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January 8, 2014

Honorable Annette Quijano
985 Stuyvesant Ave.
Union, NJ 07083

RE: MSNJ Opposition to A-1097

Dear Madam Chair:

On behalf of the 8000 physician members of the Medical Society of New Jersey, I am writing some express the Society's opposition to the expansion of the scope of nursing provided for in your bill, A-1097. While MSNJ appreciates the desires of some to add efficiency to the death certification process, we believe that determining the actual cause of death is in fact the practice of medicine.

Determining the cause of death requires extensive education in pathophysiology unique to physicians. These determinations can have far reaching consequences in legal and contractual determinations (e.g. the distribution of death benefits to dependants and family) that go beyond the execution of a death certificate, and therefore should be treated with the utmost scrutiny.

Furthermore, the current scope of practice for advanced practice nursing includes diagnosing and managing "deviations from wellness and long-term illnesses" in collaboration with a physician. Adding to that scope the medical diagnosis of a cause of death would represent a significant and, we believe, unnecessary expansion of that scope. In fact, the practice act for advance practice nurses specifically avoids medical diagnoses at C:4511-23.1(b), which reads in part:

"Diagnosing in the context of nursing practice means the identification of and discrimination between physical and psychosocial signs and symptoms essential to effective execution and management of the nursing regimen within the scope of practice of the registered professional nurse. **Such diagnostic privilege is distinct from a medical diagnosis."**

In this light, A-1097 could render the APN practice act inconsistent with itself.

Once again, MSNJ opposes the scope of practice expansion provided for in A-1097 as we do not believe that physician extenders are appropriately trained to make such important diagnoses. We thank you as always for taking our concerns into consideration, and we look forward to our continued partnership in developing and advancing policies that benefit all of New Jersey's physicians and patients.

Sincerely,

A handwritten signature in black ink that reads "Mishael Azam". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mishael Azam
Senior Manager, Legislative Affairs

Cc: Honorable Joseph Vitale
Senate Health, Human Services & Senior Citizens Committee

Eugene Lepore
Christine Shipley