

March 10, 2022

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## EDUCATIONAL EVENTS

### March 23

WHA Advocacy Day 2022  
Virtual

### April 6

Patient Financial Engagement Solutions that Drive the Revenue Cycle  
Webinar

### April 6

The CMS Hospital Conditions of Participation (CoPs) 2022 - Session 1  
Webinar Series

## Senate Concurs in Legislation Making Threats of Violence to Health Care Workers a Felony

*WHA members can prepare to post model language from Wisconsin DOJ in facilities*

On March 8, lawmakers in the Wisconsin State Senate approved a bill making threats of violence against a health care worker a Class H felony in Wisconsin. This action comes following approval of this legislation in the state Assembly. In addition to creating an explicit felony for threats of violence against a health care worker, the bill also expands an existing health care worker battery statute to acts and threats committed towards a family member of a health care worker as well as staff and providers in additional settings, like clinics and nursing homes.

"When health care providers choose to leave the profession for the safety of themselves or their families, we all lose," said WHA President and CEO Eric Borgerding in a [press release](#) following the Senate's action on Tuesday. "Our state, like all others across the nation, needs to reverse the troubling trend of increased violence and threats towards health care workers. Today's action will help reverse this trend in Wisconsin."

In February, UW Health Chief Nursing Executive Rudy Jackson, DNP, MHA, RN, CENP, and Gundersen Health System Clinical Manager in Medical Oncology Clark Draxler, RN, joined WHA Senior Vice President Workforce and Clinical Practice Ann Zenk to testify in Assembly and Senate public hearings in support of the legislation. Jackson and Draxler both gave firsthand accounts of violence and threats they either personally experienced or witnessed during their careers in health care.

(continued on page 6)

## Governor Signs Bills to Help Open Pathways for Veterans with Health Care Experience

Wisconsin hospitals are working hard to grow their workforce faster to meet rising demand for health care. A new law creates an expedited pathway for returning military medics, corpsmen and medical technicians to begin using hard-won medical skills in the civilian world while they complete the training and education requirements for state licensure in associated health care professions.



WHA Senior Vice President of Workforce and Clinical Practice Ann Zenk (far left) joins Gov. Tony Evers as he signs Heroes for Healthcare legislation into law at the Union Grove Veterans Home, March 8, 2022.

(continued on page 8)

## Advocacy Day Speakers and Agenda Confirmed

**Less than two weeks until Advocacy Day**

WHA's Advocacy Day 2022 is right around the corner, with less than two weeks until nearly 1,000 grassroots advocates gather virtually for a day of learning and advocating on important health care issues facing Wisconsin. View the Advocacy Day [agenda](#).

### KEYNOTE SPEAKER



**Dr. Scott Gottlieb**

Sponsored by **Quarles & Brady LLP**

The event's keynote presentation will feature Dr. Scott Gottlieb, physician and former Commissioner of the U.S. Food and Drug Administration, in a moderated discussion with WHA President and CEO Eric Borgerding.

Gottlieb's work focuses on advancing public health through developing and implementing innovative approaches to improving medical outcomes, reshaping health care delivery and expanding consumer choice and safety. Gottlieb serves on the boards of Pfizer Inc. and Illumina, Inc., and is a resident fellow at the American Enterprise Institute and a partner at the venture capital firm New Enterprise Associates.

Gottlieb is widely published in leading medical journals and periodicals, including *The Wall Street Journal*, *The New York Times* and *The Washington Post*. He has held editorial positions on the *British Medical Journal* and the *Journal of the American Medical Association* and is a regular contributor to CNBC. *Fortune Magazine* recognized him as one of the "World's 50 Greatest Leaders" in 2018 and again in 2019. In 2018, 2019 and then again in 2020, *Modern Healthcare* named Dr. Gottlieb the "Most Influential Physician Executive and Leaders" in its annual survey of 50 physician executives, and Time magazine named him one of its "50 People Transforming Healthcare in 2018." Dr. Gottlieb is also the author of New York Times Bestseller *Uncontrolled Spread: Why COVID-19 Crushed Us and How We Can Defeat the Next Pandemic*.

Read Dr. Gottlieb's full [biography](#).

Advocacy Day will also feature an outstanding legislative panel. Confirmed panelists include lawmakers from both parties who serve on the powerful budget-writing Joint Committee on Finance: Sen. Joan Ballweg (R-Markesan), Sen. LaTonya Johnson (D-Milwaukee), Rep. Tony Kurtz (R-Wonewoc), and Rep. Evan Goyke (D-Milwaukee). As always, the panel will provide attendees in-depth insight into the state budget and issues facing health care providers and patients in our state. Advocacy Day attendees will also hear special guest remarks from Gov. Tony Evers.

Advocacy Day will be held virtually on March 23. There is still time to register individuals or hospital contingents for this event and participate in the all-important legislative appointments taking place March 23-24. A complete program and online registration are available [here](#).

A [program and online registration](#) are available [here](#). For Advocacy Day questions, contact WHA Vice President of Advocacy [Kari Hofer](#) at 608-268-1816.

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## REMINDER: Wisconsin Hospitals State PAC & Conduit 2022 Kick-off

**Contribute before March 23**

The Wisconsin Hospitals State PAC & Conduit 2022 Contributor Kick-off Reception will be held virtually March 23 at 8:00 a.m. (immediately prior to Advocacy Day). Individuals who contribute \$250 or more before March 23 are invited to attend.

The Wisconsin Hospitals State PAC & Conduit has set a goal of raising \$340,000 in 2022, plus a goal of recruiting 315 individual contributors. Both goals are a 5% increase over 2021 fundraising and individual contributor goals.

"2022 goals are aggressive, but supporting candidates for state office who value hospitals and health systems is crucial," said WHA Vice President of Advocacy Kari Hofer. "Campaigns are already starting to ramp up, and everyone's participation this year will be needed," Hofer added.

Contribute early and join your peers at the Wisconsin Hospitals State PAC & Conduit Kick-off Reception on March 23. Individuals can make their personal contribution online at [www.whconduit.com](http://www.whconduit.com) or contact [Kari Hofer](#) at 608-274-1820.



## **WHA Urges CMS to Improve Prior Authorization and Other Insurer Issues in Proposed Medicare Advantage Rule**

The Wisconsin Hospital Association is urging the Centers for Medicare & Medicaid Services (CMS) to minimize the negative care impacts prior authorization has on patients and providers while also improving various other insurer-related issues that have been cropping up in Medicare Advantage (MA).

In a [March 4 comment letter](#), WHA detailed the myriad challenges for patient care that have been increasing in MA over the last few years due to growing insurer red tape. Perhaps most notable was the impact prior-authorization had on the post-acute care crisis that developed over the course of the pandemic. With general acute-care beds filled to capacity and nursing homes experiencing a severe worker shortage, prior authorization created another hurdle that delayed discharges and prevented hospitals from freeing up more beds for patients who needed them.

WHA's comment letter also called out the added administrative burden MA plans' prior authorization protocols required, which draw nurses and physicians away from patient care to navigate the complex prior authorization labyrinth. Furthermore, some MA plans require prior authorization even for services that have no evidence of abuse, as shown by a 2018 Office of Inspector General report that found MA plans overturned 75% of their own denials. WHA called on CMS to require MA plans to waive these burdensome processes during a pandemic.

In addition to prior authorization, WHA urged CMS to improve accountability for health insurers participating in MA. Recent insurer policies such as "white bagging" and requiring "designated diagnostic providers" have highlighted insurers' willingness to pull health care providers out of network, thereby disrupting patient care, during the middle of a benefit year for patients and without transparency for their enrollees. WHA encouraged CMS to beef up applicable network adequacy standards to improve oversight and urged greater transparency in the calculation of medical loss ratio reporting to guard against insurers sheltering profits.

Contact WHA Senior Vice President of Public Policy [Joanne Alig](#) with questions.

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## **Public Policy Council Meets to Discuss Workforce, End of Legislative Session**

During the tail end of Wisconsin's legislative session, WHA's Public Policy Council met on March 2 to review end-of-session priorities and discuss the focus of the association's public policy agenda moving into the 2023-2024 legislative session. The health care workforce along with regulatory and payment barriers to care remain leading issues facing hospitals and health systems, with many organizations reporting unsustainable cost increases associated with agency staff and wage inflation.

Council members spent a significant amount of time discussing the ongoing post-acute care challenges that exist in Wisconsin hospitals, which remains a challenge even as the most recent surge in COVID-19 cases has largely subsided from its January 2022 peak. WHA Senior Vice President of Workforce and Clinical Practice Ann Zenk provided a preview of data from the association's forthcoming annual workforce report to be released on March 16.

WHA Senior Vice President of Government Relations Kyle O'Brien and WHA Vice President of Federal and State Relations Jon Hoelter updated the Council on activity in the state Legislature and Congress. O'Brien discussed "Protect the Frontline" legislation, which at the time had recently passed the state Assembly and has subsequently passed the Wisconsin State Senate (*see story on page 1*).

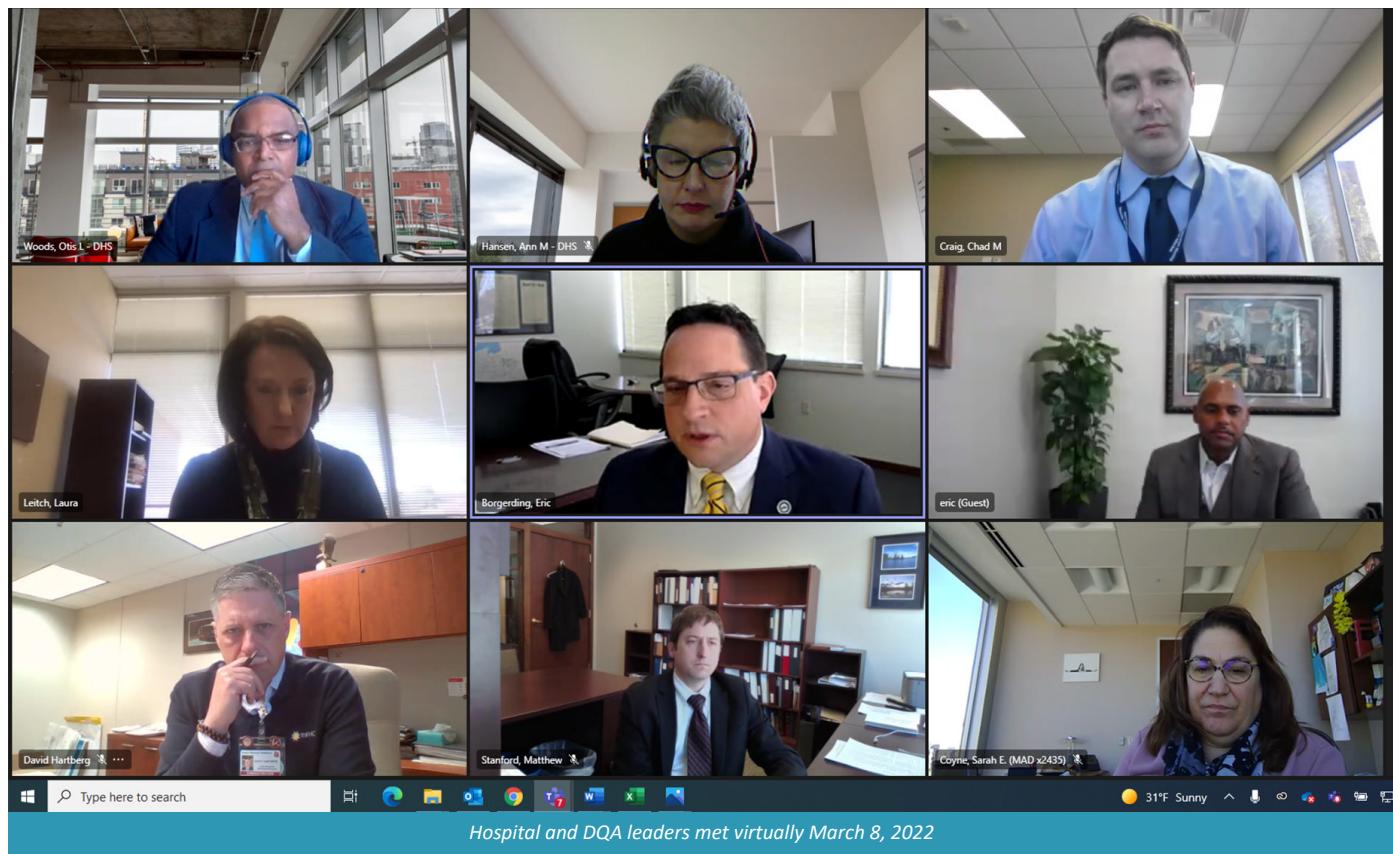
O'Brien also discussed the need to continue engagement with elected officials even after the legislative session ends. If WHA members want to host meetings with their state or federal elected officials, O'Brien encouraged them to reach out to WHA government relations and advocacy staff. In addition, O'Brien said that WHA would be implementing a proactive and robust outreach program for hospitals to meet with their elected officials, as it does every summer between legislative sessions.

Hoelter provided an update of WHA's federal advocacy efforts, a look forward to upcoming federal elections and an overview of a discussion draft put forward by the Senate Health, Education, Labor & Pensions (HELP) Committee that focuses on future pandemic preparedness. Hoelter also encouraged members of the Public Policy Council to join WHA in attending the [AHA's Annual Meeting](#) on April 25-26. WHA members interested in attending and joining WHA for hill visits, should contact [Jon Hoelter](#) at 608-274-1820.

## Hospital and DQA Leaders Meet to Discuss Key Survey Issues

WHA members joined association representatives in a virtual discussion with Wisconsin Department of Health Services Division of Quality Assurance (DQA) staff about recent trends in hospital compliance visits.

WHA President and CEO Eric Borgerding welcomed DQA Administrator Otis Woods, DQA Bureau of Health Services Director Ann Hansen and other members of the DQA team to the meeting and referenced the productive collaboration between the agency and WHA members. "Please thank your teams who have worked as partners with hospitals supporting Wisconsin communities during the pandemic," said Borgerding, kicking off a roundtable discussion about various survey issues and concerns with more than 50 Wisconsin hospital leaders from across the state.



Borgerding emphasized that the pandemic has been difficult for patients and their families and for hospital staff, including when enforcing government mandated COVID-19 policies. He noted that survey activity and issues added stress during a challenging time.

Borgerding emphasized that the pandemic had been difficult for patients, their families and hospital staff who, too often, when enforcing unpopular COVID-19 policies have been threatened and harassed. He noted that survey activity and issues added stress during a challenging time.

Woods recognized the hospitals' work during the pandemic and provided an overview of DQA's oversight responsibilities. Hansen and Vicky Griffin, DQA's infection control specialist, responded to specific questions and comments posed by hospitals about survey issues. Some hospital questions and comments focused on survey burdens, such as multiple surveys occurring within a brief period and frequent vaccine compliance surveys.

Hospitals also requested clarification regarding the application of various U.S. Centers for Disease Control and Prevention standards, the vaccine mandate and the best way to stay up to date with evolving standards. DQA reminded hospitals that the DQA Subscription Service provides hospitals with the opportunity to receive notifications from DQA. Hospitals can sign up for the service [here](#).

DQA stressed the importance of providing feedback to its leadership when a hospital has concerns with the conduct of a survey. The DQA post-survey questionnaire is available [here](#).

Borgerding thanked hospital leaders and the DQA team for the frank discussion, and both DQA and WHA agreed to schedule another roundtable discussion soon.

## **WHA Health Care Leadership Academy Participants Learn the Importance of Executive Project Sponsorship**

The 2022 WHA Health Care Leadership Academy cohort gained valuable executive insights and training in a March 8 session entitled, Executive Project Sponsorship: The ‘Must Know’ Essentials for Leading Organizational Projects. Instructor Scott Converse from the UW Center for Professional & Executive Development (CPED) led the group through this important topic in an interactive virtual session.

Describing the focus of the day’s class, Converse noted, “As leaders within a health care environment, we are often called upon to lead or sponsor projects to address important departmental or organizational initiatives. In this session, we will explore the important role a project executive plays when sponsoring a key project or initiative, how to set the project up for success and ensure needed outcomes are delivered, and how the executive sponsor role is integrated and demonstrated throughout the project lifecycle.”

The group will meet again at the end of March to learn about the WHA Information Center and how they, as hospital leaders, can best use data to positively impact their hospitals and ultimately provide the best care possible to patients.

For questions about the WHA Health Care Leadership Academy, including information on the 2023 program, contact WHA Vice President of Education and Marketing [Leigh Ann Larson](#).

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## **WHA Council on Workforce Development Discusses Strategies to Grow Faster and Bounce Back from Pandemic**

In a virtual meeting on March 3, members of WHA’s Workforce Council discussed both their own internal workforce strategies and efforts as well as resources available and work taking place at a state level to strengthen and grow Wisconsin’s health care workforce.

With the surge in COVID-19 hospitalizations on the decline, hospital and health system leaders are not pausing for breath in their committed work build and sustain the health care workforce necessary to meet not just the demands of the pandemic, but all the health care needs of their communities. At the same time, hospitals are working to provide health care teams some much-needed and well-earned time to pause for recuperation from their relentless battle with successive surges of COVID-19.

Partners from the Wisconsin Department of Health Services (DHS) Offices of Policy Initiatives and Budget joined the Council to provide an update on the opening of the latest round of DHS Grow Our Own grant applications. Policy Analysts Randy McElhose and Donna Wong provided council members key information on four WHA-crafted workforce grants: Graduate Medical Education (GME) Creation Grants, GME Expansion Grants, Allied Health Profession (AHP) Training Grants and Advanced Practice Clinician (APC) Training Grants.

McElhose noted, “These grants are about scouting ahead to prepare for where shortages might occur and address that through additional training opportunities.”

The training grants are matching grants, creating valuable public-private partnerships that have spurred more than \$40 million in investment in additional health care training opportunities, in programs designed to take advantage of WHA’s 86% equation. Data show that if you put a Wisconsin student through a Wisconsin medical school and place them in a Wisconsin residency, there’s an 86% chance that new physician will stay in Wisconsin to practice.

The “Grow Our Own” Equation



The GME grants currently awarded are projected to create an additional 136 GME residency positions in Wisconsin by 2023. Once this pipeline is full, Wisconsin will have 47 additional physicians each year thanks to the grant program.

One workforce member summed up the value of the DHS workforce grant program for rural hospitals and encouraged others to apply, noting, “Once you get them here, they love it and want to stay—but you have to get them here.”

Grow Our Own applications are open now and can be accessed via the following links: [New GME RFA](#), [AHP RFA](#) and [APC RFA](#). Funds for these three grants will begin to be distributed in July. Applications for the fourth grant, GME expansion, open in July for distribution beginning in September.

*(continued on page 6)*

**(WHA Council on Workforce Development Discusses Strategies to Grow Faster and Bounce Back from Pandemic . . . continued from page 5)**

The WHA Council on Workforce Development also heard from WHA staff about regulatory barriers WHA is breaking down to help grow the health care workforce faster in order to allow health care teams to reach their full potential and to relieve staff from unnecessary regulatory burden.

WHA Senior Vice President of Workforce and Clinical Practice Ann Zenk provided an update on WHA's work with the Wisconsin Department of Safety and Professional Services (DSPS) to prioritize processing of health care licensure. Zenk related, "Every delay WHA members alert us to—over 300 individual licenses to date—has helped provide insight into causes for delay; insight that can lead to solutions to streamline licensure and better welcome health care professionals to Wisconsin."

WHA General Counsel Matthew Stanford highlighted another segment of WHA's ongoing work with DSPS and Wisconsin's professional licensing board for physicians and affiliated professions, the Medical Examining Board (MEB). Stanford shared with the council how recent efforts have put up a caution flag on a new MEB rule that would result in at least \$55 million in additional costs for health care employers, but perhaps of even greater concern, create a bottleneck in access when sufficient certified medical assistants and other frontline staff couldn't be found to meet the requirements of this new rule.

The council closed with a discussion by workforce members of their strategies to address the needs of their workforce and the health care demands of the communities they serve as Wisconsin emerges from this latest surge of COVID-19 cases and hospitalizations. Council members shared short-term strategies, such as recruitment and retention bonuses, and long-term strategies, such as new in-house childcare programs, internal training for in-demand positions and ways to provide staff with ongoing respite and rewards. All agreed that workforce shortages are hampering recovery efforts and that frontline technical positions continue to be the greatest pressure point.

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**(Senate Concurs in Legislation Making Threats of Violence to Health Care Workers a Felony . . . from page 1)**

"This bill is necessary even though UW Health goes to great lengths to protect employees from violence in the workplace," said Jackson. "I believe Assembly Bill 960 will have the intended effect and stem the tide of violence and threats of violence perpetrated against health care workers providing care in health care facilities. I base this assertion on my experience in Texas. In 2013, Texas enacted legislation with a similar goal and after it went into effect, we saw a decrease in violence in my former emergency department. I assume that decrease was due to the media attention the new law garnered and our efforts to inform patients of the enhanced criminal penalties through signage placed strategically around the ED."

Before the Assembly committee, Draxler talked about the real impact violence and threats are having on the health care workforce. "This legislation is really about health care workers—RNs, CNAs, MDs—the dietary aide who is too scared to deliver a meal to a patient's room. These are the professionals who are leaving health care because threats and abuse cannot be washed off with soap and water as you leave the patient room," said Draxler during his first time testifying before a committee of the state Legislature.

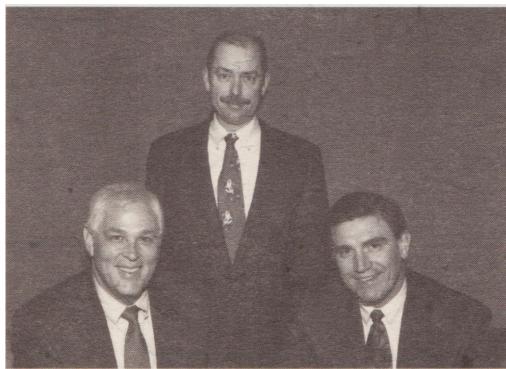
Borgerding commended the bipartisan support of this legislation, which was led by Speaker Robin Vos (R-Rochester) and Senate Majority Leader Devin LeMahieu (R-Oostburg). "Republicans and Democrats agreed on a very important message today—threatening a health care worker in Wisconsin is unacceptable," said WHA President and CEO Eric Borgerding. "Our state's hospitals and their thousands of staff thank the legislative leaders for championing this proposal and appreciate support from lawmakers of both parties in the Assembly and Senate."

Assembly Bill 960 still needs approval by Gov. Evers before becoming law. Following this action, WHA will work alongside the Department of Justice to develop model signage highlighting the law that hospitals may use in their facilities as they educate patients, visitors, providers and staff about the newly established penalties for committing battery or threatening health care workers or their families. WHA will communicate broadly to members when this model language becomes available.

## In Memoriam: Terri L. Potter

1944-2022

Former health care CEO and prominent Wisconsin businesses and public policy leader Terri L. Potter recently passed away in Bonita Springs, Florida.



Terri Potter   Robert Taylor   Donald Sibery, President,  
Community Health Care, Inc.,  
Wausau, 1994 WHA Chairman-elect

Not shown: Thomas Miller III, CEO, Myrtle Werth Medical Center,  
Menominee, 1994 Immediate Past Chairman.

WHA 1994 Officers

Potter devoted more than 30 years to health care administration, starting his career at Madison General Hospital in 1971. He was instrumental in the creation of Meriter Hospital and Meriter Health Services from a merger of Methodist Hospital and Madison General Hospital in 1987. He chaired the WHA Board of Directors in 1994 and served on the Wisconsin Quality Steering Committee thereafter. He was recognized with a WHA Lifetime Achievement Award upon his retirement in 2006, the same year that Meriter Hospital, led by Potter, received WHA's All Star Grassroots Advocate Award.



Terri Potter

In addition to his service to WHA, Potter served on the boards of directors of the Morgridge Institute for Research, the Greater Madison Chamber of Commerce, the U.S. Bank Advisory Board, Wisconsin Manufacturers and Commerce Association and the Wisconsin Patient Safety Institute. He was also a member of the State of Wisconsin Governor's Business Council and several

United Way of Dane County campaign cabinets.

Reflecting on his tenure as WHA board chair, Potter wrote in a 2020 100th anniversary column in WHA's [newsletter](#), "...1994 was a special time to be in health care management. WHA's agenda was vibrant and laid the foundation for future work."

### Lifetime Achievement Awards



**Terri Potter**, President/CEO of Meriter Hospital and Meriter Health Services in Madison, began his career at Madison General in the early 1970s. In 1987, he helped facilitate the successful merger of Methodist and Madison General Hospitals. Terri served in many leadership positions at WHA, including the Wisconsin Quality Initiative Steering Committee, and chaired the WHA Board of Directors in 1994. Pictured are Mary Starmann-Harrison, Terri Potter, and Steve Brenton.

"Terri's lasting impact on the health care industry extends well beyond the hospitals he led during his distinguished career in health care management," said WHA President and CEO Eric Borgerding. "The period of time in which Terri helmed Meriter Hospital and served on WHA's board was full of meaningful health care reforms, both here in Wisconsin and in Washington, D.C. Terri's perspective and leadership on issues with far-reaching implications for hospitals and the patients they serve had a direct effect on the quality of care delivered in our state and beyond."

Potter is survived by his wife Carla; two daughters, Sarah and Suzanne; a son, Eric; and seven grandchildren.

**(Governor Signs Bills to Help Open Pathways for Veterans with Health Care Experience . . . from page 1)**

Governor Tony Evers signed Assembly Bill 720 into law as 2021 Wisconsin Act 158 at the Wisconsin Veterans Home at Union Grove on March 8, 2022. WHA and WHA members supported the efforts of Heroes for Healthcare in advancing the legislation.

Hospitals are among the sites that can employ and help train service members transitioning out of active duty. With frontline technical positions among the hardest to fill, this program will benefit both service members and their families seeking to secure education employment opportunities as well as hospitals looking for qualified individuals to serve on their health care teams.

Contact WHA Senior Vice President for Workforce and Clinical Practice [Ann Zenk](#) to learn more about 2021 Wisconsin Act 158.

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