



# John Nygren

WISCONSIN STATE REPRESENTATIVE ★ 89<sup>TH</sup> ASSEMBLY DISTRICT

**Assembly Committee on Health  
Chair, Representative Joe Sanfelippo  
Testimony by Representative John Nygren  
October 18, 2017**

Thank you Chairman Sanfelippo and members of the Assembly Committee on Health for holding a public hearing on Assembly Bill (AB) 529.

Recently, Senator Leah Vukmir and I were approached by the Wisconsin Hospital Association and the Wisconsin Department of Health Services to author a bill that provides some statutory clarification to Medicaid providers in Wisconsin. AB 529 is the product of those discussions and, in addition, is supported by a variety of other professional organizations including the Wisconsin Association of Nurse Anesthetists, Wisconsin Nurses Association, Wisconsin Medical Society and the Wisconsin Academy of Physician Assistants. This short bill is aimed at reducing confusion and complexity among Medicaid providers, while continuing to support the efficient and effective delivery of high-quality care that Wisconsin is known for.

This bill will clarify that Wisconsin's Medicaid program recognizes orders made by healthcare providers when those orders are made under that provider's existing scope of practice.

Let me be clear, this bill does not change a provider's scope of practice, it simply clarifies Wisconsin's Medicaid statute to align with the provider's scope of practice authority.

As medical professionals testifying today will speak to, advanced practice clinicians (e.g. advanced practice nurses and physician assistants) have increasingly important roles on a patient's care team and have helped to address access concerns resulting from an aging workforce. As most know, Wisconsin, like many other states is facing a shortage of healthcare professionals. This bill will clarify the ability for providers, like advanced practice nurses and physician assistants, to serve patients in our state's Medicaid program and meet the healthcare needs of Wisconsin's most vulnerable citizens.

AB 529 will provide regulatory certainty and clarification to all providers who serve Medicaid patients by ensuring that their ability to order a service in the Medicaid program is consistent with that provider's scope of practice.

Thank you for your time and consideration of Assembly Bill 529.

**STATE SENATOR**  
**Leah Vukmir**

**Assembly Committee on Health**

Wednesday, Oct. 18, 2017

**Assembly Bill 529**

Chairman Sanfelippo, committee members, thank you for taking the time to hear testimony on Assembly Bill 529 today.

Wisconsin is number one in the nation for health care quality, according to the federal Agency for Healthcare Research and Quality. A large part of the reason we received this honor is because of the team-based health care model we have in Wisconsin. Here, we encourage and enable our health care practitioners to work to the greatest extent of their scope. Doing this makes health care quality better for our patients, as well as more efficient and more cost-effective.

Assembly Bill 529 is a simple fix to ensure Medicaid will reimburse orders given by our nurse practitioners, physicians' assistants, and other advanced practice clinicians while working within their scope of practice. Currently, statutes say some of these orders can only be prescribed by a physician in order to be approved by Medicaid, even though it is well within other practitioners' abilities to order different services.

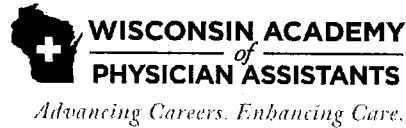
This bill does not change which services can be reimbursed in Medicaid. It only expands the list of health care professionals who can order the services for a patient. This way our Medicaid system can better reflect how our modern, best-in-the-nation health care system actually delivers care.

I am proud to say this bill has broad support across the medical community. The Department of Health Services, Wisconsin Hospitals Association, Wisconsin Medical Society, Wisconsin Association of Nurse Anesthetists, Wisconsin Nurses Association, and Wisconsin Academy of Physician Assistants are all supporting this initiative.

Thank you for your time. Please let me know if I can answer any questions you may have.

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October 18, 2017

**To:** Members of the Assembly Committee on Health

**From:** Wisconsin Hospital Association, Wisconsin Association of Nurse Anesthetists, Wisconsin Nurses Association, Wisconsin Medical Society, and Wisconsin Academy of Physician Assistants

**Re:** Wisconsin Health Care Organizations Support Assembly Bill 529

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Wisconsin has a long-standing recognition of advance practice clinicians (APC) providing medical care within their defined scope of practice and that medical orders issued by an APC – as permitted by the APCs scope of practice – are valid orders. This technical, clarifying bill provides better clarification to health care providers that Wisconsin's Medicaid program recognizes orders made by physicians and non-physician providers alike when the order is made within the provider's scope of practice under statutes, rules, or regulations governing the provider's practice. The bill does not change any providers' scope of practice.

Our organizations support AB 529 because it will reduce confusion among some Medicaid providers by making it easier to identify recognition in the Medicaid statute of the authority of advance practice nurses, physician assistants other non-physician professionals to order health care services to the extent permitted by each profession's scope of practice under Wisconsin law. This bill simplifies what had been a more complex legal analysis to reach the same result.