

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB305)

Received: **05/21/99**

Received By: **kunkemd**

Wanted: **Today**

Identical to LRB:

For: **DuWayne Johnsrud (608) 266-3534**

By/Representing: **Sarah**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Definition of nurse, registered nurse, licensed practical nurse

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kunkemd 05/21/99	gilfokm 05/21/99	mclark 05/21/99	_____	lrb_docadmin 05/21/99	lrb_docadmin 05/21/99	

FE Sent For:

<END>

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/?	kunkemd	1-5-21-99 kmg	5/21 MRC	MRC/JF 5/21			

FE Sent For:

<END>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa0457/1

MDK/.....

AMG

D-NOTE

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 305

Today
by
4:00
if possible

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 1: before that line insert:

3 "SECTION 1b. 49.498 (1) (L) of the statutes is amended to read:

4 49.498 (1) (L) "Registered professional nurse" means a registered nurse who
5 is licensed under ch. 441 or in a party state, as defined in s. 441.50 (2) (j).

6 History: 1989 a. 31; 1991 a. 32, 39; 1993 a. 16; 1995 a. 27, 407; 1997 a. 27.

6 SECTION 1e. 50.01 (1w) of the statutes is amended to read:

7 50.01 (1w) "Licensed practical nurse" means a nurse who is licensed or has a
8 temporary permit under s. 441.10 or who is licensed as a licensed
9 practical/vocational nurse in a party state, as defined in s. 441.50 (2) (j).

History: 1975 c. 413; 1977 c. 170, 418; 1979 c. 111; 1983 a. 189 s. 329 (18); 1985 a. 29, 276; 1985 a. 332 s. 251 (1); 1987 a. 127, 161; 1989 a. 31, 136, 199; 1991 a. 39; 1993 a. 327, 446, 491; 1995 a. 27; 1997 a. 13, 27, 156, 237.

10 SECTION 1h. 50.01 (5r) of the statutes is amended to read:

1 50.01 (5r) “Registered nurse” means a nurse who is licensed under s. 441.06
2 or permitted under s. 441.08 or who is licensed as a registered nurse in a party state,
3 as defined in s. 441.50 (2) (j).

History: 1975 c. 413; 1977 c. 170, 418; 1979 c. 111; 1983 a. 189 s. 329 (18); 1985 a. 29, 276; 1985 a. 332 s. 251 (1); 1987 a. 127, 161; 1989 a. 31, 136, 199; 1991 a. 39; 1993 a. 327, 446, 491; 1995 a. 27; 1997 a. 13, 27, 156, 237.

4 **SECTION 1j.** 115.001 (11) of the statutes is amended to read:

5 115.001 (11) SCHOOL NURSE. “School nurse” means a registered nurse licensed
6 under ch. 441 or in a party state, as defined in s. 441.50 (2) (j), who is also certified
7 by the department as being qualified to perform professional nursing services in a
8 public school.

History: 1983 a. 189 ss. 172, 173, 175 to 177; 1983 a. 512; 1985 a. 225; 1985 a. 332 s. 151; 1987 a. 264; 1989 a. 114; 1991 a. 39; 1993 a. 16; 1995 a. 27 ss. 3846, 9145 (1); 1997 a. 27, 164.

9 **SECTION 1L.** 146.40 (1) (c) of the statutes is amended to read:

10 146.40 (1) (c) “Licensed practical nurse” means a nurse who is licensed or has
11 a temporary permit under s. 441.10 or is licensed as a licensed practical/vocational
12 nurse in a party state, as defined in s. 441.50 (2) (j).

History: 1987 a. 128; 1989 a. 31, 84, 336; 1991 a. 39; 1993 a. 27, 399; 1995 a. 27; 1997 a. 27, 35, 156, 237, 252.

13 **SECTION 1p.** 146.40 (1) (f) of the statutes is amended to read:

14 146.40 (1) (f) “Registered nurse” means a nurse who has a certificate of
15 registration under s. 441.06 or a temporary permit under s. 441.08 or who is licensed
16 as a registered nurse in a party state, as defined in s. 441.50 (2) (j).

History: 1987 a. 128; 1989 a. 31, 84, 336; 1991 a. 39; 1993 a. 27, 399; 1995 a. 27; 1997 a. 27, 35, 156, 237, 252.

17 **SECTION 1r.** 250.01 (7) of the statutes is amended to read:

18 250.01 (7) “Registered nurse” means a registered nurse who is licensed under
19 s. 441.06 or in a party state, as defined in s. 441.50 (2) (j), or permitted under s.
20 441.08.

History: 1993 a. 27 ss. 162, 322, 449; 1995 a. 27 s. 9126 (19).

21 **SECTION 1u.** 255.07 (1) of the statutes is amended to read:

22 255.07 (1) In this section, “nurse practitioner” means a registered nurse
23 licensed under ch. 441 or in a party state, as defined in s. 441.50 (2) (j), whose practice

1 of professional nursing under s. 441.11 (4) includes performance of delegated medical
2 services under the supervision of a physician, dentist or podiatrist.”.

History: 1991 a. 39 s. 3698; Stats. 1991 s. 146.0277; 1993 a. 16; 1993 a. 27 s. 346; Stats. 1993 s. 255.07; 1997 a. 27.

3 ✓2. Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1y”.

4 ✓3. Page 20, line 5: after that line insert:

5 “SECTION 17^c. 655.001 (9) of the statutes is amended to read:

6 655.001 (9) “Nurse anesthetist” means a nurse licensed under ch. 441 or in a
7 party state, as defined in s. 441.50 (2) (j), who is certified as a nurse anesthetist by
8 the American association of nurse anesthetists.

History: 1975 c. 37, 79; 1977 c. 26 s. 75; 1977 c. 131; 1977 c. 203 s. 106; Sup. Ct. Order, 88 W (2d) xiii (1979); 1979 c. 124, 185, 355; 1983 a. 189 s. 329 (5); 1985 a. 340; 1987 a. 27, 182, 264, 403; 1989 a. 187; 1991 a. 214; 1993 a. 473; 1995 a. 27 s. 9126 (19).

9 SECTION 17^g. 905.04 (1) (f) of the statutes is amended to read:

10 905.04 (1) (f) “Registered nurse” means a nurse who is licensed under s. 441.06
11 or licensed as a registered nurse in a party state, as defined in s. 441.50 (2) (j), or a
12 person reasonably believed by the patient to be a registered nurse.

History: Sup. Ct. Order, 59 W (2d) R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 W (2d) xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292.

13 ~~SECTION 17s. 990.01 (23q) of the statutes is created to read:~~

14 ~~990.01 (23q) NURSE; REGISTERED NURSE; LICENSED PRACTICAL NURSE. (a) In this
15 subsection, “party state” has the meaning given in s. 441.50 (2) (j).~~

16 ~~(b) “Nurse”, “nurse licensed under ch. 441” and any reference to an individual
17 who is registered or licensed under ch. 441 includes a registered nurse or licensed
18 practical/vocational nurse who is licensed in a party state.~~

19 ~~(b) “Registered nurse” includes a registered nurse who is licensed in a party
20 state.~~

21 ~~(c) “Licensed practical nurse” includes a licensed practical/vocational nurse
22 who is licensed in a party state.”.~~

23 (END)

✓
✓
INSEAT 3-22

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0457/1dn

MDK:.....
KMG

Representative Johnsrud:

Please note the following about this amendment:

1. The amendment creates general definitions in proposed s. 990.01 (23q) that are intended to apply throughout the statutes. However, it is necessary to also amend the specific provisions of the statutes that define "registered nurse" or "licensed practical nurse". Without these amendments, one could argue that the specific definitions ~~superede~~ the general definitions. ^S ^A

2. Also amended are the definitions of "school nurse" in s. 115.001 (11), stats., "nurse practitioner" in s. 255.07 (1), stats., and "nurse anesthetist" in s. 655.001 (9), stats. Without these amendments, there is possible confusion over the application of the general definitions to these definitions of different types of nurses.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: Mark.Kunkel@legis.state.wi.us

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0457/1ins
MDK.....

1 **INSERT 3-22:** ✓

2 **SECTION 17n.** 990.01 (19g) of the statutes is created to read:

3 990.01 (19g) LICENSED PRACTICAL NURSE. "Licensed practical nurse" includes a
4 licensed practical/vocational nurse who is licensed in a party state, as defined in s.
5 441.50 (2) (j).

6 **SECTION 17r.** 990.01 (23q) of the statutes is created to read:

7 990.01 (23q) NURSE. "Nurse", "nurse licensed under ch. 441" and any reference
8 to an individual who is registered or licensed under ch. 441 include a registered nurse ✓
9 or licensed practical/vocational nurse who is licensed in a party state, as defined in
10 s. 441.50 (2) (j).

11 **SECTION 17w.** 990.01 (36m) of the statutes is created to read:

12 990.01 (36m) REGISTERED NURSE. "Registered nurse" includes a registered
13 nurse who is licensed in a party state, as defined in s. 441.50 (2) (j).".

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa0457/1dn
MDK:kmg:mrc

May 21, 1999

Representative Johnsrud:

Please note the following about this amendment:

1. The amendment creates general definitions in proposed s. 990.01 (23q) that are intended to apply throughout the statutes. However, it is necessary to also amend the specific provisions of the statutes that define "registered nurse" or "licensed practical nurse". Without these amendments, one could argue that the specific definitions supersede the general definitions.

2. Also amended are the definitions of "school nurse" in s. 115.001 (11), stats., "nurse practitioner" in s. 255.07 (1), stats., and "nurse anesthetist" in s. 655.001 (9), stats. Without these amendments, there is possible confusion over the application of the general definitions to these definitions of different types of nurses.

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