



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2013 Wisconsin Act 241
[2013 Senate Bill 391]

**Out-of-State Volunteer
Health Care Providers**

2013 Wisconsin Act 241 allows health care providers who are properly licensed, certified, or registered in another state or territory (out-of-state providers) to participate in Wisconsin's volunteer health care provider program if certain requirements are met. These individuals may, as participants in the program, perform acts that are within the scope of the license, certification, or registration issued to them by the other state or territory.

An out-of-state provider may submit a joint application only with a nonprofit agency to participate. No out-of-state provider may provide services under the volunteer health care provider program for more than 60 days in any 90-day period. An out-of-state provider who meets all of the following criteria is not a state agent:

- The out-of-state provider has sufficient liability insurance coverage, as determined by the Department of Health Services (DHS).
- The out-of-state provider submits a joint application with a nonprofit agency that has sufficient liability coverage, as determined by the DHS.

An out-of-state provider who meets the requirements listed above is not liable for any civil damages for any act or omission resulting from providing services under this section, unless the act or omission is the result of the volunteer health care provider's gross negligence or willful misconduct, or the act or omission violates a state statute or rule.

The Department of Administration (DOA) may not disapprove the application solely on the basis that the nonprofit agency is organized under the laws of a state other than this state.

The Act creates the following new requirements for nonprofit agencies that sponsor volunteer health care providers. The nonprofit agency must:

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- Assume responsibility for approving individuals to be volunteer health care providers.
- Research and validate an individual's credentials before submitting the joint application to be a volunteer health care provider.
- Enter the list of volunteer health care providers providing services at that nonprofit agency into an online, electronic system developed by the DOA.
- Monitor volunteer health care providers providing services at that nonprofit agency and shall terminate a provider's participation in the program under this section with that nonprofit agency when the agency questions the credentials of that provider or when the agency disapproves of the practices of that provider.
- Prepare and submit to the DOA an annual report that includes the types and number of health care services provided by the nonprofit agency under this section.

Under the Act, the types of out-of-state providers eligible to participate in the Wisconsin program are identical to the in-state providers who may participate, with the exception of dentists and dental hygienists, who may not participate. These providers are:

- Licensed physician.
- Registered nurse.
- Practical nurse.
- Nurse-midwife.
- Optometrist.
- Physician assistant.
- Pharmacist.
- Chiropractor.
- Podiatrist.
- Physical therapist.
- Certified dietician.
- Nurse practitioner.

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