



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 344
[2013 Assembly Bill 270]

**Changes to the Volunteer Health
Care Provider Program**

2013 Wisconsin Act 344 adds several categories to the list of health care professionals eligible to participate in the volunteer health care provider program. The Act also makes changes regarding the administration of the program.

The volunteer health care provider program was created in 1990 to encourage health professionals to serve as volunteers for nonprofit agencies providing health care services. A person in a specified health care profession may submit a joint application, together with a participating school or nonprofit agency, to participate in the program. Participating volunteer health care providers are considered agents of the state for limited purposes. As such, they are entitled to representation by the Wisconsin Attorney General's office in legal proceedings arising from their volunteer services. In addition, certain notice requirements and liability limitations apply in the event that a volunteer health care provider is sued.

Additional Categories of Professionals Eligible to Participate

The following health care professionals were eligible to participate in the volunteer health care provider program under prior law: state-licensed physicians, dentists, dental hygienists, registered nurses, practical nurses, nurse-midwives, optometrists, physician assistants, pharmacists, chiropractors, podiatrists, and physical therapists; state-certified dietitians; certain nurse practitioners; and persons who perform certain functions of pharmacy technicians.

The Act retains those categories and adds the following categories to the list of professionals eligible to participate in the volunteer health care provider program:

- Licensed psychologists.
- Social workers who hold state social worker certificates.
- Licensed marriage and family therapists.
- Licensed professional counselors.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

- Advanced practice nurses who are certified to issue prescription orders.

The Act also specifies that an advanced practice nurse who is certified to issue prescription orders and who participates in the program is considered to satisfy a statutory requirement to carry insurance or qualify as self-insured, if applicable.

Transfer of Administration From the Department of Administration (DOA) to the Department of Health Services (DHS)

The Act transfers the primary administration of the volunteer health care provider program from DOA to DHS. For example, under the Act, joint applications from volunteer health care providers and schools or nonprofit agencies must be submitted to DHS rather than DOA, and DHS is the agency responsible for approving or disapproving such applications and providing application forms.

New Credentialing and Monitoring Role for Participating Nonprofit Agencies

The Act creates a new role for participating nonprofit agencies. Under the Act, a participating nonprofit agency must assume responsibility for approving individuals to be volunteer health care providers. An agency must research and validate an individual's credentials before submitting a joint application to DHS for participation in the program. The Act also requires participating nonprofit agencies to monitor those providers and terminate a provider's participation in the program if the agency questions the provider's credentials or disapproves of the provider's practices.

In addition, under the Act, every participating nonprofit agency must enter a list of volunteer health care providers serving at that agency into an online, electronic system developed by DOA. Finally, the agency must prepare and submit to DHS an annual report that includes the types and number of health care services provided by the agency through the program.

The Act authorizes DHS to withdraw its approval of an application for participation in the program based on a nonprofit agency's lack of compliance with the requirements under the Act.

Definition of "Dental Services"

Under prior law, unchanged by the Act, dental services is one of the types of services that a nonprofit agency participating in the volunteer health care provider program may provide. For purposes of the program, the Act amends the definition of "dental services" to include other procedures done under local anesthesia" and remove a reference to "simple" tooth extractions.

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