

**Written Proponent Testimony on HB138**  
**Susan Wallace, Chief Policy Officer, LeadingAge Ohio**  
**House Transportation & Safety Committee**  
**June 8, 2021**

Thank you for the opportunity to provide testimony in support of HB138, which would, among other changes, allow Ohio emergency responders to follow Do Not Resuscitate (DNR) orders written by physician assistants and nurse practitioners.

LeadingAge Ohio represents nearly 400 aging services providers across the state of Ohio, including affordable housing, independent living, assisted living, nursing homes, adult day, home care, hospices & palliative care programs. LeadingAge Ohio also serves as the convener for the Honoring Wishes Task Force, a coalition of health systems, physician groups, attorneys, advocacy groups and other stakeholders that aims to help Ohioans communicate their healthcare wishes with providers, families and loved ones.

Ohio has long permitted nurse practitioners (NP), clinical nurse specialists (CNS) and physician assistants (PA), to write DNR orders on behalf of their patients. Particularly in geriatric practice where physician shortages persist, these professionals have filled a critical gap, freeing physicians to deploy their specialized skills and knowledge where it is most needed. Increasingly, some roles became embedded into care models. For example, in hospice care a nurse practitioner may serve as a patient's attending practitioner.

When Ohio's DNR rules were last revised in 2019, it came to light that while the statute governing DNR permitted NPs, CNSs, and PAs to write DNR orders, the portion of the Ohio Revised Code that outlined emergency medical technicians' (EMT) scope of practice only allowed EMTs to follow orders signed by a physician. This meant that EMTs responding to an emergency in the community or an individual's private residence could not lawfully follow the orders, even if the DNR order was lawfully executed.

Among other changes, HB138 corrects this issue by bringing EMT scope of practice in line with Ohio's DNR law. It is a simple, technical change that will have a lasting positive impact for older Ohioans and Ohioans facing end of life, and allow the practitioner who best knows their preferences and values to be the one to sign the DNR order.

We thank you for time spent considering our comments, and encourage you to swiftly pass HB138.