

2001 ASSEMBLY BILL 890

March 4, 2002 – Introduced by Representatives RICHARDS, DUFF, VRAKAS, SINICKI, WASSERMAN, M. LEHMAN, BOCK, SHILLING, JESKEWITZ, URBAN, LASSA, OWENS, MILLER, GUNDERSON, CARPENTER, RYBA and BERCEAU, cosponsored by Senator GROBSCHMIDT. Referred to Committee on Education Reform.

1 **AN ACT** *to renumber and amend* 146.89 (1); *to amend* 146.89 (2) (a), 146.89
2 (2) (c), 146.89 (2) (d), 146.89 (3) (b) (intro.), 146.89 (3) (c) and 146.89 (3) (d)
3 (intro.); and *to create* 146.89 (1) (g), 146.89 (1) (h) and 146.89 (3m) of the
4 statutes; **relating to:** expanding the volunteer health care provider program
5 to include provision of services in public elementary and secondary schools.

Analysis by the Legislative Reference Bureau

Under current law, if the department of administration (DOA) has approved a joint application of a health care provider and a nonprofit agency, the health care provider acting within the scope of his or her licensure or certification may provide, without charge to low-income, uninsured persons at the agency, diagnostic tests, health education, office visits, patient advocacy, prescriptions, information about available health care resources, referrals to health care specialists, and, for dentists, simple tooth extractions and necessary related suturing. The health care provider, for the provision of these services, is a state agent of the department of health and family services; as such, for a civil action arising out of an act committed in the lawful course of the health care provider's duties, certain time limitations for filing the action apply, legal counsel is provided to the health care provider, judgments against the health care provider are paid by the state, and amounts recoverable are capped at \$250,000.

This bill expands the volunteer health care provider program to authorize provision of services, without charge, in a public elementary or secondary school, if

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DOA approves the joint application of a health care provider and a school board. After providing to the school board proof of satisfactory completion of a course or courses in basic first aid and basic cardiopulmonary resuscitation, the volunteer health care provider may provide without charge to all students of the school, regardless of income, diagnostic tests; health education; information about available health care resources; office visits; patient advocacy; referrals to health care specialists; first aid for illness or injury; in compliance with the written instructions of a pupil's parent or guardian, the administration of any drug that may lawfully be sold over the counter; health screenings; and any other health care services designated by the department of public instruction.

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.** 146.89 (1) of the statutes is renumbered 146.89 (1) (intro.) and
2 amended to read:

3 146.89 (1) (intro.) In this section, ~~“volunteer;~~

4 (r) “Volunteer health care provider” means an individual who is licensed as a
5 physician under ch. 448, dentist under ch. 447, registered nurse, practical nurse, or
6 nurse–midwife under ch. 441, optometrist under ch. 449, or physician assistant
7 under ch. 448 or certified as a dietitian under subch. V of ch. 448 and who receives
8 no income from the practice of that health care profession or who receives no income
9 from the practice of that health care profession when providing services at the
10 nonprofit agency or school specified under sub. (3).

11 **SECTION 2.** 146.89 (1) (g) of the statutes is created to read:

12 146.89 (1) (g) “School” means a public elementary or secondary school.

13 **SECTION 3.** 146.89 (1) (h) of the statutes is created to read:

14 146.89 (1) (h) “School board” has the meaning given in s. 115.001 (7).

15 **SECTION 4.** 146.89 (2) (a) of the statutes is amended to read:

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

6 **SECTION 5.** 146.89 (2) (c) of the statutes is amended to read:

7 146.89 (2) (c) The department of administration shall notify the volunteer
8 health care provider and the nonprofit agency or school board of the department's
9 decision to approve or disapprove the application.

10 **SECTION 6.** 146.89 (2) (d) of the statutes is amended to read:

11 146.89 (2) (d) Approval of an application of a volunteer health care provider is
12 valid for one year. If a volunteer health care provider wishes to renew approval, he
13 or she shall submit a joint renewal application with a nonprofit agency or school
14 board to the department of administration. The department of administration shall
15 provide renewal application forms that are developed by the department of health
16 and family services and that include questions about the activities that the
17 individual has undertaken as a volunteer health care provider in the previous 12
18 months.

19 **SECTION 7.** 146.89 (3) (b) (intro.) of the statutes is amended to read:

20 146.89 (3) (b) (intro.) ~~The~~ Under this section, the nonprofit agency may provide
21 the following health care services:

22 **SECTION 8.** 146.89 (3) (c) of the statutes is amended to read:

23 146.89 (3) (c) ~~The~~ Under this section, the nonprofit agency may not provide
24 emergency medical services, hospitalization, or surgery, except as provided in par.
25 (b) 8.

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1 **SECTION 9.** 146.89 (3) (d) (intro.) of the statutes is amended to read:

2 146.89 (3) (d) (intro.) The Under this section, the nonprofit agency shall provide
3 health care services primarily to low-income persons who are uninsured and who are
4 not recipients of any of the following:

5 **SECTION 10.** 146.89 (3m) of the statutes is created to read:

6 146.89 (3m) All of the following apply to a volunteer health care provider whose
7 joint application with a school board is approved under sub. (2):

8 (a) Before providing health care services in a school, the volunteer health care
9 provider shall provide to the school board proof of satisfactory completion of a course
10 or courses in basic first aid and basic cardiopulmonary resuscitation taught by an
11 individual, organization, or institution of higher education approved by the
12 department.

13 (b) Under this section, the volunteer health care provider may provide the
14 following health care services:

15 1. The health care services specified in sub. (3) (b) 1. to 5. and 7.

16 2. First aid for illness or injury.

17 3. The administration of drugs, as specified in s. 118.29 (2) (a) 1.

18 4. Health screenings.

19 5. Any other health care services designated by the department of public
20 instruction by rule.

21 (c) Under this section, the volunteer health care provider may not provide
22 emergency medical services, hospitalization, or surgery, except as provided in par.
23 (b) 2. and 5.

24 (d) Any health care services provided under par. (b) shall be provided without
25 charge at the school and shall be available to all students regardless of income.

