

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB744)

Received: 03/15/2010

Received By: rryan

Wanted: As time permits

Companion to LRB:

For: Sandy Pasch (608) 266-7671

By/Representing: Fred Ludwig

May Contact:

Drafter: rryan

Subject: Health - facility licensure

Addl. Drafters:

Extra Copies: TJD

Submit via email: YES

Requester's email: Rep.Pasch@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Surgical technologists

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	rryan 03/15/2010	bkraft 03/15/2010	mduchek 03/15/2010	_____	lparisi 03/15/2010	lparisi 03/15/2010	
/2	rryan 03/16/2010	bkraft 03/16/2010	phenry 03/16/2010	_____	mbarman 03/16/2010	mbarman 03/16/2010	

FE Sent For:

<END>

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/1	rryan 03/15/2010	bkraft 03/15/2010	mduchek 03/15/2010	<u>3/16</u>	lparisi 03/15/2010	lparisi 03/15/2010	

FE Sent For:

12 bjk 3/16
3/16 ph
ph
<END>

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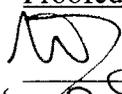
Surgical technologists

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/?	rryan	1 bjk 3/15					
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3/15
<END>

FE Sent For:

Ryan, Robin

From: Ludwig, Frederic
Sent: Monday, March 15, 2010 12:05 PM
To: Ryan, Robin
Subject: ab 744
Attachments: Amendment to AB 744 3.15.10.doc

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Fred Ludwig

Office of Representative Sandy Pasch

608.266.7671 (Office)

888.534.0022 (Toll-free)

608.282.3622 (Fax)

From Fred Ludwig

Page 2, Line 11

(2) "Surgical technology" means surgical patient care that in addition to preparing an operating room for a surgical procedure by ensuring that surgical equipment is functioning properly and safely, involves any of the following:

~~(a) Preparing an operating room for a surgical procedure by ensuring that surgical equipment is functioning properly and safely~~

(b) Preparing ~~an operating room and~~ the sterile field for a surgical procedure by preparing the appropriate sterile supplies, instruments and equipment for that surgical procedure using surgical asepsis

Phone call to Fred - intent is to provide that person who only checks equipment in operating room is not considered to be performing surgical technology.

Page 3, Line 18

(d) The person is licensed as a nurse under ch. 441, or is licensed as a physician or a physician assistant under ch. 448, and a person licensed or certified by the Department of Regulation and Licensing to provide health care services or any credentialing board or examining board affiliated with the Department to provide healthcare services, or anyone in training to become licensed or certified to provide health care services]

15.405

15.410

Page 3, Line 20

(2) A person who is employed by an ambulatory surgery center to perform surgical technology to whom sub. (1)(b), (c), or (d) does not apply shall complete 60 hours of continuing education specifically related to surgical technology every four years and submit proof of completion to the ambulatory surgery center. The individual is required to maintain records of completion and to submit those records to the ambulatory surgery center upon request.

Page 4, Line 12:

4. The person is licensed as a nurse under ch. 441, or is licensed as a physician or a physician assistant under ch. 448, and a person licensed or certified by the Department of Regulation and Licensing to provide health care services or any credentialing board or examining board affiliated with the Department to provide healthcare services, or anyone in training to become licensed or certified to provide health care services

Page 4, Line 14

(b) A person who is employed by a hospital to perform surgical technology to whom par.

(a) 2., 3., or 4. does not apply shall complete 60 hours of continuing education specifically related to surgical technology every four years and submit proof of completion to the ambulatory surgery center. The individual is required to maintain records of completion and to submit those records to the hospital upon request.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1835 *De*
RLR:.....
Lbjk

Today *in 3:30pm*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 744

RMR
D-N

bh

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 2, line 13: delete lines 13 and 14.
- 3 **2.** Page 2, line 15: delete "an operating room and".
- 4 **3.** Page 3, line 19: after "448" insert "; the person is licensed or certified by the
- 5 department of regulation and licensing or by a board under s. 15.405 or 15.406 to
- 6 provide a health care service; or the person is participating in a training program to
- 7 become licensed or certified to provide a health care service".
- 8 **4.** Page 3, line 22: before "related" insert "that are specifically".
- 9 **5.** Page 3, line 22: delete "years and" and substitute "years .".
- 10 **6.** Page 3, line 23: delete that line and substitute *of* "The person shall maintain
- 11 records demonstrating proof of completion of the continuing education hours, and

1 upon request by the ambulatory surgery center, shall submit a copy of the records to
2 the ambulatory surgery center.”.

3 **7.** Page 4, line 13: after “448” insert “; the person is licensed or certified by the
4 department of regulation and licensing or by a board under s. 15.405 or 15.406 to
5 provide a health care service; or the person is participating in a training program to
6 become licensed or certified to provide a health care service.”.

7 **8.** Page 4, line 16: before “related” insert “that are specifically”.

8 **9.** Page 4, line 16: delete “years and submit proof of completion” and substitute
9 “years.”.

10 **10.** Page 4, line 17: delete that line and substitute “The person shall maintain
11 records demonstrating proof of completion of the continuing education hours, and
12 upon request by the hospital, shall submit a copy of the records to the hospital.”.

13 (END)

D-note

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

LRBa1835/1dn

RLR:.....

Lbjk

Date

Fred Ludwig:

As we discussed, the amendments to proposed ss. 50.22 (1) (d) and 50.36 (7) (a) 4. are vague. It is not clear what constitutes a health care service. Why not specify the people or credentials you want to include? Because this language refers to all the boards and examining boards that are attached to the Department of Regulation and Licensing, as well as all the affiliated credentialing boards, it creates an inference that any of the people credentialed by these boards could provide health care services. Also the reference to training programs is vague. It could cover a person participating in a high school vocational program. Is this what you intend?

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.wisconsin.gov

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

LRBa1835/1dn
RLR:bjk:md

March 15, 2010

Fred Ludwig:

As we discussed, the amendments to proposed ss. 50.22 (1) (d) and 50.36 (7) (a) 4. are vague. It is not clear what constitutes a health care service. Why not specify the people or credentials you want to include? Because this language refers to all the boards and examining boards that are attached to the Department of Regulation and Licensing, as well as all the affiliated credentialing boards, it creates an inference that any of the people credentialed by these boards could provide health care services. Also the reference to training programs is vague. It could cover a person participating in a high school vocational program. Is this what you intend?

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1835/2
RLR:bjk:md
L stays

now (by 10 Am)

ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 744

RMR

bh
Inserts

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

2 1. Page 2, line 13: delete lines 13 and 14.

3 2. Page 2, line 15: delete "an operating room and".

4 3. Page 3, line 19: after "448" insert "; the person is licensed or certified by the
5 department of regulation and licensing or by a board under s. 15.405 or 15.406 to
6 provide a health care service; or the person is participating in a training program to
7 become licensed or certified to provide a health care service".

INS
1-6

8 4. Page 3, line 22: before "related" insert "that are specifically".

9 5. Page 3, line 22: delete "years and" and substitute "years.".

10 6. Page 3, line 23: delete that line and substitute "The person shall maintain
11 records demonstrating proof of completion of the continuing education hours, and
12 upon request by the ambulatory surgery center, shall submit a copy of the records to
13 the ambulatory surgery center.".

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1835/2ins
RLR:.....

1 **Insert 1-6:**

2 ^{NO} and the scope of the practice for which the person is licensed or certified
3 includes providing care in an operating room or a preparation area for an operating
4 room; or the person is participating in a training program that is required to obtain
5 a license or certification described under this paragraph.”

6

7

8 **Ins 2-3:**

9 ^{NO} and the scope of the practice for which the person is licensed or certified
10 includes providing care in an operating room or a preparation area for an operating
11 room; or the person is participating in a training program that is required to obtain
12 a license or certification described under this subdivision.”