

2017 SENATE HUMAN SERVICES

SB 2164

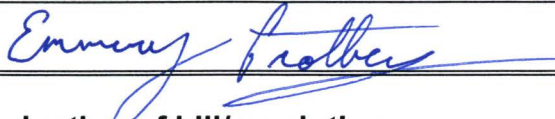
2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB 2164
1/17/2017
Job Number 26947

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to the participation of advanced practice registered nurses in guardian and conservator proceedings.

Minutes:

Attachments: #1

Chair J. Lee: Opened the hearing on SB 2164.

(1:25) **Cheryl Rising, Family Nurse Practitioner and Legislative Liaison, NDNPA:** Testified in Favor of SB 2164 (See Attachment #1). HB 1095 is in the House Judiciary and I have compared it with SB 2164. They have changed some of the language and we are in favor of HB 1095 and the changes as well.

(6:20) **Chair J. Lee:** Are you suggesting we kill this bill or wait and see if HB 1095 comes to us?

Cheryl Rising: I do approve of everything in HB 1095 and I do believe we could kill this bill. If you believe we should sit on this bill to make sure HB 1095 comes over, I defer to you. I think with all the discussion I have heard, we will be safe with HB 1095.

Chair J. Lee: I would be very comfortable holding onto this bill to find out what happens in the house today and tomorrow.

Committee Discussion: Chair J. Lee and Senator Anderson discussed how the house would vote and decided to hold the bill until they know how the house votes.

Vice Chair Larsen: When you are in charge of these people, does it go as far as medical directives?

Cheryl Rising: Yes, it does.

Chair J. Lee: Nurse practitioners cover so much of ND as primary care providers that without them we would be in trouble.

Vice Chair Larsen: A follow-up question to the medical directives: when a relative hands the patient over to you, how do you find out what is in their medical directive?

Cheryl Rising: Every person is asked upon admission if they have an advanced directive and a copy is obtained and put in the chart. Along with that is a code level of whether they want to be resuscitated or not. That is a separate document but it is looked at upon admission and reviewed by the primary provider.

Chair J. Lee: A provider can access the directives on the registry also.

Courtney Koebele, ND Medical Association: Testified in support of SB 2164. We are in support of this concept and we were involved in HB 1095 and expanding the term to expert examiner similar to the way we did in the commitment laws last session. The advanced directives were transferred from the security of state to the NDHIN (North Dakota Health Information Network) so people go to the NDHIN to upload their advanced directives.

Chair J. Lee: Closed the hearing on SB 2164.

2017 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Red River Room, State Capitol

SB2164
1/24/2017
Job Number 27321

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

R. Monson

Explanation or reason for introduction of bill/resolution:

A bill relating to the participation of advanced practice registered nurses in guardian and conservator proceedings.

Minutes:

Chair J. Lee brought the meeting to order. All members were present. She pointed out that SB 2164 was related to HB 1095. Both bills were similar and HB 1095 passed in the House. There is not a need for both bills.

V-Chair Larsen made a **Do Not Pass** motion on SB 2164 for the duplication of HB 1095.

Senator Kreun seconded the motion.

Roll Call Vote 7-0-0. Motion carried.

Senator Piepkorn will be the carrier.

Date: 1/24 2017Roll Call Vote #: 12017 SENATE STANDING COMMITTEE
ROLL CALL VOTESBILL/RESOLUTION NO. 2164Senate Human Services Committee☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____Motion Made By Sen Larsen Seconded By Sen Krawn

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee (Chairman)	X		Senator Joan Heckaman	X	
Senator Oley Larsen (Vice-Chair)	X		Senator Merrill Piepkorn	X	
Senator Howard C. Anderson, Jr.	X				
Senator David A. Clemens	X				
Senator Curt Kreun	X				

Total (Yes) 7 No 0Absent 0Floor Assignment Sen. Piepkorn

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2164: Human Services Committee (Sen. J. Lee, Chairman) recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2164 was placed on the Eleventh order on the calendar.

2017 TESTIMONY

SB 2164



TESTIMONY TO:

SENATE HUMAN SERVICES COMMITTEE

65TH NORTH DAKOTA LEGISLATIVE ASSEMBLY

Senate Bill 2164 1/17/2017

Madam Chairman Lee and Committee Members:

I am Cheryl Rising, Family Nurse Practitioner (FNP) and Legislative Liaison for the North Dakota Nurse Practitioner Association (NDNPA). I am here to testify in support of Senate Bill 2164 relating to the participation of advanced practice registered nurses (APRN) in guardian and conservator proceedings.

NDNPA agrees with the addition of advance practice registered nurse to page 2 line 24, page 3 line 9, page 4 line 17 and 25, page 5 line 1, 2 and 22, and page 6 lines 3, 4 and 16.

I see residents in an Alzheimer's memory care unit. One of my patients with end stage dementia had a daughter that chose not to be the guardian any longer. The patient did have a sister that agreed to be the guardian. I was asked to complete a history and physical on this client and submit to a lawyer in town. I completed the exam and submitted. I was notified they would not accept my exam, they needed a physician. The question was asked; who is the primary provider on this patient? I stated I was. They stated they needed a physician signature. This patient had severe dementia and was very difficult to take out of the facility and no other providers came to this facility to do exams. They then asked if I would

contact a physician to co-sign the document. I did contact a physician that agreed to sign after the situation was explained. I then submitted the history and physical with the addition of the physician's signature. I was then called and told that the physician needed to sign in the area that stated the physician did the exam. I explained, I did the exam, the physician co signed the document and he will not sign in the area of the examiner because he did not do the exam.

APRN's are primary providers of clients in this state. APRN's have barriers to practice when faced with these situations and loss of productivity and time. With addition of APRN's to this bill we will eliminate barriers to practice.

Cheryl Rising, RN, MS, FNP-BC

701-527-2583 crisingnp@gmail.com