

Vol. 13, Issue 19

Tuesday, November 18, 2025

WI Senate Committee on Health, Aging and Long-Term Care Holds Hearing on WHA-Supported Next-of-Kin Legislation

On Nov. 5, the Wisconsin State Senate Committee on Health held a public hearing on Senate Bill 578, bipartisan legislation supported by the Wisconsin Hospital Association that would allow incapacitated family members' next-of-kin to help them gain access to post-acute care without requiring lengthy and expensive guardianship hearings.

State Sen. Eric Wimberger (R-Oconto) and State Rep. Pat Snyder (R-Weston), who authored the legislation along with State Rep. Lisa Subeck (D-Madison), spoke in favor of legislation that they said will help hospitals, patients, and their families better respond in situations where patients are found to lack medical capacity during a hospital stay and need post-acute care in a nursing home or community-based residential facility (CBRF).

Speaking in favor of the legislation for WHA were Sarah Becker, WI Social Services Director for Aurora Health Care; Dr. Collin Bowman, MD, Palliative Care Physician at Emplify Health; Mikella Schulz, Acute Care Coordination System Central Manager at Aspirus Health; Paul David, former Assistant General Counsel at Aspirus Health; and Jon Hoelter, Vice President of Federal Affairs and Advocacy at WHA.



WHA's Jon Hoelter and former Asst. General Counsel at Aspirus Health Paul David



Sarah Becker, Aurora Health Care (far right)

"Senate Bill 578 (SB 578) addresses a critical gap in Wisconsin law that has created unnecessary delays and confusion in care settings when loved ones are trying to make important medical decisions related to discharge to post-acute facilities on behalf of incapacitated patients," said Sarah Becker in her testimony.



Collin Bowman, MD, Emplify Health (far right)

Speaking against the legislation were representatives from the Greater Wisconsin Agency on Aging Resources (GWAAR), Disability Rights Wisconsin, and the Wisconsin State Bar Association. Their testimony focused on concerns about individual rights and whether the authority of a next-of-kin was too broad.

WHA countered in its testimony that SB 578 is designed to protect the rights of patients and their families to help their loved ones gain access to care in a post-acute setting without the typical delay that ensues due to the current requirement to first seek a guardianship, a process which has become an unnecessary financial and emotional burden for many families in this situation. Additionally, it does not provide the next-of-kin authorities beyond what is already provided to the next-of-kin in the current Wisconsin state statute under 50.06, it clarifies that the next-of-kin may also assist in applying for Medicaid benefits for their incapacitated family member.

The legislation now awaits scheduling for a vote from the committee before it can be considered for a vote by the full State Senate. WHA is also working to ensure the legislation is soon scheduled for a hearing in the State Assembly.

Contact Jon Hoelter with questions or to learn how to engage your elected officials on this important topic.



Mikella Schulz, Aspirus Health

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