

State of Wisconsin



2017 Assembly Bill 766

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 341

AN ACT *to create* 448.03 (2) (r), 448.03 (2m), 448.52 (1m) (am), 448.62 (1m) and 448.952 (1m) of the statutes; **relating to:** a licensure exemption for sports medicine physicians licensed outside this state; extending the time limit for emergency rule procedures; providing an exemption from emergency rule procedures; and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 448.03 (2) (r) of the statutes is created to read:

448.03 (2) (r) An individual who is exempt from licensure under sub. (2m).

SECTION 2. 448.03 (2m) of the statutes is created to read:

448.03 (2m) SPORTS PHYSICIAN LICENSURE EXEMPTION. (a) 1. An individual who is licensed in good standing to practice medicine and surgery in another state may, subject to pars. (b) and (c), practice medicine and surgery without a license granted by the board if the individual has a written agreement with a sports team to provide care to team members and coaching staff traveling with the team for a specific sporting event to take place in this state.

2. An individual who is licensed in good standing to practice medicine and surgery in another state may, subject to pars. (b) and (c), practice medicine and surgery without a license granted by the board if all of the following apply:

a. The individual has been invited by a national sport governing body to provide services to team members and coaching staff at a national sport training center in this

state or to provide services to athletes and coaching staff at an event or competition in this state that is sanctioned by the national sport governing body.

b. The individual's practice is limited to that required by the national sport governing body.

c. The services to be provided by the individual are within his or her training and expertise.

(b) An individual who is exempt from licensure under par. (a) 1. or 2. may not do any of the following while practicing under the exemption:

1. Provide care or consultation to any person residing in this state, other than a person specified in par. (a) 1. or 2.

2. Practice at a health care facility, as defined in s. 146.997 (1) (c), or at a clinic, as defined in s. 146.903 (1) (b).

3. Prescribe drugs.

(c) 1. a. Subject to subd. 1. b., an exemption under par. (a) 1. shall be valid only while the individual is traveling with the sports team, subject to a limit of 10 days per sporting event.

b. Upon prior request to the board, the board may grant an individual an extension of 20 additional days per sporting event beyond the limitation specified in subd. 1. a., except that no individual may be exempted by the

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

board under this subd. 1. b. for more than a total of 30 additional days in a given calendar year.

2. An exemption under par. (a) 2. shall be valid during the time certified by the national sport governing body, subject to a limit of 30 days per exemption.

(d) The board may enter into agreements with medical or osteopathic licensing boards of other states to implement this subsection. Agreements under this paragraph may include procedures for reporting potential medical license violations.

(e) The board shall promulgate rules to implement this subsection.

SECTION 3. 448.52 (1m) (am) of the statutes is created to read:

448.52 (1m) (am) An individual who is exempt from licensure as a physician under s. 448.02 (2m).

SECTION 4. 448.62 (1m) of the statutes is created to read:

448.62 (1m) An individual who is exempt from licensure as a physician under s. 448.02 (2m).

SECTION 5. 448.952 (1m) of the statutes is created to read:

448.952 (1m) An individual who is exempt from licensure as a physician under s. 448.02 (2m).

SECTION 5g. Nonstatutory provisions.

(1) The medical examining board may promulgate emergency rules under section 227.24 of the statutes necessary to implement this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection remain in effect until May 1, 2019, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the examining board is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

SECTION 5r. Effective dates. This act takes effect on the first day of the 7th month beginning after publication, except as follows:

(1) SECTION 5g (1) of this act takes effect on the day after publication.

