

June 24, 2020

Richard Stone, MD  
Executive in Charge  
Veterans Health Administration  
U.S. Department of Veterans Affairs  
810 Vermont Avenue NW, Room 1063B  
Washington, DC 20420

Dear Dr. Stone:

The undersigned medical associations and medical specialty societies are writing to register serious concerns with the Health Care Professional Practice in VA [Memorandum](#) (Memorandum) issued by the Office of the Under Secretary of Health on April 21, 2020, and underlying Directive 1899 (Directive). The undersigned organizations urge the Secretary to **amend Directive 1899 as it relates to allowing non-physician healthcare professionals in 32 specialties to operate “within the full scope of their license, registration, or certification” and rescind the Memorandum as it relates to encouraging all VA medical facilities to allow CRNAs to practice without physician oversight during the national health emergency.**

The undersigned organizations are very concerned Directive 1899 preempts state scope of practice laws. Directive 1899 memorializes U.S. Department of Veterans Affairs (VA) policy allowing VA health care professionals to practice across state lines and establishes new policy allowing VA health care professionals to operate within the full scope of their license, registration, or certification. This combination in effect circumvents state scope of practice laws for the 32 health care professionals defined in the directive. Such a far-reaching expansion is overly broad, unnecessary and threatens the health and safety of patients within the VA system. As state scope of practice laws vary across these professions and across states, we urge the Secretary to amend the directive to defer to state scope of practice laws, similar to the language related to psychologists in Appendix B of the Directive.

The undersigned organizations also encourage the Secretary to rescind the Memorandum as it relates to encouraging all VA medical facilities to allow CRNAs to practice without physician oversight during the national health emergency. Throughout the coronavirus pandemic physicians, nurses, and the entire health care community have been working side-by-side caring for patients and saving lives. The AMA supports these temporary emergency efforts that allow physicians to practice across state lines to quickly expand the physician workforce in areas of need. Our success as a nation in flattening the curve of this pandemic is due in no small part to this shared focus and shared responsibility. Now more than ever, we need health care professionals working together as part of physician-led health care teams--not in silos. Therefore, it is deeply troubling, that the VA is directing all VA medical facilities to amend their by-laws to allow CRNAs to practice without physician oversight.

Like most healthcare systems, the pandemic has forced the VA to reassess how it uses human resources. Non-essential surgeries have been cancelled during the pandemic, giving the VA flexibility to deploy physicians and other healthcare professionals where the need is greatest. As such, there are more than enough physicians to provide care and oversight during this time. Thus, **removing physician oversight requirements of CRNAs at the VA is overly broad, inconsistent with the situation as it is unfolding outside of the VA, and unnecessary to address the immediate needs raised during the COVID-19 pandemic.** This action by the VA will only serve to disrupt continuity of care and cause confusion among health care teams and their patients.

It was this knowledge that prompted West Virginia Governor James C. Justice, II to promptly issue [Executive Order No. 12-20](#), on March 26, 2020, reinstating physician supervision of CRNAs during the public health emergency.<sup>1</sup> As such, it is unclear why the VA has deemed the expansion at issue as necessary. **Such measures are not necessary to improve patient access to care and take away from a higher quality team-based approach. More importantly, a lack of proper oversight threatens the health and safety of veterans and their families.**

For all the reasons outlined above, the undersigned organizations strongly urge you to amend Directive 1899 and rescind the Memorandum. Such broad expansions of scope of practice deserve thoughtful discourse where all sides are allowed to be heard and all available evidence is considered. Thank you in advance for your attention to this important matter.

Sincerely,

American Medical Association  
AMDA - The Society for Post-Acute and Long-Term Care Medicine  
American Academy of Dermatology Association  
American Academy of Emergency Medicine  
American Academy of Physical Medicine and Rehabilitation  
American Association for Hand Surgery  
American Association of Hip and Knee Surgeons  
American Association of Neurological Surgeons  
American Association of Orthopaedic Surgeons  
American College of Emergency Physicians  
American College of Medical Genetics and Genomics  
American College of Osteopathic Surgeons  
American College of Radiology  
American Medical Women's Association  
American Orthopaedic Foot & Ankle Society  
American Osteopathic Association  
American Psychiatric Association  
American Society for Clinical Pathology

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<sup>1</sup> Despite this, West Virginia has been incorrectly included on the [VA list](#) of states that have temporarily suspended licensure limitations for CRNAs.

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American Society for Dermatologic Surgery Association  
American Society for Gastrointestinal Endoscopy  
American Society for Laser Medicine and Surgery  
American Society of Anesthesiologists  
American Society of Cataract & Refractive Surgery  
American Society of Echocardiography  
American Society of Plastic Surgeons  
American Urological Association  
American Academy of Ophthalmology  
Association of Academic Physiatrists  
Association of University Radiologists  
College of American Pathologists  
Congress of Neurological Surgeons  
International Society for the Advancement Spine Surgery  
National Association of Medical Examiners

Medical Association of the State of Alabama  
Arizona Medical Association  
Arkansas Medical Society  
California Medical Association  
Colorado Medical Society  
Connecticut State Medical Society  
Medical Society of Delaware  
Medical Society of the District of Columbia  
Florida Medical Association Inc  
Medical Association of Georgia  
Hawaii Medical Association  
Idaho Medical Association  
Illinois State Medical Society  
Indiana State Medical Association  
Iowa Medical Society  
Kentucky Medical Association  
Louisiana State Medical Society  
Maine Medical Association  
MedChi, The Maryland State Medical Society  
Massachusetts Medical Society  
Michigan State Medical Society  
Minnesota Medical Association  
Mississippi State Medical Association  
Missouri State Medical Association  
Montana Medical Association  
Nebraska Medical Association  
Nevada State Medical Association  
New Hampshire Medical Society

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Medical Society of New Jersey  
New Mexico Medical Society  
Medical Society of the State of New York  
North Dakota Medical Association  
Ohio State Medical Association  
Oklahoma State Medical Association  
Pennsylvania Medical Society  
Rhode Island Medical Society  
South Carolina Medical Association  
South Dakota State Medical Association  
Tennessee Medical Association  
Texas Medical Association  
Utah Medical Association  
Vermont Medical Society  
Medical Society of Virginia  
Washington State Medical Association  
Wisconsin Medical Society  
Wyoming Medical Society