



# Tony Evers

OFFICE OF THE GOVERNOR

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November 20, 2019

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing Assembly Bill 76 in its entirety.

This bill would prohibit the Department of Health Services from requiring that an instructional program for nurse aides exceed the minimum number of total training hours and hours of clinical experience required under federal law. State law currently requires programs to be at least 120 hours in length and include 32 hours of clinical experience. Federal law requires programs to be at least 75 hours in length and include 16 hours of clinical experience.

I am vetoing this bill in its entirety because I object to providing less training for those who care for our state's most vulnerable citizens. Research has shown that higher training standards result in better outcomes for patients, lower staff turnover, and higher job satisfaction. There are better ways to address the shortage of nurse aides than reducing the quality of training programs. That is why I directed the Governor's Task Force on Caregiving with developing strategies to attract and retain a strong direct care workforce.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony Evers".

Tony Evers  
Governor



WI Director of  
Nursing Council



**FOR IMMEDIATE RELEASE:**

November 20, 2019

**LONG-TERM CARE STAKEHOLDERS DISAPPOINTED IN VETO OF ASSEMBLY BILL 76**  
*Proposal Would Have Helped Address CNA Workforce Shortage*

**(WISCONSIN)** – Today, Governor Tony Evers announced that he has vetoed Assembly Bill 76, legislation which would align Wisconsin’s Certified Nursing Assistant (CNA) minimum hourly training requirement with the federal standard of 75 hours. The bill passed the legislature with bipartisan support in both the Assembly and the Senate.

A coalition representing long-term care physicians, nurses, administrators, and other professionals who are committed to caring for our most vulnerable citizens has worked to advance this proposal to help address Wisconsin’s CNA workforce shortage. Below is a statement from this coalition of practitioners on the Governor’s veto of Assembly Bill 76:

*As a coalition representing long-term care physicians, nurses, administrators, and other professionals who are committed to serving and caring for our most vulnerable citizens, we are disappointed with the Governor’s decision to veto this bill. Currently, providers across the state are facing a critical caregiver workforce shortage which, if left unaddressed, could severely limit access to care for the most vulnerable individuals in Wisconsin and could affect care quality. This policy would have helped facilities have the staff to maintain and advance care quality.*

*Long-term care providers and practitioners are responsible first and foremost for the health and quality of life of our residents. We care deeply about their well-being and we work to earn their trust during a period of their lives which is often difficult and emotional – for both residents and their families. As Wisconsin’s population continues to age, we must work to preserve the dignity and sustainability of the CNA profession to ensure Wisconsin’s frail elderly and persons with disabilities are able to receive the care they need. Assembly Bill 76 would have advanced that mission.*

**FOR MORE INFORMATION, CONTACT:**

- [Joey Pettis](#), Wisconsin Directors of Nursing Council
- [Kristin Severson](#), Wisconsin Society for Post-Acute and Long-Term Care Medicine
- [John Vander Meer](#), Wisconsin Health Care Association/Wisconsin Center for Assisted Living
- [John Sauer](#), LeadingAge Wisconsin
- [Mike Pochowski](#), Wisconsin Assisted Living Association
- [Jeff Kaphengst](#), Disability Services Provider Network
- [Morgan Hinkley](#), Wisconsin Association of County Homes



# WISCONSIN LEGISLATURE

P. O. Box 7882 Madison, WI 53707-7882

November 20, 2019

NEWS RELEASE:  
FOR IMMEDIATE RELEASE

For More Information:  
Contact: Senator Robert Cowles ~ (608) 266-0484

## Statement on Veto of CNA Shortage Relief Legislation

MADISON– Senator Robert Cowles (R-Green Bay) and Representative Warren Petryk (R-Eleva) released the following statement after Governor Tony Evers vetoed 2019 Assembly Bill 76 which aligns the required hours of instructional programs to train certified nursing assistants (CNA) with federal training requirements and the requirements in surrounding states like Minnesota. This bill, authored by Senator Cowles and Representative Petryk and titled the CNA Shortage Relief Legislation, was passed with bipartisan support in both houses of the Legislature and received bipartisan co-sponsorship:

Senator Cowles stated, “It’s unfortunate that Governor Evers chose to veto this bipartisan bill without bothering to discuss the merits of the CNA Shortage Relief Legislation with me prior to his veto. At a time in our state when nursing homes and home health agencies are being forced to turn away residents due to lack of staffing necessary to provide care. This legislation is needed more than ever to address the CNA shortage; especially in our rural and northern communities.”

Representative Petryk stated, “The governor has shown a perplexing and blatant disregard for people in desperate need of skilled healthcare in our communities. First, he vetoed the proposed mental health crisis center for Western Wisconsin, and today he vetoed a prudent change in state law that would have helped address our critical nursing shortage. As Chair of the Assembly Workforce Development Committee, I worked with Senator Cowles and multiple stakeholders to find a simple, bi-partisan solution to move the needle forward to help address the severe nursing shortage in our state. This staffing shortage is negatively affecting our healthcare facilities throughout the state and is making it difficult for facilities to provide the top quality care that we can depend upon for our loved ones. To say that I am very disappointed that this effort failed because of the decision and actions of one person in Madison would be an understatement.”

Senator Cowles continued, “This very reasonable legislation is a small change to help students become the caretakers that the residents of these facilities deserve sooner while still ensuring a credible licensure process. Despite the fact that a number of our surrounding states have instructional hours set at the same level as proposed in this legislation, the Governor vetoed a partial solution to the health care staffing shortage supported by both Democrats and Republicans.”

Assembly Bill 76, in addition to earning bipartisan support, had the support of a wide variety of organizations including LeadingAge Wisconsin, The Mayo Clinic Health System, Outagamie and Washington Counties, Disability Service Provider Network, Americans For Prosperity, Home Care Association of America, and more.

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# John Nygren

WISCONSIN STATE REPRESENTATIVE ★ 89<sup>TH</sup> ASSEMBLY DISTRICT

Co-Chair, Joint Committee on Finance

FOR IMMEDIATE RELEASE  
Contact: Rep. John Nygren

November 21, 2019  
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## Governor Evers Leaves Rural Wisconsin Behind with Veto

**Madison**--State Representative John Nygren (R-Marinette), Co-Chair of the Joint Committee on Finance released the following statement:

“It is ironic that on the eve of National Rural Health Day, Governor Evers vetoed a bill that would have had an immediate impact on rural health care in Wisconsin. Assembly Bill 76 would have reduced barriers for individuals seeking to become a Certified Nursing Assistant (CNA). CNAs are a critical component of Wisconsin’s health care system. Unfortunately, rural Wisconsin is facing a [shortage](#) of CNAs.”

Senate Bill 103/Assembly Bill 76 would have aligned Wisconsin’s CNA training requirements with the federal government’s requirements. Currently, Wisconsin requires individuals seeking to become a CNA to conduct twice as much training than the federal government requires. For border communities like Marinette, this presents a challenge to recruiting health care workers.

“If the federal requirements are good enough for other red and blue states, they should be good enough for Wisconsin,” said Rep. Nygren. “Even more concerning is that Gov. Evers’ veto will continue to make it more difficult for individuals to become CNAs in Wisconsin than Minnesota or Michigan. This hurts the quality of health care in Wisconsin.”

“Last session, in collaboration with The Pew Charitable Trusts, I authored bipartisan legislation aimed at bringing Wisconsin more line with national best practices regarding Substance Abuse Counselors (SAC),” said Rep. Nygren. “To help close the gaps in care, the bill helped ensure that the state’s SAC licensure process does not restrict qualified providers and that it instead aligns with surrounding state standards. This is a prime example of bipartisan work achieved by Governor Scott Walker aimed at expanding access to care.”

“I would like to thank the following groups for their continued support and passion on these important issues: *The Wisconsin Directors of Nursing Council, Wisconsin Society for Post-Acute and Long-Term Care Medicine, Wisconsin Health Care Association/Wisconsin Center for Assisted Living, LeadingAge Wisconsin, Wisconsin Assisted Living Association, Disability Services Provider Network, and the Wisconsin Association of County Homes.*”

“I look forward to continuing to work with these groups to address rural Wisconsin’s health care needs.”

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## Office of the County Administrator

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**For Immediate Release:**

**November 21, 2019**

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### **Washington County Board Chairperson Respond to Governor Evers Veto**

*Assembly Bill 76 would have improved workforce shortage at Samaritan Campus*

West Bend, WI – Yesterday, [Governor Tony Evers vetoed Assembly Bill 76](#), which would have federalized certified nursing assistant training requirements. The bill was supported by the Washington County Board of Supervisors as a way to improve nursing aid shortages at the Samaritan Campus skilled nursing facility.

County Board Chairperson Don Kriefall released the following statement:

*We are disappointed with the governor's veto. Samaritan Campus skilled nursing facility is home to about 115 senior citizens. Many more seniors live in the Fields assisted living. This bill would have simply followed the standards set over thirty years ago by the federal government. It is the federal government that regulates skilled nursing.*

*About three-quarters of the Samaritan's residents are receiving Medicaid assistance. Our nursing home scores highly on state reviews. We would not have supported this bill if it would have caused our senior citizens to receive worse care. The care standards would not have changed under the bill.*

*In fact, the bill would have shortened the time it takes to get a new CNA hired and ready for on-the-job training. Every CNA Washington County employs receives robust training in addition to required course work. If Washington County could hire more CNAs, we could serve our residents better and more efficiently.*

*Nursing homes around the state are closing. Seniors are losing their homes. Samaritan Campus is going through a review to study the longevity of the aging facility. Now is the time to make running skilled nursing facility more efficient.*

*We disagree with the aging advocacy groups and nursing unions who deployed emotional scare tactics during this bill's legislative process. We are proud members of both parties voted for this bill in the Assembly and the bi-partisan voice vote in the Senate.*

*We encourage our legislators to explore a veto override or another bill to get qualified nursing aides serving our seniors sooner.*

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**November 20, 2019 / FOR IMMEDIATE RELEASE**

Contact: Helen Marks Dicks, State Issues Advocacy Director

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## ***AARP applauds governor for vetoing bill aimed at reducing training to be a CNA***

**MADISON, WISCONSIN** – AARP Wisconsin today applauds Governor Evers' veto of AB-76, a bill calling for a reduction in the training hours necessary to become a Certified Nursing Assistant (CNA) in Wisconsin.

"Passage of this bill would have led to reduced quality of care in nursing homes and homecare settings," said AARP Wisconsin state issues advocacy director Helen Marks Dicks. "Wisconsin takes great pride in the care we provide and the strength of our long-term care system. Today's action by the governor ensures that our direct care workforce has the investment in their skills to be successful in providing high quality services under their care. This bill would have undermined that assurance."

The bill called for significantly cutting the training hours for CNAs. Supporters of the legislation argue that cutting training will solve the CNA chronic shortage. But Dicks says the training and skills of those who care for vulnerable family members and loved is also critically important. She says cutting their training requirements is not the answer.

"CNAs are some of the lowest paid health care professionals and are called on to do lifesaving work caring for Wisconsin's frail, elderly, and sick. The fix to a shortage of CNAs is not reducing their hours of training. It's by investing more value in their work by increasing their pay, benefits and working conditions. That's how we solve the shortage."

Dicks pointed to an example in Minnesota, where the quality of the direct care workforce was initially lauded in conjunction with the relatively low training retirements for workers in long-term care facilities, then later amended after a crisis of elder abuse occurred in elder care facilities. "We should not be in a race



November 21, 2019

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**WI Board for People with Developmental Disabilities Agrees Direct Care Shortage Needs Multi-Pronged Solutions**

(MADISON) – The Wisconsin Board for People with Developmental Disabilities (BPDD) supports Governor Evers’ decision yesterday to wait for the statewide Governor’s Task Force On Caregiving’s recommendations to address the state’s serious direct care worker shortage by vetoing Senate Bill 103/Assembly Bill 76 that would have reduced training requirements for Certified Nursing Assistants (CNAs) from the current 120 hours to the federal minimum of 75.

BPDD hears from all corners of the state about the severity of the worker shortage, and supports the Governor’s Task Force on Caregiving in its charge to seek comprehensive solutions to the workforce crisis. However, studies have found that reducing the number of training hours required for certified nurse aides (CNAs) and other direct care staff neither attracts more workers nor does it result in improved care for people with disabilities.

The Task Force membership is diverse and provides strong expertise from all parts of the state. Its charge is broad, and includes developing a set of strategies to address both the hiring, support and retention of direct care workers, and how to support unpaid family caregivers. Task Force findings and recommendations should be available in October of 2020. BPDD supports waiting until the release of those findings before developing individual pieces of legislation.

to the bottom with neighboring states that have by their own admission failed many of their most vulnerable residents,” Dicks said.

Minnesota was originally held up as a shining example to refute the “myth” that there was a negative correlation between lower hours of training and quality of care. However, the actual myth is that the state’s quality of care improved. In 2016 alone, the Minnesota Department of Health received 25,226 allegations of neglect, physical abuse, unexplained serious injuries, and thefts in state-licensed elder care facilities.

In response, Governor Dayton called for the creation of a group of consumer advocates, led by AARP Minnesota, who were tasked with finding ways to improve the care and safety of vulnerable older Minnesotans living in nursing homes and assisted living facilities. The group recommended greater regulation and oversight by the state for facilities serving the elderly, and an increase in training for people dealing with patients with dementia.

“This is a cautionary tale of what happens when regulation is light and/or nonexistent, and staff is not adequately trained to deal with the type of patients with whom they interact,” Dicks said.

Judy Gmach, an AARP volunteer advocate from Sheboygan who is a retired nurse and worked in nursing homes, testified against AB 76 at a hearing earlier this year, saying that those cared for by today’s CNAs have more acute medical needs.

“The equipment and treatments are more complex, and the level of care expected to be provided by a CNA is greater than ever,” Gmach said. This is not the time to be lowering the training requirements. Those of us in the field that work with and value CNAs urge you to vote no on this bill. It is bad for CNAs. It is bad for the Care team. It is bad for the patient.”

And it’s bad for Wisconsin overall, Dicks added. “This is why we have strongly opposed the bill and thank the governor for his veto. “We are better than Minnesota in this area and we should not try to emulate their failures by lowering our standards.”

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AARP is a nonprofit, nonpartisan organization, with a membership of more than 37 million, that helps people turn their goals and dreams into real possibilities, strengthens communities and fights for the issues that matter most to families such as healthcare, employment security and retirement planning. We advocate for consumers in the marketplace by selecting products and services of high quality and value to carry the AARP name as well as help our members obtain discounts on a wide range of products, travel, and services. A trusted source for lifestyle tips, news and educational information, AARP produces AARP The Magazine, the world’s largest circulation magazine; AARP Bulletin; [www.aarp.org](http://www.aarp.org); AARP TV & Radio; AARP Books; and AARP VIVA, a bilingual news source. AARP does not endorse candidates for public office or make contributions to political campaigns or candidates. The AARP Foundation is an affiliated charity that provides security, protection, and empowerment to older persons in need with support from thousands of volunteers, donors, and sponsors. AARP has staffed offices in all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. Learn more at [www.aarp.org](http://www.aarp.org).



November 20, 2019

FOR IMMEDIATE RELEASE

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Disability Rights Wisconsin supports the Governor's veto of reduced training for CNAs

Disability Rights Wisconsin supports the Governor's veto of 2019 SB 103, a bill that would have decreased the training requirements for certified nurse aides (CNAs) from the current requirement of 120 hours to the federal minimum of 75. DRW appreciates the desire to solve the workforce problem and is grateful to policy makers who are trying to address it. However, although the bill may have been a well-intentioned effort to aid in alleviating the care taker workforce crisis, Disability Rights Wisconsin (DRW) was concerned that it could also lead to unintended long-term consequences which would diminish the quality of care and not necessarily result in a significant increase the CNA workforce numbers. In a June 5, 2019 memo to the Senate Committee of Health and Human Services, DRW expressed concern that the bill's lowered training requirements for certified nurse aides would affect the quality of care for people with disabilities in long-term and residential care facilities. Because caregivers provide the most intimate of cares to people with disabilities in very personal living situations, the people receiving the care must have confidence in and be comfortable with the skill and quality of the workforce. Studies have demonstrated that increased training reduces job turnover while increasing job satisfaction.

What is needed is a comprehensive plan to create growth opportunities and a rewarding career path that will encourage more individuals to enter the care-giving professions and equip them with the skills to provide quality care. The Governor's new Care Givers Task Force has been charged with finding strategies and recommendations on how to support and grow a strong direct care work force and improve quality. It is wise to allow this group of stakeholders, which includes people with disabilities and family members, to complete their work before any specific steps are undertaken. While the idea of decreasing training requirements may be included in the final recommendations, at that point it will be part of a carefully considered comprehensive plan to address the larger issue. DRW looks forward to this comprehensive set of recommendations from the Task Force in the fall of 2020.

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For Immediate Release

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## **Gov. Evers Stands up For Patients, CNAs with Assembly Bill 76 Veto**

Stephanie Bloomingdale, President of the Wisconsin AFL-CIO, released the following statement on Gov. Evers' veto of Assembly Bill 76, a Republican-led effort to lower instruction hours for Certified Nursing Assistants (CNAs) by nearly half.

"CNAs and patients in Wisconsin are better for Governor Evers' bold action to safeguard our citizens from this reckless Republican-led legislation to slash training hours for Certified Nursing Assistants (CNAs) in half. With this veto, CNAs, as well as patients, will not be put in dangerous situations by starting a first day with just half of the current training level. CNAs are some of the lowest paid healthcare workers and do essential work caring for our sick, elderly and frail. The only way to address a worker shortage is to value our CNAs by increasing pay and benefits, improving working conditions, and ensuring sure every CNA has the opportunity to join a union. Thank you, Gov. Evers, for protecting patients and CNA training standards by vetoing Assembly Bill 76."

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**FOR IMMEDIATE RELEASE**

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November 20, 2019

The **Wisconsin Aging Advocacy Network** is a collaborative group of individuals and associations working with and for Wisconsin's older adults to shape public policy to improve their quality of life.

**Core member organizations:**

Aging and Disability Professionals Association of Wisconsin (ADPAW)

Alzheimer's Association SE Wisconsin Chapter

Wisconsin Adult Day Services Association (WADSA)

Wisconsin Association of Area Agencies on Aging (W4A)

Wisconsin Association of Benefit Specialists (WABS)

Wisconsin Association of Nutrition Directors (WAND)

Wisconsin Association of Senior Centers (WASC)

Wisconsin Institute for Healthy Aging (WIHA)

Wisconsin Senior Corps Association (WISCA)

Wisconsin Tribal Aging Unit Association

## **WAAN Commends Governor Evers' Veto of AB 76**

(MADISON, WI) – The Wisconsin Aging Advocacy Network (WAAN) commends Governor Evers' for vetoing AB 76 and preventing a nearly 40 percent reduction in the required training hours for certified nurse aides (CNAs).

“We are all concerned about the direct care workforce shortage,” said Robert Kellerman, Executive Director of the Greater Wisconsin Agency on Aging Resources and WAAN Chair, “but have grave concerns about this legislative proposal to reduce the training required for personnel who provide the most basic, intimate care to our state's older adults and citizens with disabilities.”

Studies have demonstrated increased training results in increased job satisfaction and reduced job turnover, which helps address the direct care workforce shortage. More than half the states in the country have chosen to require more than the minimum federal standard of 75 hours for nurse aide training.

The Governor's Task Force on Caregiving has brought together legislators, providers, caregivers, and advocates (including representatives from the aging network) to develop recommendations for attracting and retaining a strong direct care workforce. With so much at stake, it is prudent to wait for the Task Force's recommendations. We look forward to continuing to work together to advance strategies that will address the workforce crisis without potentially putting workers or those they care for at risk.

*The Wisconsin Aging Advocacy Network is a collaborative group of 10 statewide associations and numerous individuals working with and for Wisconsin's older adults to shape public policy to improve their quality of life.*

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# Survival Coalition

of Wisconsin Disability Organizations

November 20, 2019

FOR IMMEDIATE RELEASE

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## **Survival Coalition of Disability Organizations Supports Comprehensive Statewide Solutions for Training Direct Care Workers**

(MADISON) – The Survival Coalition of more than 30 statewide disability organizations supports Governor Evers’ veto today of Senate Bill 103/Assembly Bill 76 that would reduce training requirements for Certified Nursing Assistants (CNAs) from the current 120 hours to the federal minimum of 75.

Survival Coalition recognizes the dire direct care worker shortage in Wisconsin and supports the Governor’s Task Force on Caregiving in its charge to seek comprehensive solutions to the workforce crisis, including training strategies. Specifically, the Task Force is charged with strategies to retain a strong direct care workforce and to develop solutions in collaboration across state agencies and programs to strengthen the workforce to improve quality. Research shows that increased training reduces job turnover while increasing job satisfaction.<sup>1</sup>

With the recent creation of a Caregiver Task Force, the Survival Coalition anticipates that advocates and the legislature will be able to develop and advance a comprehensive package to better address the caregiver crisis. The Task Force will review and address training issues for the overall direct care workforce, including establishment of a career ladder to increase respect for and quality of the workforce.

The broad charge of the Task Force on Caregiving recognizes that many policies need to be addressed to improve the workforce. Passage of individual pieces of legislation now without the benefit of the work of the Task Force and its 29 diverse and experienced stakeholder members, which includes people with disabilities and family members, risks making changes that do not improve the workforce crisis and may have unintended long-term consequences. Task Force recommendations are expected by October 2020.

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<sup>1</sup> Han, K., Trinkoff, A.M., Storr, C.L., Lerner, N., Johantgen, M., Gartrell, K. (2014). Associations between state regulations, training length, perceived quality and job satisfaction among certified nursing assistants: Cross-sectional secondary data analysis. *International Journal of Nursing Studies*, 51 (8), 1135-1141.



Coalition of Wisconsin Aging **& Health** Groups

*Financial Empowerment – Personal Advocacy – Victim Rights*

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*“Advocating for all Generations”*

The Coalition of Wisconsin Aging and Health Groups is a nonprofit, nonpartisan, statewide membership organization that was founded in 1977.

**FOR IMMEDIATE RELEASE**

**November 21, 2019**

Contact: Rob Gundermann, President and CEO, 608-215-8987 or Gundermann@cwag.org

**COALITION THANKS GOVERNOR FOR VETO OF ASSEMBLY BILL 76**

MADISON, WI, November 21, 2019—The Coalition of Wisconsin Aging and Health Groups today thanked Governor Evers for vetoing Assembly Bill 76. Assembly Bill 76 would have reduced the number of required training hours for CNAs from the current 120 to 75.

“We are grateful that Governor Evers recognizes the importance of training certified nursing assistants. CNAs are the front line in Wisconsin nursing homes, dealing with patients on a day to day basis, and are often the first to identify patient issues when properly trained” said Coalition President and CEO, Rob Gundermann.

“Organizations requiring CNAs, especially nursing homes, are facing a staffing crisis and we need to deal with that but there are better ways” Gundermann said.

The Coalition believes providing scholarships for people wanting to become CNAs would be a better approach. Wisconsin has used this approach successfully in the past.

“Wisconsin requires 300 hours of training to become a manicurist and 1,000 hours of training to become a barber. Requiring 120 hours to become a CNA, given everything they do in terms of providing care for our loved ones, is not excessive” Gundermann added.