



PRACTICE ALERT

INCREASED SCOPE OF PRACTICE FOR NURSE PRACTITIONERS DURING COVID-19 PANDEMIC

In response to the COVID-19 emergency disaster, Governor Cuomo has issued a number of [Executive Orders \(EOs\)](#) that impact Nurse Practitioners. **From now until April 22, 2020, Nurse Practitioners (NPs) responding to the COVID-19 pandemic are permitted to:**

- Provide full medical services in accordance with their education, training and experience. No written practice agreement or collaborative relationship with a physician is required, and no civil or criminal penalties can be generated due to a lack of written practice agreement or collaborative relationship with a physician.
- Practice without fear of incurring civil liability for any alleged injury or death as a direct result of a commission (doing something a reasonably prudent provider would not do under the circumstances) or omission (not doing something a reasonably prudent provider would do under the circumstances) in practice. NPs providing medical services in support of the State's response to the COVID-19 outbreak are immune from liability, unless it is established that such injury or death was caused by gross negligence.;
- Ease their recordkeeping requirements to the extent necessary to respond to the COVID-19 outbreak. Any NP acting reasonably and in good faith is immune from liability for failure to keep accurate records. This lessening in record-keeping responsibilities includes allaying the recording and maintenance of fully accurate records which otherwise would require:
 - Fully documenting the evaluation and treatment of patients;
 - assigning appropriate diagnostic codes; and

- creating and maintaining other records for billing purposes.
- Practice in New York State, even if they have let their registration expire.
 - NPs who are not currently registered in New York State and who **do not want** to re-register their license can still practice in response to the call for volunteers for the COVID-19 pandemic without civil or criminal penalty related to their lack of registration;
 - NPs who are not currently registered in New York State and who **want** to re-register their license must first take an infection control course (<http://www.elearnonline.net/coursedesc.aspx?ClassID=506&s=44>) and then register online at <http://www.op.nysed.gov/renewalinfo.htm>. Questions about re-registering your license can be made to the NYS Board of Nursing at 518 474 3817 extension 410.
- Practice in New York State without civil or criminal penalty related to lack of New York licensure if the NP is licensed and in current good standing in any other state in the U.S.
- Issue a non-patient specific regimen to RNs and others to collect throat or nasopharyngeal swab specimens from individuals suspected of suffering from a COVID-19 infection, for purposes of testing or to perform any such other tasks as may be necessary to provide care for individuals diagnosed or suspected of suffering from a COVID-19 infection.

If you have any questions or concerns regarding this practice alert, please contact the NYSNA Nursing Education and Practice Department at education@nysna.org. or your NYSNA representative.