

June 30, 2022

David Cullison
Office of the Chief Information Officer
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: NRC-2021-0150, NRC Form 396, Certification of Medical Examination by Facility Licensee

Dear Mr. Cullison,

The American Association of Nurse Practitioners, representing more than 355,000 nurse practitioners (NPs) in the United States, appreciates the opportunity to provide comment on the agency request for comment on the renewal of Office of Management and Budget (OMB) approval for an existing collection of information, U.S. Nuclear Regulatory Commission (NRC) Form 396, “Certification of Medical Examination by Facility Licensee.” We respectfully request the NRC update Form 396 to recognize nurse practitioners as qualified health care professionals authorized to conduct and certify medical examinations for the licensed operators at NRC facilities. This change will ensure access to high-quality health care for all licensed operators in a timely fashion.

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. Daily practice includes: assessment; ordering, performing, supervising and interpreting diagnostic and laboratory tests; making diagnoses; initiating and managing treatment including prescribing medication and non-pharmacologic treatments; coordinating care; counseling; and educating patients and their families and communities. NPs practice in nearly every health care setting including clinics, hospitals, Veterans Affairs and Indian Health Care facilities, emergency rooms, urgent care sites, private physician or NP practices (both managed and owned by NPs), nursing homes, schools, colleges, retail clinics, public health departments, nurse managed clinics, homeless clinics, and home health. NPs hold prescriptive authority in all 50 states and the District of Columbia and complete more than one billion patient visits annually.

NPs have a particularly large impact on primary care as approximately 70% of all NP graduates deliver primary care.¹ In fact, they comprise approximately one quarter of the primary care workforce, with that percentage growing annually.² The June 2022 Medicare Payment Advisory Commission report found that in 2018, APRNs and physician assistants (PAs) comprised one third of the total share of primary care clinicians treating Medicare beneficiaries, with that share increasing to approximately half in rural areas.³

It is important to acknowledge that federal agencies have long recognized NPs as qualified to perform examinations for health or functional impairment and provide ongoing care to patients. As noted previously, performing physical examinations, evaluating a patient’s health condition, and serving as primary care providers is well within the scope of practice for nurse practitioners. For example, NPs have served as Federal Motor Carrier Safety Administration (FMCSA) medical examiners (MEs), authorized to perform medical examinations for interstate truckers since 1992.

Nurse practitioners serve as primary care providers in the Veteran’s Health Administration, the Medicare and Medicaid programs, the Indian Health Service and the Federal Employees Health Benefits Program.

¹ <https://www.aanp.org/about/all-about-nps/np-fact-sheet>.

² [Rural and Nonrural Primary Care Physician Practices Increasingly Rely On Nurse Practitioners](#), Hilary Barnes, Michael R. Richards, Matthew D. McHugh, and Grant Martsoff, Health Affairs 2018 37:6, 908-914.

³ https://www.medpac.gov/wp-content/uploads/2022/06/Jun22_Ch2_MedPAC_Report_to_Congress_SEC.pdf.

Nurse practitioners are authorized to complete physical examinations for the U.S. Marshals and Federal Air Marshals. The Social Security Administration also considers nurse practitioners to be “acceptable medical sources” for the purpose of establishing a medically determinable physical or mental impairment.

Performing physical examinations and evaluating patients for fitness to serve is well within the scope of practice for nurse practitioners. As noted above, numerous Federal agencies have long recognized that NPs are qualified to perform examinations for health or functional impairment. Accordingly, we request the NRC amend Form 396 to recognize nurse practitioners as health care professionals authorized to conduct medical examinations. Replacing the term ‘physician’ with ‘qualified health care professionals’ throughout Form 396 will ensure that licensed operators are able to have the exam and form completed by an NP or other qualified clinician of their choice. These changes will ensure access to high-quality health care for all licensed operators in a timely fashion.

We thank you for the opportunity to comment on this proposed renewal of an existing information collection. We look forward to working on these issues with you. Should you have comments or questions, please direct them to MaryAnne Sapio, V.P. Federal Government Affairs, msapio@aanp.org, 703-740-2529.

Sincerely,



Jon Fanning, MS, CAE, CNED
Chief Executive Officer
American Association of Nurse Practitioners