

1993 Senate Bill 17

Date of enactment: **August 20, 1993**
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1993 WISCONSIN ACT 28

AN ACT *to repeal* 146.89 (3m) and 146.89 (5); *to renumber and amend* 146.89 (2) (a) and 146.89 (3) (a); *to amend* 146.89 (1), 146.89 (4), 165.25 (6) (b), 893.82 (2) (d) 1m and 895.46 (5) (a); and *to create* 146.89 (2) (a) 2 and 146.89 (3) (a) 2 of the statutes, **relating to:** volunteer health care providers in the counties of Brown, Dane, Dodge, Fond du Lac, Kenosha, La Crosse, Milwaukee, Outagamie, Racine, Rock and Sheboygan and in other counties and clarifying the state agency status of the volunteer health care providers.

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

SECTION 1. 146.89 (1) of the statutes is amended to read:

146.89 (1) In this section, ~~except in sub. (5);~~ “volunteer health care provider” means an individual who is licensed as a physician under ch. 448, dentist under ch. 447, registered nurse, practical nurse or nurse–midwife under ch. 441 or optometrist under ch. 449 or certified as a physician’s assistant under ch. 448 and who receives no income from the practice of that health care profession or who receives no income from the practice of that health care profession when providing services at the nonprofit agency specified under sub. (3).

SECTION 1g. 146.89 (2) (a) of the statutes is renumbered 146.89 (2) (a) 1. and amended to read:

146.89 (2) (a) 1. A volunteer health care provider may participate under this section only if he or she submits a joint application with a nonprofit agency in a county that is specified under sub. (3) (a) 1. to the department of administration and that department approves the application. The department of administration shall provide application forms for use under this ~~paragraph~~ subdivision.

SECTION 1h. 146.89 (2) (a) 2. of the statutes is created to read:

146.89 (2) (a) 2. A volunteer health care provider may participate under this section only if he or she sub-

mits a joint application with a nonprofit agency in a county that is specified under sub. (3) (a) 2. to the department of administration and that department approves the application after first submitting the application to the joint committee on finance for review under the the procedures specified in s. 13.10, and obtaining approval from the joint committee on finance for the application. The department of administration shall disapprove the application if the joint committee on finance has disapproved it. The department of administration shall provide application forms for use under this subdivision.

SECTION 2m. 146.89 (3) (a) of the statutes is renumbered 146.89 (3) (a) 1. and amended to read:

146.89 (3) (a) 1. The volunteer health care provider shall provide services under par. (b) without charge in ~~Brown or Racine county at that,~~ Dane, Dodge, Fond du Lac, Kenosha, La Crosse, Milwaukee, Outagamie, Racine, Rock or Sheboygan county at the nonprofit agency if the nonprofit agency in that county has received approval under sub. (2) (a) 1.

SECTION 2r. 146.89 (3) (a) 2. of the statutes is created to read:

146.89 (3) (a) 2. The volunteer health care provider shall provide services under par. (b) without charge in any county, other than those counties specified in subd. 1, at the nonprofit agency, if the nonprofit agency in that county has received approval under sub. (2) (a) 2.

SECTION 3. 146.89 (3m) of the statutes is repealed.

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SECTION 4. 146.89 (4) of the statutes is amended to read:

146.89 (4) Volunteer health care providers who provide services under this section are, for the provision of these services, state agents of the department of health and social services for purposes of ss. 165.25 (6), 893.82 (3) and 895.46.

SECTION 5. 146.89 (5) of the statutes is repealed.

SECTION 6. 165.25 (6) (b) of the statutes is amended to read:

165.25 (6) (b) Volunteer health care providers who provide services under s. 146.89 are, for the provision of those services, covered by this section and shall be considered agents of the department of health and social services for purposes of determining which agency head

may request the attorney general to appear and defend them.

SECTION 7. 893.82 (2) (d) 1m of the statutes is amended to read:

893.82 (2) (d) 1m. A volunteer health care provider who provides services under s. 146.89, for the provision of those services.

SECTION 8. 895.46 (5) (a) of the statutes is amended to read:

895.46 (5) (a) A volunteer health care provider who provides services under s. 146.89, for the provision of those services.

SECTION 9. Initial applicability; health and social services. (1) STATE AGENCY STATUS. This act first applies to actions or special proceedings that are commenced on the effective date of this subsection.