

2001 DRAFTING REQUEST

Bill

Received: **01/03/2001**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Himself**

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

Drafter: **kunkemd**

May Contact:

Addl. Drafters:

Subject: **Education - miscellaneous
Health - miscellaneous**

Extra Copies:

Submit via email: **NO**

Requester's email:

Pre Topic:

No specific pre topic given

Topic:

Administration of drugs to pupils by advance practice nurse prescribers

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>
/?	kunkemd 01/03/2001	jdye 01/13/2001		_____			
/1	kunkemd 03/07/2001	jdye 03/08/2001	pgreensl 01/30/2001	_____	lrb_docadmin 01/30/2001		
/2	kunkemd 03/12/2001	csicilia 03/12/2001	jfrantze 03/08/2001	_____	lrb_docadmin 03/08/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/3	kunkemd 04/04/2001	jdyer 04/05/2001	martykr 03/13/2001	_____	lrb_docadmin 03/13/2001	lrb_docadmin 03/13/2001	
/4			martykr 04/05/2001	_____	lrb_docadmin 04/05/2001	lrb_docadmin 04/05/2001	

FE Sent For:

<END>

Not
Needed

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/3		14 4/5 JLD martykr 03/13/2001			lrb_docadmin 03/13/2001	lrb_docadmin 03/13/2001	

KF 4/8 *KF 4/8*
Rm 4/8 *Rm 4/8*

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/2		13 ijs 3/12 01	jfrantze 03/08/2001	_____	lrb_docadmin 03/08/2001		

FE Sent For:

km 3/13 *ST 3/13*

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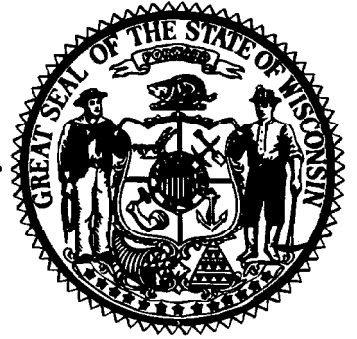
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FE Sent For:

<END>

-1755

FRED A. RISSER
President
Wisconsin State Senate



To: Mark Kunkel

From: Senate President Fred Risser

Date: January 2, 2001

RE: 1999 LRB 4808

I am writing to request that 1999 LRB 4808 be re-drafted for introduction during the 2001 Legislative Session. 1999 LRB 4808 relates to providing civil immunity for administration of drugs to pupils in compliance with the instructions of advance practice nurse practitioners. I have enclosed a copy of the 1999 bill for your reference.

If you should have any questions, please contact Sarah Briganti in my office at 266-1627.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-4808/1
MDK;jlg:km

1999 BILL

1 **AN ACT to amend 118.29 (1) (e) of the statutes; relating to: civil immunity for**
2 **administration of drugs to pupils in compliance with instructions of advance**
3 **practice nurse prescribers.**

Analysis by the Legislative Reference Bureau

Under current law, certain school employes and volunteers, school bus operators and other individuals are immune from civil liability for administering prescription drugs to pupils if certain requirements are satisfied. For the immunity to apply, a pupil's parent or guardian must consent in writing to the administration of the prescription drug. In addition, the prescription drug must be administered in compliance with the written instructions of a practitioner. Current law defines "practitioner" as a physician, dentist or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an advanced practice nurse prescriber who is licensed in any state.

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

4 **SECTION 1.** 118.29 (1) (e) of the statutes is amended to read:

D-NOTE

jld
-1755/1

1999 SENATE BILL 519

2001 BILL

PM
NOT
RUN

March 29, 2000 - Introduced by Senators RISSER, HUELSMAN and RUDE, cosponsored by Representatives BOCK, POCAN, MUSSER, UNDERHEIM and MILLER. Referred to Committee on Education.

Regen

1 AN ACT to amend 118.29 (1) (e) of the statutes; relating to: civil immunity for
2 administration of drugs to pupils in compliance with instructions of advance
3 practice nurse prescribers. ✓

Analysis by the Legislative Reference Bureau

* Under current law, certain school employees and volunteers, school bus
* operators and other individuals are immune from civil liability for administering
prescription drugs to pupils if certain requirements are satisfied. For the immunity
to apply, a pupil's parent or guardian must consent in writing to the administration
of the prescription drug. In addition, the prescription drug must be administered in
* compliance with the written instructions of a practitioner. Current law defines
"practitioner" as a physician, dentist, or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an
advanced practice nurse prescriber who is licensed in any state.

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

4 SECTION 1. 118.29 (1) (e) ^X of the statutes is amended to read:

SENATE BILL 519

118.29 (1) (e) "Practitioner" means any physician, dentist, advanced practice nurse prescriber or podiatrist licensed in any state.

(END)

PWF
1
2
3

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

LRB-1755/1dn

MDK: [^]...

jd

Senator Risser:

This bill is identical to 1999 Senate Bill 519.

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**

LRB-1755/1dn
MDK:jld:pg

January 30, 2001

Senator Risser:

This bill is identical to 1999 Senate Bill 519.

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

Kunkel, Mark

From: Briganti, Sarah
Sent: Wednesday, March 07, 2001 4:15 PM
To: Kunkel, Mark
Subject: RE: LRB 1755

Mark,

After some discussion, we would like to see the language changed to "relating to administering drugs to pupils in compliance with instructions of advanced nurse prescribers".

Thanks again for your suggestions.

Sarah

-----Original Message-----

From: Kunkel, Mark
Sent: Tuesday, March 06, 2001 3:52 PM
To: Briganti, Sarah
Subject: RE: LRB 1755

Sarah:

I can't change the relating clause as suggested below, because it doesn't say what the bill does. The definition is important as it relates to the immunity issue. I could change the relating clause so that it reads "relating to civil immunity for administration of drugs to pupils in compliance with instructions of practitioners". Or I could even change it to "relating to administering drugs to pupils in compliance with instructions of advance practice nurse prescribers" or "relating to administering drugs to pupils in compliance with instructions of practitioners".

What do you think?

Mark Kunkel
Legislative Attorney
Legislative Reference Bureau
(608) 266-0131 mark.kunkel@legis.state.wi.us

-----Original Message-----

From: Briganti, Sarah
Sent: Tuesday, March 06, 2001 3:39 PM
To: Kunkel, Mark
Subject: LRB 1755

Mark,

The person who requested the draft of LRB 1755, representing the School Nurses Association (RE: Advanced Practice Nurse Prescribers) came to me with one change regarding the wording of the Relating Clause. The School Nurses Association is concerned that it addresses the immunity issue more than the change in definition to include Advance Practice Nurse Prescribers (APNP). The goal is to include them under the definition of practitioner under Section 118.29.

If possible, we would like to see the relating clause reworded to the following:
"An act to amend 118.29 (1) (e) of the statutes; relating to: **the definition of practitioner under Section 118.29 of the Wisconsin Statutes.**"

Please let me know if this is workable, or if changing the relating clause will cause problems with the intent of the bill.

Thank you.

Sarah Briganti
Office of Senator Risser

D-NOTE

2

2001 BILL

1 AN ACT to amend 118.29 (1) (e) of the statutes; relating to: ~~immunity for~~
 2 ~~administration of~~ drugs to pupils in compliance with instructions of advance
 3 practice nurse prescribers.

administering
Regen

Analysis by the Legislative Reference Bureau

Under current law, certain school employees and volunteers, school bus operators, and other individuals are immune from civil liability for administering prescription drugs to pupils if certain requirements are satisfied. For the immunity to apply, a pupil's parent or guardian must consent in writing to the administration of the prescription drug. In addition, the prescription drug must be administered in compliance with the written instructions of a practitioner. Current law defines "practitioner" as a physician, dentist, or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an advanced practice nurse prescriber who is licensed in any state.

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

4 SECTION 1. 118.29 (1) (e) of the statutes is amended to read:

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1755/2dn

MDK: [^].....

Jld

Senator Risser:

This bill is identical to the previous version, except for a change in the relating clause.

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**

LRB-1755/2dn
MDK:jld:jf

March 8, 2001

Senator Risser:

This bill is identical to the previous version, except for a change in the relating clause.

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



2001 BILL

3/12/01

Mark,

Just one typo here. Thought I'd return because I wasn't sure if it would affect the advanced bill.

Sarah Briganti

1 AN ACT to amend 118.29 (1) (c) of the statutes; relating to: administering drugs
2 to pupils in compliance with instructions of advance practice nurse prescribers.

Analysis by the Legislative Reference Bureau

Under current law, certain school employees and volunteers, school bus operators, and other individuals are immune from civil liability for administering prescription drugs to pupils if certain requirements are satisfied. For the immunity to apply, a pupil's parent or guardian must consent in writing to the administration of the prescription drug. In addition, the prescription drug must be administered in compliance with the written instructions of a practitioner. Current law defines "practitioner" as a physician, dentist, or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an advanced practice nurse prescriber who is licensed in any state.

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

3 SECTION 1. 118.29 (1) (e) of the statutes is amended to read:
4 118.29 (1) (e) "Practitioner" means any physician, dentist, advanced practice
5 nurse prescriber, or podiatrist licensed in any state.

6 (END)

D-NOTE

3
FCS

TUES.
3/13

2001 BILL

advanced

1
2

AN ACT to amend 118.29 (1) (e) of the statutes; relating to: administering drugs to pupils in compliance with instructions of ~~advance~~ practice nurse prescribers.

Analysis by the Legislative Reference Bureau

Under current law, certain school employees and volunteers, school bus operators, and other individuals are immune from civil liability for administering prescription drugs to pupils if certain requirements are satisfied. For the immunity to apply, a pupil's parent or guardian must consent in writing to the administration of the prescription drug. In addition, the prescription drug must be administered in compliance with the written instructions of a practitioner. Current law defines "practitioner" as a physician, dentist, or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an advanced practice nurse prescriber who is licensed in any state.

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

SECTION 1. 118.29 (1) (e) of the statutes is amended to read:

118.29 (1) (e) "Practitioner" means any physician, dentist, advanced practice nurse prescriber, or podiatrist licensed in any state.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1755/3dn

MDK:.....

cjs

Senator Risser:

This bill is identical to the previous version, except it corrects a mistake in the relating clause.

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**

LRB-1755/3dn
MDK:cjs:km

March 13, 2001

Senator Risser:

This bill is identical to the previous version, except it corrects a mistake in the relating clause.

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



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

MAR 13 2001

March 13, 2001

MEMORANDUM

To: Senator Risser

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-1755 Administration of drugs to pupils by advance practice nurse prescribers

*OK on draft.
advanced*

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

___ JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.

4

2001 BILL

Bu MONDAY
4/9

practitioners

Regen

1 AN ACT to amend 118.29 (1) (e) of the statutes; relating to: administering drugs
 2 to pupils in compliance with instructions of ~~advanced practice nurse~~
 3 ~~prescribers~~ ~~and~~ ~~keep period~~

Analysis by the Legislative Reference Bureau

Under current law, certain school employees and volunteers, school bus operators, and other individuals are immune from civil liability for administering prescription drugs to pupils if certain requirements are satisfied. For the immunity to apply, a pupil's parent or guardian must consent in writing to the administration of the prescription drug. In addition, the prescription drug must be administered in compliance with the written instructions of a practitioner. Current law defines "practitioner" as a physician, dentist, or podiatrist licensed in any state.

This bill changes the definition of "practitioner" so that it also includes an advanced practice nurse prescriber who is licensed in any state.

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

4 SECTION 1. 118.29 (1) (e) of the statutes is amended to read:

optometrist, physician assistant, or

BILL

1 118.29 (1) (e) "Practitioner" means any physician, dentist, advanced practice
2 nurse prescriber, or podiatrist licensed in any state.

3 (END)

✓ optometrist, physician assistant,