



2019 ASSEMBLY BILL 76

March 13, 2019 - Introduced by Representatives PETRYK, BORN, BROOKS, DITTRICH, DUCHOW, EDMING, GUNDRUM, HUTTON, JAMES, KNODL, KUGLITSCH, KULP, LOUDENBECK, MAGNAFICI, MEYERS, MURPHY, MURSAU, MYERS, NOVAK, OLDENBURG, QUINN, RAMTHUN, RODRIGUEZ, ROHRKASTE, SINICKI, SKOWRONSKI, SNYDER, SPIROS, STAFSHOLT, SUMMERFIELD, TITTL, TUSLER, VANDERMEER, VRUWINK and WICHGERS, cosponsored by Senators COWLES, PETROWSKI, KAPENGA, FEYEN, KOOYENGA, BERNIER, STROEBEL, DARLING, MARKLEIN, LEMAHIEU, OLSEN, JACQUE, NASS, BEWLEY, TESTIN and TIFFANY. Referred to Committee on Aging and Long-Term Care.

1 **AN ACT** *to amend* 146.40 (3) of the statutes; **relating to:** hours of instructional
2 program for nurse aides.

Analysis by the Legislative Reference Bureau

This bill conforms state law for instructional programs for nurse aides to the federal law requirements for Medicare and Medicaid. Specifically, the bill prohibits the Department of Health Services from requiring an instructional program to exceed the federally required minimum total training hours or minimum hours of supervised practical training, which is clinical experience, specified in the federal regulation. The current federal regulation requires no less than 75 hours of training with at least 16 of those hours being supervised practical training.

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

3 **SECTION 1.** 146.40 (3) of the statutes is amended to read:
4 146.40 (3) Except as provided in sub. (4d), the department shall approve
5 instructional programs for nurse aides that apply for, and satisfy standards for,
6 approval that are promulgated by rule by the department. The department may not
7 require an instructional program to exceed the federally required minimum total

ASSEMBLY BILL 76**SECTION 1**

1 training hours or minimum hours of supervised practical training under 42 CFR
2 483.152 (a). The department shall review the curriculum of each approved
3 instructional program at least once every 24 months following the date of approval
4 to determine whether the program continues to satisfy the standards for approval.
5 Under this subsection, the department may, after providing notice, suspend or
6 revoke the approval of an instructional program or impose a plan of correction on the
7 program if the program fails to satisfy the standards for approval or operates under
8 conditions that are other than those contained in the application approved by the
9 department.

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(END)