



1995 ASSEMBLY BILL 304

April 8, 1995 – Introduced by Representatives WASSERMAN, MEYER, GOETSCH, HAHN, HASENOHRL, RILEY, RYBA, SERATTI, WILLIAMS and L. YOUNG, cosponsored by Senators PETAK, BURKE and ROSENZWEIG. Referred to Committee on Health.

1 **AN ACT** *to create* 50.33 (3) and 50.36 (1m) and (1r) of the statutes; **relating to:**
2 requirements for signatures on patient health histories physical examination
3 reports, operative reports, health care record face sheets and discharge
4 summaries.

Analysis by the Legislative Reference Bureau

Currently, administrative rules of DHSS (s. HSS 124.14 (3) (b) 1., 3. and 4.) require that documentation of medical staff participation in the care of a patient be evidenced by, among other things, the signature on the operative report of a patient by the surgeon who performs the surgery and the signature on a patient's health history, the results of a patient's physical examination, the face sheet of a patient's patient health care record and a patient's hospital discharge summary by the patient's attending physician.

This bill authorizes signature of the operative report for a patient who has had surgery by the surgeon or by a physician who is a resident of a postgraduate residency program or a fellow of a postgraduate fellowship program who has attended the patient during or after surgery. The bill authorizes signature of a patient's health history, the results of a patient's physical examination, the face sheet of a patient's patient health care record and a patient's hospital discharge summary by the patient's attending physician or by a physician who is a resident or a fellow and who has attended the patient prior to discharge. The bill prohibits DHSS from making requirements other than these with respect to signatures for health histories, physical examination results, operative reports, patient health care record face sheets and hospital discharge summaries.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 50.33 (3) of the statutes is created to read:

2 50.33 (3) “Physician” has the meaning given in s. 448.01 (5).

3 **SECTION 2.** 50.36 (1m) and (1r) of the statutes are created to read:

4 50.36 (1m) (a) In hospitals with physician staff members, documentation of
5 medical staff participation in the care of a patient who receives surgery shall be
6 evidenced on the patient’s hospital operative report by at least the name and
7 signature of one of the following:

8 1. The physician who performs the surgery.

9 2. A physician who is a resident of a postgraduate residency program who
10 attends the patient during or after surgery. If this subdivision applies, the resident
11 shall indicate the postgraduate residency program with which he or she is
12 associated.

13 3. A physician who is a fellow of a postgraduate fellowship program who
14 attends the patient during or after surgery. If this subdivision applies, the fellow
15 shall indicate the postgraduate fellowship program with which he or she is
16 associated.

17 (b) If par. (a) 2. or 3. applies, a physician who is a member of the hospital staff
18 may countersign the hospital operative report.

19 (c) The department may not make requirements for documentation on a
20 patient’s hospital operative record of medical staff participation in the care of the
21 patient that are in addition to those specified in this subsection.

