

TESTIMONY OF JEANINE SANTELLI, PhD, RN, AGPCNP-BC, FAAN, EXECUTIVE  
DIRECTOR OF THE AMERICAN NURSES ASSOCIATION - NEW YORK, BEFORE THE  
ASSEMBLY STANDING COMMITTEE ON HEALTH, HIGHER EDUCATION AND  
LABOR ON DELIVER OF HEALTH CARE PROFESSIONAL SERVICES; LESSONS FROM  
COVID-19

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Thank you for this opportunity to submit written testimony to the Assembly Health, Higher Education and Labor Committees on the delivery of health care professional services; lessons from COVID-19. My name is Jeanine Santelli, PhD, RN, AGPCNP-BC, FAAN, and I am the executive director for the American Nurses Association - New York (ANA-NY). The mission and purpose of ANA-NY is to foster high standards of nursing, promote the professional and educational advancement of nurses, and promote the welfare of nurses to the end that all people may have better health care.

When the COVID-19 pandemic hit, registered nurses were called upon and put years of education and training into action. When everyone else ran from the storm, nurses ran directly into the middle of it all. This frontline experience taught us many lessons and has reenforced the need for changes to the healthcare system in this country and in New York. We must look more closely at how healthcare is delivered and accessed.

Before the pandemic, there was already a staffing crisis facing the nursing profession, which was exacerbated and intensified by the pandemic. Crisis-level nurse staffing puts nurses' ability to care for patients in jeopardy. The American Nurses Association (ANA) has called on the U.S. Health and Human Services secretary to declare a national crisis related to the nurse staffing shortage.

We would like to applaud Governor Kathy Hochul for already making this declaration in New York and issuing a series of waivers and directives aimed at addressing this crisis. While these waivers and directives help to address the staffing issues in the short term, we must look more broadly at the issue and embrace solutions that will address the staffing issue in the long term. ANA-NY believes that these long-term solutions include removing unnecessary practice barriers, streamlining the educational and clinical requirements for nursing students in New York and providing additional resources including recruitment and retention incentives that will attract students to the nursing profession and retain skilled nurses already in the profession. ANA-NY also believes that New York should convene a group of stakeholders to discuss these challenges and explore ways to address these challenges and ensure that New York's healthcare delivery system is best equipped to provide quality care for patients and meet the needs of the healthcare workers.

### **Removing Unnecessary Practice Barriers**

ANA-NY supported the executive orders that were issued during the pandemic and supports the current executive orders that were issued in response to the declared state of emergency resulting from the staffing crisis. The waivers and directives implemented by these executive orders have helped to remove unnecessary, and often artificial, practice barriers and are allowing nurses in New York to practice to the full extent of our education and training. We believe that many of these waivers and directives must be made permanent. Often change in these areas is hard to achieve because there are questions about how to make the changes and what the potential impact of the changes may be. We have now seen firsthand in New York how these changes can be done, and we have proof that these changes have not negatively impacted patient care. In fact, many of these changes have helped to address access to care issues and if

not permanently implemented, we will see access to care once again be impacted and limited for key regions and demographics in this state. It is not lost on the profession that when things are at their absolute worst, and we are called on to step up, it is acceptable to remove the artificial practice barriers, but when there isn't a crisis, we must live under unnecessary constraints that limit our practice and hamstring our decision-making when it comes to the care of our patients.

This is an issue that was directly addressed by the National Academy of Medicine when in May 2021, they issued *The Future of Nursing 2020 - 2030: Charting a Path to Achieve Health Equity* report. Key Message 1 from the report was that “policymakers need to permanently lift artificial regulatory and practice barriers that keep nurses from practicing to the top of their education and training and that restrict people’s access to high quality care.” The report further found: “Eliminating restrictions on the scope of practice of advanced practice registered nurses and registered nurses so they can practice to the full extent of their education and training will increase the types and amount of high-quality health care services that can be provided to those with complex health and social needs and improve both access to care and health equity.”

We believe that New York must look closely at the current scope of practice requirements across the nursing profession and make the appropriate modifications to allow registered nurses to practice to the full extent of their education and training. Specifically, we believe that New York must look closely at how we recognize, or fail to recognize, advanced practice registered nurses in this state and work immediately to enact the Nurse Practitioner Modernization Act and implement a scope of practice for Certified Registered Nurse Anesthetists. The artificial limitations on these advance practice registered nurses are compromising patient care and ensuring that New York is losing qualified healthcare professionals because these highly trained advance practice registered nurses are leaving New

York to go to states where they can practice to the full extent of their education and training. We must do everything we can to ensure that we are not losing these highly qualified providers.

### **Public Health and Strengthening Public Health Infrastructure**

In addition to removing unnecessary practice barriers, there must also be a recognition for the role that registered nurses play in the public health space and a focus on strengthening public health infrastructure. Registered nurses are the single most important influence in the delivery and management of care for patients. Across the entire patient experience, and wherever there is someone in need of care, registered and advanced practice nurses work tirelessly to identify and meet the needs of the individual. Ensuring a robust patient experience means that registered and advanced practice nurses must play a pivotal role in public health.

The profession is working to not only treat those who are sick or injured but to work to prevent illness and promote health. The profession is dedicated to ensuring both population health and health equity. Public health must be focused on promoting and protecting the health of people and the communities where they live, learn, work and play. Public health means addressing determinants of health, which includes ensuring people receive needed vaccinations to prevent the spread of disease; understanding the health risks associated with smoking and other risky behaviors; developing and supporting programs to ensure that individuals can pursue and achieve a healthy lifestyle; and evaluating the social and environmental determinants of health. Far too often, zip codes determine the state of individuals' health and access to care. We must ensure that legislation is advanced to address general issues of public health and ensure adequate access to healthcare for all New Yorkers.

We must also work to recognize and address the gaps in our existing public health infrastructure that the pandemic has highlighted. If we fail to do this, we will not be equipped to

deal with the next public health emergency that will arise. We must invest in public health infrastructure. There are efforts to address this at the federal level, but New York must look at this at the state level as well. Access to healthcare is disparate in New York. Health emergencies such as COVID-19 are a stark reminder of the critical importance of the public health system. Over the past decade, the public health workforce has continued to shrink leaving New Yorkers at risk. A strong public health system supports the assessment of our communities' health, the ability to respond quickly to public health emergencies, the ability to translate science into policy and regulations, the sharing of accurate and timely information, the ability to partner and align community resources and organizations to advance public health, and to correct health disparities and advance equity in all communities. Without an investment in the public health system in New York, the disparities will only continue to grow.

### **Streamlining Educational and Clinical Requirements**

New York must also review the current educational and clinical requirements for the nursing profession in New York. For years, nurse educators across New York State have been facing challenges in finding quality, hands-on clinical experiences for nursing students. Clinical experiences are critical in nursing education. These experiences provide opportunities for students to assess, diagnose, plan, implement, and evaluate nursing care in a variety of practice settings. However, access to these experiences has continued to shrink. In order to ensure a robust workforce pipeline, we must explore the appropriate role of simulation pedagogy, particularly throughout pre-licensure nursing programs. We must also explore solutions to the limited availability of clinical placements.

As you can imagine, in the wake of the COVID-19 pandemic, what was already a critical issue in finding clinical placements has now become a catastrophic situation. Health care systems

are either putting tight restrictions on clinical placements or completely eliminating these experiences for both undergraduate and graduate nursing students. These restrictions threaten the progression and graduation of nursing students, and, therefore, public health, as the nursing shortage is further exacerbated. Without high quality clinical learning experiences students may graduate with inadequate skills and clinical reasoning.

ANA-NY believes that one solution that will help with this problem is to increase the use of simulation in New York. Simulation allows students to be involved in critical situations that they would be removed from in actual clinical settings for patient safety, such as a postpartum hemorrhage, prolapsed cord, cardiac arrest, chest tube or central line insertion, family care in a hospice/pending death situation, or diabetic emergency. Students can also directly experience the results of their decisions when in a simulation setting; whereas, in direct care clinical settings, students are obviously not allowed to make bad/harmful decisions.

NYSED permits simulation as a supplement to nursing education only to replace practice laboratory experiences. Current NYSED regulations are silent on the use of simulation as a substitution for direct care experiences, and as such, simulation-based learning experiences are not permitted, in most instances, to count towards program clinical hours. As external pressures are limiting student clinical experiences, we must look to how a well-developed simulation program can help fill this clinical void. We believe that New York must develop a standard that will allow a nursing program in New York to allow up to 50% of traditional clinical experiences to be replaced by simulation. We are hoping that this can be done through a regulatory change, but we ask that you be supportive of this change and stand ready to pass legislation if needed to effectuate this change.

### **Providing Additional Resources**

There have been numerous rounds of federal funding allocated at the federal and state level in response to the COVID-19 pandemic. ANA-NY believes that New York must evaluate the funding it has received and prioritize allocating some of this funding to recruitment and incentive bonuses that will help attract students to the nursing profession and retain skilled nurses to help meet the demands of patient care. We believe that bonuses of this nature could serve as an important tool in encouraging nurses, especially those facing feelings of intense burn out after the pandemic, to remain in the profession. We also believe that the bonuses could be an added incentive to get individuals to consider a career in the nursing profession. At a time when there is such a staffing crisis, we must explore every alternative that may exist to maintain and grow our workforce.

### **Mental Health Concerns**

New York must also look carefully at the mental health of all healthcare workers in the aftermath of the pandemic but particularly the mental health of nurses. Nurses have remained steadfast on the front lines since the beginning of the pandemic. Nurses had to overcome overwhelming challenges to treat their patients all while putting their personal health and safety on the line. We faced challenges in securing the personal protective equipment essential to performing our jobs and had to make tough decisions on taking care of patients while trying to protect the health and safety of our families. This was all on top of the added mental burden that nurses faced from seeing thousands of our patients lose their battles with COVID-19 and the fact that these circumstances exacerbated underlying, chronic nursing workforce challenges that have been around for years and were already creating mental health challenges. The emotional and mental toll that nurses went through, and are still dealing with, cannot be overstated. We must

work to ensure that all nurses have access to mental health resources and that we are actively focused on ensuring positive mental health outcomes for nurses and all healthcare workers.

Thank you for your time and attention today.