Leadership:
Core Competencies & Professional Role in Advocacy and Policy

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Learning Outcomes

- Explain why nurses should be involved in healthcare policy and the political process.

- Critique the impact of healthcare legislation on healthcare delivery.

- Explain the impact of legal issues on decision making in management and practice.

- Explain the impact of ethics on decision making in management and practice.

- Analyze major changes that are occurring in acute care and their impact on nursing.

What Does:
A Leader Look Like:

How is Leadership Connected to Advocacy?

Professional Citizenship / Advocacy: Where Does It Start?

- Nursing curricula in all programs and levels
  - Content on leadership and policy
  - "Walk the Talk"

- Professional nurses setting expectations

Why Nurses Should Be Engaged in Policy and Political Process?

- Occupy front row seat - Spend the most time with patients

- Unique knowledge with issues and solutions

- Focus of patient safety is priority

- Capable of successfully advancing policies

- Direct witness to the implementation of policies

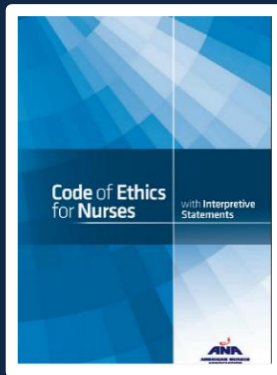- Comprise the largest sector of the health care workforce

Advocacy

"To work on behalf of self and/or others to raise awareness of a concern and to promote solutions to the issue"

(Tomajan, 2012)

Calls to Duty for Advocacy and Policy

Code of Ethics for Nurses with Interpretive Statements (The Code)

Nursing: Scope and Standards of Practice

Nursing's Long History:

"Let whoever is in charge keep this simple question in her head – how can I provide for the right thing to be always done?"

F. Nightingale

Innovation / Leadership / Policy Impact

- Women's Healthcare – Margaret Sanger
- Light and Jaundice – Jo Elinor Lester
- Care of Low Birth Weight Babies – Dorothy Brooten
- Parental Visitation in Newborn Nurseries – Claire Fagin
- Nurse Practitioners – Loretta Ford
- Workplace / Workforce Rights – Mary Ellen Patton
- **Needlestick Safety / Prevention** / Bloodborne Pathogens Standard - Karen Daly

Starts With a Vision
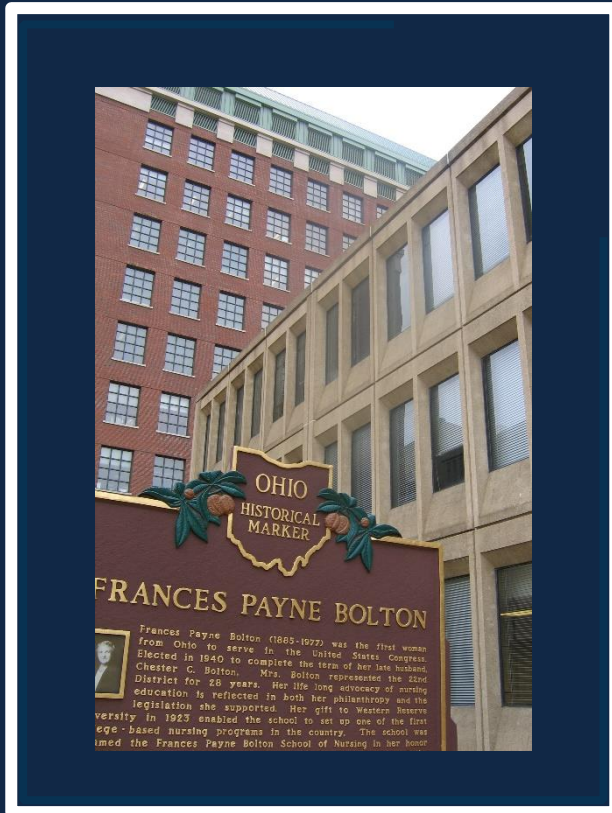
What Did These Nurses Have in Common?

- They were daydreamers – they had visions of what might be, on a local level and on a grand scale.

- Their ideas went against the grain.

- They siphoned the criticism – if they could use it to improve they did, if not, they discarded it.

- They would not settle…..always in pursuit of excellence. Thought about "stuff" all of time.

- Did not care about personal prestige…. Did care about spreading their work, improving outcomes and serving individuals, families and communities.

HEALTH IN ALL POLICIES

- RESOURCES

- https://www.cdc.gov/polic y/hiap/index.html

- Rudolph, L., Caplan, J., Ben-Moshe, K., & Dillon, L. (2013). Health in All Policies: A Guide for State and Local Governments. Washington, DC and Oakland, CA: American Public Health Association and Public Health Institute.

Nurses are Never Neutral

- "Influencing policy means taking clear positions. Like cars in neutral, nurses who are neutral when it comes to health-related public policy miss critically important opportunities to advance the health of patients and communities and to advance the profession"

- Wakefield, M. (2019). Improving Health through Public Policy: The Runway of Opportunity in Ch 15 Patton, R, Zalon, M., & **Ludwick**, R. *Nurses making policy: From bedside to boardroom* (2nd ed pp 447-474).

Imagine a World without Nurses.....

"No system shall endure that does not march."

Dr. Margretta Madden Styles
President ,
American Nurses Association ,
International Council of Nurses ,
American Nurses Credentialing Center

Nurses Leading Change

Advocate for	Self e.g. report workplace hazards and bullying, speak up for self	Others, help other nurses be healthy and well, advocate for patients and community needs	Organizational (system) policies and structures that support nurses and promote equity	Legislative and regulatory changes at community, state, and national level (global)

In Future of Nursing 2020-2030 Charting a Path to Achieve Equity (2021) p 279
Originally from Center for Creative Leadership (CCL) 2010. Exec nurse fellow program…. RWJ Foundation

Advocacy Continues

ANA 2018: Year of Advocacy

WHO 2020: Year of the Nurse

ICN 2023: Global Voice of Nursing

- Human Rights

- Social Justice

- Full Practice Authority

- Funding for Nursing Education

What Policy Criteria Have Nurses Advocated For Historically?

o Universal Access

o Cost effective services

o Services delivered timely and with accuracy, safety, cultural awareness, and equity

o Full utilization of qualified providers

o Balance of services between health and illness

o Balance between (and integration of) physical and behavioral health and recognition of impact of BH on all peoples and communities

o Protection of the social safety net that undergirds health

IDENTIFYING LITTLE "p" PROBLEMS AT WORK

- Identify complaints about daily routines and procedures
- Observe colleagues interacting with each other about an issue
- Consider workflow breakdowns
- Review and write about a work-related critical incident
- Attend presentations about successful work changes
- Review nurse satisfaction surveys
- Examine exit interviews
- Participate in meetings where issues related to the problem can be raised

Upstream vs Downstream

Box 2-1 Factors Related to Healthcare Policy, Legal, and/or Ethical Issues

- Changing practice patterns

- Cultural diversity and healthcare disparities

- Federal and state governments

- Growth of advanced practice nursing

- Healthcare consumerism

- Healthcare profession role changes

- Health profession education

- Immigration

- Legislation

- Aging

- Healthcare economics

Box 2-1 Factors Related to Healthcare Policy, Legal, and/or Ethical Issues (2 of 2)

- Medical-industrial complex: Privatization and corporate healthcare
- Interprofessional teams
- Health literacy
- Move from acute care to greater use of primary care
- Quality care
- Reimbursement
- Restructuring and reengineering
- Uninsured and underinsured
- Patient rights and confidentiality
- Healthcare informatics

Pearson

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Drivers of Healthcare Changes in 2023

- Technology , AI, Big Data, Predictive Analytics
- Cost – containing / shifting, curbing fraud and waste
- National and state elections
- Organizational Structure and Hierarchy of health care personnel – teams vs. individuals
- Safety - Adverse events Employees
- Regulation
- COVID and other healthcare concerns
- Self care and the "nudge."
- Professional Responsibilities

A Willingness to Get into Good Trouble

"Find a way to get in the way. Find a way to get in trouble, good trouble, necessary trouble. Be prepared to speak up and speak out, be courageous. When you see something that is not right, not fair, not just. You have a moral obligation to get in the way and make some noise."

Congressman, John Lewis

Legal Issues and Ethics: Impact on Decision-Making Management and Practice

- Law is the formal organization of societal values, demonstrated through laws that are passed and implemented

- Ethics focuses on what ought to be done in relation to what is done

- Understanding these issues is important for nurses who are leaders

Nurses and Ethical Dilemmas

- **Code for Nurses** (ANA)

- Reaching a balance; need for analysis and compromise

- Participate in organization ethics committee

- Consider nonmalfeasance in relation to the healthcare organization and nursing practice

Whistleblowers

- There are protections for nurses and all employees who act as **whistleblowers**, those who reveal wrongdoing within an organization

- If the employee is fired, demoted, or discriminated against for these actions, the employee can bring a claim against the employer for unlawful retaliation

Policy: ANA Code of Ethics

"Winkler County nurses" win another victory

June 22, 2011 | 1:58 PM CDT | BY VIVIAN WEINSTEIN

The American Nurses Association hailed a new victory for two whistle-blower nurses from Winkler County, Texas – Vicki Galle and Anne Mitchell – with the conviction this week of County Sheriff Robert Roberts.

This case became known nationally after the two long-time registered nurses at Winkler County Hospital in Kermit, Texas, reported to the Texas Medical Board in 2009 about serious misconduct, substandard care and an inappropriate business partnership between Sheriff Robert Roberts and a hospital physician, Dr. Rolando Arafiles Jr.

Normally after such a report an investigation takes place and the complainants' names are kept confidential. However in this case, the sheriff used his position to confiscate the nurses' computers, finding their letter to the medical board. The hospital then fired the nurses, whose names were now public, and the nurses were charged with "official misuse of information," which could have resulted in 10 years of imprisonment and fines.

Code of Ethics for Nurses Provisions

- Practice with respect and compassion for inherent dignity, worth, and uniqueness of every individual

- Commit to the patient, whether an individual, family, group, community, or population.

- Advocate and promotes, advocates for, and protects the rights, health and safety of the patient

- Duty to self and others for professional growth

- Participate in professional advancement

- Profession is responsible for articulating values and advancing social policy

Source ANA, 2015.

ANA Code of Ethics: Provision 1 - 3

➢ Support for patient rights including self determination and good end-of-life care

➢ Primary commitment to "patient"

➢ Responsibility for patient advocacy: protection of patients health safety and rights beyond confidentiality

ANA Code of Ethics: Provision 4 - 6

➢ Accountability for nursing practice including delegation and nursing judgment

➢ Same duties to self as to others responsible to maintain competence and continued personal and professional growth

➢ Health care environments, conditions of employment and consist values of profession through individual and collective action

ANA Code of Ethics: Provision 7 - 9

➢ Responsibility to the profession in creation of standards re: Practice, Education, & Administration

➢ Responsibility to the public to address all barriers to health: including poverty, homelessness, unsafe conditions, abuse and violence, etc.

➢ Social reform = participation in health policy and the political process

ANA Code of Ethics
Guantanamo Bay Detention Camp Visit

- Provision 1: Respect for Others

- Provision 2: Commitment to Patient

- Provision 3: Advocacy for the Patient

Military Chief Nurse Interview

- Military nurses assigned to the camps only for 4 to 6 months,

- Turnover factor

- Clearly written policies and procedures

- Quality outcome reports essential

- ANA Code of Ethics

Exemplar: Karen Daley

- https://www.youtube.com/watch?v=C3wNc9fcBds

Box 2-3 Examples of Organizations that Influence Healthcare Delivery Systems and Healthcare Policies

- National Association of Children's Hospitals and Related Institutions (NACHRI)

- American Academy of Hospice and Palliative Medicine (AAHPM)

- American Association of Homes and Services for the Aging (AAHSA)

- American Association of Retired Persons (AARP)

- American Home Care Association (AHCA)

- American Hospital Association (AHA)

- American Nurses Association (ANA)

- American Organization of Nurse Executives (AONE)

Box 2-3 Examples of Organizations that Influence Healthcare Delivery Systems and Healthcare Policies (2 of 2)

- Nursing specialty organizations

- American Public Health Association (APHA)

- Disease-focused organizations (e.g., Arthritis Foundation [AF], American Diabetes Association [ADA])

- Institute for Health Improvement (IHI)

- The Joint Commission

- National Association of Private Psychiatric Hospitals (NAPPH)

- National Association of Public Hospitals (NAPH)

- National Committee for Quality Assurance (NCQA)

- National Health Council (NHC)

Box 2-2 Examples of Important Federal Government Departments and Agencies

- Agency for Healthcare Quality and Research (AHQR)

- Center for Medicare & Medicaid Services (CMS)

- Centers for Disease Control and Prevention (CDC)

- Consumer Product Safety Commission (CPSC)

- Department of Health and Human Services (HHS)

- Food and Drug Administration (FDA)

- Health Resources and Services Administration (HRSA)

- National Institute for Occupational Safety and Health (NIOSH)

- National Institutes of Health (NIH)

- National Indian Services (NIS)

- Occupational Safety and Health Administration (OSHA)

- Veteran's Administration (VA)

UNITED NATIONS DEVELOPMENT GOALS

The 17 sustainable development goals (SDGs) to transform our world:

GOAL 1: No Poverty

GOAL 2: Zero Hunger

GOAL 3: Good Health and Well-being

GOAL 4: Quality Education

GOAL 5: Gender Equality

GOAL 6: Clean Water and Sanitation

GOAL 7: Affordable and Clean Energy

GOAL 8: Decent Work and Economic Growth

GOAL 9: Industry, Innovation and Infrastructure

GOAL 10: Reduced Inequality

GOAL 11: Sustainable Cities and Communities

GOAL 12: Responsible Consumption and Production
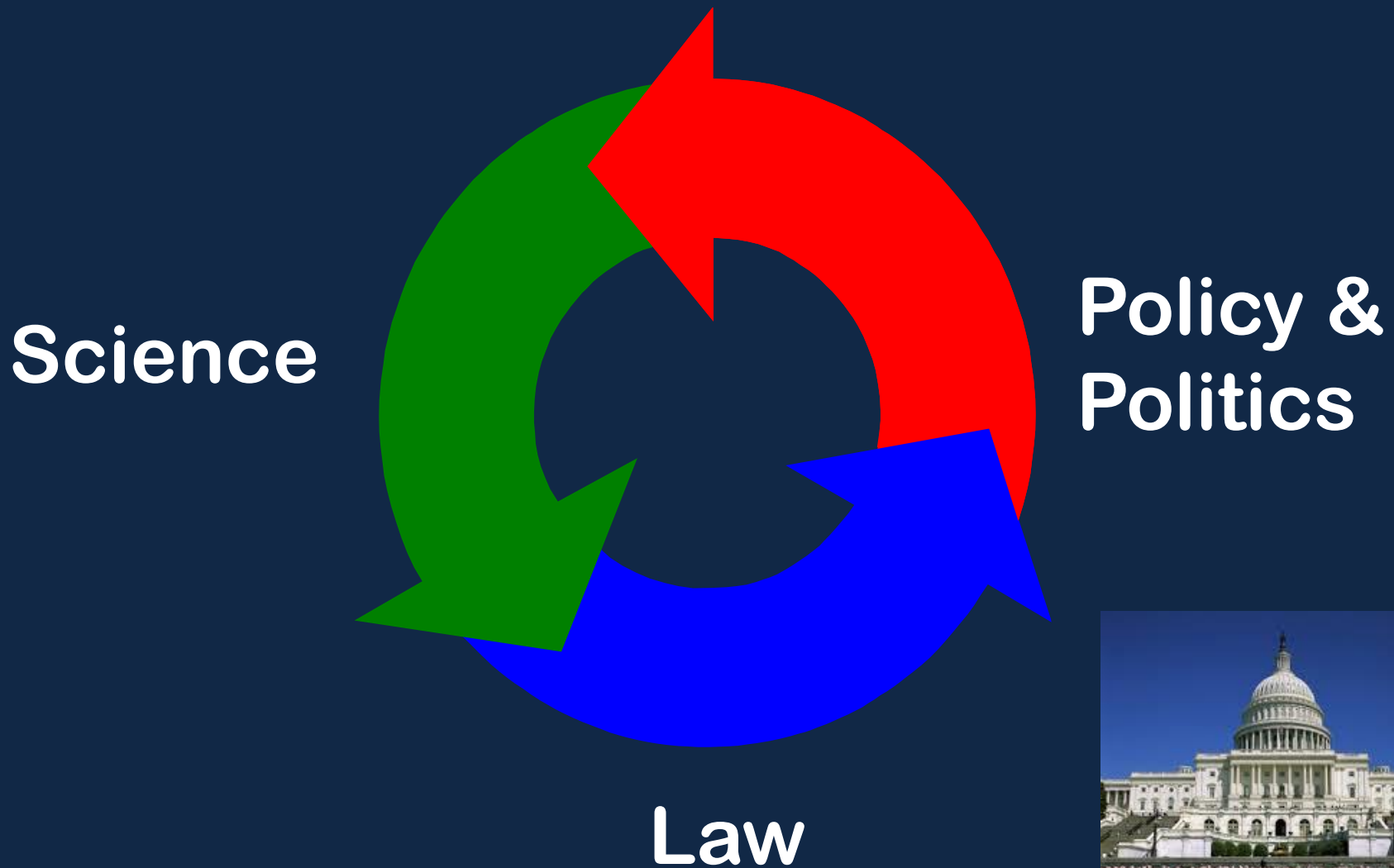
GOAL 13: Climate Action

GOAL 14: Life Below Water

GOAL 15: Life on Land

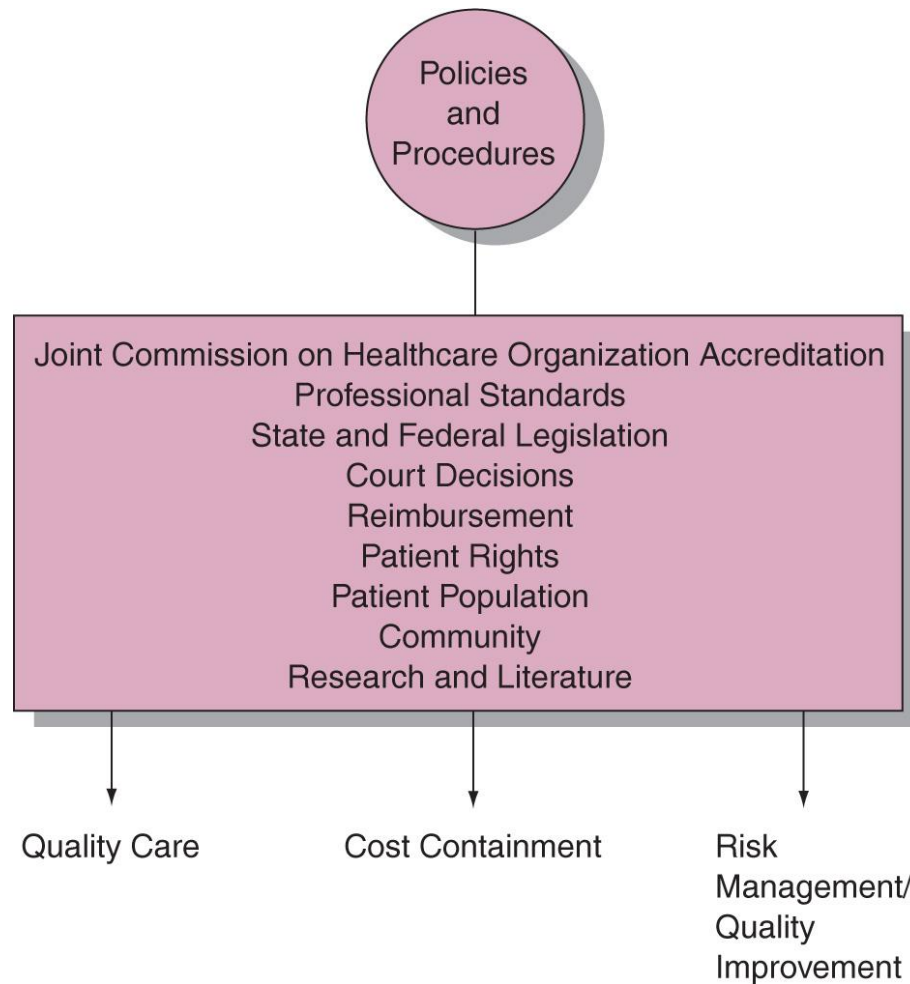GOAL 16: Peace and Justice Strong Institutions

GOAL 17: Partnerships to achieve the Goal

Policy Model – an Integration of:

Science

Policy & Politics

Law

Figure 6-1 Key Issues Related to the Development of Policies and Procedures

Policymaking Process Comparison

Nursing Process

- Assess and diagnose
- Plan interventions
- Implement care
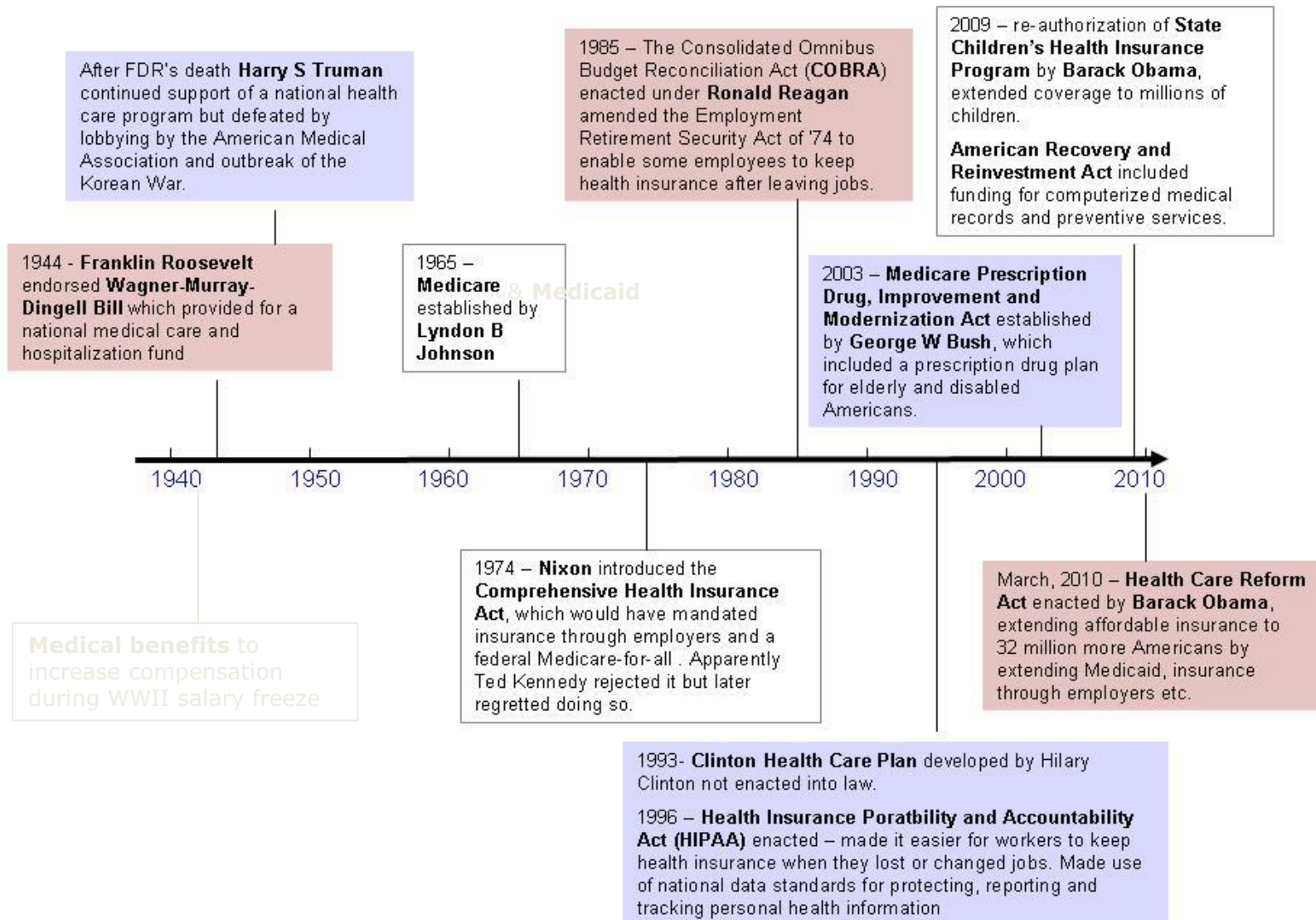- Evaluate

Policy Process

- Recognize and identify a problem
- Formulate policy
- Implement policy change
- Monitor and evaluate the result

Pre-1940s

- ## Financing of Health Care
    - Fee For Service
    - Private Pay and Charity Care
- ## Organization of Health Care Delivery
    - Solo practice
    - Public, religious and private non-profit Hospitals
    - A few alternative systems:
        - Multi-specialty Group Practices
        - Community Health Centers

Major US Health Reform Efforts and Events

After FDR's death **Harry S Truman** continued support of a national health care program but defeated by lobbying by the American Medical Association and outbreak of the Korean War.

1985 – The Consolidated Omnibus Budget Reconciliation Act (**COBRA**) enacted under **Ronald Reagan** amended the Employment Retirement Security Act of '74 to enable some employees to keep health insurance after leaving jobs.

2009 – re-authorization of **State Children's Health Insurance Program** by **Barack Obama**, extended coverage to millions of children.

American Recovery and Reinvestment Act included funding for computerized medical records and preventive services.

1944 - **Franklin Roosevelt** endorsed **Wagner-Murray-Dingell Bill** which provided for a national medical care and hospitalization fund

1965 – **Medicare** & Medicaid established by **Lyndon B Johnson**

2003 – **Medicare Prescription Drug, Improvement and Modernization Act** established by **George W Bush**, which included a prescription drug plan for elderly and disabled Americans.

1940   1950   1960   1970   1980   1990   2000   2010

1974 – **Nixon** introduced the **Comprehensive Health Insurance Act**, which would have mandated insurance through employers and a federal Medicare-for-all . Apparently Ted Kennedy rejected it but later regretted doing so.

March, 2010 – **Health Care Reform Act** enacted by **Barack Obama**, extending affordable insurance to 32 million more Americans by extending Medicaid, insurance through employers etc.

Medical benefits to increase compensation during WWII salary freeze

1993- **Clinton Health Care Plan** developed by Hilary Clinton not enacted into law.

1996 – **Health Insurance Poratbility and Accountability Act (HIPAA)** enacted – made it easier for workers to keep health insurance when they lost or changed jobs. Made use of national data standards for protecting, reporting and tracking personal health information

Major U.S. Health Care Reform: 1965

Nursing's Legislative Achievements

- 1976 – Instrumental in passage of Nurse Training and Health Services Bill recognizing the existing and expanding role for nurses in delivering health care

- 1986 – Helped to create the National Institute for Nursing Research at NIH.

- 2000 - Needle Stick Safety and Prevention Act

- 2003 - Smallpox Emergency Personnel Protection Act
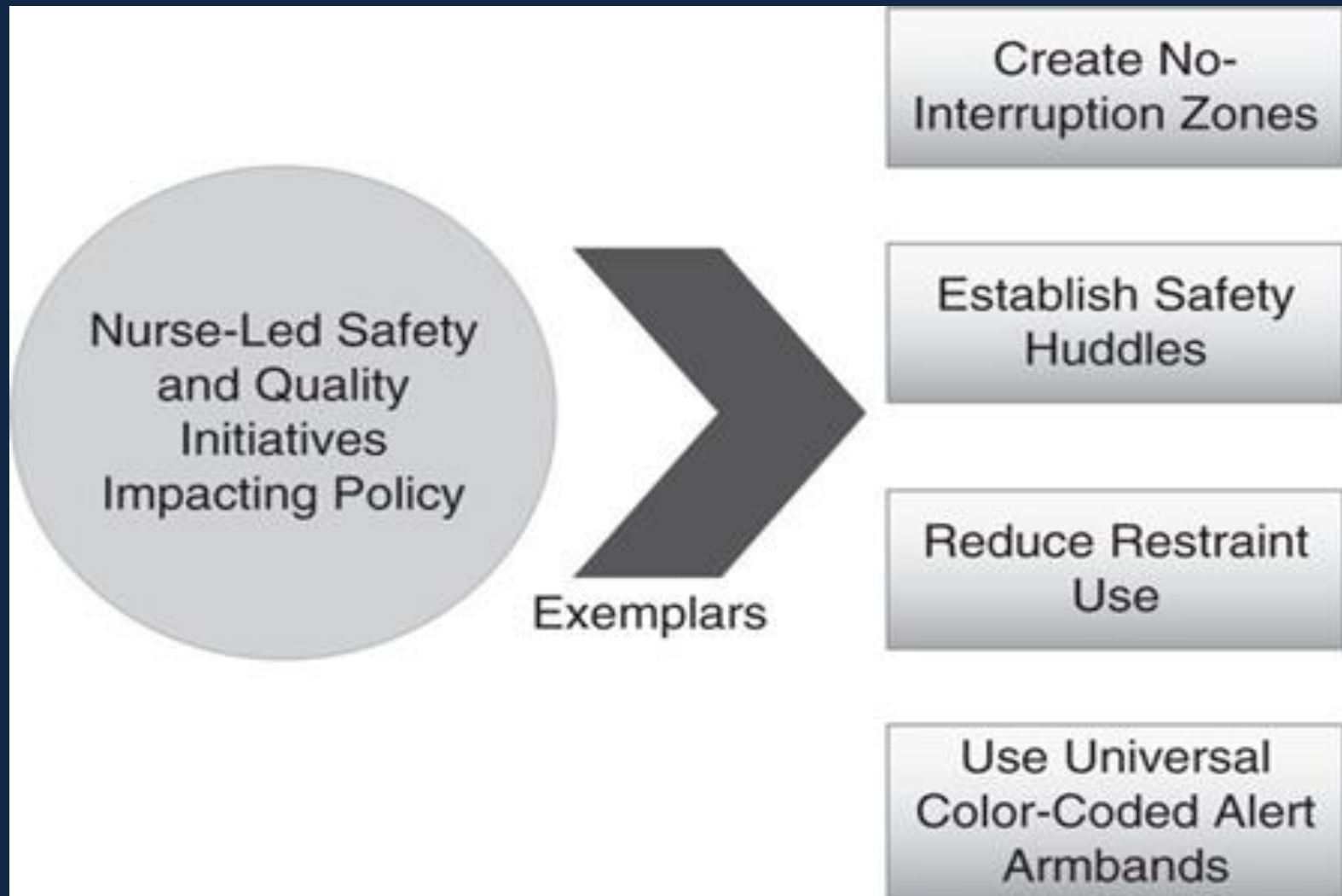
Nursing's Agenda for Health Care Reform
1991
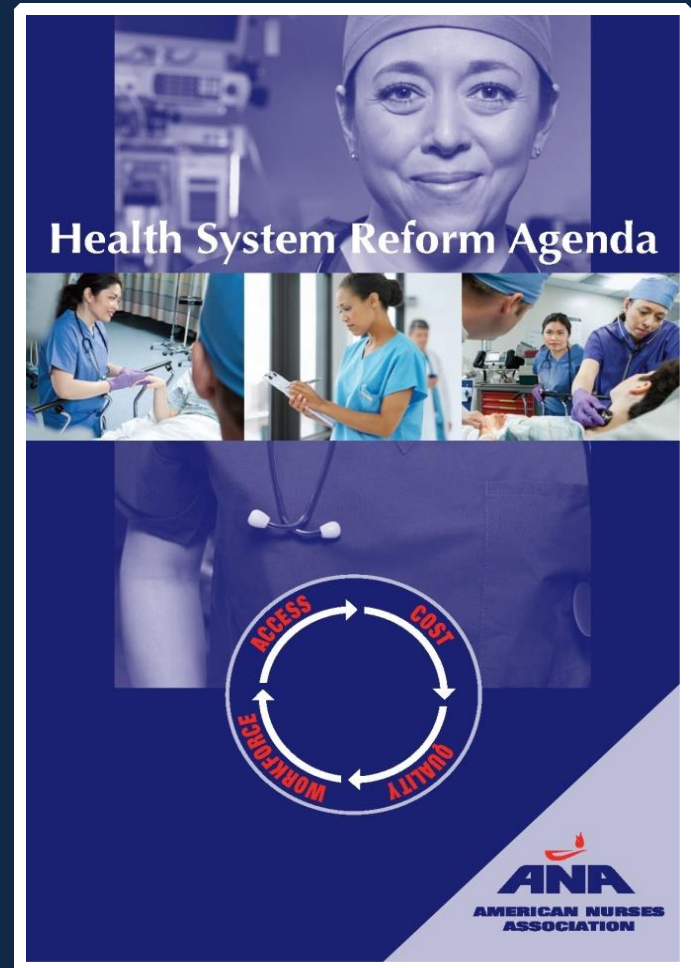
The National Database of Nursing Quality Indicators (NDNQI®)

- Repository for nursing-sensitive indicators,

- Only database containing data collected at the nursing unit level

- Meets the Centers for Medicare and Medicaid Services's reporting requirement for nursing sensitive care.

NDNQI

NDNQI: Transforming Data into Quality Care
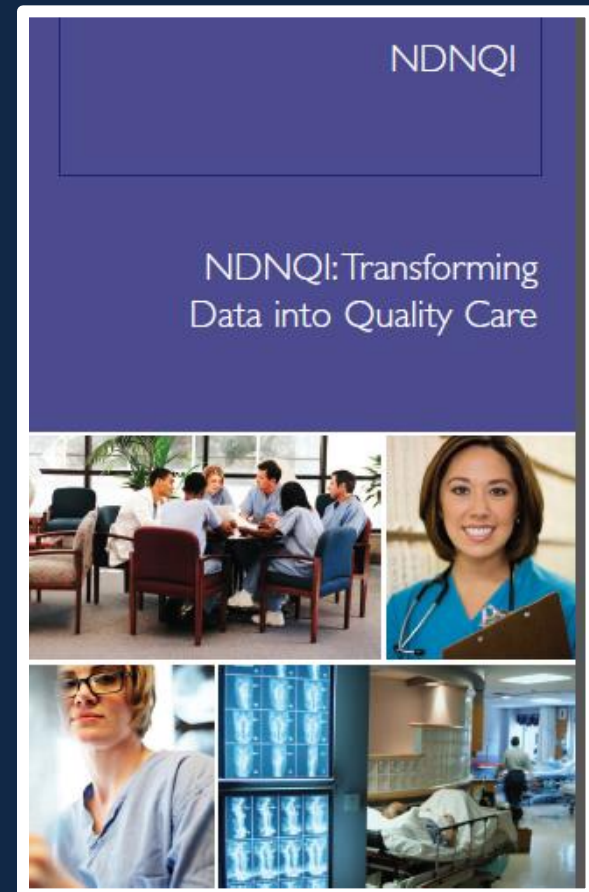
Examples of Nurse-led Safety and Quality Initiatives Impacting Policy

Nurse-Led Safety and Quality Initiatives Impacting Policy

Exemplars

- Create No-Interruption Zones
- Establish Safety Huddles
- Reduce Restraint Use
- Use Universal Color-Coded Alert Armbands

Nurses' Role Advancing Quality

Understaffed neonatal intensive care units is associated with higher infection rates among infants with very low birth weights, according to a study in JAMA Pediatrics.

Nurses' Role Advancing Quality

- University of Pennsylvania School of Nursing showed Medicare patients treated at hospitals with **a positive work environment** had a 10% lower risk of readmission than those with a poor environment.

- Supportive **nursing practice environment** — one with teamwork and involvement in hospital- and unit-level decision-making — is associated with fewer medication errors, according to a study funded by the Robert Wood Johnson Foundation and published in the Journal of Nursing Scholarship.

Shifting Landscape in Health Care

Other Legal Issues Relevant to Nurses

- Consent

- Living wills

- Durable power of attorney

- Do-not-resuscitate directive

- Assisted suicide

- Patient privacy and confidentiality

- Need to follow the law and the profession's Code of Ethics

- Patient privacy

Regulation and the nurse

Ohio Board of Nursing

The mission of the Ohio Board of Nursing is to actively safeguard the health of the public through the effective regulation of nursing care.

Public Protection

Efficiently license the nursing workforce and remove dangerous practitioners from practice in a timely manner to protect Ohio patients

Regulation of over 300,000 licenses and certificates

Public protection is critical, as nursing touches virtually every citizen of Ohio

Ohio Revised Code
Ohio Administrative Code

NURSE PRACTICE ACT, CHAPTER 4723., OHIO REVISED CODE (ORC)

CHAPTERS 4723-1 THROUGH 4723-27, OHIO ADMINISTRATIVE CODE (OAC)

Sources of Law

- Statutory law: Nurse Practice Acts
- Regulatory law/Administrative law : Governs the activities of administrative agencies of government.
- Common law :(also known as case law or precedent) developed by judges through decisions of courts
- Criminal law: Offenses against the state - felony & misdemeanor
- Civil law: Usually involve the violation of one person's rights against another's rights : Tort – Intentional and Unintentional and Quasi-intentional tort, negligence & malpractice
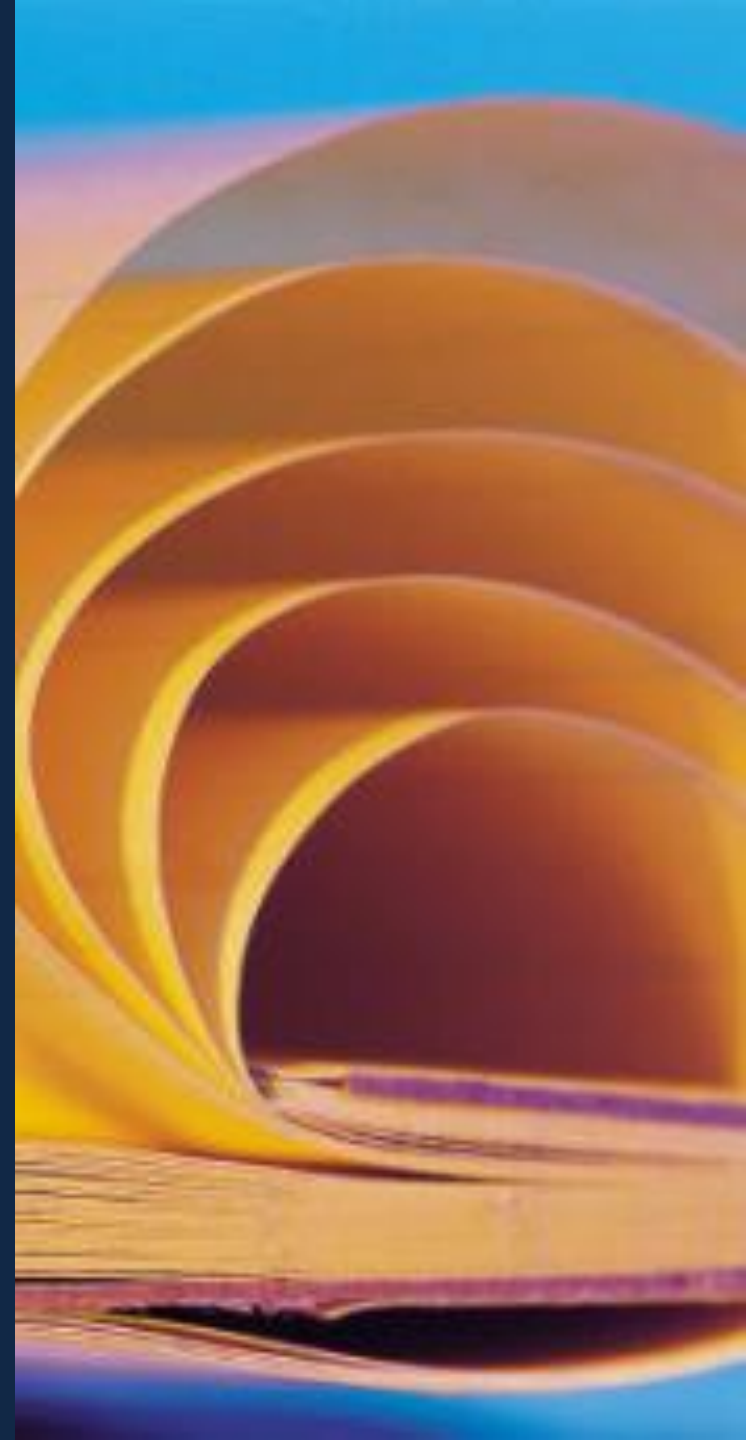
Championing the Affordable Care Act

IOM Report

The Future of Nursing: Leading Change, Advancing Health

Transform Nursing
to prepare nurses to
lead changes and
advance health for
all Americans
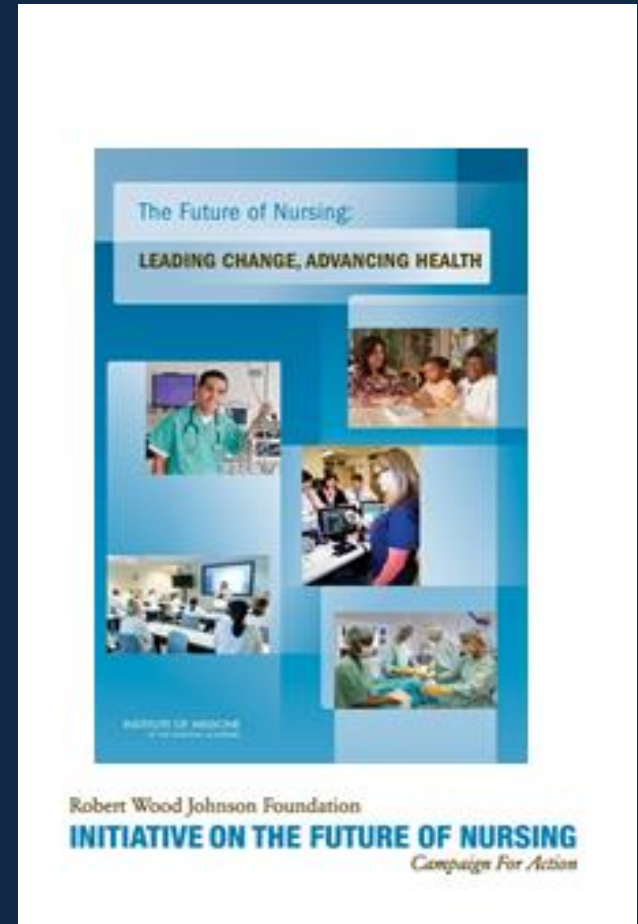
Nurses Making Policy: Where Do You Fit In?

"…. nurses must see policy as something they can shape rather than something that happens to them."

Institute of Medicine, 2011

Nurses Should…….

- Practice to the full extent of their education & training

- Be full partners, with physicians and other health care professionals, in redesigning health care systems

- Remove scope-of-practice barriers

- Expand opportunities for nurses to lead and diffuse collaborative improvement efforts

- Prepare and enable nurses to lead change to advance health

Nurses Should……..

- Achieve higher levels of education & training through an improved education system that promotes seamless academic progression

- Have Effective workforce planning and policy making require better data collection and an improved information infrastructure

- Increase the proportion of nurses with a baccalaureate degree to 80% by 2020
- Double the number of nurses with a doctorate by 2020
- Ensure that nurses engage in lifelong learning

- Build an infrastructure for the collection & analysis of inter-professional health care workforce data

A Unique Moment in Time
2010 The Affordable Care Act
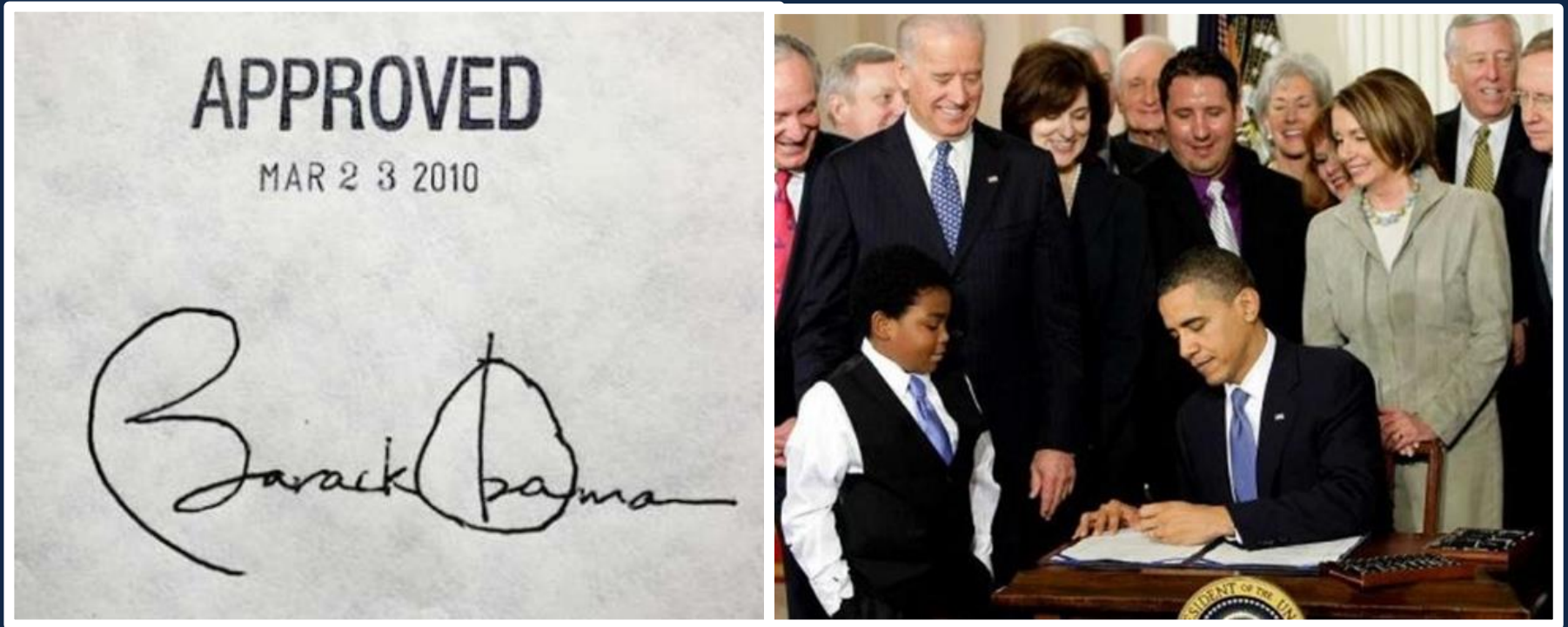
Affordable Care Act
"Obamacare"

OBAMACARE
- ➤ Access
- ➤ Quality
  - ➤ Innovation
- ➤ Multiple components focused on prevention, community based care, management of chronic illness such as Nurse Managed Health Centers or School-based health clinics
- ➤ Scope of Practice
- ➤ Workforce

NURSING Principles
- ➤ Quality, affordable health care is not a privilege, but a basic human right.
- ➤ A clear focus on critical issues of cost, quality, access, and workforce.
- ➤ Utilize the Nursing workforce to the full extent of their education and license.
- ➤ Creating an environment, a workforce, and a system of care that is focused on the patient

Health Care Transformation: Platform for Improving Care and Health

- Change landscape and create a platform for change care delivery and design

- Nursing emerging as a key component of health care delivery and health care system

- Ensure the capacity of all nurses to deliver care and practice fully

Paradigm Shift: Prevention and Wellness

- **Reality**
  - Increasing chronicity in pediatric and adult populations
  - >70 million Americans aged 50 + have at least one chronic illness
  - >11 million live with five or more chronic conditions
- **National Prevention Strategies**
  - Building Healthy and Safe Community Environments
  - Expanding Quality Preventive Services in Both Clinical and Community Settings
  - Empowering People to Make Healthy Choices
  - Eliminating Health Disparities

Paradigm Change: Quality and Safety Initiatives

- Center for Quality Improvement
- Center for Medicare and Medicaid Innovation
  - $10 billion investment
- Comparative / Effectiveness Research
- Nursing Home Compare Medicare Website
  - Staffing Data

Paradigm Shift: Impact to Registered Nurse

- Utilize the Nursing workforce to the full extent of their education and license
- Nurse Managed Clinic Support
- Recognizes role of both NPs and CNSs (Home Visitation Services)
- Care Coordination
- Reimbursement CNM

One Solution to Readmission
Nurse Practitioners

- Up to 20 percent of Medicare patients are re-admitted to hospitals, often because of inadequate care coordination.

- Medicare Now pays for certain care coordination services for the first time

- Recognizing that the quality of transitional care provided by RNs is crucial to reducing re-admissions.

Care Coordination

- Core component of nursing
- Helps patients
  - Understand their care plan
  - Self-manage their condition,
  - Take medications properly,
  - Obtain equipment,
  - Get referrals.
- Commanding more attention
- to improve value, efficiency, and patient outcomes and satisfaction.

Paradigm Shift: Community Health Initiatives

- Expansion of Community HC's
  - $1.5 billion construction
  - $7 billion programs
  - Mandatory

- School Based Health Clinics
  - $30 million /Mandatory

- Independence at Home Program
  - $1.5 billion / Mandatory

- Community based care transition
  - $500 million / Mandatory

Nurses Prepared To Lead Changes Advancing Health and Safety

- Our Emerging Transformed Health Care System

- Nursing emerging as a key component of health care delivery

- Strategic Collaboration / Partnership

- Strategic Educational and Influential Success

What is My Role

- Practice Professional Responsibility to self, patient, and profession

- Own the Front row seat to issues and solutions

- Seek to Understand the policy solution options

- Informed, proactive, supportive

- Mentor, educate, translate

Current and Potential Changes

Trump administration rule could stop public reporting of hospital infections despite death toll

Jayne O'Donnell, USA TODAY   Published 4:29 p.m. ET June 19, 2018 | Updated 11:30 a.m. ET June 20, 2018

(Photo: Sean Dougherty, USA TODAY)

Federal health regulators will have to stop releasing data on hospital infections — which affect one in 25 hospital patients every day — under a proposal set to take effect in November, according to an analysis by patient safety advocates.

The Centers for Medicare and Medicaid Services' (CMS) plan, part of a complex 500-page proposed rule, could halt the public disclosure of the "super bug" MRSA, post-operative sepsis and surgical site infections, as well as accidents and injuries ranging from bedsores to respiratory failure after surgery.

If the proposed rule is finalized, CMS' Hospital Compare website won't show the infections or safety measures as to do so, the data would have to be in a program

Transformation Leading Change: Where Do You Fit In?

Never doubt that a group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." –

Margaret Mead

Professional Associations

State Nurses Associations

Organizational Affiliates

>100 National Nursing Associations

ANA

ANCC

ANF
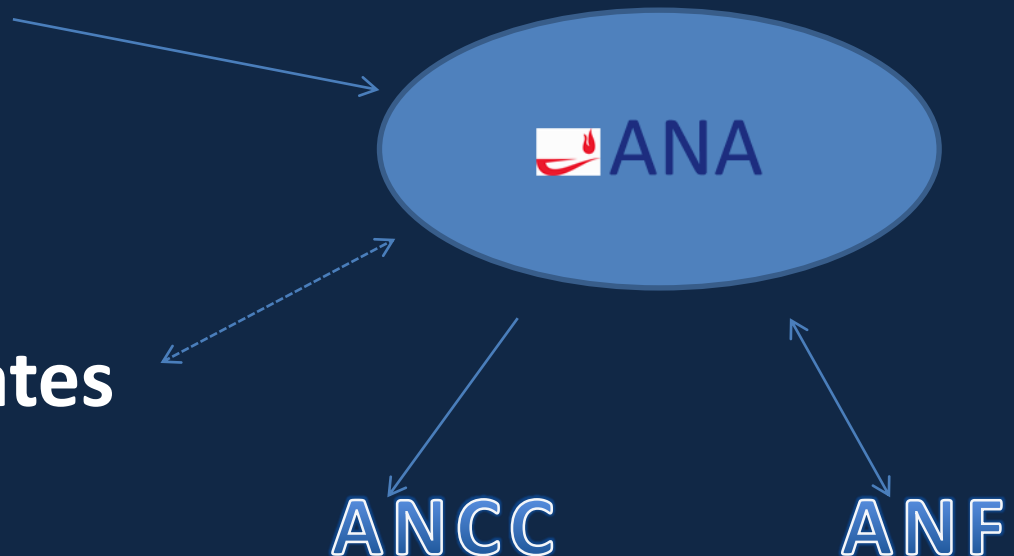
Nursing's Collaborative Successes

- Federal Educational Funding
- National Quality Forum Appointments and Recommendations
- National Partnership Priorities
- APRN Consensus Model
- Health Care Reform
- RN Educational Standards

One Association's Agenda

ANA's Early Health Care Reform Discussion

A Step Forward !
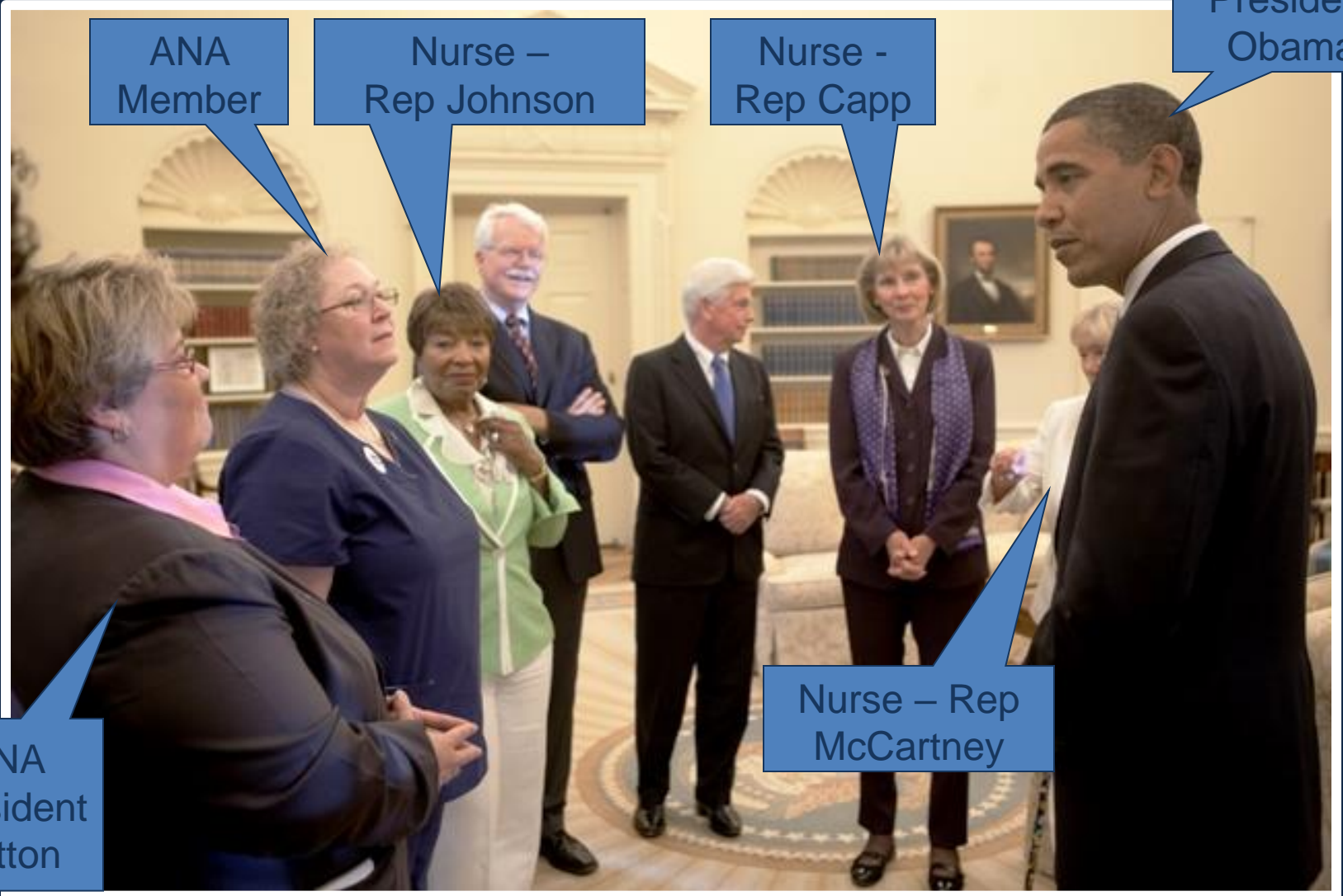
Future Imperatives

- All nurses in all settings need to actively engage in policy

- Nurses need to be at policy tables formulating policy rather than only serving as policy implementers

- Nurses need to be involved in professional associations to realize the potential strength in numbers

- Organizational nurse leaders have an important role in building a culture that values and fosters policy advocacy

- Policy work involves reaching across the aisle to work with individual and groups who hold different opinions and perspectives

FUTURE IMPLICATIONS

- Nursing profession activism is at a tipping point globally
- Nurses must
  - Advocate for the profession as a cohesive, global voice
  - Lead efforts to transform healthcare through universal health coverage
  - Practice to the full extent of their licensure and education

Professional Citizenship:
How Will You Demonstrate It?

- Life Long Learning

- Actively Being Informed

- Truth Telling

- Modeling the behavior (Everywhere)

- Supporting those that "do it"

- Pay the cost

Conclusion- Final Thoughts

Three simple rules in life

1. If you do not GO after what you want, you'll never have it.

2. If you do not ASK, the answer will always be NO.

3. If you do not step forward, you'll always be in the same place.