms and certificates and provide medical information or treatment in certain situations, including situations involving the immunization of children, examination of persons suspected of having tuberculosis, prenatal tests, nursing homes, release of certain privileged medical information, competency for driver licenses, release of certain veterinary records, and assisted living facilities. The patient was required to wait for the nurse practitioner's supervising physician to be available to sign, etc. In many circumstances, it is the nurse practitioner who has performed the evaluation or examination upon which an attestation is made or a form signed.

By permitting nurse practitioners to provide the signature, certification, stamp, verification, affidavit or endorsement, patients will have shorter waits before the procedures, actions, etc. that necessitated the approval can be performed. This can potentially result in real health benefits. For example, patients who need authorization to receive the flu shot or flu mist may be able to avoid contracting the disease because they are able to get authorization sooner.

Chapter 855 also indicates that the board shall amend these regulations to “require inclusion of the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements in the written protocol between the supervising physician and the nurse practitioner.” Pursuant to Chapter 855, the board proposes to require that the written protocol between the supervising physician and the nurse practitioner include the nurse practitioner's authority for signatures, certifications, stamps, verifications, affidavits and endorsements, provided it is “In accordance with the specialty license of the nurse practitioner and with the scope of practice of the supervising physician.” The board's proposal to add the language specifying that the authority for signatures, etc., be in accordance with the nurse practitioner's specialty license and with the supervising physician's scope of practice is for clarification and does not provide any additional restriction. Thus, the board's proposed language has no effect, beyond clarification.

Businesses and Entities Affected

The proposed amendments concern the 4,925 licensed nurse practitioners in the Commonwealth,¹ as well as their patients and supervising physicians.

¹ Source: Department of Health Professions

Localities Particularly Affected

The proposed amendments affect all Virginia localities.

Projected Impact on Employment

The proposed amendments to the regulations will not affect employment.

Effects on the Use and Value of Private Property

The proposed amendments will not affect the use and value of private property.