

Report From Agency

**STATE OF WISCONSIN
BOARD OF NURSING**

IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : **REPORT TO THE LEGISLATURE**
BOARD OF NURSING : **CR 16-020**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The purpose of the proposed rule is a comprehensive update to the rules governing advance practice nurse prescribers. The chapter N 8 was created in 1995 and has only undergone a few minor revisions. The Board did a comprehensive review, evaluation and updated the rules to reflect current procedures and practice of the profession.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Board of Nursing held a public hearing on March 10, 2016. The following people either testified at the hearing, or submitted written comments:

Jon Lehrmann, Chair, Dept of Psychiatry & Behavioral Medicine, Medical College of Wisconsin

Steve Rush representing Wisconsin Hospital Association

Tina Bettin

Mary Beck Metzger

Debra Dahlke representing Wisconsin Association of Nurse Anesthetists

Julie Banda representing Wis. Chapter of National Association of Pediatric Nurse Practitioners

Mark Grapentine representing Wisconsin Medical Society

Rosalyn McFarland; Leona VandeVusse; Tina Bethin; Deb Dahlke; Julie Bauda representing APRN Coalition

Registered in favor (did not provide testimony):

Jeremy Levin representing Rural Wisconsin Health Cooperative

Kathy Bruning representing Wisconsin Association of Clinical Nurse Specialists

Alyson Leon representing Wisconsin Association of Clinical Nurse Specialists
Allison Mohammadi representing Wisconsin Association of Clinical Nurse Specialists
JoAnn Wagner Navak representing Wis. Chapter of National Association of Pediatric Nurse Practitioners
Deborah Brett representing Wis. Chapter of National Association of Pediatric Nurse Practitioners

Registered to provide information (did not provide testimony nor information):

Gina Dennik-Champion representing the Wisconsin Nurses Association
Rita Lease
Gina Bryan
Sonia Ayisi Johnson
Jenell Pierce
Elizabeth Hill Karbowski representing Wis. Affiliate of the American College of Nurse-Midwives
Staci Kothbauer representing Wisconsin Association of Nurse Anesthetists
Erika Bourdeaux representing the UW-Madison School of Nursing
Melissa Mellum representing the UW-Madison School of Nursing
Kathleen Sawin representing Wis. Chapter of National Association of Pediatric Nurse Practitioners
Crystal Bales representing Wis. Chapter of National Association of Pediatric Nurse Practitioners

The (Board or Department) summarizes the comments received either by hearing testimony or by written submission as follows:

Dr. Lehrmann supports the rule. He indicates “hyperkinesis” is an outdated term and supports the clarity the addition of attention deficit hyperactivity disorder (ADHD) brings to the rule. Dr. Lehrmann supports the continued ability for APNP’s to prescribe stimulant medications for the therapeutic treatment of ADHD.

Wisconsin Hospital Association supports the rule. The Wisconsin Hospital Association did suggest a minor change to return the requirement that the nurse and physician document the collaboration relationship.

Wisconsin Association of Nurse Anesthetists and Wis. Chapter of National Association of Pediatric Nurse Practitioners support the rule.

Wisconsin Medical Society is neutral on the rule and appreciated the collaborative discussions regarding the rule while being promulgated.

The APRN Coalition is support of the rule changes. The APRN Coalition indicated the requirement for an APNP to practice in collaboration with a physician hinders health care in communities with serious shortages of healthcare providers.

Ms. Bettin and Ms. Betzer made comments focused on APRN issues.

The Board of Nursing explains modifications to its rule-making proposal prompted by public comments as follows:

The Board of Nursing did not make any changes to the rule as a result of the public comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

This rule will not impact small businesses.