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1987

### Legislative Hearings; Series II; File 62

Juanita Hunter

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Assembly Committee  
on Health

Assembly Committee  
on Higher Education



Senate Committee  
on Health

Senate Committee  
on Education

NOTICE OF PUBLIC HEARING

SUBJECT: Nursing Issues

PURPOSE: To examine proposed legislation revising the Nurse Practice Act as it relates to patient and population health care needs and nursing supply

ALBANY

DATE: Wednesday, May 20, 1987

TIME: 10:00 a.m.

PLACE: Hamilton Hearing Room B  
2nd Floor, Legislative Office Building

\* \* \* \* \*

Legislation which authorizes the independent practice of nursing was signed into law in 1972. Since then three pieces of legislation have been discussed which propose revisions of this law. They would require a baccalaureate degree for entry into practice, allow some nurses (nurse practitioners) to diagnose and treat illness, and disallow the provision of nursing care by non-nursing personnel in certain facilities. In addition, a nursing shortage has developed over the past decade which appears to be more pervasive and entrenched than the cyclical variations in supply of the past. The trends of enrollment in nursing programs are downward. At the same time, opportunities in nursing are increasing because of higher intensity hospital patients, the demand for professionals to provide home care, and an increase in emphasis on preventive health, health promotion, and administrative roles. The need for personnel with appropriate preparation requires a review of the options available to insure an adequate supply of well trained health professionals to meet the needs of our population in all settings.

Testimony which addresses these issues is requested; in addition to general comments, please see the questions to which witnesses may direct their testimony, listed on the reverse of this page. Persons wishing to present pertinent testimony to the Committees at the above hearing should complete and return the enclosed reply form as soon as possible. It is important that the reply form be fully completed and returned so that persons can be notified in the event of emergency postponement and cancellation.

Oral testimony will be limited to ten (10) minutes duration. Witnesses are encouraged to summarize the written comments which they have submitted. In order to allow sufficient time for questioning of witnesses and to permit a focused discussion of the issues at the hearing, witnesses are requested to submit testimony before the scheduled hearing date. Twenty copies of any prepared testimony must be submitted at the hearing registration desk, if not provided in advance.

In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committee staff as early as possible. In the absence of a request, witnesses will be scheduled in the order in which reply forms are postmarked.

In order to further publicize these hearings, please inform interested parties and organizations of the Committees' interest in hearing testimony from all sources.

JAMES R. TALLON, JR., Chairman  
Assembly Committee on Health

TARKY LOMBARDI, Chairman  
Senate Committee on Health

EDWARD C. SULLIVAN, Chairman  
Assembly Committee on Higher Education

JAMES H. DONOVAN, Chairman  
Senate Committee on Education

#102  
Legislative  
Hearings

1. Nursing care is being provided to patients in a widening variety of settings, from adult and pediatric intensive care units to long term care facilities to individual homes, schools, worksites, health and fitness clubs. Is the current preparation adequate for all settings or do different settings require different kinds or levels of preparation? What changes might be made and how would such changes impact on quality of care?

2. Are there distinctions among the applicants to diploma, associate, and baccalaureate degree programs, all of which prepare people for licensure as a registered nurse? If so, what are the likely results of requiring a baccalaureate degree to practice as a registered nurse on nursing supply? How would legislation requiring a baccalaureate degree impact on patient care?

3. Historically, diploma and associate degree graduates perform better on the licensing examination for registered nursing practice than do baccalaureate students. In light of this fact, what justification is there for requiring baccalaureate preparation for entry into practice at this level?

4. Nursing has traditionally been a viable professional option for women from wide ranges of social, economic, and cultural backgrounds. What might be the impact of the requirement of a baccalaureate degree for the practice of registered nursing on these pools of applicants? What other mechanisms are needed to encourage an adequate supply of entrants to the profession of nursing?

5. Health care and its service delivery are dynamic. Chronic service shortages exist in various geographic areas and among certain population groups. What role might nursing play in the delivery of these services?

6. What impact would the expansion of nursing practice to include diagnosis and treatment of illness have on the availability of health care and the quality of services?

7. How might the expansion of nursing practice impact on the applicant pool and the long term supply of nurses? What are the implications in relation to educational preparation?

8. The exemption of certain personnel from nursing requirements is challenged as detrimental to patient care. What evidence exists to support this charge? Are there alternative solutions to this problem, especially in light of the already existing shortage of nurses?

9. What initiatives are being taken within the health care industry to recruit and retain nurses to meet patient needs? What are the implications of such initiatives for the profession as a whole?

-----  
Persons wishing to present testimony at the public hearing on nursing issues are requested to complete the reply form below and return it as soon as possible to: Naomi Marsh, Assembly Committee on Health, 822 Legislative Office Building, Albany, New York 12248, (518) 455-4646.  
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\_\_\_\_\_ I plan to attend the hearing in Albany, May 20, 1987.

\_\_\_\_\_ I would like to testify.

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

ORGANIZATION \_\_\_\_\_

ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

#02  
Legislative  
Hearings

Assembly Committee  
on Health  
Assembly Committee  
on Higher Education



NURSING HEARING  
May 20, 1987  
Witness List

Senate Committee  
on Health  
Senate Committee  
on Education

1. Ellen M. Burns, President  
New York State Nurses' Association
2. Francesca C. Hartnett, President  
Coalition of Nurse Practitioners, Inc.
3. Judith A. Ryan, Executive Director  
American Nurses' Association
4. David Axelrod, Commissioner  
New York State Department of Health
5. Samuel M. Gelfand, President  
Medical Society of the State of New York
6. Donald J. Nolan, Deputy Commissioner  
(on behalf of Commissioner Ambach)  
New York State Education Department
7. Margaret D. Sovie, Associate Director for Nursing  
Strong Memorial Hospital
8. Jacqueline E. Perley, President-Elect  
Associate Degree Council for New York
9. Lynne Van Wormer, Legislative Chairperson  
New York State Association of Nurse Anesthetists
10. Annette Choolfaian, Executive Vice President  
(on behalf of the Hospital Association of NYS) St. Luke's  
Roosevelt Hospital Center
11. Vivian DeBack, Project Director  
National Commission on Nursing Implementation Project
12. Elizabeth Somers, Vice President of Regulatory  
and Professional Affairs  
Greater New York Hospital Association
13. Alma Dixon, Director of Special Studies  
Greater New York Hospital Association
14. Marianne K. Lettus, Associate Coordinator  
SUNY, Regents College Degrees - Nursing Programs
15. Margaret McClure, Executive Director of Nursing  
New York University Medical Center
16. Shirley H. Fondiller, Executive Director  
Mid-Atlantic Regional Nursing Association
17. Peter A. Spina, Vice President  
Association of Presidents of Public Community Colleges

#02  
Legislative  
Hearings

18. Bonnie Bullough, Dean  
State University of New York at Buffalo, School of Nursing
19. Daphne Nelson, Assistant Director of Nursing  
University Hospital - SUNY at Stony Brook
20. Evelyn Giciella, Dean  
Hunter-Bellevue School of Nursing
21. Marilyn Jaffe-Ruiz, Dean  
Lienhard School of Nursing, Pace University
22. Mary Davis, Chairperson  
Council of Practical Nursing Programs
23. Pamela Hinthorn, Associate Professor  
Yale University, School of Nursing
24. ~~Frances Wood, Director of Patient Care Services  
New York State Health Facilities Association~~  
*Kilanski - Administrator, T&G Home*
25. ~~Carol A. Hamer, President  
Northeast Coalition of Hospital and Diploma Schools of Nursing~~
26. ~~Helen Purello, Coordinator of Upgrade and Continuing Education  
Service Employees' International Union, Local 144~~
27. Jean E. Steel, Lecturer  
Boston University, School of Nursing
28. ~~Pat Johnson, Co-Chairperson  
Committee on Mental Disabilities, New York State Bar Association~~
29. ~~Candy Dato, Clinical Coordinator  
St. Luke's Roosevelt Hospital Center~~
30. ~~Robert S. Lord, Executive Vice President  
Nassau-Suffolk Hospital Council~~
31. Marilyn Baader, Vice President  
Crouse Irving Memorial Hospital
32. Catherine F. Kane, Assistant Professor  
University of Rochester, School of Nursing
33. ~~Elaine D. Caso, Faculty - Clinical Specialist  
Arnot Ogden Memorial Hospital School of Nursing~~
34. Claire Murray, Vice President Patient Services  
St. Mary's Hospital
35. ~~Cecilia F. Mulvey, Associate Professor  
Syracuse University College of Nursing~~
36. ~~V. Barbara Hynes, Director of Nursing  
Marist College~~
37. Mary X. Britten, Graduate Program Coordinator  
SUNY at Binghamton, School of Nursing
38. Mary S. Collins, Dean  
SUNY at Binghamton, School of Nursing

#02  
Legislative  
Hearings

39. Vladimir Grigoriev, Administrator  
Tolstoy Foundation Nursing Home
40. Lillie Shortridge, Professor and Assistant Dean - Center  
for Nursing Research and Clinical Practice  
Lienhard School of Nursing, Pace University
41. Marilyn Lusk, Chairman - Nursing Department  
Alfred State College
42. Carol A. Brooks, Vice President Nursing  
Long Island Jewish Medical Center
43. Kathleen P. Wade, Education Director  
Women's Health Care Nurse Practitioner Program
44. Ellen G. Scott, Administrative Director  
Ellis Hospital School of Nursing
45. Esther K. McEvoy, Chairman  
Maria College, Nursing Department
46. Janet Wright, Chairperson, Nursing Department  
Broome Community College
47. Nancy J. Macintyre, Consultant in Nursing on behalf of Ann  
Reddington)  
New York State Association of School Nurses
48. Lynné B. Ende, State Field Representative  
Licensed Practical Nurses and Technicians of New York
49. Janeen B. Sheehe, Curriculum Coordinator  
St. Joseph's Hospital School of Nursing
50. Margaret A. Evans, Director of Home Service  
United Cerebral Palsy of Syracuse
51. Sandra Karl, Director of Family Support/Therapy Services  
United Cerebral Palsy of Syracuse
52. Janet Kent, RN  
Menoran Home and Hospital
53. Jennifer Walkowiak, Charge Nurse - *Professional Staff, Intensive Care*  
Roswell Park Memorial Institute
54. Clark A. Davis, Community Mental Health Nurse
55. Joan Maguire, Chairperson  
Junior College of Albany, Division of Nursing
56. Elena Head, Transfer Admissions Advisor  
Alfred University
57. Margaret Argentine, Director Department of Nursing  
Cazenovia College
58. Margaret Raustiala, Associate Director  
Interagency Council of Mental Retardation and Developmental  
Disabilities Agencies

#02  
Legislative  
Hearings

59. E. Ann McGuane, Director  
Marion S. Whelan School of Practical Nursing of Geneva General  
Hospital
60. Sam LeCates, President  
Nursing Students' Association of New York State
61. Kattie Washington, Head Nurse Respiratory ICU  
City Hospital Center at Elmhurst
62. Lorraine Flattery, Head Nurse  
Geneva B. Scruggs Health Center
63. Frances Feldsine, President  
Professional Nursing of America P.C.
64. Mark R. Jantzi, Administrator  
Mary & Alice Ford Nursing Home
65. Stanley F. Duncan, President  
Northeastern New York Hospital Association
66. Jeanette Coleman, Director, Department of Nursing  
SUNY at Plattsburgh
67. LaMarr J. Jackson, MBE Coprdinator  
Monroe County Affirmative Action
68. Shirley LeClair, Individual Practitioner
69. Dorothy E. Ramsey, Associate Professor  
Adelphi University School of Nursing
70. Suzanne Spaulding, Vice President - Education  
Crouse Irving Memorial Hospital
71. Patricia Irons, Chairperson - Department of Nursing  
Queensborough Community College

#02  
Legislative  
Hearings

#62  
Legislative  
Hearings

Nursing Hearings

1. Elaine Bureau

Law would have immediate effect + enrollment

Law would have been added in any other state

[N. Kubota - nurse - in process]

in short run - if bill will  
independence why not use other end as  
enhancement for BA degree

Francesca Hartnett

Expanded Nurse Practitioner - nurse practitioners taught to diagnose, treat common ailments + work statutory empowerment

• 44 states have enabling legislation

• diagnosing treatment of illness

what would be withdrawn in bill - 1. Ex child + sex infection - assess,

Dr, initiate Rx + prescriptions

would there be a dividing line between NP and MD in bill

are there other states that you are familiar with that has passed such legislation? concerns of MD over areas of conflict

patient cannot have safe care if class lines of communication are not in place between NP and MD with greater knowledge  
in collaboration

Judy Papp

Question: Nursing Care Tech, home care, HIV, drug abuse - need for better qualified nurses

Now 66 - all 50 states support entry

17 other states will go forward to legislation this year

Proposal - Nurse Amendment

Late 1960s - legislation initiated those statutes inhibiting

43 states have some kind of language in a variety of places

Some regulations, some in bills or pharmacy bill

Recommendations

+ scholarships for BSN students

channel money away from HS programs to

work to improve working conditions

Barbara - how to respond to shortage -

entry from multiple levels

David - needs - how each segment affects nurse, productivity + will

mean before making decision - changing health care environment, the  
issue of guild issues concerns about + of 50, 70, 80

need to assess utilization of nurses, what systems will not be  
able to produce

Health Labor Industry Task Force - will be initiated

BA Program - concerns in worldwide efforts + guild efforts

BA and Nurse Degree graduates must be recognized

Mental Health therapy aides - will work

Oppor. to recognize nurse practitioners - support recognition of current  
nurse practice act

Donald Helford - Medical Society of State of Ill.

Educational requirements must at least degree

role of professional outside of hospital should be defined

Master's degree for specialization supports entry

Phys Assistants - has been a shift

Donald Nolan

Entry into Practice 1934 - statement about need for education

State Ed - not appear to entry before prior study must be done



#62  
Legislative  
Hearings

BA graduates - managers, role in community, better able to collaborate  
with other disciplines

Access issues - minority - 13% BA, 20% Assoc.

Nurse applicants - impact on supply

Educ. Programs - will need to change programs

Faculty 15% BA Master shortage

Expanded practice - 25% graduate prog. no authorization to practice

Program offer technology - reported that NP, NNP, APR provide services

which are equal to care of MDs

needs to work

(1) Negotiations - broad scope education, preparation

(2) written mutual practice agreements - too restrictive

(3) practice agreement - over MD

Exempt Nurse - unreasonable to allow nursing care provided by  
nurses under supervision

NY licenses 4000 + DHS growth

19 Institutions & MDs practitioners that who could take licensing exams

Margaret Lowe

Jacqueline Perry

Assoc. Degree - 90% in hospital - majority work in states

where they graduate

new scope of practice for BA grad

Committee of Legislature to explore issues

Lynne Van Worman

Legislation should support those nursing coming from out  
of state

Lynne Worman

expanded legislation - should ensure safety of public

Annette Chuljian

Jack Green on shortage of nurses

look at recruitment system

5/11/84 Legislation - does not address who else can need a law license

shortage - must be dealt with

attitudes of MDs towards nursing

Widely spread of clinical experience for new graduates

Recruitment -

must look at problem in comprehensive manner

Lynne Van Worman NC NP

Entry in Practice - trends need to be - new resources considered to meet  
new int. effectiveness

\* need support for nursing education

improve image of nursing

1. public will know what a nurse is

2. show identification of cases with relevant recruitment

Recruitment Program

1. Detroit South Dakota

TCON - Yale New Haven Vanderbilt

10/3/84 Beth Somers - Recruitment Issues

NY State lowest pts. to raise ratios of 6 to 1 by 1990

1.

2.7 acuity level of pts in NY

3. AIDS pts. in NY city

compounded by unsafe areas

#62  
Legislative  
Hearings

13  
12 do not reward properly for long term care

15 Margaret M. Shure

National statistics - ↑ no. of beds & nurses in hospitals  
Educational prep - BA long term solution to shortages  
Knowledge explosion causes lack of preparation of new graduates  
Crisis is a direct result of squeeze from reimbursement

16 Shirley Sondheimer MANNA New York is a leader

Entry - issues from which all other problems arise  
Current remedies of importing nurses from other countries,  
instruct programs for nurses aides

17 Peter Sporn reports to 36 community colleges (Pisa Monroe College)

used AHA statement that changes should not be made in entry  
3 through study and involvement of all those involved

18 Bonnie Bullough

Impact of Declining Birthrate Programs  
Short term - ↑ money for Regent's Scholarship  
State supported scholarships for disadvantaged students  
Long term strategies - are more difficult  
must make profession attractive to both men & women  
nursing has become highly stratified occupation  
support - Entry but do not call it that - both levels should  
be recognized in law  
support - legislation of Nurses Coalition  
" " " " midwives

19 Kathryn Nelson

Exempt Clause -

20 Evelynne Sivella

21 Michele Jaffe - RN

Exempt Clause / Entry into Practice

22 Mary Kover

Entry - have not documented credibility of two levels -

- does BA graduate provide better care

Look at RN graduates and try to possible issues of programs to  
address nursing shortage

23 Pamela Hirthorn

James Steel -

with James in Collaborative Practices

31 Evelynne Sivella

BA should not be requirement

look @ certifications of those 2 experiences

profession should emphasize continuing education

32 Barbara Lane

Exempt Clause

nurse researcher @ Psychiatric Mental Health & reality

IM HATA - Mental Health Therapy Aide

34 Claire Murray

nurses & BA are needed by clients, had deeper understanding  
of nursing process, better understanding of community, better  
understands teaching role, more conf. involving families, better verbal  
and written skills

#62  
Legislative  
Hearings

37. Mary Bittler  
Entry Issues

38. Mary Collins  
BA and influence on pool of applicants

42. Carol Brooks - Entry

44. Ellen Scott - Negative for entry

46. Janet Wright " " "

50. Margaret Lyons - req. Exempt Clause repeal

51. Sandra Kark " " " "

53. Jennifer Westwood

54. Clark Harris - Exempt Clause Repeal - endorsed

consider structure of new state hospital & community mental health program

1:4 general & req. state hosp.

community program general state provides all services

December 20th: 1:25

55. Joan Margiuce - Support of Entry

Functional role of access is misunderstood

56. Elena Head - Entry

Reasons for returning to school - DRGs, T emphasis on discharge planning, teaching, counseling, quality assurance

57. Margaret Argentine Cesar Regan School

- 1. safety of state residents - Pro Exempt Clause
- 2. req. practice did not be expanded to include diagnosis
- 3. support of entry

59. E. Anne McKeane

Graduate student @ SUNY Buffalo - Administration  
provide wrap to facilitate entry and exit

60. David L. Gates Dir. New Students

will graduate from diploma school will need to go to baccalaureate program