



To: AACN Board of Directors

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

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Director, AACN Government Affairs

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Re: AACN's 2009 Legislative Agenda

The 111th Congress began on January 6, 2009. In anticipation of the changing political climate, due in part to a new Obama Administration, the Government Affairs Committee (GAC), AACN staff, and AACN's consultants, Wheat Government Relations (GR), have re-evaluated the organization's legislative agenda. These revisions take into account our current priorities, the continued nursing and nurse faculty shortages, the importance of nursing research, and innovations in nursing education such as the Doctorate of Nursing Practice, the Clinical Nurse Leader, and the Nurse Residency Program. In addition to the efforts put forth by AACN's staff and the GAC to achieve these goals, Wheat GR serves as a lobbyist, consultant, and strategic advisor to assist with the implementation and execution of this legislative agenda.

The goals that outline this agenda 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 membership, GAC briefings, and in Board reports. For additional guidance, **the designations of "Lead" or "Actively Participate" are provided to identify the level of involvement by AACN's staff, GAC, and membership on each issue. They are defined as follows:**

Lead – AACN takes a prominent position with Congress, the federal agencies, and the healthcare community. Efforts may include: evaluating legislation, supporting related 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 – AACN takes a position on these issues, but works within the nursing and healthcare communities allowing other organizations to take the leadership role. Efforts may include: supporting legislation, attending coalition meetings, signing on to coalition letters, and grassroots strategies.

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 GAC. Therefore, as an overarching goal, AACN will actively incorporate this priority in all possible advocacy and legislative efforts.

1. Increase budget allocations and appropriations for programs authorized under the Public Health Service Act (PHSA) that support nursing.

Lead in increasing funding levels for the Title VIII Nursing Workforce Development Programs, the Title VII Health Professions Education Programs such as the Scholarships for Disadvantaged Students and the Area Health Education Centers, and the National Health Service Corps (NHSC) for FY 2009, FY 2010, and FY 2011.

Current Funding Status for Title VIII

Despite the efforts of AACN to advance the funding level for FY 2009, the political climate stalled further progress on the Labor, Health and Human Services, and Education (LHHS-ED) Appropriations bill, which funds Title VIII. Therefore, Title VIII programs received \$156.05 million in the Continuing Resolution (CR) that will run through March 6, 2009. This figure is \$6.37 million above the FY 2007 funding level, but the same allocation as FY 2008. While this amount is approximately \$43 million less than the request made by AACN and the nursing community, AACN considers this level of funding a success given the difficult appropriations cycle. A final FY 2009 appropriations omnibus package is expected to be passed in early 2009.

Current Funding Status for Title VII

In FY 2008 and in the FY 2009 CR, the Health Professions Education programs received \$193.93 million, a 5% increase from the FY 2007 level. While Title VII programs did fare better when contrasted to the FY 2007 level (\$184.75 million), the overall funding for Title VII is far below the FY 2005 level of \$300 million. The funding cut to Title VII programs will affect nursing education in addition to many other health professions.

Current Funding Status for the NHSC

In the FY 2009 CR, NHSC received \$123.48 million, the same as FY 2008 and \$2.05 million less than in FY 2007.

To attain this goal, AACN will:

- Lead and actively participate in the work of various coalitions in the nursing, health, and consumer communities such as the Nursing Community, Tri-Council for Nursing, Coalition for Health Funding, Friends of the Health Resources and Services Administration (HRSA), the Health Professions and Nursing Education Coalition, and the Friends of the National Health Service Corps.
- Engage in strategic educational efforts with the National Advisory Council on Nursing Education and Practice, Division of Nursing, and other pertinent HRSA divisions.
- Advocate for increased funding with Members of Congress from the House and Senate Appropriations Committees and the LHHS-ED Appropriations Subcommittees.

- 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 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.
- Continue refining services and programs for AACN members that stress the importance of continued advocacy for Title VIII, VII, and NHSC appropriations.
- Increase AACN member advocacy throughout the year by encouraging members to make visits with federal legislators in their state and in Washington, DC during the AACN Spring and Fall meetings.
- Modernize AACN grassroots network through the use of electronic advocacy tools, member advocacy letters, and talking points to address appropriations.
- Create opportunities for AACN members to honor Congressional advocates.
- Enhance and improve AACN advocacy materials for these programs through data collection efforts so that they better serve Congressional requests for information.

2. Increase budget allocations and appropriations for federally funded nursing research.

Lead in increasing funding levels for the National Institutes of Health (NIH), the National Institute of Nursing Research (NINR), the Agency for Healthcare Research and Quality (AHRQ), and the Tri-Service Nursing Research Program (TSNRP) for FY 2009, FY 2010, and FY 2011.

Current Funding Status for NIH

Current federal priorities have diminished the growth of NIH over the last six years. In FY 2008, NIH saw a slight increase of \$370 million from the FY 2007 level. Funding for NIH has failed to keep pace with inflation and as a result, NIH has lost more than 13% of its purchasing power in biomedical research. In the FY 2009 CR, NIH received \$29.23 billion.

Current Funding Status for NINR

As one of the 27 Institutes and Centers at NIH, NINR funds research that establishes the scientific basis for quality patient care. NINR reached its doubling over five years in FY 2003 along with other Institutes and Centers at NIH. In FY 2008, NINR received \$137.48 million—a slight increase from the FY 2007 level of \$137.34 million. AACN requested a funding level of \$150 million for NINR, a 9% or \$12.52 million increase over the FY 2007 level. In the FY 2009 CR, NINR funding maintained the FY 2008 level of \$137.48 million.

Current Funding Status for AHRQ

AHRQ supports health services research to improve patient outcomes by addressing healthcare quality, increasing access to health care, reducing medical errors, and improving patient safety. AHRQ funding was \$334.56 million in FY 2008, a \$15.86 million increase over the FY 2007 level. The Friends of AHRQ, a coalition of which AACN is a member, requested \$360 million for AHRQ in FY 2009. Funding for AHRQ in the FY 2009 CR was maintained at the FY 2008 level of \$334.56 million.

Current Funding Status for TSNRP

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 (DoD) 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.

To achieve this goal, AACN will:

- Actively lead efforts with organizations such as the American Academy of Nursing to create an advocacy message that defines nursing research to Congress and illustrates the importance of increasing funding as it relates to advanced nursing education.
- 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 House and Senate Appropriations Committees and the LHHS-ED Appropriations Subcommittees.
- Advocate for increased TSNRP funding with Members of Congress from the House and Senate Appropriations Committees and the Defense Appropriations Subcommittees.
- Identify appropriate nursing research initiatives to lobby for as report language in House, Senate, and conference reports.
- Continue to work with the Friends of NINR and attend National Advisory Council on Nursing Research meetings.

3. Collaborate with the 111th Congress and the Administration to include nursing issues and nursing leaders in the discussions and development of healthcare reform initiatives.

(New Goal for 2009)

Lead in efforts to ensure nursing education priorities, as they relate to the larger healthcare agenda, are incorporated into national healthcare reform.

Actively Participate in efforts that will ensure nursing issues, as they relate to the larger healthcare agenda, are incorporated into national healthcare reform.

Current Status of Health Reform Legislation

The Obama Administration has noted that healthcare reform will be a top priority in the 111th Congress. Key Congressional leaders in both the House and Senate will continue to be engaged in efforts to draft healthcare reform legislation that is both comprehensive and cost-effective, citing the need for improvements in three major tenants: access, cost, and quality. Nursing practice and its leaders can offer Congress and the Administration solutions to address the problems within the failing healthcare system.

To achieve this goal, AACN will:

- Lead a Nursing Community Taskforce charged with the goal of creating a consensus statement to develop priorities and solutions for healthcare reform.
- Advocate for the inclusion of nursing leaders in Congressional hearings and other Capitol Hill meetings that discuss healthcare reform.
- Work with the Administration and Congressional healthcare leaders to address the nursing shortage through an investment in the nursing educational system.

4. Reauthorize Title VII and VIII of the PHSA.

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

Current Status of Title VII and VIII Reauthorization

While the Nurse Reinvestment Act of 2002 made amendments to Title VIII, it has been eleven years since all the programs under Titles VII and VIII of the PHSA were fully reauthorized. Reports from the Senate Health, Education, Labor, and Pensions (HELP) Committee suggest that a reauthorization for both Title VII and VIII through healthcare reform legislation is possible in the 111th Congress.

To achieve this goal, AACN will:

- Lead efforts within the Nursing Community to promote the *Consensus Document for Title VIII Reauthorization* approved by over 30 nursing and healthcare organizations.
- 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.
- Work with the Federation of Associations of Schools of the Health Professions, Tri-Council for Nursing, and other coalitions on an expedited and rational reauthorization process.

5. Advance capitation grants legislation and new nursing education legislation under the PHSA and other authorities.

Lead in efforts to reintroduce and secure cosponsors for capitation grant legislation in both chambers 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 and research.

Current Status of Capitation Grants and other Nursing Legislation

This is the fourth 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.

The *Nurse Expansion, Education and Development (NEED) Act* (H.R. 772 and S. 446) was sponsored by Reps. Nita Lowey (D-NY), Peter King (R-NY), and Lois Capps, RN (D-CA) and Sens. Richard Durbin (D-IL) and Barbara Mikulski (D-MD) during the 110th Congress. The bill would have amended Title VIII of the PHSA by providing capitation or formula grants based on enrollment in schools of nursing. Approved uses of funding would have included: hiring or retaining current faculty, purchasing educational equipment, enhancing clinical laboratories, repairing and expanding infrastructure, or recruiting students.

At the close of the 110th Congress, the leadership referred H.R. 772 (which 15 Representatives cosponsored) to the House Energy and Commerce Committee. S. 446 had seven cosponsors and was referred to the Senate HELP Committee. AACN will work to

have this legislation reintroduced in the 111th Congress and garner support for the bill by obtaining new cosponsors.

In addition to capitation grant language, AACN assists in the drafting process, raises awareness, and helps to gain cosponsors for legislation that supports nursing education and research initiatives in the PHSA and other authorities.

To achieve this goal, AACN will:

- Work with lead sponsors in the House and Senate to reintroduce and gain cosponsors for capitation grant legislation in the 111th Congress.
- Advocate for the inclusion of the NEED Act in the event of a Title VIII reauthorization.
- Develop grassroots strategies that may include hosting tours at schools of nursing for Hill staff, 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.
- Collaborate with other nursing and healthcare organizations to achieve this goal.

6. Establish and fund a program within the DoD to address the military and civilian nursing shortages.

Lead in advocating for a Troops-to-Nurse Teachers (TNT)- like program to be established in the FY 2010 and FY 2011 Defense Authorization bills and funded through the Defense Appropriations bills.

Current Status of the Troops-to-Nurse Teachers Program

In 2006, Senate Majority Whip Richard Durbin (D-IL) became concerned about the need to address the nurse faculty shortage and championed the TNT Program through an amendment (S. Amdt. 4253) to the FY 2007 National Defense Authorization Act (S. 2766). However, the President signed the FY2007 Defense Authorization Act (P.L.109-289) on September 29, 2006 *without the TNT provision* in the final bill.

During FY 2008, and 2009, Sen. Durbin championed the TNT Program in the Defense authorization and appropriations bills in addition to drafting stand alone legislation. In the FY 2009 DoD authorization bill, the decision to enact and fund Section 597, (*Demonstration project on service of retired nurse corps officers as faculty at civilian nursing schools*), resided with the discretion of the Secretary of Defense. However, no TNT Program has passed in Congress to date. AACN is actively working with Sen. Durbin's office to recreate a viable proposal.

To achieve this goal, AACN will:

- Continue to work with Sen. Durbin's staff who remain committed to advancing a TNT-like program in 2009.
- Work with Wheat GR to include a TNT-like program in the final Defense Authorization and Appropriations bills passed by both the House and Senate.
- Continue to educate members of the House and Senate Armed Services Committees on the nursing and nurse faculty shortages as well as the merits of this type of program in addressing military readiness.

7. Increase budget allocations and appropriations for the recently authorized nursing programs under the Higher Education Act (HEA).

(New Goal for 2009)

Lead in efforts to secure high levels of funding for nursing programs recently authorized under the HEA Reauthorization.

Current Status of the Nursing Provisions in the HEA

The House and Senate voted July 31, 2008 to pass the first long-term and comprehensive reauthorization of the law governing aid to higher education in a decade. The *College Opportunity and Affordability Act of 2008* (H.R. 4137) was signed into law by the President on August 14, 2008 and included the five nursing provisions for which AACN advocated (Capacity for Nursing Students and Faculty Program (Sec. 804 included two nursing provisions), Loan Forgiveness in Areas of National Need program (Sec. 430), Graduate Assistance in Areas of National Need (Sec. 703), Study Concerning Nursing School Capacity (Sec. 1121)).

To achieve this goal, AACN will:

- Work with the American Council on Education coalitions to follow developments in the regulatory process to offer guidance on the rules that will be established to administer the new programs.
- Advocate for high levels of funding for the nursing provisions in HEA.

8. Enhance AACN member education and identify federal funding opportunities for nursing and healthcare research in addition to programmatic grants.

Lead in maintaining and developing the effectiveness of the SGL Program and continue refining services for AACN members that stress the importance of political, legislative, and regulatory advocacy.

To achieve this goal, AACN will:

- Build AACN members' knowledge and skills to focus on funding for nursing education in programs operated on the state level such as the Workforce Investment Act grants.
- 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 through the SGLs, Grassroots Updates, and Action Alerts.
- 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, Department of Labor, Department of Veteran Affairs (VA), and DoD.
- Work with coalitions such as the Campaign for Public Health, which advocates for the CDC, and the Friends of Veterans Affairs (FOVA) to increase funding for these agencies.
- Alert AACN members of the programmatic grants and funding opportunities 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, and regulation.

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

To achieve this goal, 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.
- Nominate AACN members and nurse leaders to positions on federal advisory boards and committees regarding health and education issues.
- Work with the developing Nightingale Policy Institute.

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 re-evaluate priorities based on this final recommendation.

Emerging Issue: Stimulus Package

One of the emerging issues currently facing the new Administration and Congress is the need for a stimulus package to infuse federal dollars into the ailing American economy. In the later part of 2008 and the beginning of 2009, AACN worked diligently with key Congressional leaders and nursing champions to secure funding for nursing education in this package. Investing in nursing education would allow the federal government to support aspiring nurses by providing them with the opportunity to secure positions in a high-growth profession and help stabilize the unemployment rate. In the coming months, AACN will continue to work with Power, Pyles, Sutter, and Verville, as well as Wheat GR to communicate the importance of our request to Members of Congress and achieve the goal of securing funding for nursing education in the stimulus package.