August 22, 2013

Dear Representative,

On behalf of the more than 94,000 clinically practicing physician assistants (PAs) represented by the American Academy of Physician Assistants (AAPA), we are writing with an urgent request for assistance in contacting the Centers for Medicare and Medicaid Services (CMS) regarding a new hospital admissions rule, which threatens to disrupt team-based medical care in the hospital admissions process, creating access to care problems for patients across the country.

A recently published CMS rule creates new requirements in the hospital admissions process that make it virtually impossible for physician assistants (PAs) and other qualified healthcare practitioners to continue to admit patients to hospitals. This rule will create monumental problems for physician assistants and other qualified healthcare professionals who currently admit patients to hospitals, physicians who delegate roles in the admissions process, hospitals – and most importantly, patients. If implemented, the rule will create unnecessary delays in hospital admissions across the country, and create acute access problems for patients residing in rural and other medically underserved communities.

We respectfully ask you to contact CMS Administrator Marilyn Tavenner to request:

- CMS delay implementation of this rule until CMS has removed, modified or clarified section 412.3(b) so PAs may continue to admit patients to hospitals.

Approximately 40 percent of PAs work in hospitals, many of whom are directly involved in the admissions process. PAs play a critical role in the admissions process in all hospitals that includes directly evaluating and admitting patients. Physicians need to continue to delegate their admitting authority in order to provide the best and most appropriate medical care for patients. This has been essential in rural areas where PAs may be the only medical practitioner staffing a critical access hospital or during overnight shifts when a PA may be the only medical practitioner staffing a hospital service.

The final rule promises to disrupt the current role of PAs and others in the hospital admissions process by mandating three new requirements:

1. The new rule will require PAs and other qualified practitioners to have “admitting privileges” at the hospital. PAs currently have privileges at hospitals and write orders, including orders...
for admission. However, hospitals currently only provide “admitting privileges” to physicians. PAs and others currently furnish the order to admit through the delegation of a physician.

2. The new rule will require PAs and other qualified practitioners to be permitted by State law to admit patients to hospitals. All State laws currently allow physicians to delegate orders to PAs. However, State laws currently do not specifically address admitting privileges for PAs or others.

3. The new rule will prohibit physicians from delegating the hospital admission order to PAs and other qualified practitioners. PA practice is predicated on the ability of physicians to delegate to PAs, and is clearly defined in state laws.

The final rule can be found in FY 2014 Policy and Payment Changes for Inpatient Stays in Acute-Care and Long-Term Care Hospitals, 42 CFR, Section 412.3(b). (Published in the August 19, 2013 Federal Register.) The new rules will be effective October 1, 2013.

All together, we believe these provisions will create tremendous problems in the hospital admissions process. Limiting the ability of PAs to treat their patients will unquestionably harm patient access to care and may increase the cost of care.

Due to the growing healthcare workforce needs, the growing importance of team-based medical care and the need for healthcare workforce efficiencies, we believe that the new admissions requirements are simply headed in the wrong direction and will create an unnecessary barrier to clinically appropriate medical care.

The Academy appreciates your assistance in preserving timely access to medical care, and we look forward to working with you toward this goal. For additional information, please do not hesitate to have your staff contact Sandy Harding, AAPA senior director of federal advocacy, at 571-319-4338 or at sharding@aapa.org.

Sincerely yours,

[Signatures]

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