

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB725)

Received: 02/06/2002

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Frank Lasee (608) 266-9870**

By/Representing: **lance**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Defining practice of nurse-midwifery to include home births

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kunkemd 02/06/2002	gilfokm 02/06/2002	kfollet 02/06/2002	_____	lrb_docadmin 02/06/2002	lrb_docadmin 02/06/2002	

FF Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB725)

Received: 02/06/2002

Received By: kunkemd

Wanted: As time permits

Identical to LRB:

For: Frank Lasee (608) 266-9870

By/Representing: lance

This file may be shown to any legislator: NO

Drafter: kunkemd

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - misc

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Defining practice of nurse-midwifery to include home births

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	kunkemd	1/1-2/6 KMG	1/8/1 2/6	self 2/6			

FE Sent For:

<END>



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa1259/1

MDK:.....

king

D-NOTE

ASSEMBLY AMENDMENT,
TO 2001 ASSEMBLY BILL 725

Tomorrow
10:00 am

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 3, line 10: after "childbirth," insert "including home births."

3 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1259/1dn

MDK: /:....
img

Representative Lasee:

I don't think that this amendment accomplishes your intent. Although it defines the practice of nurse-midwifery to include home births, it does not affect the prohibition under current law that the practice of nurse-midwifery may take place only in a health care facility approved by the board of nursing. A home is not a health care facility. Further, based on the plain meaning of the term, I don't think that the board can promulgate rules that define "health care facility" to include a home.

As an alternative, you could amend the bill so that home births are allowed only if the board promulgates rules that allow home births. Please let me know if you want to pursue this option.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1259/1dn
MDK:kmg:kjf

February 6, 2002

Representative Lasee:

I don't think that this amendment accomplishes your intent. Although it defines the practice of nurse-midwifery to include home births, it does not affect the prohibition under current law that the practice of nurse-midwifery may take place only in a health care facility approved by the board of nursing. A home is not a health care facility. Further, based on the plain meaning of the term, I don't think that the board can promulgate rules that define "health care facility" to include a home.

As an alternative, you could amend the bill so that home births are allowed only if the board promulgates rules that allow home births. Please let me know if you want to pursue this option.

Mark D. Kunkel
Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.state.wi.us