



Rhode Island Academy of Physician Assistants
405 Promenade St Suite A
Providence, R.I. 02908

Lauren Gareau
Rules Coordinator
Rhode Island Department of Health
3 Capitol Hill
Providence, R.I. 02908

Sent electronically to: Lauren.Gareau@health.ri.gov

Re: Request to amend Home Health Regulations: TI Title 216, Chapter 40, Subchapter 10. Part 17

September 8, 2021

Dear Ms. Gareau

The Rhode Island academy of Physician Assistants respectfully requests that the Home Health Regulations: Title 216, Chapter 40, Subchapter 10. Part 17 to reflect changes made to federal law by passage of the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.

Section 3708 of the Act permanently authorizes physician assistants, nurse practitioners, and clinical nurse specialists to certify for Medicare and Medicaid home health care **services in accordance with state law.**

The current Rhode Island home health rules and regulations specifically prescribe that only physicians may certify the need for home health services for Medicare and Medicaid beneficiaries. Because the CARES Act specifically provides that PAs and APRNs may only certify the need for home health services "...in accordance with state law..." in order for PAs and APRNs to certify, the rules need to be amended to add them.

Amending the rules to allow PAs and APRN's will remove a barrier to timely care and increase efficiency.

Please find attached a draft of the necessary changes to the rules.

Please contact me if you have any questions

James Carney
Director of Advocacy and Government Relations

Cell: [REDACTED]

Email: [REDACTED]

Section 3708 of the CARES Act permanently authorizes nurse practitioners, clinical nurse specialists, and physician assistants to certify for Medicare and Medicaid home health care services in accordance with state law. Per that legislation, CMS had six months from the passage of the legislation to implement this section via rulemaking. On May 8, 2020 CMS published an interim final rule which permanently implements Section 3708 of the CARES Act, retroactively effective to March 1, 2020. However, these policies do refer back to state law.

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