



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
MARGARET M. O'NEILL BUILDING
410 FEDERAL STREET, SUITE 1
DOVER, DE 19901

VOICE: (302) 739-3620
TTY/TDD: (302) 739-3699
FAX: (302) 739-6704

January 28, 2011

Ms. Susan K. Haberstroh
Education Associate
Department of Education
401 Federal Street, Suite 2
Dover, DE 19901

RE: 14 DE Reg. 609 [DOE Proposed Children with Disabilities Part 925 Regulation]

Dear Ms. Haberstroh:

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Education's (DOE's) proposal to amend its special education regulation in the context of evaluations, eligibility determinations, and IEPs. The proposed regulation was published as 14 DE Reg. 609 in the January 1, 2011 issue of the Register of Regulations. Council has the following observations.

First, in §20.2, the DOE is deleting some specific provisions related to transition planning. SCPD has a few recommendations in this context:

A. If DOE intends to maintain the deletion, SCPD recommends amending the new sentence as follows: "Beginning with the earlier of the first IEP to be in effect when the child turns 14 or enters 8th grade, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP must include:"

B. As a practical matter, 8th grade students must decide to apply to Vo-Tech high schools very early in the school year. The following is an excerpt from the NCC Vo-Tech School District Website:

For 8th Grade Applicants:

Students are encouraged to submit completed applications to their school counselors by December 12th.

1. Applications submitted to counselors are then forwarded to the Vo-Tech Office of Admissions by January 6th.

Applications that are directly submitted to the NCC Vo-Tech Office of Admissions (1417 Newport Road, Wilmington, DE 19804) should be received by January 6th.

Applications are reviewed by admissions counselors at Delcastle, Hodgson, Howard, and St. Georges Vo-Tech high schools between January and March.

The Vo-Tech Office of Admissions WILL CONTINUE to consider applications received any time during the school year or during the summer months; however, applications submitted by January 6 do receive primary consideration. Applications submitted after January 6 are considered on a case-by-case basis.

Many special education students would benefit from the enrollment in Vo-Tech schools and early transition planning is critical to ensure that students are aware of Vo-Tech options. By December 12 of 8th grade, they need to have a finished application. SCPD highly recommends that the DOE be prescriptive in its standards in this context. Deleting references to “courses of study needed to assist the child in reaching these goals” and “plans to make application to ...career technical education programs” is not helpful. Since the graduation standards are being “tightened”, including the addition of 2 World Language credits, students and parents need to review options early to assess prospects for diploma eligibility and career options. Some variation on the deleted language should be preserved and embellished in the regulation.

Second, in §22.2.2, consider the following substitute for the proposed provision: “For a child with a disability beginning with the earlier of the first IEP to be in effect when the child turns 14 or enters 8th grade, or younger if determined appropriate by the IEP Team”.

Third, in §27.3.3.2, SCPD recommends inserting “or advanced practice nurse’s” after “physician’s”. As a practical matter, many individuals are now primarily treated by an advanced practice nurse rather than a traditional physician. Advanced practice nurses are authorized to perform independent acts of diagnosis and prescribe drugs. See Title 24 Del.C. §1902(b)(1). State law bars health insurers from denying benefits for eligible services when provided by an advanced practice nurse instead of a physician. See Title 18 Del.C. §2318. The attached December 28, 2010 News Journal article underscores that many individuals are primarily treated by advanced practice nurses.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

Sincerely,



Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

cc: The Honorable Lillian Lowery
Dr. Teri Quinn Gray
Ms. Martha Toomey
Ms. Paula Fontello, Esq.
Ms. Terry Hickey, Esq.
Mr. John Hindman, Esq.
Mr. Charlie Michels
Mr. Brian Hartman, Esq.
Developmental Disabilities Council
Governor's Advisory Council for Exceptional Citizens

14reg609 doe-part 925.doc



The rise of the nurse practitioner

They're not physicians, but they do almost everything physicians do -- and it's a growing trend in the US

By CHRISTINE FACCIOLO • Special to The News Journal • December 28, 2010

Holly Wright spends her days seeing patients, making diagnoses, writing prescriptions and ordering and interpreting lab tests and X-rays. But she is not a physician. Wright is a nurse practitioner, a registered nurse with advanced training and expertise.

During the past five years, the number of nurse practitioners in the United States has increased by nearly 40 percent to about 140,000, according to the American Association of Nurse Practitioners. Delaware counts 650 practitioners.

The trend is being driven by a shortage of primary care doctors, which experts contend is leaving many Americans without timely access to medical care. In Delaware, about 14 percent of the population lives in an area underserved by a primary health care professional, compared with 11 percent nationally, according to the Kaiser Family Foundation.

Nurse practitioners practice according to their specialty and bring a unique blend of nursing and medical services to those under their care. The core philosophy of the field is individualized care. Nurse practitioners focus on the patient's condition as well as the effects of the illness on the patient and the family. Teaching, counseling and prevention are key components of their practice.

"We spend more time talking about things with them and delve into their psychological issues or things that are impacting their ability to really care for themselves the way they should," said Adrienne Woods, a nurse practitioner who cares for returning Operation Enduring Freedom and Operation Iraqi Freedom veterans at the Wilmington VA Medical Center in Elsmere. "If they're diabetic, we include the wife and go over the nutritional value of food and how to prepare it so they can control their blood

sugar."

Because the profession is state-regulated, a nurse practitioner's services can vary widely. Some states allow nurse practitioners to work independently of physicians, while others require a supervisory agreement. Delaware requires a collaborative agreement. Each nurse practitioner is assigned to a physician who acts as a consultant in more complex cases. The physician does not have to be physically present when the nurse practitioner sees patients, nor is he required to review or sign the charts.

Nurse practitioners provide primary, acute and specialty health care services similar to those of a physician and are qualified to meet the needs of the majority of patients' health care needs. Delaware law does not permit them to order home health services for their patients. But they have recently obtained permission to sign off on handicapped parking privileges for their patients.

Nurse practitioners work in a variety of settings. In Delaware, these include physician offices, hospitals, clinics, prisons, schools, urgent care centers, hospices and nursing homes. Wright, a nurse practitioner in the department of family medicine at Christiana Care Health System, works at Howard High School Wellness Center, the Ferris School and in her office at the Wilmington Senior Center. In the afternoons, she makes house calls to patients who are unable to make it to the office.

Visiting the sick and infirm in some of the most economically depressed areas of the city has been heartbreaking, she said. "The greatest challenge is

Advertisement

Mom Dilemma #36:
Your daughter insists on wearing her princess costume to the grocery store. Allow it or not?

YES, it's her first day of school!

NO, it's a safety hazard!

momslike me your

Print Powered By FormatDynamics



poverty and that has been an amazing eye-opener for me," said Wright, 55, who has been a nurse practitioner for nine years. "The lack of services and the families having to take care of really, really sick people and being completely overwhelmed."

The atmosphere at Howard High's Wellness Center is a bit more upbeat. "It's really fun," she said. "I love teenagers. That's my favorite age group. I get to go to class and teach about STDs and stuff like that. I just talk their language and they have so many questions. There's so much educating that needs to be done."

Many nurse practitioners feel their ability to speak at the patient's level of understanding helps them establish a close rapport with their patients. "We're able to communicate on a level the patient understands," said Woods, 58, who has been a nurse practitioner for more than 20 years. "I don't think they feel as threatened with a nurse practitioner."

Although nurse practitioners can choose to practice in virtually any medical specialty, the majority elect to work in primary care. "That prepares them to work across the whole spectrum," said Mary Jo Goolsby, director of research and education for the American Association of Nurse Practitioners. "Over 70 percent of nurse practitioners function in primary care, which is a definite difference about our profession because other health care providers prefer going into subspecialties."

Nurse practitioners say they are filling a void for many Americans living in underserved areas. "We're providing primary care which is the biggest need," said Goolsby. "About 18 percent of nurse practitioners practice in rural areas where 20 percent of the U.S. population lives."

Still, nurse practitioners have had to struggle with some tough criticism from medical associations. Experts believe this position stems from a lack of awareness about nurse practitioners' capabilities and role in the delivery of health care.

"I think physicians are not well-trained to work with nurse practitioners," said Dr. Ina Li, a geriatrician at Christiana Care who works with two nurse practitioners. "During residency training, physicians don't interact a lot with nurse practitioners so when they are actually practicing in the real world, they're not sure what nurse practitioners do and they're wary about them. That's a real disservice to the

residents."

Indeed, the profession needs to advocate for the role it plays in providing high-quality, cost-effective, personalized health care, said Mary Nairn, president of the Delaware Coalition of Nurse Practitioners. A 2009 survey revealed that patients still have some misconceptions about the role nurse practitioners play in delivering care.

But attitudes are beginning to change. "I think more patients are familiar with nurse practitioners and are seeking us out as their health care providers," said Goolsby.

Physicians also are calling for a more cooperative relationship. A recent report by the Institute of Medicine states that nurse practitioners have a vital role to play in helping realize the goals of health care reform as 30 million Americans prepare to enter the system.

"Health care is a team sport anyway," said Goolsby. "A physician is as likely to ask me for my opinion as I'm going to ask for theirs, so I think that physicians who work with nurse practitioners really get confident in our ability and that we know where our limits are. It really becomes a good team."

Advertisement




Mom Dilemma #36:
Your daughter insists on wearing her princess costume to the grocery store. Allow it or not?

YES, it's her princess day!

NO, I have some rules!

momslike me 2010
© 2010 Format Dynamics

Print Powered By  FormatDynamics



ABOUT NURSE PRACTITIONERS

Nurse practitioners are advanced practice registered nurses who provide health care services similar to those of doctors. Nurse practitioners diagnose and treat a wide range of health problems, stressing both care and cure. Besides clinical care, nurse practitioners focus on health promotion, disease prevention, health education and counseling.

The role of the nurse practitioner was created in 1965 at the University of Colorado in response to a nationwide shortage of primary care physicians. Today, there are about 140,000 practicing nurse practitioners. Between 8,000 and 9,000 are prepared each year. Most nurse practitioners hold master's degrees. There is a proposal to have the doctor of nursing practice required by 2015.

Nurse practitioners practice in a variety of settings and in virtually every specialty and subspecialty. They are licensed in all states and the District of Columbia and practice under the regulations of the licensing state. Patients make about 600 million visits to nurse practitioners each year.

Source: American Association of Nurse Practitioners

Advertisement



Mom Dilemma #36:
Your daughter insists on wearing her princess costume to the grocery store. Allow it or not?

YES, at least she's dressed!

NO, I have some rules!

momslike me from
—from 2008-2009-2010-2011

Print Powered By 