

**SCOPE OF PRACTICE
NURSE PRACTITIONERS' AUTHORITY TO ORDER HOME HEALTH**

STATE	AUTHORITY
Alabama	Law is silent
Alaska	No physician involvement for diagnosis & treatment required
Arizona	No physician involvement for diagnosis & treatment required
Arkansas	Law is silent; no prohibition for NPs ordering home health other than the Medicare law restrictions
California	May order home health, if specified in their facility standardized procedures, pursuant to Article 8, Business and Professions Code, Section 2835.7 (3) <i>For individuals receiving home health services or personal care services, after consultation with the treating physician and surgeon, approve, sign, modify, or ad to a plan of treatment or plan or care.</i>
Colorado	No physician involvement for diagnosis & treatment required
Connecticut	Cannot order home care without physician co-signature
Delaware	Requires collaborative agreement
District of Columbia	No physician involvement for diagnosis & treatment required
Florida	NPs are legally prohibited from writing orders for patients Receiving services from a state licensed healthcare agency
Georgia	NPs can be licensed “with prescriptive authority” or “without prescriptive authority”; those with prescriptive authority are regulated by the medical board and can diagnose, and prescribe drugs, medical devices, and medical treatment. The law does not define “medical treatment”
Hawaii	The law has been silent; however, a new bill specifically authorizes NPs to order home health; signed into law 4/24/10, <i>see attachment</i> , S.B. 2163, section 6(d)(3) p.12-13. Contact advised APRNs working in rural areas of Hawaii desperately need this service. For example, the island of Lanai has no physicians currently and the islands of Molokai and the Big Island have very few physicians.

Idaho	No physician involvement for diagnosis & treatment required
Illinois	Until federal government changes the Medicare law restricting NPs from ordering home care, Illinois will not allow
Indiana	NPs are not licensed by the state of Indiana; however, they do have prescriptive authority; they can order home health care for patients (other than Medicare)
Iowa	Not permitted to order home health
Kansas	No specific regulations on this; Kansas requires a collaborative agreement; whatever the agreement allows is permitted
Kentucky	No physician involvement for diagnosis & treatment required
Louisiana	No physician involvement for diagnosis & treatment required
Maine	After 2 years, no physician involvement for diagnosis & treatment required
Maryland	Recent legislation (HB319/SB484) signed into law April, 2010, authorizes NPs to practice by signing an “attestation” about consulting with a physician, and will no longer require a collaborative agreement with a physician; effective October 2010; rules are being promulgated
Massachusetts	Does not prohibit NPs from writing orders for any service in any setting; however, the setting itself may prohibit
Michigan	Silent on the issue; no legislation prohibiting it. Medicare prohibits NPs from ordering home health care and often sets the standard that other insurance carriers follow
Minnesota	Cannot prescribe home health services for Medicare beneficiaries or others, causing significant delays and disruptions in care, as often a physician (who has never seen the patient) is responsible for order home health care; errors and delays result
Mississippi	All home health orders must be co-signed by a physician
Missouri	No restrictions in the Nurse Practice Act that would prevent Advanced Practice RNs from ordering home health, as long as that was included in their collaborative practice agreement with their collaborating physician; typically, it is the insurance companies that have a problem with who orders the care.

Montana	No physician involvement for diagnosis & treatment required
Nebraska	Law is silent; NPs practice under a collaborative agreement with a physician, so may be spelled out in the agreement
Nevada	Nevada law is silent on this issue; however, Advanced Practice Nurse orders are not accepted by home care agencies; APNs can write them provided a physician co-signs the order
New Hampshire	No physician involvement for diagnosis & treatment required
New Jersey	No physician involvement for diagnosis & treatment required
New Mexico	No physician involvement for diagnosis & treatment required
New York	NP can order home care and sign the orders for any New York state licensed home care agency; NP may not order/sign for a “certified” home care agency, i.e. certified by Medicare to provide services to Medicare eligible patients
North Carolina	North Carolina NP regulations do not prohibit NPs from ordering home health services
North Dakota	No physician involvement for diagnosis & treatment required
Ohio	APNs may initiate a home care order
Oklahoma	No physician involvement for diagnosis & treatment required
Oregon	No physician involvement for diagnosis & treatment required
Pennsylvania	Act 48 authorizes CRNPs to order home health; however, the Pennsylvania Conditions of Participation governing provision of home health/hospice mirror CMS rules/regs which stipulation that all orders for home health/hospice cert. must be ordered by a physician. Until federal law is changed, or state rules/regs for home health care agencies are modified, agencies cannot legally accept orders for home health/hospice from CRNPs
Rhode Island	No physician involvement for diagnosis & treatment required
South Carolina	NPs can order home health care (other than for Medicare patients)

South Dakota	The DSS offers services for those who do not qualify for the homebound Medicare federal program; NPs or PAs can sign orders for home care but not for the Medicare home care.
Tennessee	No physician involvement for diagnosis & treatment required
Texas	Law is silent on the issue; NPs are legally allowed to write orders for patients receiving services from a state licensed home healthcare agency
Utah	Practice act is silent; APRNs have been ordering home health for private pay and state benefit recipients
Vermont	NPs may not order home health services, thought to reflect reimbursement policies of insurers
Virginia	NPs may order home health services, as long as this is included in their protocol with their supervising/collaborating physician; regulations governing the practice of NPs in Virginia do not address reimbursement issues
Washington	No physician involvement for diagnosis & treatment required
West Virginia	No physician involvement for diagnosis & treatment required
Wisconsin	NPs and PAs cannot order home health care for any patients; poses a big problem in rural practice areas where a physician is not present; delays implementation of orders, extra phone calls, etc.
Wyoming	No physician involvement for diagnosis & treatment required Nothing to preclude NPs from ordering home health for non-Medicare patients and only limited by federal regulations