Scope of Practice: The Needs of Consumers

Presented June 9, 2011 at the NCSBN Consumer Conference, Chicago, IL
Citizen Advocacy Center (CAC) is a small non-profit organization whose mission is to Train and Support Public Members on state health professional licensing boards (medicine, nursing, pharmacy, dentistry, physical therapy, psychology, etc.)
CAC’s Core Values:

- Transparency
- Oversight and Accountability
- Collaboration
- Meaningful Consumer Representation and Participation
CAC’s SoP Initiative Mission

To provide independent, third-party, economically disinterested input into processes and criteria for removing unjustified scope of practice restrictions.
SoP Affects Everyone:

“SoP affects the deployment and utilization of all kinds of healthcare providers in every kind of setting, addressing every kind of patient need.”

“SoP laws have direct and significant ramifications for the three metrics we use to assess healthcare delivery: cost, quality and access.”

Barbara Safriet
SoP Reform is a Two-Step Process

- **First**: State legislators enact or amend laws
- **Second**: State regulators develop implementing rules and regulations
The Consumer Voice is Missing

Washington State Public Hearing Dealing with Optometrists’ Scope of Practice:

• 19 Ophthalmologists
• 19 Optometrists
• 0 Members of the Public
Challenges:

• SoP is an esoteric concept

• Traditionally, SoP decisions are political “turf battles”
SoP is Esoteric:

• To get consumer groups, citizen groups, and their leaders involved, we need to start at square one.
• The term “Scope of Practice” is an insiders term, and it does not resonate.

Here is how we describe “Scope of Practice”: 
What is Scope of Practice?
Who Can Do What to Whom, Under What Conditions, and in What Settings
SoP is “Political”

“SoP is “Political”

“Most scope of practice decisions in the legislatures are not data-driven. They are politically-driven, money-driven, power-driven.”

Barbara Safriet
Physicians Got There First

- Medicine’s all-encompassing scope
- AMA’s Scope of Practice Partnership
Where is the Evidence?

- Practice Restrictions Present a “Catch 22”
- Nursing Can Cite Precedents in Many States
- Less True for Many Other Professions
Goal: From a Consumer’s a Point of View:

“Advanced Practice Registered Nurses should be able to practice to the full extent of their education and training”

IOM “The Future of Nursing” 2010
But,

This is Bigger Than Just Nursing.
Shared Scopes of Practice

• Shared or overlapping scopes are inevitable

• Need to overcome professional resistance

• Need an informed public
Informed Public

AMA survey asks the wrong question:

“Do you know who is an MD?”

Consumers/Patients want to know (or should be taught to ask): “Is this professional qualified to provide me with the care I need at the moment?”
Nurses:
• More than taking a patient’s temperature and blood pressure.
• More than passing out medications.

Pharmacists:
• More than putting pills in a vial.
...and sometimes even more basic communication is necessary:

- Difference between a psychiatrist and a psychologist.
- Difference between a physical therapist and an occupational therapist.
- Difference between an ophthalmologist and an optometrist.
CAC’s Materials about SoP and SoP Decision-making

Consumers and their Advocacy Groups
– Legislators
– Media
– Regulators
– Policy-makers
– Professional Associations
CAC’s Scope of Practice Reports
(Available from www.cacenter.org/cac/SOP)

Proceedings from the Scope of Practice sessions at CAC's annual meeting, held on Thursday and Friday, November 11 - 12, 2010, in Washington, DC.

Reforming Scopes of Practice – Tool Kit - August, 2010
Reforming Scopes of Practice – Building a Better Mousetrap - July, 2010
Why Consumers Need to be Involved in SOP Reform - Points to Consider - August, 2010

SOP FAQs for Consumers - Advanced Practice Registered Nurses - September, 2010
SOP FAQs for Consumers - Dental Hygienists - October, 2010
SOP FAQs for Consumers - Pharmacists - December, 2010
SOP FAQs for Consumers - Physical Therapists - July, 2010
DRAFT - SOP FAQs for Consumers - Podiatrists- January, 2011 - DRAFT
SOP FAQs for Consumers - Psychologists - August, 2010
Why Consumers Need to be Involved in Scope of Practice Reform

1) Are you aware that 1 in 5 Americans is affected by shortages of primary care providers?

2) Do you know that many health care providers are trained and willing to help meet this need, if only they were permitted to do so?

3) Why are we not relying more on “non-physician” professionals to give patients more options and provide more types of services, especially given the shortage of primary care physicians?
Why Consumers Need to be Involved in Scope of Practice Reform (continued)

4) Why would SoP laws prevent health professionals from being able to provide services that they are qualified to provide?

5) Has having to get a referral from a primary care physician ever interfered with your ability to get timely and affordable care from a specialist?

6) What is the difference between Direct Supervision, Collaborative Practice Agreements, and Independent Practice?
Why Consumers Need to be Involved in Scope of Practice Reform (continued)

7) How do these different requirements affect the care available to you?

8) What does it mean for scope of practice to be evidence-based?

9) Will reforming SoP laws improve access to care by resulting in a more efficient use of the healthcare workforce?

10) What can you do to ensure that quality, affordable healthcare is available from non-physician providers in your state?
The CAC Tool Kit

Empowering Non-Physician Providers to Meet the Health Care Needs of Consumers and Communities
The CAC Tool Kit includes the following sections:

- Why Scope of Practice Issues are Important
- Implications for Rural Health Access and Underserved Populations
- Overview of Scope of Practice Issues across Professions
- Current Approaches to Scope of Practice Changes and Why They Do Not Benefit Consumers
• Experiences of Pennsylvania, Colorado and Other States in Dealing with Scope of Practice Issues
• Stakeholders
• Opponents
• Supporters
• Adding the Consumer Voice to the Discussion
• Getting Publicity
• Communicating with State Legislators and Decision Makers
etc...
Questions consumers, community groups, and legislators should ask about Scope of Practice

1) Access
2) Safety
3) Quality
4) Cost
5) Community Development
6) Patient Involvement and Cultural Competence
“Building a Better Mousetrap”

http://www.cacenter.org/cac/SOP
This is not a partisan issue. SoP reform is supported by:

• The CATO Institute
• The Brookings Institution
• The Center for American Progress
• The Bipartisan Policy Center
Other Supporters of SoP Reform include…

• National Council of State Boards of Nursing
• Federation of State Boards of Physical Therapy
• AARP
• Coalition for Patients’ Rights
• Center for the Health Professions
• U of Wisconsin Population Health Inst.
• Association of Academic Health Centers
• National Health Policy Forum
International Academia

“Promote a new professionalism that uses competencies as the objective criterion for the classification of health professionals, transforming present conventional silos…”
Examples of Advocacy Group Involvement

• Colorado Sunset Review of Direct-Entry Midwives

• Delivering Natural Care for Families and CAC
Pilot Project in Oregon

- Oregon Oral Health Coalition

- Oregon Dental Association
Collaboration Among Professions

We believe that patients’ interests are best served by a healthcare system in which many different types of qualified healthcare professionals are available, accessible, and work collaboratively together.”

Lisa Summers
Coalition for Patients’ Rights
This Applies to Legislative Battles

“I would encourage physical therapists to follow the Golden Rule when dealing with other professions about scope of practice issues.”

Dargan Ervin
Federation of State Boards of Physical Therapy
“It is time – time to abandon our damagingly divisive, politically Pyrrhic, and ultimately unsustainable struggle with advanced practice nurses (APNs). I urge my fellow family physicians to accept – actually to embrace – a full partnership with APNs.”

Jeff Susman
Editor-in-chief of the
Journal of Family Practice
Changes in Healthcare Professions’ Scope of Practice: Legislative Considerations

- Public protection, not professional self-interest
- Changes in scope are inherent in the system
- Collaboration should be the norm
- Overlap among professions is necessary
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Questions?  Comments?