



To: AACN Board of Directors

From: Dr. Nancy DeBasio
Chair, AACN Government Affairs Committee

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Director, AACN Government Affairs

Date: January 7, 2008

Re: 2008 GAC Priorities for AACN's Advocacy Efforts

The second session of the 110th Congress is scheduled to begin on January 15, 2008. In anticipation of the changing political climate, due in part to a presidential election year, the Government Affairs Committee (GAC), AACN staff, and AACN's consultants, Wheat Government Relations (GR), have re-evaluated the legislative goals for the organization. These revisions take into account our current priorities, the continued nursing and nurse faculty shortage, and innovations in nursing education such as the Doctorate of Nursing Practice, the Clinical Nurse Leader, and the Nurse Residency Program.

The goals have been ordered to illustrate AACN's legislative priorities in regards to funding, timing, and legislative action. To keep AACN members apprised of our legislative activities, AACN staff will report on these issues in the Government Affairs reports to the AACN membership, GAC briefings, and in Board reports. For additional guidance, **the designation of "Lead," "Actively Participate," and "Monitor" are provided to identify AACN staff, GAC, and membership level of involvement on each issue. They are defined as follows:**

Lead - Take a prominent position for AACN with Congress and the federal agencies. Efforts may include: evaluating legislation, supporting relative bills, actively lobbying, leading efforts in coalitions, signing on to coalition letters, as well as developing and implementing a grassroots strategy in support of these issues.

Actively Participate - Take a position on issues, but work within the nursing community allowing other organizations to take the leadership role. Efforts may include supporting legislation, attending coalition meetings, and signing on to coalition letters. Minimal efforts should be spent on evaluating/analyzing legislation and grassroots dissemination strategy.

Monitor - Invest minimal efforts to stay aware of issues. Sign on to coalition letters and minimal attendance at meetings. No grassroots efforts involved.

ADVANCING HIGHER EDUCATION IN NURSING

OVERARCHING GOAL

Nurse Faculty Shortage

Lead in raising awareness of the nurse faculty shortage and help advise legislators on strategies to address the growing crisis.

The current and projected severity of the nurse faculty shortage is the driving force behind each of the goals set by the Government Affairs Committee. Therefore, as an overarching goal, AACN will actively incorporate this priority in every possible advocacy and legislative venue.

1. Budget and Appropriations for Title VIII and VII Public Health Service Act

Programs

Lead in increasing funding levels for Title VIII Nursing Workforce Development programs and Title VII Health Professions Education programs such as the Scholarships for Disadvantaged Students and the Area Health Education Centers in FY 2009 and FY 2010.

Between FY 2001 and FY 2005, funding for the Nursing Workforce Development programs nearly doubled from \$78.74 million to \$150.67 million. In FY 2006, Title VIII received a 0.7% cut, which lowered the total appropriation to \$149.68 million. Title VIII programs were level funded at the FY 2006 amount due to a year-long continuing resolution in FY 2007.

For the first time since the nursing shortage was noted in the late 1990s, the President's FY 2008 budget request recommended a 30% reduction in funding for the Nursing Workforce Development programs. This \$44 million budget cut would have decreased funding for these programs from \$149.7 million to \$105.3 million. More specifically, the President recommended eliminating funds for Advanced Education Nursing Grants and redistributing \$14 million to Nursing Loan Repayment and Scholarship Programs. Despite the President's proposal, the final House and Senate Labor, Health and Human Services and Education (LHHS-ED) Conference Agreement allocated \$167.65 million for Title VIII. However, the President vetoed this bill because it was approximately \$1 billion over his bottom line funding level for LHHS-ED programs. Congress worked to meet the President's funding request and, when the final bill was signed into law on December 19, 2007, Title VIII received \$156.05 million.

From FY 2001 to FY 2003, funding for the Health Professions Education programs (Title VII) steadily increased from \$228 million to \$308.44 million. While a slight decrease was seen in the funding levels in FY 2004 (\$294.24 million), the programs were funded at \$299.5 million in FY 2005. Unfortunately, during the FY 2006 appropriations cycle, the Title VII programs were significantly cut by 51% and five programs were eliminated entirely. In FY 2007, the Title VII programs received a \$39 million dollar increase and are currently funded at \$184.75 million. In FY 2008 Title VII received \$193.96 million.

AACN will:

- Attend meetings and actively participate in the work of various coalitions in the nursing and health community such as the Nursing Network, Tri-Council for Nursing, Coalition for Health Funding, Friends of Health Resources and Services Administration (HRSA), and the Health Professions and Nursing Education Coalition (HPNEC).
- Engage in strategic educational efforts with the National Advisory Council on Nursing Education and Practice (NACNEP), Division of Nursing, and other pertinent HRSA divisions.
- Advocate for increased funding with Members of Congress from the Appropriations Committee and the Labor, Health and Human Services, Education (LHHS-ED) Appropriations Subcommittee.
- Identify appropriate nursing education initiatives to lobby for report language in House, Senate, and conference reports with importance placed on the nurse faculty shortage.
- Host Hill staff briefings, independently and with coalitions, addressing federal nursing education programs.
- Increase the membership and visibility of the House Nursing Caucus.
- Maintain and further develop the State Grassroots Liaison (SGL) Program and continue refining services and programs for AACN members that stress the importance of continued advocacy for Title VIII and VII appropriations.
- Encourage AACN members throughout the year to make visits with their federal legislators in their state and in Washington, DC during the AACN Spring and Fall meetings.
- Continue to develop AACN grassroots network, member advocacy letters, and talking points to address appropriations.
- Create opportunities for AACN members to honor appropriations advocates.
(*This is an annual effort and ongoing AACN priority.*)

2. Funding for the National Institutes of Health (NIH) including National Institute of Nursing Research (NINR), the Agency for Healthcare Research and Quality (AHRQ), and Tri-Service Nursing Research Program (TSNRP) (TSNRP is newly added to this goal)

Lead in advocating for a funding increase for NINR, the National Institutes of Health (NIH), AHRQ, and the TSNRP for FY 2009 and FY 2010.

Along with other Institutes and Centers (I&Cs) at the NIH, NINR's funding doubled over five years in FY 2003. However, in FY 2005 the NIH received the smallest percentage increase of 0.5% or \$253 million since 1970. The following fiscal year, a 1% cut was enacted across all I&Cs, which left NIH with \$28.24 billion. Due to this cut, NINR experienced a slight decline in funding from \$138.09 million in FY 2005 to \$137.34 million in FY 2006, a \$750,000 cut. In FY 2007, under the year-long continuing resolution, NINR was level funded while the NIH's funding was increased to \$28.86 billion. In FY 2008, NINR received \$137.48 million.

AHRQ has seen a small, but steady increase in its funding since FY 2001. However, for the past three funding cycles (FY 2005-2007), AHRQ has been level funded at \$318.7 million. In FY 2008, AHRQ received \$334.6 million.

Established by Congress in 1992, the Tri-Service Nursing Research Program helps to support research conducted by military nurses. TSNRP was authorized as a part of the Department of Defense Health Care Program in 1996. Since 1992, the TSNRP has funded 290 research studies in basic and applied science. Currently, 45% (\$23.4 million) of the funding for this program has been awarded to universities to support retired military nurses and graduate students.

AACN will:

- Participate in the Ad Hoc Group for Medical Research Funding and other advocacy efforts with Research!America, Coalition for Health Funding, Friends of AHRQ, and the House Nursing Caucus.
- Advocate for increased funding with Members of Congress from the Appropriations Committee and the LHHS-ED Appropriations Subcommittee.
- Advocate for increased TSNRP funding with Members of Congress from the Appropriations Committee and the Defense Appropriations Subcommittee.
- Identify appropriate nursing research initiatives to lobby for as report language in House, Senate, and conference reports. *(This is an annual effort and ongoing AACN priority. Wheat GR will focus efforts here and help devise report language for federal initiatives.)*
- Continue to work with the Friends of NINR and attend National Advisory Council on Nursing Research (NACNR) meetings.

3. Reauthorize Title VII and VIII Public Health Service Act Programs

Lead in efforts with Hill staff, the nursing community, the health care community, and in the appropriate federal agencies to address modifications and improvements to Title VII and VIII programs that were up for reauthorization in 2003.

While the Nurse Reinvestment Act of 2002 made amendments to Title VIII, it has been ten years since all the programs under Titles VII and VIII of the Public Health Service Act were reauthorized. Reports from the Senate Health, Education, Labor, and Pensions (HELP) Committee suggest that a reauthorization during the second session of the 110th Congress is a priority.

AACN will:

- Work with the Federation of Associations of Schools of the Health Professions (FASHP), Tri-Council for Nursing, and other coalitions on an expedited and rational reauthorization process.
- Meet with key Congressional staff from the House Energy and Commerce Committee and the Senate HELP Committee to discuss AACN's recommendations for a Title VIII reauthorization.

4. Advance Capitation Grants Legislation and New Nursing Education Legislation under the Public Health Service Act

Lead in securing cosponsors for capitation grants legislation in both chambers in 2008 and help advance this language as a part of the Title VIII reauthorization. In addition, work with interested legislators in devising new concepts to advance nursing education.

This is the third Congress in which AACN has worked to introduce capitation grant legislation. Capitation grants have had a positive effect on stabilizing nursing shortages in the past. Notably the Nurse Training Act of 1971 (P.L. 92-158) and the Nurse Training Act of 1975 (P.L. 94-63) facilitated increased enrollments in schools of nursing and resolved past nursing workforce shortages. Currently, there are two stand alone bills that offer these formula based grants: the *Nurse Education, Expansion and Development (NEED) Act* (H.R. 772 and S. 446) and the *Increasing Education Opportunities for Nurses and Nurse Faculty Act* (H.R. 3597). While similar in purpose, these bills would be funded by different federal laws. The NEED Act would be funded through Title VIII of the Public Health Service Act. The optimal chance for the NEED Act to be enacted is through the reauthorization of Title VIII, which may occur this Congressional session.

H.R. 3597 would be funded through Title VII of the Higher Education Act (HEA). Congress is actively working to complete the reauthorization of HEA. Both the House and the Senate have included this language in their bills.

During the course of the year, AACN assists in the drafting process, raises awareness, and helps to gain cosponsors for legislation that supports nursing education initiatives.

AACN will:

- Work with lead sponsors in the House and Senate to gain cosponsors for capitation grant legislation in the 110th Congress.
- Advocate for the inclusion of the NEED Act in the event of a Title VIII Reauthorization.
- Develop grassroots strategy that may include hosting tours at schools of nursing for Hill staff and drafting AACN member support letters and talking points.
- Be a resource for Members of Congress and their staff as they develop legislation that promotes nursing education and research initiatives.
- Work with other nursing and health care organizations to achieve this goal. *(This continues to be a major priority for AACN member schools.)*

5. Establish and Fund a Troops-to-Nurse Teachers Program in the Department of Defense

Lead in advocating for a Troops-to-Nurse Teachers (TNT) Program established in the FY 2008 and FY 2009 Defense Authorization bill and funded through the Defense Appropriations bill.

In late spring of 2006, Sen. Richard Durbin (D-IL) became concerned about the need to address the nursing shortage through authorizing legislation, specifically through an amendment in the FY 2007 Senate Defense Authorization bill. Sen. Durbin drafted an

amendment, based on the concepts of the officers-to-educators initiative, to establish a “Troops to Nurse Teachers (TNT) Pilot Program.” The TNT Program, as proposed, offered incentives to registered nurses who have separated from the military to become nurse educators.

Sen. Durbin championed the TNT Program amendment (S. Amdt. 4253) to the National Defense Authorization Act for FY 2007 (S. 2766) through member negotiations and floor debate. On June 15, 2006, the Durbin amendment passed the Senate by a voice vote. The House did not address the TNT Program in the legislative process.

Unfortunately, the TNT Program was dropped from the final conference agreement in the FY 2007 Defense Authorization bill (H.R. 5631) during House-Senate negotiations over the course of the summer and fall of 2006.

When the TNT amendment was re-introduced in the 110th Congress, it was revised to meet the needs of both the military and civilian sector. The Chief Nurse Officers from the three branches of the military and the Secretary of Defense supported the new version. Additionally, Sen. Durbin received formal approval from the Senate Armed Services Committee and on September 17, 2007, the TNT program was included in the Senate 2008 Department of Defense Authorization bill as part of the Manager’s Package. On October 3, 2007, the Senate provided \$3 million for the TNT amendment, which passed by voice vote and was included in the FY 2008 Senate Defense Appropriations bill. The final Defense Appropriations Conference Report (H.R. 3222) was passed on November 13, 2007, which included language about the TNT program.

On December 19, 2007, the President was presented with the final FY 2008 Defense Authorization Conference Agreement. This bill included language requesting the Secretary of Defense to conduct an exploratory study to determine if a “Retired Troops to Nurse Teachers Program” would help alleviate the military nurse shortage. The results of this study are due March 1, 2008. The President has yet to sign this bill into law.

AACN will:

- Work with Wheat GR to include the TNT program in the final Defense Authorization and Appropriations bill passed by both the House and Senate.
- Continue to work with Sen. Durbin’s staff who remain committed to advancing the TNT Program in 2008.
- Continue to educate all members of the Armed Services Committee in the House and Senate on the nursing and nurse faculty shortages as well as the merits of this program in addressing military readiness. (*AACN leadership and members may need to assist in a grassroots lobbying effort to achieve this goal*)

6. Higher Education Act Reauthorization

Actively Participate in the reauthorization of the Higher Education Act (HEA) and Lead in securing nursing language in the HEA renewal process.

The higher education community began addressing pertinent issues for reauthorization in 2003. Since then, both chambers have introduced legislation and enacted several

extensions to HEA. AACN has been working with Senate and House champions to include language in the HEA reauthorization supporting the designation of nursing in the Graduate Assistance in Areas of National Need (GAANN) Program and an amendment providing loan repayment for nurses and nurse faculty in the legislation.

On July 24, 2007, the Senate passed the Higher Education Amendments of 2007 (S. 1642) which amends the Higher Education Act of 1965. Some of the major legislative changes include: directing the Secretary of Education to monitor and assess excessive tuition increases at colleges and universities; shorten the federal student aid form; and require higher education institutes to draft a code of conduct that governs their relationship with lenders. In S. 1642, two specific provisions were included for nursing. Sen. Mikulski (D-MD) worked to include nursing as an “area of national need” under the GAANN program. Additionally, Sens. Sanders (I-VT) and Mikulski secured language in S. 1642 that creates capitation grants for schools of nursing to increase student capacity, increase the number of faculty, and improve the school’s facilities.

The House Education and Labor Committee marked-up the Higher Education Act and reported-out their final bill on November 15, 2007. Rep. McCarthy (D-NY) a champion for the nursing language in HEA, has helped to secure the capitation grant and GAANN language reported in the Senate. Additionally, Rep. McCarthy was able to secure the language from her Nurse Faculty Higher Education Act (H.R. 2384) and Teacher and Nurse Support Act (H.R. 2621). The House and Senate need to complete the final Conference Agreement in 2008.

AACN will:

- Work with Federation of Associations of Schools of the Health Professions (FASHP) and the American Council on Education coalitions to follow developments in the reauthorization process.
- Lobby to maintain nursing education related provisions within HEA legislation. *(Wheat GR will work with AACN to keep GAANN and other HEA provisions in legislation during 2008.)*

7. Expand Social Security Act for Nursing Education via Legislation, Regulation, and Administrative Efforts

Lead in identifying opportunities to advance the Doctorate of Nursing Practice by changing legislative authorities or regulation that designate education requirements of “master’s preparation” to “graduate preparation” for Advanced Practice Nurses in Medicare and Medicaid.

AACN’s work with evolving nursing roles, educational degrees, and programs such the Doctorate of Nursing Practice (DNP), the Clinical Nurse Leader, and the AACN-UHC Nurse Residency Program has matured and now require focused attention and evaluation of federal regulatory and political barriers. In November 2006, one of the issues identified by staff was the overly prescriptive nature of the Center for Medicare and Medicaid Services (CMS) regulations for describing the education level of Advanced Practice Registered Nurses (APRNs). The current CMS regulations (Sec. 410-75 and 410-76) state that the eligible Nurse Practitioner or Clinical Nurse Specialist must “hold

a master's degree in a defined clinical area of nursing from an accredited educational institution." With the emergence of the DNP and students graduating from these programs, the regulation must be changed to a 'graduate degree,' eliminating the potential reimbursement and practice barriers for nurses holding this advanced clinical degree.

AACN will:

- Continue to work with AACN's legal consultants to advance the changes needed in various areas of the Social Security Act in 2008.
- Participate in quarterly MedPAC meetings to address emerging issues that may affect nursing education.

8. AACN Member Education and Federal Funding Opportunities

Lead in maintaining and developing effectiveness of the State Grassroots Liaison (SGL) Program and continue refining services and programs for AACN members that stress the importance of political, legislative, and regulatory advocacy. In addition, AACN will monitor and alert AACN members of federal funding opportunities at such departments as the Center for Disease Control and Prevention (CDC), HRSA, NIH, other branches of the Department of Health and Human Services, Department of Education (DOE), and Department of Labor (DOL), and Department of Defense (DOD).

AACN will:

- Work with consultants, outside organizations such as National Conference of State Legislatures (NCSL) and American Nurses Association (ANA) to obtain information and achieve these goals. *(This is an ongoing priority and member service for AACN. There is need for additional member education on strategy development, lobbying techniques, and nursing education funding.)*
- Build AACN members' knowledge and skills to focus on funding for nursing education in programs operated on the state level such as Medicaid Graduate Medical Education, Workforce Investment Act, and efforts with governors.
- Continually update AACN's Government Affairs web page to reflect the most current information regarding AACN's legislative priorities, thereby improving our communication with members, legislators, and the public.
- Increase awareness of AACN Grassroots efforts such as the SGLs, Grassroots Updates, and Action Alerts.
- Continually monitor federal registry announcements from such departments as the CDC, HRSA, NIH, DOE, DOL, and DOD.
- Alert AACN members of the announcements through email notifications and post information on AACN's website.
- Be a resource for AACN members who are searching for federal funding.

9. Develop Nursing Leaders in Policy, Legislation, Regulation

Actively Participate in promoting nurse leaders within the AACN membership and educating future nurse leaders with insights into policy development.

AACN will:

- Sponsor nurse interns; participate in speaking engagements for external audiences such as Robert Wood Johnson Executive Nurse Fellows and Winston Fellows; and host student groups from schools of nursing and other Washington, DC based internship programs.
- Work with the developing Nightingale Policy Group.
- Nominate AACN members and nurse leaders to positions on federal advisory boards and committees regarding health and education issues. *(AACN has an ongoing role in developing members' and nurses' health and education policy interest and expertise.)*

EVALUATE EMERGING ISSUES

Throughout the year, AACN staff continuously monitor and evaluate legislation and regulations to identify emerging issues that may impact nursing education and research. As issues are identified, they are brought to the GAC for evaluation and recommendation for AACN Board or Executive Committee approval. Staff reevaluate priorities based on this final recommendation.