



1995 ASSEMBLY BILL 325

April 19, 1995 - Introduced by Representatives ALBERS, F. LASEE, BALDUS and GOETSCH. Referred to Committee on Insurance, Securities and Corporate Policy.

- 1 **AN ACT to amend** 448.08 (4); and **to create** 180.1901 (1m) (am) of the statutes;
2 **relating to:** health care professional service corporations.

Analysis by the Legislative Reference Bureau

Under current law, certain health care professionals may organize a "service corporation" for the purpose of assisting those professionals in carrying on their professions. The shareholders in a health care professional service corporation do not need to be licensed, certified or registered in the same health care profession. Current law permits any of the following health care professionals to be shareholders in a health care professional service corporation: a registered nurse; licensed practical nurse; nurse-midwife; physician; podiatrist; physician assistant; occupational therapist; occupational therapy assistant; respiratory care practitioner; pharmacist; optometrist; psychologist; private practice school psychologist; social worker; marriage and family therapist; and professional counselor.

Also, under current law the patients compensation fund (fund) covers certain claims that arise from the acts or omissions of physicians, nurse anesthetists or their employes. The fund does not cover an employe who is a health care professional if the health care professional may practice without the direction and supervision of a physician or nurse anesthetist and if, at the time of an act or omission giving rise to a claim under the fund, the health care professional was not practicing under the direction and supervision of a physician or nurse anesthetist.

This bill provides that chiropractors, physical therapists and dietitians may also be shareholders in a health care professional service corporation. Because a chiropractor, physical therapist or dietitian may practice without the direction and supervision of a physician or nurse anesthetist, under the bill a chiropractor, physical therapist or dietitian who is an employe of a health care professional service corporation will not be covered by the fund if, at the time of an act or omission giving rise to a claim under the fund, the chiropractor, physical therapist or dietitian was

not practicing under the direction and supervision of a physician or nurse anesthetist.

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

1 **SECTION 1.** 180.1901 (1m) (am) of the statutes is created to read:

2 180.1901 (**1m**) (am) Chiropractic examining board under ch. 446.

3 **SECTION 2.** 180.1901 (1m) (b) of the statutes is amended to read:

4 180.1901 (**1m**) (b) Medical examining board under subch. II of ch. 448.

5 **SECTION 3.** 180.1901 (1m) (bg) of the statutes is created to read:

6 180.1901 (**1m**) (bg) Physical therapists affiliated credentialing board under
7 subch. III of ch. 448.

8 **SECTION 4.** 180.1901 (1m) (br) of the statutes is created to read:

9 180.1901 (**1m**) (br) Dietitians affiliated credentialing board under subch. IV of
10 ch. 448. This paragraph does not apply after June 30, 1999.

11 **SECTION 5.** 448.08 (4) of the statutes is amended to read:

12 448.08 (**4**) PROFESSIONAL PARTNERSHIPS AND CORPORATIONS PERMITTED.

13 Notwithstanding any other provision in this section, it is lawful for 2 or more
14 physicians or 2 or more podiatrists, who have entered into a bona fide partnership
15 for the practice of medicine or podiatry, to render a single bill for such services in the
16 name of such partnership; and it also is lawful for a service corporation to render a
17 single bill for services in the name of the corporation; provided that each individual
18 physician or podiatrist that renders billed services and each individual licensed,
19 registered or certified under subch. III of this chapter or ch. 446, 449, 450, 455 or 457
20 that renders billed services is individually identified as having rendered such
21 services.

