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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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<b>2009 Senate Bill 191</b>	<b>Assembly Amendment 1</b>
<i>Memo published:</i> January 27, 2010	<i>Contact:</i> Richard Sweet, Senior Staff Attorney (266-2982)

*Senate Bill 191* permits licensed podiatrists to engage in certain activities that they are not authorized to undertake under current law. One of the provisions of the bill defines “health care provider” to include a podiatrist for purposes of completing medical forms necessary for the receipt of assistance to needy veterans. The bill also defines “illness” or “injury” to mean “... a physical or mental health problem that has been diagnosed by a health care provider acting within the scope of the podiatrist’s license.”

*Assembly Amendment 1* to 2009 Senate Bill 191 deletes the provision that defines “health care provider” to include a podiatrist, and substitutes language that states that a health care provider means an advanced practice nurse prescriber, an audiologist, dentist, an optometrist, a physician, or a podiatrist. In addition, the amendment modifies the definition of “illness” or “injury” by changing the reference to “the scope of the podiatrist’s license” to “the scope of the health care provider’s license.”

Assembly Amendment 1 addresses a concern raised by the Governor in vetoing 2009 Assembly Bill 273, which is identical to the unamended 2009 Senate Bill 191. In his veto message, the Governor states that Assembly Bill 273 “... makes a variety of important changes to the regulation of podiatrists in Wisconsin.” However, he goes on to state:

While the bill intended to expand the list of health care providers who can diagnose an illness or injury for the Department of Veterans Affairs purposes to include podiatrists, due to a drafting error, the bill inadvertently limits the health care providers to those acting within the scope of a podiatrist’s license.

In the veto message, the Governor states that he supports the intent of the legislation, but that to avoid potential delays in the certification of a physical or mental illness or injury for needy veterans, he is vetoing the bill. He states that he looks forward to signing the companion bill, Senate Bill 191, once the error has been corrected. Assembly Amendment 1 to 2009 Senate Bill 191 addresses the “drafting

error” mentioned by the Governor in his veto message by defining “health care provider” to include the six types of health care providers mentioned above and to delete the requirement that a health care provider act within the scope of a podiatrist’s license.

**Legislative History**

The Assembly adopted Assembly Amendment 1, and concurred in the bill as amended, both by voice votes.

RNS:jb;wu