

Leclair, Cheryl (RIDOH)

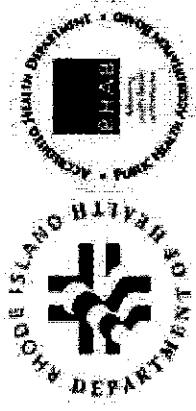
From: Gareau, Lauren (RIDOH)
Sent: Thursday, August 4, 2022 12:19 PM
To: James Carney
Cc: Ali Walz; Patrick quinlan
Subject: RE: [EXTERNAL] : <no subject>

Hello Mr. Carney,

Please be advised that I have accepted a new position within RIDOH and I am not longer the rules and regulations coordinator. I have forwarded your petition for rulemaking to the appropriate personnel within RIDOH. In accordance with R.I. Gen. Laws 42-35-6 you shall receive a response on or before September 2, 2022.

Best,

Lauren Gareau, MPH
Health Program Administrator
Center for Health Facilities Regulation
Rhode Island Department of Health
Lauren.Gareau@health.ri.gov
(401) 222-4525



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From: James Carney <j.carney@verizon.net>
Sent: Tuesday, August 2, 2022 5:17 PM

To: Gareau, Lauren (RIDOH) <Lauren.Gareau@health.ri.gov>
Cc: Ali Walz <awalz@rimed.org>; Patrick quinlan <quinlaw@verizon.net>
Subject: [EXTERNAL] : <no subject>



Rhode Island Academy of Physician Assistants
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Lauren Gareau, MPH
Rules and Regulations Coordinator
Center for Health policy and Regulations
Rm 410
Rhode Island Department of Health
3 Capitol Hill
Providence , RI 02908

August 2, 2022

Re: 216-RICR-40-10-11 – Licensing Hospice Care

Dear Ms. Gareau
The Rhode Island Academy of Physician Assistants (RIAPA) respectfully requests that the regulations 216-RICR-40-10-11 – Licensing Hospice Care be amended to include physician assistants (PAs).

The requested amendments (see below) will update the regulations to reflect changes in the CMS regulation made by The Medicare Patient Access to Hospice Act [[congress.gov](https://www.congress.gov/)] which authorizes PAs to serve as an “attending physician/practitioner.” For the purposes of Medicare benefits, CMS defers to state laws and/regulations . Currently PAs are not included in, R.I. REG. 216-40-10-and therefore are prohibited from providing hospice care,

Proposed Amendments:
(New Text)

111.3 (A) 1. “Attending practitioner” means a physician, physician assistant or a certified registered nurse practitioner (who may or may not be on the hospice staff) identified by the terminally ill patient/family as having a significant role in the determination and delivery of the patient’s medical care.

New Section:

216-10-11.3 (a) . “Physician assistant” “Physician assistant” or “PA” means a person who is qualified by academic and practical training to provide medical and surgical services in collaboration with physicians state under the provisions of R.I. Gen. Laws Chapter 5-54.

216-40-11.5.8A. Attending Practitioner Services

- A. Attending Practitioner Services: Attending practitioner services shall be provided by a physician, physician assistant or a certified registered nurse practitioner to meet the general medical needs of patients for the management of the terminal illness and related conditions, through palliative and supportive care and in accordance with hospice policies.
1. Such policies shall include provisions governing the relationship of the attending physician, physician assistant or the certified registered nurse practitioner to the medical director, and the interdisciplinary team.
 2. In addition to palliation and management of terminal illness and related conditions, staff physician(s) and/or physician assistants(s) and/or certified registered nurse practitioner(s) of the hospice program including the physician member(s) and/or physician assistants(s) and/or the certified registered nurse practitioner member(s) of the interdisciplinary group shall also meet the general medical needs of the patients to the extent that these needs are not met by the attending physician, and/or physician assistant and/or the certified registered nurse practitioner.

Thank you for your consideration.

Respectfully,

Jom

James Carney
Director of Advocacy and Government Relations

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RIAPA

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