

2019 DRAFTING REQUEST

Bill

For: Dale Kooyenga (608) 266-2512 Drafter: kpaczusk
 By: Sandy Secondary Drafters:
 Date: 8/27/2019 May Contact:

Same as LRB:

Submit via email: YES
 Requester's email: Sen.Kooyenga@legis.wisconsin.gov
 Carbon copy (CC) to: michael.duchek@legis.wisconsin.gov
 konrad.paczuski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Exempting physician assistants and nurses who are in state for military training from licensure requirements

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 8/28/2019	swinder 8/28/2019			
/P1			lparisi 8/28/2019		
/1			dwalker 9/11/2019	dwalker 9/11/2019	

FE Sent For: *Not Needed* <END>

Paczuski, Konrad

From: Lonergan, Sandy <Sandy.Lonergan@legis.wisconsin.gov>

Sent: Tuesday, August 27, 2019 2:59 PM

To: Paczuski, Konrad <Konrad.Paczuski@legis.wisconsin.gov>; Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>

Subject: bill draft request

Good afternoon gentlemen,

I'm not sure who will handle this drafting request so please let me know. We would please like a bill to exempt physician assistants and nurses from licensure who are in our state for military training. Below is an explanation of the program for which Medical College has been selected. Essentially we are interested in a bill that mirrors the current law exemption for military physicians.

Please let me know if you need any additional information or have any questions. I know you are very busy but we are trying to move this bill fast. Thank you very much! Sandy

It was good talking with you today. As I mentioned on the phone, we would like to meet with Dale in the near future to discuss the possibility of introducing legislation to streamline the licensure process for military Physician Assistants (PA's), along with other military providers, who come to Wisconsin to train. For background, MCW was recently selected as a partner site as part of the Joining Forces Military-Civilian partnership. This US Army program is designed partner with private institutions to advance the trauma surgery and resuscitation skills for licensed providers within the US Army. While training on MCW's campus for up to three years, these military health care providers/trainees could be intermittently deployed world-wide with critical, life-saving surgery skills on the battlefield.

Being selected as a partnering site with the US Army is a significant honor for MCW. Unfortunately, due to Wisconsin's statutory licensure process, only military physicians and perfusionists are exempted from obtaining a Wisconsin medical license when participating in these types of programs. As a result, a military PA, or military nurse, etc., coming here for a 4-week rotation would be required to obtain a full medical license. MCW has already run into licensing delays for one of our incoming military PA's, and we expect more challenges as the program begins.

MCW has been in contact with the Wisconsin Department of Safety & Professional Services (DSPS) to discuss the licensure exemption process. DSPS confirmed their hands are tied on not allowing an exemption, or finding a temporary work-around, to exempting military PA's from being required to have a medical license to train & practice in Wisconsin.

MCW would like to add military physician assistants (PA's), military nurses, and other military health care providers to the exemption already in place for military physicians and perfusionists. Updating the statutory language will allow for a more collaborative approach to healthcare across various areas of expertise in both civilian and military medicine. Furthermore, these military partnerships are a point of pride for the state of Wisconsin, but MCW may not be able to sustain these training partnerships long-term if the statutes continue to be a restriction.

Here is some background information on what we are looking for in regard to the potential legislation.

Wisconsin medical license exemption for military providers

The current language and statute are referenced in the bullets below, along with the preferred text for the revised legislation (highlighted).

- a. The link below is the Wisconsin state statute which exempts military physicians and perfusionists on official duty from requiring a medical license to practice. The actual language is located in 448.03.(2).(b);

- i. <https://docs.legis.wisconsin.gov/statutes/statutes/448/II/03>
 - ii. Preferred language: "The performance of official duties by a ***physician, perfusionist, or physician assistant*** of any of the armed services or federal health services of the United States."
- b. For nursing, the statute to be modified would be chapter 441.
- i. <https://docs.legis.wisconsin.gov/statutes/statutes/441>
 - ii. Preferred language: (Insert language into chapter 441) "***Licensure: Exceptions:*** The performance of official duties by a licensed practical nurse, registered nurse, or nurse anesthetist of any of the armed services or federal health services of the United States."

Sandy Lonergan

Chief of Staff

Senator Dale Kooyenga

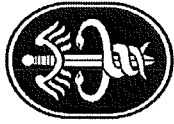
310-South, State Capitol

608.266.2512

Follow **Sen. Kooyenga** on [Facebook](#) and [Twitter](#).

Visit Sen. Kooyenga's [website](#).

PLEASE NOTE: Emails sent to and from this account may be subject to open records requests and should not be considered private.



US ARMY MILITARY-CIVILIAN TRAUMA TEAM TRAINING PROGRAM (AMCT3)



knowledge changing life



Proposed Start: August 2019

Duration: Up to 3 years

Frequency: One team every 3 years, occasional additions of individual providers/specialists

Quantity: Between 5 – 7 personnel at a time.

Team composition listed below:

- 1 Emergency Medicine Physician (62A)
- 1 General Surgeon (61J)
- 1 CRNA (66F)
- 1 Emergency Medicine Nurse (66T)
- 1 Critical Care Nurse (66J)
- 1 OR Nurse (66E)

Program Overview:

Based upon the recommendations within the 2016 National Academies of Medicine Report, and upon the directives within the 2017 National Defense Authorization Act, this program is designed to sustain the trauma surgery and resuscitation skills for the licensed providers within an US Army Forward Resuscitative Surgical Team (FRST). These personnel would be “stationed” in Milwaukee, and assigned to this campus as part of their day-to-day duties, for a period of up to 3 years, with the potential for intermittent deployments within that timeframe. These clinicians would fully embed on our campus as faculty/staff at a .8FTE rate (.65 FTEs at FMLH & .15FTEs at CHW). All of their salary and benefits are paid for by the military. Providers may bill for their services, with the exception of TRICARE and CHAMPVA. Leaders should include these personnel in the regular working schedule. They would be granted full privileges (consistent with their licensure) to treat patients directly. Their daily work would mostly be within their respective specialties, but they would be encouraged to periodically provide care as a team in the trauma bay (approximately 1-2 times per month), in order to build and sustain the interoperability necessary during deployment. Additional individual specialists and surgeons may be added to this program from year to year, each to remain for their full 3-year term.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4124/82 P1
KP...
SKW

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

IN: 8/28
OUT: 8/28

generate catalog

1 AN ACT ...; relating to: practicing as a physician assistant or nurse while
2 performing official duties for the armed services or federal health services.

Analysis by the Legislative Reference Bureau

Under this bill, physician assistants who perform official duties for the armed services or federal health services are not required to obtain a physician assistant license. Current law generally requires a person to obtain a license granted by the Medical Examining Board to practice as a physician assistant.

The bill also allows a person to practice as a registered nurse or nurse anesthetist while performing official duties for the armed services or federal health services without obtaining a credential from the Board of Nursing. Under current law, a person is generally required to obtain a credential from the Board of Nursing to practice professional nursing or to practice as a nurse anesthetist.

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

3 SECTION 1. 448.03 (2) (b) of the statutes is amended to read:



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-4124/P1
KP:skw

1

No
Change

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT *to amend* 441.11 (2) and 448.03 (2) (b); and *to create* 441.115 (1m) of the
2 statutes; **relating to:** practicing as a physician assistant or nurse while
3 performing official duties for the armed services or federal health services.

Analysis by the Legislative Reference Bureau

Under this bill, physician assistants who perform official duties for the armed services or federal health services are not required to obtain a physician assistant license. Current law generally requires a person to obtain a license granted by the Medical Examining Board to practice as a physician assistant.

The bill also allows a person to practice as a registered nurse or nurse anesthetist while performing official duties for the armed services or federal health services without obtaining a credential from the Board of Nursing. Under current law, a person is generally required to obtain a credential from the Board of Nursing to practice professional nursing or to practice as a nurse anesthetist.

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

4 SECTION 1. 441.11 (2) of the statutes is amended to read:

Walker, Dan

From: LRB.Legal
To: Sen.Kooyenga@legis.wisconsin.gov
Subject: Draft review: LRB -4124/1
Attachments: 19-4124/1

State of Wisconsin - Legislative Reference Bureau
One East Main Street - Suite 200 - Madison

The attached draft was prepared at your request. Please review it carefully to ensure that it satisfies your intent. If you have any questions concerning the draft or would like to have it redrafted, please contact Konrad Paczuski, Legislative Attorney, at (608) 504-5814, at Konrad.Paczuski@legis.wisconsin.gov, or at One East Main Street, Suite 200.

We will jacket this draft for introduction in the Senate.

If a jacket is needed immediately, please let us know in your response e-mail so we know to immediately jacket the proposal for you.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will submit a request to DOA when the draft is introduced. You may obtain a fiscal estimate on the draft prior to introduction by contacting our program assistants at LRB.Legal@legis.wisconsin.gov or at (608) 266-3561. If you requested a fiscal estimate on an earlier version of this draft and would like to obtain a fiscal estimate on the current version before it is introduced, you will need to request a revised fiscal estimate from our program assistants.

Please call our program assistants at (608) 266-3561 if you have any questions regarding this email.