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Thursday, November 13, 2025

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

On Nov. 12, the Wisconsin State Assembly Committee on Health, Aging and Long-Term Care 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.

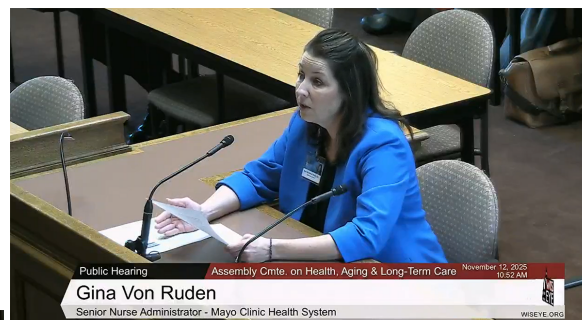
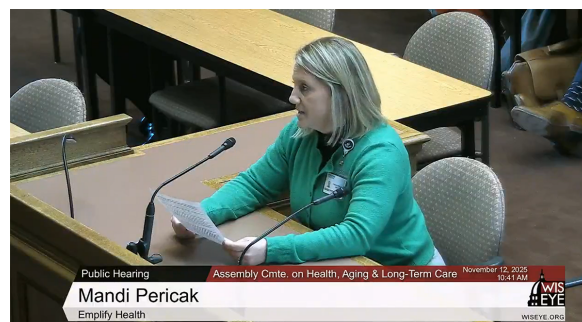
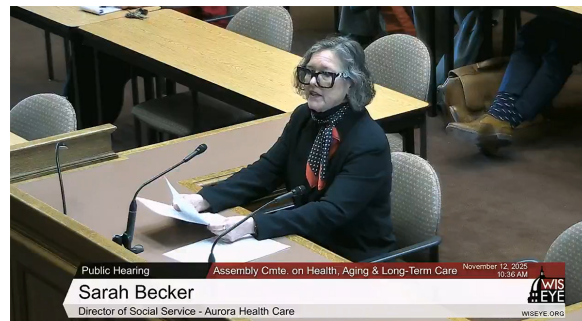
State Rep. Pat Snyder (R-Weston) and State Sen. Eric Wimberger (R-Oconto), who authored the legislation along with State Rep. Lisa Subeck (D-Madison), spoke in favor of legislation that they said will help hospitals, patients and their families to better respond to situations where patients are found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

Speaking in favor of the legislation for WHA were Sarah Becker, Wisconsin Social Services Director for Aurora Health Care; Dr. Mandy Pericak, Clinical Operations Director of Post-Acute Care, Social Services, Interpreter Services, Hospice and Advance Care Planning, Gundersen Region at Emplify Health; Gina Von Ruden, Senior Nurse Administrator at Mayo Clinic Health System; Nicki Gritt Franzen, Regional Director of Care Management at SSM Health WI; Joe Hanes, Corporate Counsel at UW Health; Paul David, former Assistant General Counsel at Aspirus Health; and Jon Hoelter, VP Federal Affairs & Advocacy at WHA.

Speaking in opposition of the legislation were representatives from the Board for People with Developmental Disabilities, Disability Rights Wisconsin, the Greater Wisconsin Agency on Aging Resources (GWAAR), the Board on Aging and Long-Term Care and the Wisconsin Counties Association (WCA). Most of their testimony focused on concerns about individual rights and whether the authority of a next-of-kin was too broad, while WCA expressed concerns primarily centered around the requirement for county corporation counsels to maintain and produce records.

WHA members countered in their 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 them in the current WI state statute under 50.06 beyond clarifying that the next-of-kin may also assist in applying for Medicaid benefits for their incapacitated family member.



"Assembly Bill 598 creates a legal process that produces the same outcome as guardianship, but without the unnecessary delay and permanent removal of rights that comes with the guardianship process. Importantly, the process that would be created by this bill safeguards patient rights to the same or greater extent as the uncontested guardianship process," said Joe Hanes, who has worked on many of these cases in his role as Corporate Counsel at UW Health.

In addition to the public hearing, the Senate companion legislation (covered in last week's edition of *The Valued Voice*) was approved by the Senate Committee on Health, Aging, and Long-Term Care by a vote of 4-1, with State Senator Dora Drake being the lone no vote.



Jon Hoelter, Joe Hanes, Paul David

The Senate legislation now awaits scheduling for a vote from the full chamber, while the Assembly legislation awaits action by the Assembly committee before it can be considered for a vote by the full State Assembly.

Contact WHA Vice President of Federal Affairs and Advocacy Jon Hoelter with questions.

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Member Briefing: Wisconsin's Application for Rural Health Transformation Funding

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Caring for Wisconsin's Caregivers: Advancing Health Workforce Well-Being

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2026 WHA Health Care Leadership Academy