

AMERICAN NURSES ASSOCIATION

References to Advanced Practice Nurses As Primary Care Providers in State Statute February 2002

- \$ Alaska -- Nurse practitioner listed as primary care provider the hospice statute. Alaska Stat. @ 18.18.390 (2002)
- \$ Arizona – Primary care practitioner" means a nurse practitioner certified pursuant to Title 32, Chapter 15 or a physician assistant certified pursuant to Title 32, Chapter 25. This paragraph does not expand the scope of practice for nurse practitioners as defined pursuant to Title 32, Chapter 15. . . . A.R.S. @ 36-2971 (2002), A.R.S. @ 36-2981 (2002)
- California --nurses mentioned in legislative findings and declarations in context as primary care providers. Cal. Health & Safety Code § 124800 (2003), Cal. Wel & Inst. Code § 14132.77 (2003)
- Colorado -- nurses referred to in insurance law in “willing provider “ provision with requirement that no person may be denied reimbursement for services within the scope of their licensure. Also referred to as provider in child health supervision services and gynecological services.
- Connecticut -- Nurse practitioners referred to in health insurance law in provision which requires carriers to permit direct access to obstetrician-gynecologist and nurse-midwife and advanced practice nurses. Gen. Stat. Ct. Title 38a. §530b; Gen. Stat. Ct. Title 38a, §503b
- \$ District of Columbia – Nurse practitioner may be qualified specialist for female health services and primary care provider. D.C. Code 44-302.03 (2002)
- \$ Florida – Nurse practitioners are allowed to see Medicaid recipients in collaboration with physicians. As used in this subsection, the term "active patient" means a patient who is seen by the same primary care physician, or by a physician assistant or advanced registered nurse practitioner under the supervision of the primary care physician, at least three times within a calendar year. Fla. Stat. @ 409.9122 (2002)
- Idaho’s Health and Safety title includes a definition of primary care, which includes nurse practitioners as primary care providers. Idaho Code @ 39-5903 (2002)
- \$ Illinois – also includes in the Health Protection and Prevention, Community Health Expansion Act a definition of primary health care which includes nurse practitioners and

nurse midwives as providers of primary care. 410 ILCS 66/5.

- \$ Kentucky – Allows emergency use of Nurse Practitioners as primary care providers, when a physician is unavailable. “An advanced registered nurse practitioner may be available in a primary health care center without a licensed physician being present on the premises during certain hours provided there are specific and detailed previously drawn-up protocols which would provide for emergency situations and which would limit the activity of the advanced registered nurse practitioner to performing those duties which she was properly trained to perform in the absence of the physician and provided detailed requirements as to when the physician must be called upon the premises, and the physician must be within ready call and available for consultation and appearance when ...” KRS @ 314.011 (2002)

- \$ Maine – nurse practitioner may provide female health services, upon referral of PCP. Nurse may serve as PCP. Maine 24-A.M.R.S. 4306 (2002)

- \$ Maryland – A certified nurse midwife or other nonphysician provider authorized under the Health Occupations Article to provide obstetric and gynecological services shall consult with an obstetrician/gynecologist with whom the certified nurse midwife or other provider has a collaborative agreement, in accordance with the collaborative agreement, regarding any care rendered under this paragraph. Md. HEALTH-GENERAL Code Ann. @ 19-706 (2002). Md. Insurance Code Ann 15-816. The Maryland Code also allows for the designation by a member or subscriber of a nurse practitioner as a primary care provider. Md. HEALTH-GENERAL Code Ann. @ 19-710.1 (2002)

- \$ Massachusetts – Primary care team", a team of health and long-term care professionals established by the senior care organization. Primary care teams shall consist of a primary care physician working in conjunction with a nurse practitioner, registered nurse or physician's assistant, a geriatric support services coordinator, and other professionals designated by the senior care organization. ALM GL ch. 118E, @ 9D (2002).

- Missouri – Defined as primary care provider in the Education and Libraries title. The definition of family practitioner which reads: “‘family practitioner’, a primary care provider, including a licensed physician, nurse practitioner or primary care physician sponsor as defined in subdivision . . . , or a primary care contracted health provider plan, approved by the parent, guardian or legal custodian of a school age child pursuant to section 167.600 R.S.Mo. (2002)

- Montana – Advanced practice registered nurse that is a nurse practitioner or a clinical nurse specialist may provide services as a treating provider and a primary care provider under the workers’ compensation act. Mont. Code Anno., @ 50-5-101 (2002)

- New Mexico – Certified nurse-midwives who have fulfilled requirements for prescriptive authority may prescribe in accordance with rules, regulations, guidelines and certified nurse -midwife to practice independently, serve as a primary care provider and as necessary collaborate with licensed medical doctors or osteopathic physicians. N.M. Stat. Ann. @ 24-1-4.1 (2002)
- \$ New York – For the purposes of this subdivision, a health care provider eligible to be designated as a preferred primary care provider shall mean a general hospital, a diagnostic and treatment center, a private physician, a nurse practitioner, a midwife, a professional corporation or a group of physicians or nurse practitioners. The designation of any general hospital or a diagnostic and treatment center as a preferred primary care provider shall apply only to the specific site where the entity provides comprehensive primary health care services. NY CLS Pub Health @ 2807 (2002)
- \$ Ohio – Defines Comprehensive primary health services" means preventive, diagnostic, therapeutic, rehabilitative, or palliative items or services that include the services of nurse practitioners ORC Ann. 5111.04 (2002)
- \$ Oregon – Under the state’s health and life insurance laws, the definition of “Women's health care provider" includes advanced registered nurse practitioner specialist in women's health or certified nurse midwife, practicing within the applicable lawful scope of practice. ORS @ 743.845 (2001)
- Pennsylvania -- The Primary Health Care program provisions on children’s health care provide for the use of primary health care physicians and nurse practitioners on an equitable statewide basis, and lists nurse practitioners as cost-effective providers. 40 P.S. @ 991.2311 (2002). The Adult basic coverage insurance program funded by the state’s tobacco fund includes nurse practitioners as primary health care providers. 35 P.S. @ 5701.1303 (2002)
- \$ Rhode Island – Under the state’s health and safety code a "Health care provider" is defined as a person who is a direct provider of health care services (including but not limited to physicians, dentists, nurses, podiatrists, physician assistants, or nurse practitioners) in that the person's primary current activity is the provision of health care services for persons. R.I. Gen. Laws @ 23-15-2 (2002)
- \$ West Virginia – option to use nurse midwife as primary care provider during pregnancy. A certified nurse -midwife, but only if chosen or designated in lieu of a subscriber's primary care physician or primary care provider during the subscriber's pregnancy and for a period extending through the end of the month in which the sixty-day period

following termination of pregnancy ends. W. Va. Code @ 33-25A-2 (2003).