



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1997/1
TJD:skw

2021 SENATE BILL 128

February 24, 2021 - Introduced by Senators BEWLEY, AGARD, CARPENTER, ERPENBACH, JOHNSON, LARSON, PFAFF, RINGHAND, ROYS, SMITH and WIRCH, cosponsored by Representatives HINTZ, ANDERSON, ANDRACA, BALDEH, BILLINGS, BOWEN, BROSTOFF, CABRERA, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HAYWOOD, HEBL, HESSELBEIN, HONG, MCGUIRE, B. MEYERS, MILROY, MOORE OMOKUNDE, L. MYERS, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, POPE, RIEMER, S. RODRIGUEZ, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, STUBBS, SUBECK, VINING and VRUWINK. Referred to Committee on Government Operations, Legal Review and Consumer Protection.

1 **AN ACT to create** 655.0025 of the statutes; **relating to:** liability insurance for
2 physicians and nurse anesthetists.

Analysis by the Legislative Reference Bureau

The bill specifies that, until the earlier of the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021, a physician or nurse anesthetist for whom Wisconsin is not a principal place of practice but who is temporarily authorized to practice in Wisconsin may fulfill financial responsibility requirements by filing with the commissioner of insurance a certificate of insurance for a policy of health care liability insurance issued by an insurer authorized in a certain jurisdiction specified in the bill. Additionally, under those same circumstances, the physician or nurse anesthetist may elect to be covered by Wisconsin's health care liability laws. These liability insurance provisions were enacted in 2019 Wisconsin Act 185 but expired with the expiration of the state of emergency related to public health declared on March 12, 2020, by the governor.

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

3 **SECTION 1.** 655.0025 of the statutes is created to read:
4 **655.0025 Participation during COVID-19 national emergency.** Until
5 the conclusion of a national emergency declared by the U.S. president under 50 USC

SENATE BILL 128**SECTION 1**

1 1621 in response to the 2019 novel coronavirus or June 30, 2021, whichever is earlier,
2 all of the following apply to a physician or nurse anesthetist for whom this state is
3 not a principal place of practice but who is authorized to practice in this state on a
4 temporary basis:

5 (1) The physician or nurse anesthetist may fulfill the requirements of s. 655.23

6 (3) (a) by filing with the commissioner a certificate of insurance for a policy of health
7 care liability insurance issued by an insurer that is authorized in a jurisdiction
8 accredited by the National Association of Insurance Commissioners.

9 (2) The physician or nurse anesthetist may elect, in the manner designated by
10 the commissioner by rule under s. 655.004, to be subject to this chapter.

11 (END)