

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0942/1dn
MDK:kmg:pg

December 20, 2000

Representative Jensen:

Please review this bill, which is based on 1993 LRBs0399/2, very carefully to make sure that it achieves your intent. In particular, please note the following:

1. The \$56 renewal fee is based on DORL's most recent fee study for the upcoming budget.
2. The bill includes licensed perfusionists under s. 146.997 (1) (d) 4., stats. As a result, a licensed perfusionist has the same protections as other health care professionals regarding the reporting of violations of state law. Is this okay?
3. Is the amendment of s. 448.03 (2) (k), stats., okay?
4. "Perfusionist" is defined as a person who practices perfusion, rather than a person who is licensed by the board to practice perfusion. Without this change, other provisions of subch. II of ch. 448 would not make sense (see, for example, the exemption from licensure for a "perfusionist" of the armed services).
5. Proposed s. 448.05 (3) refers to the Accreditation Committee for Perfusion Education of the Commission on Accreditation of Allied Health Education Programs or its successor. Are the names correct? Note also that I assume that the Accreditation Committee for Perfusion Education is a lesser-included entity of the Commission on Accreditation of Allied Health Education Programs. Is this correct? On a related point, please check the reference to the commission in the waiver-of-licensure requirements in the nonstatutory provisions of the bill.
6. The general effective date of the bill is delayed until the first day of the 8th month after publication. I selected 8 months because it is twice the 4 months required for initial appointments to the examining council. Please contact me if you want any changes to the delayed effective date.
7. I changed the first alternative under the waiver-of-licensure requirements so that an individual need only submit evidence that, on January 1, 2003, his or her primary occupation was performing perfusion during cardiopulmonary surgery at a health care facility licensed in the United States. I eliminated the requirement that the individual also submit evidence that he or she performed perfusion at a licensed health care facility at any time during the period beginning on January 1, 1998, and ending on January 1, 2003. I don't think that the eliminated requirement makes much of a

substantive difference. For example, an individual who performed perfusion on only a single occasion during this time period would satisfy the requirement. Please contact me if you want any changes.

8. A person who is issued a license under the bill will be required to renew the license and pay a renewal fee every 2 years. The first renewal fee is due on November 1, 2003. I created a nonstatutory provision that requires DORL to reduce the amount of the first renewal fee if the bill has not been in effect for 2 years prior to November 1, 2003. The reason for the reduction is that it doesn't seem appropriate to require a person to pay the full amount of the renewal fee if the bill has not been in effect for 2 years. Is this okay?

9. You might want to consider changing the name of the council from "perfusionists examining council" to "council on perfusionists". The reason is that the council's role is not limited to advising the medical examining board on the examination of perfusionists. (However, other councils are called examining councils even though they consult on more than examinations.) Also, please make sure that the council's role is correctly stated in the bill. Proposed s. 15.407 (2m) states that the council serves the medical examining board in an advisory capacity and proposed s. 448.40 (2) (b) requires the medical examining board to consult with the council in promulgating rules on scope of practice. However, note that proposed s. 448.40 (2) (c) does not require the medical examining board to consult with the council in promulgating continuing education rules. Are these provisions okay?

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