

October 16, 2019

Representative Sanfelippo, Chair and
Members of the Assembly Committee on Health
Room 314 North
State Capitol
PO Box 8953
Madison, WI 53708

RE: Wisconsin Nurses Association Support of AB 287/SB 254

Good afternoon Chairperson Sanfelippo and members of the Assembly Committee on Health. My name is Gina Dennik-Champion and I am a Registered Nurse and the Executive Director of the Wisconsin Nurses Association (WNA). Thank you for holding a hearing on AB 287/SB 254 which allows for Advanced Practice Nurses to certify advance directives and findings of incapacity related to powers of attorney for health care that are found in Wisconsin State Statute Chapter 154.

WNA supports the inclusion of Advanced Practice Nurses as a health care provider that can:

1. Personally examine a patient/resident of a nursing home and make findings of incapacity upon which a health care power of attorney becomes effective.
2. Issue a do-not-resuscitate or under a declaration to physicians, also called a living will.
3. Certify that a patient or nursing home resident is afflicted with a terminal condition or is in a persistent vegetative state.

This legislation will allow advanced practice nurses to provide on-going care to patients or nursing home residents, who are in a vulnerable state. AB 287/SB 254 will improve access to care for those patients residing in rural and underserved areas, where there may be only one physician present and there is a need to complete the incapacity process.

WNA supports the rights of patients for self-determination. This right includes the right to a natural death without resuscitative efforts. The American Nurses Association's *Code of Ethics for Nurses* (2015), Provision 1.4, supports the right of patient self-determination. In addition, the ANA *Nursing: Scope and Standards of Practice* 3rd Edition, (2015) supports nursing care that protects patient autonomy, dignity, and rights, as well as nursing care that contributes to the resolution of ethical issues. Nurses have an ethical obligation to support patients in their choices, and, when needed, support surrogate decision-makers when they make decisions on patient's behalf, when the decisions of the patient/surrogate do not violate the principle of nonmaleficence. WNA supports mechanisms that encourage advanced practice nurses and registered nurses to more fully participate in end-of-life discussions with patients and families, including discussions surrounding DNR orders.

As with any standard and scope of nursing practice, Advanced Practice Nurses will respond to requests for determining incapacitation, issue a do-not-resuscitate order or certify that the patient or nursing home resident is in a persistent vegetative state providing they have the education, training and experience to do so. AB 287/SB 254 includes amending Wisconsin's Nurse Practice Act 441.07 by creating a condition of unprofessional conduct if the nurse does not demonstrate the education, training and experience needed to determine and/or certify those acts that are identified in § 154.

It is WNA's position that Wisconsin's patients benefit when registered nurses and advanced practice registered nurses are actively involved in all aspects of planning, advocacy, implementation, care coordination and direct care within a transforming healthcare system. AB 287/SB 254 is a reflection of this goal.

On behalf of WNA we would like to thank Representative Snyder, Senators Marklein and Ringhand for authoring and those who signed on as co-sponsors of this legislation. We thank you Chairperson Sanfelippo and members of the Committee on Health for listening to my testimony today.

I will gladly answer any questions you may have.

Sincerely,



Gina Dennik-Champion, MSN, RN, MSHA
WNA Executive Director

Sources:

ANA Code of Ethics for Nurses (2015) <https://www.nursingworld.org/practice-policy/nursing-excellence/ethics/code-of-ethics-for-nurses/>

ANA Standards and Scope of Practice for Nurses (2015).
<https://www.nursingworld.org/practice-policy/scope-of-practice/>