

Protecting Healthcare Quality, Access and Choice of Providers

www.patientsrightscoalition.org

April 25, 2012

The Honorable Jon Leibowitz Chairman Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580

Re: Anti-Competitive Limitations in Legislation and Regulation

Dear Chairman Leibowitz:

The member organizations of the Coalition for Patients' Rights (CPR) would like to express our support of the Federal Trade Commission's (FTC) recent efforts to promote competition, access and choice in healthcare. The CPR is a national coalition of more than 35 organizations and, as such, represents more than three million licensed and certified healthcare professionals committed to ensuring comprehensive healthcare choices for all patients.

Within the past several months, the FTC has expressed opinions on pending state legislation and proposed state regulations in Missouri, Kentucky, and Maine which would affect the practice of advanced practice registered nurses (APRNs) and other licensed, qualified healthcare professionals. It is important to note that state legislators and state regulators value the Commission's expertise in preventing and eliminating anticompetitive business practices. Some of the state level proposed measures, if enacted, would preclude these healthcare professionals from performing the full range of services that they are educated and clinically prepared to deliver as well as restrict patient access to their services. Such anticompetitive measures limit competition, impair free markets for healthcare services, risk additional cost increases to our already costly health system, and fail to improve patient safety. Restraint of trade and anticompetitive initiatives promoted through legislation and regulation can also discourage the interprofessional cooperation that benefits patients.

By responding to state-based requests to evaluate state regulatory and legislative proposals that jeopardize or threaten patient access to quality healthcare, the FTC is fulfilling its duty to promote market competition and its benefits. Ensuring competition in healthcare is more important than ever as the U.S. seeks to identify and promote cost-effective, team-based models of healthcare delivery.

As our population ages and healthcare needs expand, healthcare professionals such as those represented by our professional organizations must be allowed to practice to the fullest extent of their education, training and licensure in order to ensure full access to appropriate care, promote

competition and advance patient safety and quality healthcare for all. We applaud the agency's efforts to review regulations and legislation to ensure that these actions would allow fair competition among all qualified healthcare professionals.

Sincerely,

The Coalition for Patients' Rights

National Members

ANA/ American Nurses Association

AANA /American Association of Nurse Anesthetists

AACN / American Association of Colleges of Nursing

AACN / American Association of Critical-Care Nurses

AACP/American Academy of Chiropractic Physicians

AAMFT / American Association for Marriage and Family Therapy

AANP / American Association of Naturopathic Physicians

AANP / American Academy of Nurse Practitioners

ACA / American Chiropractic Association

ACE/American Congress of Electroneuromyography

ACFAS/ American College of Foot and Ankle Surgeons

ACNM / American College of Nurse Midwives

ACNP / American College of Nurse Practitioners

ANAC / Association of Nurses in AIDS Care

AORN / Association of periOperative Registered Nurses

AOTA / American Occupational Therapy Association

APA / American Psychological Association

APNA / American Psychiatric Nurses Association

APTA / American Physical Therapy Association

ARN / Association of Rehabilitation Nurses

ASAHP / Association of Schools of Allied Health Professions

ASHA / American Speech-Language Hearing Association

AWHONN / Assoc. of Women's Health, Obstetric and Neonatal Nurses

CBNS/ Certification Board for Nutrition Specialists

ENA / Emergency Nurses Association

HPNA / Hospice and Palliative Nurses Association & NBCHPN /

National Board for Certification of Hospice & Palliative Nurses

NACNS / National Association of Clinical Nurse Specialists

NAPNAP / National Association of Pediatric Nurse Practitioners

NLN / National League for Nursing

NONPF / National Organization of Nurse Practitioner Faculties

NPWH /National Association of Nurse Practitioners in Women's Health

ONS / Oncology Nursing Society

State/regional Affiliates

Alabama Assoc. of Nurse Anesthetists

Massachusetts Assoc. of Nurse Anesthetists

Minnesota Assoc. of Nurse Anesthetists

Oklahoma Nurses Association

No. Carolina Assoc. of Nurse Anesthetists

So. Carolina Assoc. of Nurse Anesthetists

Mi. Assoc. of Nurse Anesthetists Florida Assoc of Nurse Anesthetists Washington Assoc of Nurse Anesthetists Delaware Assoc of Nurse Anesthetists

cc: J. Thomas Rosch, Commissioner, Federal Trade Commission Edith Ramiriz, Commissioner, Federal Trade Commission Julie Brill, Commissioner, Federal Trade Commission