



NANCY VANDERMEER

STATE REPRESENTATIVE • 70TH ASSEMBLY DISTRICT

TO: Honorable Members of the Assembly Committee on Health

FROM: State Representative Nancy VanderMeer

DATE: September 28, 2017

SUBJECT: Testimony in Support of AB 500, the Enhanced Nurse Licensure Compact

Thank you Chairman Sanfelippo and members of the Assembly Committee on Health for holding a hearing on AB 500 today. As the author of this legislation, along with Senator Marklein, I am pleased to testify before you and to take any questions that committee members may have.

Many of you probably remember me coming before you to testify on Senate Bill 196 from last session – the Interstate Medical Licensure Compact. The Interstate Medical Licensure Compact provided a new, expedited licensing option for physicians seeking to practice in multiple states. That particular piece of legislation came before you with the broad support of several of you as committee members, other legislators, and a broad coalition of health care stakeholders. I'm pleased to report that the Interstate Medical Licensure Compact went into effect in April of this year and because of the actions of this committee and our legislature, it's benefits are already being reaped among our state's hospitals and clinics, our workforce, and patients here in Wisconsin. Thank you again for your previous support.

AB 500 is the Enhanced Nurse Licensure Compact. A primary difference between the Interstate Medical Licensure Compact and the Enhanced Nurse Licensure Compact is that instead of working to offer something brand new for our physicians, with the Nurse Compact, we're talking about something that already exists for our nurses and because of the timeline involved to join the enhanced Nurse Licensure Compact, potentially taking something away from them that they already benefit from. One of the primary similarities between the enhanced Nurse Licensure Compact and the Interstate Medical Licensure Compact is that again there is broad support from committee members here, the legislature as a whole (including 96 legislators from both houses), and overwhelming support from a broad coalition of health care stakeholders.

The enhanced Nurse Licensure Compact (eNLC) is legislation that updates our current nurse licensure compact statute to maintain Wisconsin's status as a compact state. The eNLC provides an opportunity for nurses in Wisconsin to receive a multi-state license and allows nurses from other states to quickly fill vacancies in Wisconsin without receiving a duplicative single-state license. Nearly all Wisconsin nurses currently enjoy the benefits of an interstate license authorized by our compact and will continue to have the benefit of an interstate license under this bill. This bill will allow Wisconsin to continue offering a voluntary, alternative process to expedite multi-state nurse licensure. As is the case today, the revised version of our current compact will not interfere with Wisconsin's ability to hold any nurse practicing in Wisconsin accountable for meeting all Wisconsin nurse practice laws.



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Our state joined the original Nurse Licensure Compact in 2000. Since then, multiple states have dropped out of the original compact and joined the enhanced Compact. Currently, there are only three other states in addition to Wisconsin that are members of the original Nurse Licensure Compact (Colorado, New Mexico and Rhode Island). It's important to note that if Wisconsin does not adopt the new enhanced Compact before the end of 2017, Wisconsin's nurses who currently enjoy the benefits of our current Compact license will be forced to apply for a single-state license in Wisconsin and all other states in which they want to practice, including those that have joined the eNLC. Inaction by the state legislature will create unnecessary red-tape and licensure barriers for nurses interested in serving patients in any of the 26 compact states. Nearly all states that were members of the previous licensure compact have transitioned to the eNLC.

The eNLC goes into effect on January 19, 2018. If Wisconsin enacts the enhanced Nurse Licensure Compact, nurses already licensed in the compact are grandfathered into the eNLC and can continue to serve patients under their interstate license. This will be particularly important for lowa-licensed nurses crossing the state border to practice in Wisconsin, for nurses delivering care across state lines via telehealth and for Wisconsin health care organizations utilizing traveling nurses to fill staffing vacancies in rural and urban communities.

Nearly all of the nurses in our state already benefit from a multi-state license. 148 individuals currently hold a single-state license in Wisconsin, which represents roughly .13% of the total number of individuals (112,257) with active credentials, as of June 15th, either as an RN or an LPN in Wisconsin. As mentioned previously, this is especially important for nurses and organizations along the Iowa-Wisconsin border. The most recent data available shows that 278 nurses (both RN & LPN) live in Iowa and work in Wisconsin and 262 nurses (both RN & LPN) live in Wisconsin and work in Iowa. This is a total of 540 nurses (likely many in/near southwest Wisconsin) that would immediately be impacted if the state fails to join the eNLC and who would be required to receive two separate multi-state licenses. (The source of the Iowa-licensed nurse information comes from the Iowa Board of Nursing. The source of the Wisconsin-licensed nurse information comes from the nurse re-licensure survey analyzed by staff at the Wisconsin Hospital Association Information Center.)

This Compact also further enables the use of telehealth through streamlined licensure and is also used significantly to support travel agency nurses who are hired to fill nursing vacancies in rural and urban communities – among many other types of services. While attending an event in my district a couple months ago, I had the opportunity to meet the daughter of one of my friends. She had just graduated with her nursing degree and is now living in the Milwaukee area, but was back for some time with her family in the Tomah area. As we got to talking, she told me about her background and her newly launched nursing career. Her passion for nursing and caring for others was striking. She then went on to tell me about how she loved the opportunity to travel all across the United States on different assignments, and the ability to provide care and help people from across the country. I told her about what I did and what I was working on and she said, "You have to pass this bill Nancy." This legislation has a direct impact for all of us. The Compact gives added value to the investment nurses make in their education via portability and marketability.



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In closing, I would also like to point out that this bill was developed in consultation with the Wisconsin Department of Safety and Professional Services, and The Board of Nursing solicited feedback from licensed nurses earlier this year to understand nurse support for maintaining membership in the nurse licensure compact through the eNLC. Of those providing feedback, 98% of nurses responded in support of Wisconsin maintaining its status as a Compact state through the eNLC.

I ask that you join Senator Marklein and myself, along with a broad coalition of health care stakeholders, in support of the effort to maintain Wisconsin's status as a compact state and allowing nurses in Wisconsin to continue to benefit from a streamlined licensure process that maintains state control of the regulation and practice of nursing.

Thank you for the opportunity to testify here today, I would be happy to answer any questions you may have at this time.



HOWARD MARKLEIN

STATE SENATOR • 17TH SENATE DISTRICT

September 28, 2017
Assembly Committee on Health
Testimony on Assembly Bill (AB) 500

Good morning!

Thank you Chair Sanfelippo and members of the Assembly Health Committee for hearing Assembly Bill 500 (AB 500), which ratifies and allows Wisconsin to enter the Enhanced Nurse Licensure Compact (eNLC). I am proud to be working with Rep. Nancy VanderMeer on this time sensitive piece of legislation that has statewide implications.

Wisconsin is a member of the original Nurse Licensure Compact, which was ratified in 1999. The updated eNLC has been ratified by 26 states already, and without AB 500 Wisconsin would cease to be a compact state on January 19, 2018. One of the key benefits of being a compact state is the multi-state license that allows nurses to work in any compact state. Currently in Wisconsin there are 112,257 RNs and LPNs with active credentials. All but 148 of those license holders have a multi-state license.

I have been contacted by dozens of nurses throughout the 17th Senate District as well as hospital leaders, who would be directly affected if we fail to take action on AB 500. My district borders both Illinois and Iowa, the latter being a compact state as well. The most recent data shows there are 540 nurses in southwest Wisconsin that would be immediately impacted. (278 nurses who live in Iowa, and work in Wisconsin, plus 262 nurses who live in Wisconsin and work in Iowa.)

The eNLC was developed to add value and state representation to the Compact organization. It also takes advantage of new technology and national databases to insure that Compact-licensed nurses meet consistent standards and background check benchmarks. As is the case today, the eNLC will not interfere with Wisconsin's ability to hold any nurse practicing in Wisconsin accountable for meeting all Wisconsin nurse practice laws.

Following are several messages I have received throughout the last month:

“At Southwest Health, being part of the nursing compact has meant that nurses in Iowa who want to work in Wisconsin can serve our patients immediately – rather than wait several weeks to process an additional nursing license. High quality health care, like Wisconsin's, draws high performing workers, and this is true at Southwest Health where almost 1 in 5 nurses are from Iowa,” according to Dan Rohrbach, CEO, Southwest Health, Platteville. “Our hospital appreciates the leadership of Sen. Marklein, Rep. VanderMeer and Rep. Tranel in moving this legislation forward and ensuring

that our nurses and patients can continue to enjoy the benefits of this important interstate agreement.”

“Gundersen Boscobel prides itself on fostering an environment of education and learning. Our tuition investment program is intended to grow nursing leaders and advance practice clinicians for our future and the future of rural health care, but those future nurse leaders and nurse practitioners must have a place to obtain a degree,” according to David Hartberg, CEO, Gundersen Boscobel Area Health and Clinics. “Online education makes it possible for nurses in our community to access highly experienced nurse educators from across the country while continuing to provide critical services for patients in rural Wisconsin. Without the nurse licensure compact, education institutions would face additional licensure barriers as they would have to seek separate certifications in every state where they offer education.”

“With a 70,000-square-foot expansion and renovation underway, we are focused on serving the current and meeting the future demands of an aging population in our community,” according to Nicole Clapp, president/CEO, Grant Regional Health Center. “It is important to maintain a nurse licensure compact agreement with Iowa and 25 other states to ensure we do not encounter unnecessary licensure barriers as we build our Wisconsin nursing workforce to meet the patient care needs our community faces into the future.”

The enhanced Nurse Licensure Compact is supported by Wisconsin’s Board of Nursing and numerous Wisconsin health care organizations including the Wisconsin Hospital Association, the Wisconsin Organization of Nurse Executives and the Wisconsin Nurses Association. AB 500 was also developed in consultation with the Wisconsin Department of Safety and Professional Services (DSPS).

Thank you again hearing AB 500, and your timely action on the bill.

TO: Representative Joe Sanfelippo, Chair and Members of the Assembly Committee on Health

FROM: Gina Dennik-Champion, MSN, RN, MSHA Wisconsin Nurses Association
Executive Director

DATE: September 28, 2017

RE: Support for Assembly Bill 500 and the Companion Senate Bill 417, relating to ratification of the Enhanced Nurse Licensure Compact, extending the time limit for emergency rule procedures, and providing an exemption from emergency rule procedures.

Thank you, Chairperson Sanfelippo and members of the Assembly Committee on Health for holding this public hearing on AB 500 and the companion SB 417, which addresses the Enhanced Nurse Licensure Compact (eNLC). My name is Gina Dennik-Champion, I am a registered nurse and have the privilege of serving as the Executive Director of the Wisconsin Nurses Association. On behalf of the Wisconsin Nurse Association (WNA), which is the professional nurses association with membership open to any registered nurse in Wisconsin, I would like to provide remarks on the proposed legislation AB 500/SB 417.

First of all, I want you to know that WNA was a very active supporter of the first Nurse Licensure Compact State Statute Ch. 441.50 which was enacted in 2000. Having seventeen years to review the success and opportunities for improvement has led us to the fact that improvements are needed to the current NLC. The language in AB 500/SB 417 reflects these improvements that will benefit nurses, patients, employers and regulators. AB 500 and SB 417 contain the same language that will be found in every state that adopts this enhanced interstate nurse licensure compact. This language was developed by a number of states board of nursing through the support of their national association, the National Council of States Board of Nursing (NCSBN). The language was vetted with every state board of nursing including Wisconsin. The Wisconsin Board of Nursing has discussed, accepted comments through their informational hearing on June 8, 2017 and took a position of support. WNA testified in support of the principles, concepts and the actual NCSBN proposed legislative language. WNA would like to see Wisconsin remain a member of the interstate nurse licensure compact and be the 26th state to adopt the enhanced nurse licensure compact.

We are becoming an increasingly borderless world. In 2000 Wisconsin enacted legislation that created an innovative way to support the increased utilization of nurses. The multistate license allows nurses residing in one state to practice in another NLC state without the need for obtaining a license for that state. This has produced the following benefits:

- Health care organizations that provide services in multiple states can utilize the services of the RN without having to obtain a nursing license for that state. This saves money on the costs of paying licensing fees. In addition, many states require continuing education as a condition of relicensure. Depending on the state's requirement for the number of continuing education hours, the specific education topics and renewal dates, nurses practicing in multiple states and their employers are finding themselves delivering less care in order to maintain compliance with each of the states continuing education requirements. The only requirement that the nurse is bound to is the home states continuing education rules.
- There are nurses who prefer to work for organizations for a limited time. These "Travel Nurses" are utilized when there are shortages of nurses. If the nurse lives in a state that is compact state and agrees to work in states that are also compact state, that nurse will not need to have multiple licenses.
- In 2000, Wisconsin opened the door for nurses working as nurse educators to teach across state lines either in-person or online without the need for multiple licenses. This has provided some relief related to demand for nurse educators.
- As the use of telehealth services increases across state lines, so will the increased utilization of nurses who will be communicating with patients for such services as pre-visit with the provider, post-visits encounters and spending time with the patient to teach, explain and support patient care and treatment. If the patient resides or temporarily located in a compact state the nurse will not need a license for that state to practice.
- WNA supports the language that requires fingerprinting as part of the criminal background checks for nurses applying for a license. Fingerprinting is becoming common practice for many industries and occupations. For example, the VA hospitals throughout the US require fingerprinting for all healthcare providers and nurses must submit their fingerprint in order to obtain medication from the facilities' automated medication dispensing system, WNA believes that fingerprinting can prevent nurse identity theft. Not too long ago, in Wisconsin, we heard of a case where individual impersonated a nurse. This individual was caught prior to delivering care to the patient. However, without the diligence of the nursing staff, the impact on patient care was certainly at risk as well as ramifications for the nurse whose identity was used by the individual. The use of fingerprinting as an identifier supports patient care, nursing practice and can save lives. It also supports the Board of Nursing's mission which is to protect the public.

- WNA supports the use of an Interstate Compact Commission that will develop the Administrative Code language for the eNLC. The Commission will also be responsible for maintaining the relevancy of the Administrative Code. The Interstate Compact Commission provides for each state board of nursing to designate an individual to be a voting member on the commission.
- The Board of Nursing maintains their legal authority as defined in Wisconsin State Statute Chapter 441. This includes oversight of Wisconsin schools of nursing, licensing requirements, standards for nursing practice, expectations of professional conduct and issue licensure restrictions.

Thank you for giving me the opportunity to present WNA's position. WNA thanks the sponsors of the legislation Senator Howard Marklein and Representative Nancy VanderMeer and the many legislators who have signed on in support including the members of the Assembly Health Committee, Representatives Bernier, Edming, Skowronski, Kremer, Wichgers, Murphy, Jacque and Kolste.

We ask that AB 500 be voted on by the Committee as soon as possible.

I would be happy to answer any questions.

Sheryl Krause
Chairperson

Peter Kallio
Vice Chairperson

Lillian Nolan
Secretary

WISCONSIN BOARD OF NURSING



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Thank you to the authors and co-sponsors of Assembly Bill 500, and to the Wisconsin Hospital Association for working with key stakeholders in support of this important legislation. Thank you, Chairman Sanfelippo and the members of the Assembly Health Committee, for allowing me the opportunity to speak in favor of enacting the enhanced nurse licensure compact in Wisconsin.

There are 25 states in the original nurse licensure compact which was implemented in January of 2000. The enhanced compact was created to encourage more states to join. There are currently 26 member states in the enhanced compact. Key revisions include a requirement for a federal criminal background check and uniform licensure requirements such as a valid social security number, graduation from an approved education program, and successful completion of an entry level exam. While the additions promote safe patient care, they are not onerous or unreasonable.

As current chair of the Wisconsin Board of Nursing, I represent the members of the board and many of the nurses throughout the state when I urge you to support this legislation. On June 8th, the Board of Nursing held an informational hearing on the proposed nurse licensure compact. We received written feedback from 90 people prior to the hearing. Of those who took the time to respond, 78 people supported the enhanced nurse licensure compact, nine did not indicate a clear preference, and three were opposed. Several themes emerged. The benefits of travel nursing to individuals, healthcare organizations, the economy, and quality patient care were emphasized by many respondents. Several nurses also pointed out that the compact is crucial during times of disaster. Those who had an opinion on the requirement for a federal criminal background check spoke in favor of it as a way to further protect public health and safety. Nurses with a spouse in the military have found the need to obtain licensure in states not participating in the current compact to be burdensome and costly. Nurses who provide telehealth services and those employed by schools or integrated health care systems that cross state borders value their multistate licenses. They indicated a strong desire to preserve the ability to work in multiple states with their Wisconsin licenses. Dr. Mike Thompson, Deputy State Superintendent, expressed his support of the enhanced nurse licensure compact on behalf of the Department of Public Instruction. The enhanced compact allows school nurses to continue to provide care for students with significant health conditions participating in out-of-state field trips.

Public comment provided by the Rural Wisconsin Health Cooperative, Wisconsin Hospital Association, Wisconsin Nurses Association, and various health systems during the hearing was overwhelmingly in support of the enhanced compact. After considering all of the feedback, the Board of Nursing unanimously voted to support joining the enhanced nurse licensure compact.

Enactment of this bill must be expedited to ensure a smooth transition into the new compact.

Sheryl Krause, MS, RN, CEN, ACNS-BC

WISCONSIN HOSPITAL ASSOCIATION, INC.



Date: September 28, 2017

To: Members of the Assembly Committee on Health

From: Ann Zenk, RN, MHA – Vice President Workforce & Clinical Practice

Re: WHA Support of AB 500 – Adopting the enhanced Nurse Licensure Compact in WI

Thank you Chairman Sanfelippo and Assembly Health Committee members for hearing Assembly Bill 500, legislation enacting the enhanced Nurse Licensure Compact in Wisconsin. This legislation will maintain Wisconsin's place in a nursing compact that reduces regulatory burden on nurses, state agencies, and health care organizations, and continues the licensure portability that has benefited patients, nurses and our state's healthcare organizations for two decades.

Wisconsin was an inaugural member of the first nurse licensure compact, implemented in January 2000. Simply put, a nurse licensure compact allows a nurse holding a multi-state license from a compact state to work in any of the other compact states. Sustaining membership in a nurse licensure compact by joining the enhanced compact will benefit high quality health care by making it easier for patients to access care by Wisconsin nurses and removing regulatory barriers for nurses successfully recruited to work in Wisconsin's high quality health care facilities.

High quality health care attracts high quality professionals, and Wisconsin healthcare is ranked at or near the top by many national measures. Most recently, the Agency for Healthcare Research and Quality (AHRQ) ranked Wisconsin first among all states in health care quality. Wisconsin's rural hospitals received recognition as the highest performing hospitals in Medicare's quality improvement program.

This high quality health care does not come by chance, it is the result of dedicated hospital leaders, physicians, nurses and other staff members who provide care to patients 24 hours a day, seven days a week, 365 days a year. This high quality health care is also the result of good public policy enacted by Wisconsin lawmakers which protects our members' ability to deliver high quality, high value health care and ensure that our health care workforce can meet patient needs today and into the future.

The enhanced Nurse Licensure Compact continues to allow high quality nurses from other states who wish to work in Wisconsin's top-performing health care organizations without obtaining multiple licenses. Our experience since 2000 shows that this interstate agreement is important to all of our states hospitals, including those that are on the state's border along with rural and urban hospitals in non-border communities looking to fill staff vacancies and deploy innovative care delivery models.

High quality health care is provided by professionals and organizations who understand how to manage workforce and ensure access to care in Wisconsin. Nurses and health care organizations across the state support adoption of the enhanced compact, including the Wisconsin Hospital Association, the Wisconsin Organization of Nurse Executives and the Wisconsin Nurses Association. Strategies, like telemedicine, that make Wisconsin's high quality health care more accessible to patients in Wisconsin, and can spread that health care to other states, are implemented more easily with

a Wisconsin nurse who holds a multi-state license. Wisconsin's nursing leaders also know that managing a stable workforce sometimes means responding to higher than expected demand. This includes the use of traveling nurses with compact licenses as a more ready source in an unanticipated, and temporary, workforce shortage.

Licensure compacts can also help Wisconsin receive and lend support from and to other states when disaster relief is needed. As a compact state, Texas is grateful for the many compact state nurses who are able to quickly provide essential hurricane disaster relief with no additional licensure action by the Texas Board of Nursing. In the two weeks immediately after Hurricane Harvey hit, Texas had to issue over 600 emergency licenses to non-compact state nurses, an unnecessary regulatory burden during an unprecedented disaster which could have been avoided by compact membership in those states.

High quality health care attracts patients to our state. In fact, WHA's 2015 Health Hospitals, Healthy Communities report found that the economic impact of non-Wisconsin residents coming to Wisconsin to receive their health care is \$3 billion per year. Wisconsin "snowbirds" who move seasonally to other states, but save their health care for Wisconsin, can benefit from providers maintaining their license in multiple states. Wisconsin nurses holding a multi-state license can provide follow-up phone calls and virtual care to patients in states like Florida, Texas, and Arizona, without jumping through additional hoops, or holding single-state licenses in those states, maintaining a smooth patient/provider relationship within Wisconsin's health care system.

Finally, high quality health care relies on safe and reliable practice. Nurses caring for patients in Wisconsin are bound by Wisconsin rules, regardless of which compact state issued their license. Sustaining Wisconsin's participation in a nurse licensure compact is important to Wisconsin nurses, health care organizations, and Wisconsin's citizens.

On behalf of WHA and our member organizations, I thank Representative VanderMeer, Senator Marklein and others for authoring the bill, I thank the bill's ninety-two bipartisan co-sponsors, Chairman Sanfelippo, and the Assembly Health Committee for advancing Assembly Bill 500 to enact the enhanced nurse licensure compact in Wisconsin. The bill maintains Wisconsin's status as a compact state and protects the benefits provided to nurses and patients through this interstate agreement.