



HB 793 Frequently Asked Questions

Prepared By: Virginia Council of Nurse Practitioners

How is the five-year transition period defined?

The five-year period begins with your first instance of full-time or part-time employment after graduation from an NP program.

What is the attestation process?

The attestation process is a certification of the clinical experience a nurse practitioner has attained after graduation and licensure as an NP.

What are my options if my physician refuses to attest?

The law allows the Joint Board to develop alternate methods for confirming one's clinical experience. We are not sure exactly what those methods will be, but some have indicated that it might mean use of job records, as most NPs are credentialed through their hospitals, health institutions and those places usually keep timesheets. Other methods may include confirming hours through medical office staff if a practice has been disbanded or the owner/physician was deceased. These are examples, but we cannot confirm the alternative approaches to be used until the rulemaking is drafted.

Is there a fee involved in gaining attestation or full practice authority?

There will be a nominal one-time fee for independent practice authority license. The fee amount has yet to be determined by the Department of Health Professions.

Can I still receive attestation if my clinical experience was spent in different practices?

Yes, you can. The practice team physician for each can attest to your respective clinical hours.

What if my license and certification are not in concert with the area I have obtained my five years of clinical experience?

Attestation is based on your specialty certification, most of which are population based. If you worked for a physician specialist, i.e. cardiologist and you are an adult nurse practitioner, you should be able to use those hours for attestation as physician cardiologist are also credentialed in basic internal practice which correlates with your specialty. However, we cannot confirm the joint board's interpretation until we see the proposed regulations. However, as written there is adequate nexus between NP and physician when they serve the same population base, even if the physician specializes.

I already have five years of experience, will I be grandfathered in?

You must apply for independent practice authority and complete the attestation. The Joint Boards will need documentation in order to indicate qualification on your license.

Can my part-time clinical hours be counted toward the five-year transition period?

Yes, the word "equivalent" was added to the language at VCNP's request to give the board flexibility in calculating how the time was acquired. Prior to adding the word "equivalent" the language required a stringent five full years which raised concerns for NPs working part time or multiple jobs or took some time off between jobs.

Will NPs with five or more years of experience in another state have to go through the transition to practice period if they relocate to Virginia?

As the law is written, we do not envision such, but instead, they would have to be able to attest and give the board enough information to confirm the attestation of hours.

Will this affect my prescribing privileges?

No, there is nothing additional in the bill that would restrict your prescribing privileges post transition period beyond what is already law for all prescribers

If I work in a specialty area but change my specialty, will my transition hours start over?

No, there is nothing in the bill indicating that transition would start over with new specialty certification.

When does the bill go into effect?

Once signed by the Governor the law goes into effect July 1, 2018 and regulations must be promulgated by Jan. 1, 2019.

Does VCNP have plans to reduce the transition period next year?

No, but the bill has been written with a transition provision which mandates that the Department of Health Professions has to provide data about the new, independent Nurse Practitioners by November 2021. After doing so, that data can be used to address the transition period as well as any other provisions of NP licensure.