



March 14, 2012

2011-2013 Vol. 10

GENERAL SESSION

March 7, 2012

Program Topic 1: Hospitals: How Safe from Infections?

Presented by: Health & Human Services/Retirement & Independent Entities

Director: Rebecca Reese

Chair: Jean Madsen

Speaker: Rep. Jack Draxler (R) Dist. 3; Cache County; sponsor, HB55 Health Care Associated Infections

***Note:** Utah State Democratic Party Chair **Jim Dabakis** and **Julie Dole**, Salt Lake County Republican Party Chair, stopped by to remind WSLC membership to attend their neighborhood Caucus meetings. Democratic Caucuses will be Tues., March 13, 7 pm. Locations may be found online at utahdemocrats.org. Republican Caucuses will be Thurs., March 15, 7pm. Locations may be found online at utgop.org.*

Rep. Draxler said he began educating himself regarding hospital infections when his constituents began contacting him with concerns. He found The Center for Disease Control (CDC) estimates there are 1.7M hospital-associated infections per year, resulting in over 98,000 per annum deaths. The direct cost of these infections nationally is \$35B per year. He said Utah's share of the costs is about \$70M, and that 20% of these infections are preventable. Preventing them would save the state almost \$14M per year.

HB55 tasks the Utah Health Department with collecting and reporting to the public (via their website) the infection rates of health care facilities in the state. Rep. Draxler said the parties involved in crafting **HB55** do not traditionally share a single perspective on most issues. However, hospital associations and patient advocacy groups did an excellent job of coming

together. There could be a heavy fiscal note associated with the bill, since the work of gathering information by the State Health Department is labor intensive, but crucial. Large urban health care facilities, he continued, can't be compared to small rural facilities. The ongoing funding needed would be approximately \$100,000 per year. However, if only its Medicaid costs were the only costs Utah considered, the prevention of just two infections per year would absorb the fiscal impact.

Responding to questions, Rep. Draxler said many factors contribute to hospital infections. These include poor cleaning protocols, and new patients bringing & transmitting their infections to others. Interestingly, doctors' ties have been found to transmit a good deal of bacteria to patients. Greater transparency to the public will allow consumers to compare facilities.

Competition for business will incentivize facilities to find the best measures to lower their infection rates.

Reported by Pam Grange

Program Topic 2: Welfare Recipients: Drug Screening for Them?

Speakers: Rep. Lee B. Perry (R) Dist. 2; Box Elder, Cache Counties

Rep. Brad. R. Wilson (R) Dist. 15, Davis County (Kaysville);
sponsor, **HB155** Drug Screening for Temporary Assistance for Needy Families Recipients

Rep. Perry briefly introduced the bill, saying he had intended to run a similar one, but deferred to Rep. Wilson’s **HB155**, as it was filed sooner. He is now pleased to co-sponsor this bill. Alluding to his 25 years in law enforcement, he said his experience tells him **HB155** will be good public policy.

Rep. Wilson said many states are struggling with how best to deal with welfare payments to drug-addicted recipients. **HB155** would require an applicant who qualifies for cash assistance under Utah's Family Employment Program (FEP) to complete a written drug-screening questionnaire and meet other requirements in order to receive cash assistance (“paycheck benefits”) under the program.

Approximately 12,000 people apply monthly for paycheck benefits with the Temporary

Assistance to Needy Families (TANF) program. The drug-screening requirement is intended to more quickly identify those who are drug-addicted and streamline the process through which they can be rehabilitated.

Responding to questions, Rep. Wilson said prescription drugs needed for chronic pain, etc. won’t disqualify applicants. Utah currently spends .5M on drug rehab programs, primarily through Medicaid. Applicants on a waiting list are not denied benefits. Under **HB155**, applicants can actually get onto the list sooner. If identified as drug-addicted, an applicant is subject to a 90-day suspension of benefits; after that, the suspension is a full year.

Reported by Pam Grange

Program Topic 3: Smokers: Who Should Pay?

Speaker: Rep. Paul Ray (R) Dist. 13; Davis County (Clinton, Sunset, West Point, Clearfield); sponsor, **HB247** Cost Sharing for Smokers Enrolled in Medicaid

Rep. Ray said **HB247** reflects the three-fold philosophy he uses when writing legislation: Agitate, Educate, and then Legislate. The agitation is built in, he continued, with “a tight penalty right up front.” The bill would require the state Medicaid program to apply for a waiver

allowing the state to require Medicaid enrollees who use tobacco to pay higher co-payments and cost sharing.

To educate, he would institute a “wellness program” for Medicaid, which he described as a smoking-cessation course. Enrollment

in this course would eliminate the higher co-payments. Several other states, Rep. Ray mentioned, are showing an interest as this legislation moves forward. He will be putting a Round Table Panel together this summer

to study and fine-tune the specifics of the penalties and education phases of the bill.

Reported by Pam Grange

Program Topic 4: Utah Nurses: New License Requirements?

Speakers: Sen. Gene Davis (D) Dist. 3; Salt Lake County; sponsor, **SB263**
Education Requirements for Nursing Licensure Amendments

Michelle Swift, RN, JD – Pres.; Utah Nurses Foundation

Sen. Davis expressed appreciation for the WSLC and its interest in **SB263**. The Senate passed the bill unanimously on Concurrence. As substituted, it has passed both houses and is waiting for the Governor's signature. The senator said his bill was initiated by the concerns of a few of his constituents regarding those nursing programs that were accredited and those that were not.

He believes it is wise to consider this issue, as we need to foster the strongest nursing profession possible for our state. One of the first people the senator consulted was Paula Julander, former state senator and continuing nurse advocate, whom he believes is one of the preeminent nurses in Utah. She agreed it was time to look at the issue.

Under current Utah law, the licensing of nurses is the responsibility of the Utah Division of Occupational and Professional Licensing (DOPL). Under **SB263**, a nursing program must be affiliated with an institution of higher education in order for a graduate to qualify for licensure. DOPL is empowered to make rules defining further requirements.

DOPL has ruled, the senator said, that the program must be accredited by one of three nationally recognized licensing boards. In

addition, the DOPL Board of Nursing must approve the program. When a student qualifies for licensure, the student can then sit for the Board-administered exam.

Turning again to **SB263**, the senator said the first provision of the bill specifies that a program must be affiliated with an institution of higher education that is accredited by one of six regional accrediting bodies. All six are specified in the bill. The program must also be accredited by one of three nationally recognized boards. This is a requirement by law, rather than DOPL rule.

Alternatively, if the institution is not accredited, but the program itself is accredited by one of the national boards, the Nursing Board can also approve the program. The students will then be eligible for licensure. The Nursing Board can potentially approve Colleges of Applied Technology.

Sen. Davis explained that another provision of **SB263** specifies that non-clinical courses may be offered using either classroom, clinical or online methods. There are excellent courses offered online, he noted. However, the clinical rotation must still be done in a clinic.

Ms. Swift also praised the WSLC for its interest in this issue. She said The Utah

Nursing Association originally opposed the bill, as did DOPL. One of their main concerns was that Utah should keep the control of its nursing programs at a state level.

Donna Murphy, a member of the WSLC board and nursing professor at Salt Lake Community College (SLCC), was asked to contribute her perspective. She said the college has not taken a stand on the bill, but she would be happy to speak on her own behalf. She said the college is adequately accredited, and described the accreditation process as rigorous. The SLCC staff works extremely hard to prepare students to pass the National Council Licensure Examination (NCLEX).

Responding to questions, the senator said **SB263** would have the favorable effect of

“expanding the list of accreditation,” in that it would be easier for the student of an out-of-state institution to sit for the Utah Board Exam. Both Sen. Davis and Ms. Swift agreed **SB263** reduces the oversight of the nursing programs previously granted to the DOPL Nursing Board. However, DOPL still has the authority to grant a license or remove it.

Donna Murphy compared the change to “eliminating one of three bosses.” The bosses are DOPL and the two accrediting bodies to which SLCC is responsible. Essentially, it will streamline the system. It was explained that the function of DOPL in all its areas of licensing is to ensure the public safety by making certain that professionals are practicing appropriately.

Reported by Stuart Gygi

**THIS BULLETIN IS A PUBLICATION OF
THE WOMEN’S STATE LEGISLATIVE COUNCIL OF UTAH, INC.**

<http://www.wslcofutah.org>

**“CELEBRATING 92 YEARS OF SERVICE”
1920 - 2012**

President: Sylvia Rickard
Advisor: Bette Voorhees
Editor: Pam Grange
Assist. Editor: Eileen Hallet Stone

*Printed by AlphaGraphics
117 West 900 South
Salt Lake City, UT 84101*