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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2021 Senate Bill 98**

**Senate  
Amendment 1**

### 2021 SENATE BILL 98

2021 Senate Bill 98 defines the practice of complementary and alternative health care services, and specifies that those practices are exempt from licensure. The bill designates the Department of Safety and Professional Services for oversight and enforcement if a person fails to comply with the provisions of the bill.

Under the bill, complementary and alternative health care services include practices such as aromatherapy, Ayurveda, healing touch, massage and massage therapy, meditation, and traditional healing practices, among others. Certain practices are excluded, and are prohibited, including performing surgery, setting fractures, puncturing the skin, or performing a chiropractic adjustment.

A complementary and alternative health care practitioner may not hold themselves out as a health care professional, make a diagnosis of a medical disease other than a general assessment regarding normal structure or function in humans, or recommend that a client discontinue a prescribed medical treatment.

A practitioner may not engage in unprofessional conduct, such as false advertising or sexual contact with a client, and must provide certain written disclosures to a client before performing any services.

The bill does not apply to complementary and alternative health care services provided by a health care professional who is acting within the person's professional scope of practice.

### SENATE AMENDMENT 1

Senate Amendment 1 makes three revisions to the bill.

First, the amendment removes massage therapy from the allowable complementary and alternative health care services. Under current law, massage therapy is a licensed profession. Accordingly, under the amendment, a person may perform massage, but not massage therapy, and may not hold themselves out as a massage therapist unless licensed under those provisions.

Second, the amendment adds that a complementary or alternative health care practitioner may not use or assume the title "doctor" or "physician."

Third, the amendment removes the allowance for a practitioner to make a general assessment regarding normal structure or function in humans, and instead specifies that while a practitioner may not make a diagnosis of a medical disease, a practitioner may respond generally to a client's expressed concerns.

## **BILL HISTORY**

Senate Amendment 1 was offered by Senator Felzkowski on March 30, 2021. On April 1, 2021, the Senate Committee on Insurance, Licensing and Forestry recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 4; Noes, 0.

On April 14, 2021, the Senate adopted Senate Amendment 1, and passed the bill, as amended, on voice votes.

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