

# 1999 ASSEMBLY BILL 541

October 20, 1999 – Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Public Health.

1 **AN ACT to amend** 448.02 (1), 448.05 (7) and 448.13 (1) (a); and **to create** 440.08  
2 (2) (a) 58m., 448.04 (1) (am), 448.05 (3) and 448.06 (1r) of the statutes; **relating**  
3 **to:** creating a nonresident physician license.

---

### ***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTE provided by the joint legislative council in the bill.

For further information see the **state** 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:***

PREFATORY NOTE: This bill was prepared for the joint legislative council's special committee on telemedicine issues.

Under current law, no person may practice medicine and surgery, or attempt to do so or make a representation as authorized to do so, without a license to practice medicine and surgery granted by the Wisconsin medical examining board. Current law provides an exception for actual consultation or demonstration by licensed physicians of other states or countries with licensed physicians of this state. To receive a license to practice medicine and surgery, a person must satisfy the educational and examination requirements set forth in current law and pay the fee specified by law.

This bill creates a nonresident physician license. The Wisconsin medical examining board is required to issue such a license to any person who submits proof that

**ASSEMBLY BILL 541**

he or she has an unrestricted physician's license in another state and pays the fee set by the bill, which is half the fee otherwise paid by physicians. Other current statutory licensing requirements are made inapplicable to nonresident physician licenses. Under the bill, a person holding a nonresident physician license may practice medicine and surgery only from outside this state on a patient in this state, regardless of the physician's means of communications. "State" is defined in the statutes to include the District of Columbia, the Commonwealth of Puerto Rico and U.S. territories.

1           **SECTION 1.** 440.08 (2) (a) 58m. of the statutes is created to read:

2           440.08 (2) (a) 58m. Physician, nonresident: November 1 of each odd-numbered  
3 year; \$55.

4           **SECTION 2.** 448.02 (1) of the statutes, as affected by 1997 Wisconsin Act 67, is  
5 amended to read:

6           448.02 (1) LICENSE. The board may grant licenses, including nonresident  
7 physician licenses and various classes of temporary licenses, to practice medicine  
8 and surgery and to practice as a physician assistant.

9           **SECTION 3.** 448.04 (1) (am) of the statutes is created to read:

10           448.04 (1) (am) *Nonresident physician license.* A person holding a nonresident  
11 physician license may practice medicine and surgery, as defined in s. 448.01 (9), only  
12 from outside this state on a patient in this state, regardless of the physician's means  
13 of communication.

14           **SECTION 4.** 448.05 (3) of the statutes is created to read:

15           448.05 (3) NONRESIDENT PHYSICIAN LICENSE. Subsections (1) and (2) do not apply  
16 to an applicant for a nonresident physician license. The board shall grant a  
17 nonresident physician license to any person who submits proof that he or she has an  
18 unrestricted physician license in another state and pays the fee in s. 440.08 (2) (a)  
19 58m.

20           **SECTION 5.** 448.05 (7) of the statutes is amended to read:

