



**American Association of
NURSE PRACTITIONERS®**

Improve Federal Employees' Timely Access to Health Care for Workplace Injuries

ACTION NEEDED: Cosponsor S. 131/H.R. 618, the *Improving Access to Workers' Compensation for Injured Federal Workers Act*, which would amend the Federal Employees' Compensation Act (FECA) to authorize nurse practitioners (NPs) to certify disabilities and oversee treatment for injured federal workers in accordance with state law.

Background: Under current law, federal employees can select an NP as their health care provider under the Federal Employees Health Benefits Program. However, FECA mandates that if the federal employee is injured on the job, only a physician can make the diagnosis, certify the injury and extent of the disability and oversee the patient's treatment and care. This outdated requirement is contrary to most state workers' compensation programs which authorize NPs to provide this care for non-federal employees. This barrier places an additional burden on the over two million federal employees, depriving them from receiving health care from their provider of choice after a work-related injury, as well as hindering timely access to care and continuity of care.

This legislation would update FECA to authorize NPs to make diagnoses, certify disabilities and oversee treatment for injured federal workers in accordance with state law, increasing access to care for federal employees, particularly in rural areas. It also supports patient choice by authorizing a federal employee to choose an NP, PA or physician to manage their care under FECA, and improves continuity of care by enabling injured federal employees to maintain their trusted health care relationships with NPs.

This legislation was last introduced in the 117th Congress. According to the Congressional Budget Office's (CBO) the bill was budget neutral because it may increase access to care for injured federal employees and enable them to return to work more quickly. In the 117th Congress, the bill went through regular order in the House of Representatives and passed the Education and Labor Committee with a bipartisan, unanimous voice vote. The bill then passed the House in June 2022 with an overwhelming bipartisan vote of 325-83.

NPs are advanced practice registered nurses (APRNs) who are prepared at the masters or doctoral level to provide primary, acute, chronic and specialty care to patients of all ages and backgrounds. Decades of evidence continue to show that NP provided health care is high-quality and cost-effective. NPs comprise over a quarter of our primary care workforce nationwide, and almost half in rural communities. NPs are already primary care providers within the Medicare and Medicaid programs and have full practice authority within the Veterans Health Administration and Indian Health Services. They are also included in the definition of an "acceptable medical source" by the Social Security Administration for the purposes of certifying that an individual has a medically determinable impairment. The U.S. Department of Education has also authorized NPs to certify when a student loan borrower has a total and permanent disability for the purpose of a student loan discharge. In these respects, FECA is an outlier among federal health care programs. This legislation is a no-cost, common sense legislation which increases access to high-quality health care for injured federal employees.

Request: AANP calls on Members of Congress to cosponsor S.131/H.R. 618, the *Improving Access to Workers' Compensation for Injured Federal Workers Act*, to authorize NPs to certify disabilities and oversee treatment for injured federal workers in accordance with state law.

For additional information, please contact the AANP Government Affairs Office at 703/740-2529 or governmentaffairs@aanp.org.