



Date: Nov. 5, 2025

To: Chairwoman Cabral-Guevara and members of the Senate Committee on Health

From: Janet Zander, Advocacy & Public Policy Coordinator

Re: Opposition to SB 578

Thank you for this opportunity to share testimony on SB 578. My name is Janet Zander, and I serve as the Advocacy and Public Policy Coordinator for the Greater Wisconsin Agency on Aging Resources, Inc. (GWAAR). I also provide policy and advocacy support to the Wisconsin Aging Advocacy Network (WAAN).

The challenge of not being able to quickly transition patients, no longer in need of hospital care, to post-acute care settings is a concern. It is a concern for hospitals, for others in need of acute care, and for patients and their families. Our health and long-term care systems face many issues that can result in longer than necessary hospitalizations, including staffing shortages among nursing facilities and home and community-based service providers forcing them to not accept new residents/clients, individuals who are unable to return to their previous care setting due to higher care needs post-hospitalization, the time needed for family members to gather the necessary information to complete financial assistance forms, and patients who do not have family or other close relationships to provide needed assistance and support. None of these challenges are addressed by SB 578.

SB 578 establishes a new decision-making process for patients who do not have a Power-of-Attorney for Health Care (POAHC) or whose POAHC does not designate their health care agent to make healthcare decisions that include authorizing care in a nursing home. Instead, this legislation circumvents the Wisconsin statutes and regulations specifically designed to safeguard the rights of individuals by giving “hospital appointed” patient representatives (with no required screening or background checks) more authority than that given by an adult (via their POAHC documents) to their personally selected health care agent(s) and the same authority over the person’s money, where they live, and their medical care as a guardian would have, only without any court oversight. This legislation ignores the already existing process for obtaining a temporary guardian in Wisconsin ([WI State Statute 54.50](#)) which would allow a decision-maker to be put in place much quicker than the permanent guardianship process, and provides court-oversight and timelines for consideration of permanent guardianship, if needed.

While some other states may have “Next of Kin” laws, those laws are not as expansive (do not authorize financial expenditures, are time limited, do not authorize admission into long-term care facilities, and contain some safeguards) as the authorities given under SB 578.

For reasons noted, GWAAR and WAAN oppose SB 578. We are willing to continue to work with all stakeholders to find solutions to these challenges while still protecting individuals and their rights. We will also continue to promote advanced care planning and completion of advance directives that record

our preferences for medical treatment and who we want to make decisions for us if and when we cannot, and we hope you will all join us in this effort.

We look forward to continuing to work with you on policies that improve the quality of life for older people in Wisconsin. Thank you for your consideration of these comments related to SB 578.

The Greater Wisconsin Agency on Aging Resources, Inc. (GWAAR - <https://gwaar.org/>) is a nonprofit agency committed to supporting the successful delivery of aging programs and services in our service area consisting of 70 counties (all but Dane and Milwaukee) and 11 tribes in Wisconsin. GWAAR is one of three Area Agencies on Aging in Wisconsin. GWAAR provides lead aging agencies in our service area with training, technical assistance, and advocacy to ensure the availability and quality of programs and services to meet the changing needs of older people in Wisconsin. GWAAR is also a member of the Wisconsin Aging Advocacy Network (WAAN - <https://gwaar.org/wisconsin-aging-advocacy-network>) a collaboration of organizations and individuals working with and for Wisconsin's older adults to shape policy solutions that ensure we can all thrive as we age.

Contact:

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