Wisconsin’s Catholic bishops have recently published a form aimed at helping individuals convey their desires regarding health care decision-making in a manner that aligns with Catholic principles. The form, provided in one version for those who are Catholic and in another version for those who are not, was designed as an addendum to the State of Wisconsin’s Power of Attorney for Health Care (POAHC) document.

A POAHC is an advance directive, which is a legal document through which an individual declares the kind of care that he or she would want if unable to participate in decision making. The POAHC enables a person to designate an agent to make health care decisions for that person if ever incapacitated. When used in conjunction with a valid Wisconsin POAHC, the addendum communicates a person's desires, consistent with Catholic teaching, on decisions regarding nutrition and hydration, pain management, and other health care matters.

The addenda were developed in response to requests for resources to supplement the bishops’ pastoral letter, “Now and at the Hour of Our Death.” Based on principles found in the United States Conference of Catholic Bishops’ (USCCB) “Ethical and Religious Directives for Catholic Health Care Services,” the forms provide a moral and ethical framework that can guide a decision maker through the difficult process of directing care for a loved one.

“These forms help family members, friends, and providers approach medical treatments through the moral lens of the patient, ensuring respect for human life and affirming a belief in eternal life,” noted WCC Executive Director John Huebscher. “Individuals may use them to further explain their ethical perspective to health care agents and providers.”

Wisconsin’s bishops have consistently encouraged advance care planning and have recommended that all Catholics prepare a power of attorney for health care. By providing an additional advance care planning resource, the bishops hope to encourage all in Wisconsin to reflect upon their future health needs from a spiritual perspective.

With the release of these documents, the bishops also stress
Director’s Corner
John Huebscher, Executive Director

April 1 brought the end of the 2013-14 legislative session. Like every session before it, this one had its blend of successes and disappointments.

The “plusses” included the expansion of the parental choice program to areas of Wisconsin beyond Milwaukee and Racine. This reform permits Catholic schools to serve more children from low-income families and further their mission to provide a values-based education for those who desire it.

Another victory occurred with legislation to provide additional funding for mental health services to those in our state who badly need them. On the “debit” side of the ledger was the unwillingness of the Senate to agree with a bill passed by the Assembly to provide a religious exemption to the state mandate that all health insurance plans (other than self-insured plans) cover contraceptive services.

As one session ends, however, another awaits on the calendar. The 2015 session may seem a long way off right now, but its future will be framed by the campaign season about to begin. Even now citizens and organizations are starting to make the case for enacting ideas that were part of the unfinished business of 2013-14. This will include ideas like the “Second Chance” bill that allows non-violent 17-year-old offenders to be tried as juveniles instead of as adults. Special Legislative Council Study Committees will examine issues related to adoption law, criminal penalty provisions, and education programs, among other topics.

For its part, the WCC will join other groups in taking a hard look at poverty in Wisconsin. We hope to identify policy proposals that can help reduce its scope and mitigate its effect on our state’s needy.

The never-ending debate over the laws and programs that influence our lives is a reminder that “faithful citizenship” is an ongoing commitment for Catholics and others committed to furthering the common good.

WCC Supports Human Trafficking Legislation

The WCC supported human trafficking legislation, which now awaits Governor Scott Walker’s action. Sponsored by Senator Jerry Petrowski (R-Marathon) and Representative Amy Loudenbeck (R-Clinton), Assembly Bill 620 would further protect victims and aid in prosecuting perpetrators.

Prosecuting human traffickers has been notoriously difficult under state law because victims have to prove that they were trafficked without their consent. Since most victims live in fear of being punished by their traffickers or being charged by the authorities, few are willing to cooperate with law enforcement. To address this, AB 620 would remove the requirement that prosecutors prove the trafficked person did not give consent. The bill would also permit victims of human trafficking to request that a court vacate a prior conviction for prostitution and expunge the record. The bill would permit prosecutors to introduce evidence of similar acts in any proceeding involving human trafficking, child abuse, domestic abuse, or a serious sex offense.

The WCC provided testimony in support of the legislation, quoting Pope Francis’ words to a group of Vatican ambassadors:

“Human trafficking is a crime against humanity. We must unite our efforts to free the victims and stop this increasingly aggressive crime which threatens not only individuals but the basic values of society and of international security and justice, to say nothing of the economy, and the fabric of the family and our coexistence.”

“What is called for, then, is a shared sense of responsibility and firmer political will to gain victory on this front. Responsibility is required towards those who have fallen victim to trafficking in order to protect their rights, to guarantee their safety and that of their families, and to prevent the corrupt and criminals from escaping justice and having the last word over the lives of others. Suitable legislative intervention in the countries of origin, transit and arrival, which will also facilitate orderly migration, can diminish this grave problem.”
Governor Signs Two Bills on School Accountability

Governor Scott Walker recently signed two bills that would require more reporting from private schools participating in the Parental Choice Programs (PCPs). The three programs, serving students respectively in Milwaukee, Racine, and the rest of the state, provide the families of eligible students with payments for use towards the cost of education at participating private schools. Currently, participating schools, also known as “choice schools,” are required to comply with numerous regulatory requirements, such as financial reporting, accreditation, auditing, fiscal viability, policy disclosures, and assessment reporting.

With the passage of Senate Bill 286, choice schools will be required to have a data-gathering student information service (SIS), or similar program, in operation by the beginning of the 2015-16 school year. Prior to the enactment of SB 286 as 2013 Wisconsin Act 256, existing law required that all choice schools have a SIS in operation by January 2019. The year in which SIS operation at a choice school begins is important as current law requires that in the following year the Department of Public Instruction include the school in the state’s annual school accountability report.

As originally introduced, SB 286 would have extensively revised the statewide school accountability system, including how choice schools would have participated in that system. The WCC offered testimony for information on the bill, raising concerns about how the proposed legislation might have affected the operation and mission of Catholic schools. As Act 256, however, the legislation focuses on moving up the deadline for choice school SIS implementation.

The Governor also signed Senate Bill 584 into law as 2013 Wisconsin Act 237. Act 237 requires greater accountability for schools that are newly-formed or serve 40 or fewer students in two or fewer grades and apply to participate in the PCPs. Among other things, Act 237 defines what constitutes the “governing board” of a private school and requires that participating schools annually provide evidence of accreditation. The WCC did not provide testimony on the bill, but has supported past efforts to improve accountability for schools participating in the choice programs.

WCC Supports Extending Foster Care to Age 21

The WCC supported legislation to permit a youth in foster care, who is a full-time student and for whom an individualized education program (an IEP guides the delivery of special education supports and services for a student with a disability) is in effect, to continue in foster care until she or he earns a high school diploma or turns 21, whichever comes first. An estimated 438 youth age out of foster care annually in Wisconsin and about 43 percent of these have an IEP in effect. The average foster care payment is $2,461. Senate Bill 451 passed unanimously in both houses and was supported by, among others, Disability Rights Wisconsin, the Wisconsin Association of Family and Children’s Agencies, and the Wisconsin Council on Children and Families.

Increasingly, policymakers are realizing that youth in foster care need greater assistance as they transition to adulthood. Many non-foster youth still live at home for a time after turning 18 and can rely on their parents for support well into adulthood. In fact, estimates are that for these non-foster youth, parents provide close to $38,000 in material support to each of their children between the ages of 18 and 34, not to mention all the social capital and non-material benefits that come with belonging to an intact family.

By contrast, youth in foster care receive no material support from their “parent”, the state, once they turn 18 (or 19 if the student is in school full time). The results are predictable. As one recent report noted, “Compared with their peers, these young adults are on average less likely to have a high school diploma, less likely to be pursuing higher education, less likely to be earning a living wage, more likely to have experienced economic hardships, more likely to have had a child outside of wedlock, and more likely to have become involved with the criminal justice system.”

Senate Bill 451 represents government at its best: serving the common good by helping the most vulnerable. The bill now awaits the Governor’s action.
the need for individuals to pray for guidance, reflect on the principles of faith, and discuss their desires honestly and openly with loved ones. “The bishops stress the importance of contemplating questions regarding care in light of Catholic teaching before a crisis occurs,” said Huebscher. “Having conversations about the reality of illness and death in light of one’s faith is as important as completing a form. People must make certain that their health care agent fully understands what a loved one’s perspective is before being called upon to act on their behalf.”

The bishops also wish to spur conversation about advance care planning within faith communities. They encourage parishes to work collaboratively with hospitals and hospice programs in providing outreach and support on advance care planning.

The POAHC addenda are available at no cost on the WCC’s website, www.wisconsincatholic.org. For further information on these publications, contact the WCC at 608-257-0004 or office@wisconsincatholic.org.

The State of Wisconsin POAHC document is available free of charge from the Wisconsin Department of Health Services at http://www.dhs.wisconsin.gov/forms/advdirectives/Index.htm. To obtain the form by mail, send a request for the document along with a self-addressed stamped envelope to Power of Attorney, Division of Public Health, PO Box 2659, Madison, WI 53701-2659.

SAVE THE DATE!

Catholics at the Capitol
April 8, 2015
Monona Terrace Community & Convention Center
Madison, WI

Please join us for this day-long event. More details in upcoming Capitol Reports and at www.wisconsincatholic.org.