The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH AUTHORIZING INDEPENDENT PRACTICE OF ADVANCED PRACTICE REGISTERED NURSES

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. The Public Health Council has approved and authorized me to take such actions, incur such liabilities, and establish such rules, requirements, and procedures which are necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth, consistent with the Governor's declaration.

As of March 25, 2020, 1,838 cases of COVID-19 were reported by the Department of Public Health. The escalating COVID-19 public health emergency will continue to produce extraordinary demand on the Commonwealth's healthcare system. Addressing this exceptional demand will require a degree of flexibility and responsiveness in the staffing of medical facilities that certain, regular limitations on scope of practice do not permit.

Accordingly, pursuant to the authority granted by G.L., c. 17, § 2A and with the approval of the Governor and the Public Health Council, and in order to assure the maintenance of public health during the continuing public health emergency, I issue the following Order:

Registered nurses who hold authorization from the Board of Registration in Nursing (BORN) pursuant to M.G.L. c. 112, § 80B to engage in the advanced practice of nursing (APRNs) and whose registration and authorization is in good standing may engage in prescriptive practice as follows:

(1) Certified nurse midwives may continue to engage in prescriptive practice as authorized pursuant to M.G.L. c. 94C, § 7(g) and M.G.L. c. 112, §§ 80C and 80G.

(2) APRNs in all BORN recognized categories, other than certified nurse midwives, who have at least 2 years of supervised practice experience, or its equivalent as specified in BORN guidance issued pursuant to this order, shall be exempt from requirements of physician supervision and written guidelines for prescriptive practice.

(3) APRNs in all BORN recognized categories, other than certified nurse midwives, who have less than 2 years of supervised practice experience, or its equivalent as specified in BORN guidance issued pursuant to this order, may engage in prescriptive practice with

physician supervision of such prescriptive practice as currently required by law. In the event that the APRN collaborates with a different physician for purposes of supervision of prescriptive practice during the state of emergency, the requirement for written guidelines may be substituted with a record signed by both the APRN and the supervising physician that acknowledges the consent by each to the supervision of prescriptive practice and the dates during which such supervision shall apply.

For purposes of this Order "in good standing" shall include a license that is subject to probation or non-disciplinary conditions, but shall not include a license that is revoked, cancelled, surrendered, suspended, or subject to disciplinary restrictions.

All applicable statutes, regulations, and guidance not inconsistent with this Order remain in effect. BORN shall issue guidance to implement the terms of this Order.

This Order shall take effect immediately and remain in effect until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

March 26, 2020