



D-NOTE

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GEN

1 AN ACT ...; relating to: statutory references to persons licensed to practice
2 chiropractic.

Analysis by the Legislative Reference Bureau

Under current law, a person who is licensed by the chiropractic examining board to practice chiropractic is referred to as a "chiropractor". Under this bill, such a person is referred to as a "chiropractic physician".

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

3 SECTION 1. 29.171 (4) (a) 5. of the statutes is amended to read:
4 29.171 (4) (a) 5. Has a permanent substantial loss of function in one or both
5 shoulders and fails to meet the minimum standards of the standard shoulder
6 strength tests, administered under the direction of a licensed physician or a licensed
7 ~~chiropractor~~ chiropractic physician.

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109.

8 SECTION 2. 29.171 (4) (c) of the statutes is amended to read:

1 29.171 (4) (c) The department may issue a crossbow permit to an applicant who
2 is ineligible for a permit under par. (a) or who is denied a permit under par. (a) if, upon
3 review and after considering the physical condition of the applicant and the
4 recommendation of a licensed physician or licensed ~~chiropractor~~ chiropractic
5 physician selected by the applicant from a list of licensed physicians and licensed
6 ~~chiropractors~~ chiropractic physicians compiled by the department, the department
7 finds that issuance of a permit complies with the intent of this subsection. The use
8 of this review procedure is discretionary with the department and all costs of the
9 review procedure shall be paid by the applicant.

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109. ✓

10 **SECTION 3.** 29.193 (2) (b) 2. of the statutes is amended to read:

11 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
12 and furnished by the department, which shall include a written statement or report
13 prepared and signed by a licensed physician or licensed ~~chiropractor~~ chiropractic
14 physician, prepared no more than 6 months preceding the application and verifying
15 that the applicant is physically disabled.

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

16 **SECTION 4.** 29.193 (2) (c) 3. of the statutes is amended to read:

17 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
18 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
19 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
20 applicant and the recommendation of a licensed physician or licensed ~~chiropractor~~
21 chiropractic physician selected by the applicant from a list of licensed physicians and
22 licensed ~~chiropractors~~ chiropractic physicians compiled by the department, the
23 department finds that issuance of a permit complies with the intent of this

1 subsection. The use of this review procedure is discretionary with the department
2 and all costs of the review procedure shall be paid by the applicant.

3 **History:** 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

3 **SECTION 5. 29.193 (2) (e) of the statutes is amended to read:**

4 **29.193 (2) (e) *Review of decisions.*** An applicant denied a permit under this
5 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
6 a licensed physician or a licensed ~~chiropractor~~ chiropractic physician designated by
7 the department and with an office located in the department district in which the
8 applicant resides. The department shall pay for the cost of a review under this
9 paragraph unless the denied application on its face fails to meet the standards set
10 forth in par. (c) 1. or 2. A review under this paragraph is the only method of review
11 of a decision to deny a permit under this subsection and is not subject to further
12 review under ch. 227.

13 **History:** 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

13 **SECTION 6. 48.981 (2) (a) 6. of the statutes is amended to read:**

14 **48.981 (2) (a) 6. A ~~chiropractor~~ chiropractic physician.**

15 **History:** Sup. Ct. Order, 59 Wis. 2d R1, R3 (1973); 1977 c. 355; 1977 c. 447 s. 210; 1979 c. 300; 1983 a. 172, 190, 299, 538; 1985 a. 29 ss. 917 to 930m, 3200 (56); 1985
a. 176, 234; 1987 a. 27, 186, 209; 1987 a. 332 s. 64; 1987 a. 334, 355, 399, 403; 1989 a. 31, 41, 102, 316, 359; 1991 a. 160, 263; 1993 a. 16, 105, 218, 227, 230, 246, 272, 318,
395, 443, 446, 491; 1995 a. 275, 289, 369, 456; 1997 a. 27, 114, 292, 293; 1999 a. 9, 20, 32, 56, 84, 149, 192; 2001 a. 16, 38, 59, 69, 70, 103, 105.

15 **SECTION 7. 49.45 (9) of the statutes is amended to read:**

16 **49.45 (9) FREE CHOICE.** Any person eligible for medical assistance under ss.
17 49.46, 49.468 and 49.47 may use the physician, ~~chiropractor~~ chiropractic physician,
18 dentist, pharmacist, hospital, skilled nursing home, health maintenance
19 organization, limited service health organization, preferred provider plan or other
20 licensed, registered or certified provider of health care of his or her choice, except that
21 free choice of a provider may be limited by the department if the department's
22 alternate arrangements are economical and the recipient has reasonable access to
23 health care of adequate quality. The department may also require a recipient to

1 designate, in any or all categories of health care providers, a primary health care
 2 provider of his or her choice. After such a designation is made, the recipient may not
 3 receive services from other health care providers in the same category as the primary
 4 health care provider unless such service is rendered in an emergency or through
 5 written referral by the primary health care provider. Alternate designations by the
 6 recipient may be made in accordance with guidelines established by the department.
 7 Nothing in this subsection shall vitiate the legal responsibility of the physician,
 8 ~~chiropractor~~ chiropractic physician, dentist, pharmacist, skilled nursing home,
 9 hospital, health maintenance organization, limited service health organization,
 10 preferred provider plan or other licensed, registered or certified provider of health
 11 care to patients. All contract and tort relationships with patients shall remain,
 12 notwithstanding a written referral under this section, as though dealings are direct
 13 between the physician, ~~chiropractor~~ chiropractic physician, dentist, pharmacist,
 14 skilled nursing home, hospital, health maintenance organization, limited service
 15 health organization, preferred provider plan or other licensed, registered or certified
 16 provider of health care and the patient. No physician, ~~chiropractor~~ chiropractic
 17 physician, pharmacist or dentist may be required to practice exclusively in the
 18 medical assistance program.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. G; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109.

19 **SECTION 8.** 49.46 (2) (b) 4. of the statutes is amended to read:

20 **49.46 (2) (b) 4.** ~~Chiropractors'~~ Chiropractic physicians' services.

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237; 1999 a. 9; 2001 a. 16.

21 **SECTION 9.** 102.13 (1) (a) of the statutes is amended to read:

1 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed
2 by an employee, the employee shall, upon the written request of the employee's
3 employer or worker's compensation insurer, submit to reasonable examinations by
4 physicians, ~~chiropractors~~ chiropractic physicians, psychologists, dentists or
5 podiatrists provided and paid for by the employer or insurer. No employee who
6 submits to an examination under this paragraph is a patient of the examining
7 physician, ~~chiropractor~~ chiropractic physician, psychologist, dentist or podiatrist for
8 any purpose other than for the purpose of bringing an action under ch. 655, unless
9 the employee specifically requests treatment from that physician, ~~chiropractor~~
10 chiropractic physician, psychologist, dentist or podiatrist.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

11 **SECTION 10.** 102.13 (1) (b) (intro.) of the statutes is amended to read:

12 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee
13 submit to reasonable examination under par. (a) or (am) shall tender to the employee,
14 before the examination, all necessary expenses including transportation expenses.
15 The employee is entitled to have a physician, ~~chiropractor~~ chiropractic physician,
16 psychologist, dentist or podiatrist provided by himself or herself present at the
17 examination and to receive a copy of all reports of the examination that are prepared
18 by the examining physician, ~~chiropractor~~ chiropractic physician, psychologist,
19 podiatrist, dentist or vocational expert immediately upon receipt of those reports by
20 the employer or worker's compensation insurer. The employee is also entitled to have
21 a translator provided by himself or herself present at the examination if the
22 employee has difficulty speaking or understanding the English language. The

1 employer's or insurer's written request for examination shall notify the employee of
2 all of the following:

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

3 SECTION 11. 102.13 (1) (b) 1. of the statutes is amended to read:

4 102.13 (1) (b) 1. The proposed date, time and place of the examination and the
5 identity and area of specialization of the examining physician, ~~chiropractor~~
6 chiropractic physician, psychologist, dentist, podiatrist or vocational expert.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

7 SECTION 12. 102.13 (1) (b) 3. of the statutes is amended to read:

8 102.13 (1) (b) 3. The employee's right to have his or her physician, ~~chiropractor~~
9 chiropractic physician, psychologist, dentist or podiatrist present at the
10 examination.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

11 SECTION 13. 102.13 (1) (b) 4. of the statutes is amended to read:

12 102.13 (1) (b) 4. The employee's right to receive a copy of all reports of the
13 examination that are prepared by the examining physician, ~~chiropractor~~
14 chiropractic physician, psychologist, dentist, podiatrist or vocational expert
15 immediately upon receipt of these reports by the employer or worker's compensation
16 insurer.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

17 SECTION 14. 102.13 (1) (d) 1. of the statutes is amended to read:

18 102.13 (1) (d) 1. Any physician, ~~chiropractor~~ chiropractic physician,
19 psychologist, dentist, podiatrist or vocational expert who is present at any
20 examination under par. (a) or (am) may be required to testify as to the results thereof.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

21 SECTION 15. 102.13 (1) (d) 2. of the statutes is amended to read:

1 102.13 (1) (d) 2. Any physician, ~~chiropractor~~ chiropractic physician,
2 psychologist, dentist or podiatrist who attended a worker's compensation claimant
3 for any condition or complaint reasonably related to the condition for which the
4 claimant claims compensation may be required to testify before the department
5 when it so directs.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

6 **SECTION 16.** 102.13 (1) (d) 3. of the statutes is amended to read:

7 102.13 (1) (d) 3. Notwithstanding any statutory provisions except par. (e), any
8 physician, ~~chiropractor~~ chiropractic physician, psychologist, dentist or podiatrist
9 attending a worker's compensation claimant for any condition or complaint
10 reasonably related to the condition for which the claimant claims compensation may
11 furnish to the employee, employer, worker's compensation insurer, or the
12 department information and reports relative to a compensation claim.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

13 **SECTION 17.** 102.13 (1) (d) 4. of the statutes is amended to read:

14 102.13 (1) (d) 4. The testimony of any physician, ~~chiropractor~~ chiropractic
15 physician, psychologist, dentist or podiatrist who is licensed to practice where he or
16 she resides or practices in any state and the testimony of any vocational expert may
17 be received in evidence in compensation proceedings.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

18 **SECTION 18.** 102.13 (2) (a) of the statutes is amended to read:

19 102.13 (2) (a) An employee who reports an injury alleged to be work-related
20 or files an application for hearing waives any physician-patient,
21 psychologist-patient or ~~chiropractor-patient~~ chiropractic physician-patient
22 privilege with respect to any condition or complaint reasonably related to the
23 condition for which the employee claims compensation. Notwithstanding ss. 51.30

1 and 146.82 and any other law, any physician, ~~chiropractor~~ chiropractic physician,
2 psychologist, dentist, podiatrist, hospital or health care provider shall, within a
3 reasonable time after written request by the employee, employer, worker's
4 compensation insurer or department or its representative, provide that person with
5 any information or written material reasonably related to any injury for which the
6 employee claims compensation.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236(3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

7 **SECTION 19.** 102.13 (2) (b) of the statutes is amended to read:

8 102.13 (2) (b) A physician, ~~chiropractor~~ chiropractic physician, podiatrist,
9 psychologist, dentist, hospital or health service provider shall furnish a legible,
10 certified duplicate of the written material requested under par. (a) upon payment of
11 the actual costs of preparing the certified duplicate, not to exceed the greater of 45
12 cents per page or \$7.50 per request, plus the actual costs of postage. Any person who
13 refuses to provide certified duplicates of written material in the person's custody that
14 is requested under par. (a) shall be liable for reasonable and necessary costs and,
15 notwithstanding s. 814.04 (1), reasonable attorney fees incurred in enforcing the
16 requester's right to the duplicates under par. (a).

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236(3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

17 **SECTION 20.** 102.13 (3) of the statutes is amended to read:

18 102.13 (3) If 2 or more physicians, ~~chiropractors~~ chiropractic physicians,
19 psychologists, dentists or podiatrists disagree as to the extent of an injured
20 employee's temporary disability, the end of an employee's healing period, an
21 employee's ability to return to work at suitable available employment or the
22 necessity for further treatment or for a particular type of treatment, the department
23 may appoint another physician, ~~chiropractor~~ chiropractic physician, psychologist,

1 dentist or podiatrist to examine the employee and render an opinion as soon as
2 possible. The department shall promptly notify the parties of this appointment. If
3 the employee has not returned to work, payment for temporary disability shall
4 continue until the department receives the opinion. The employer or its insurance
5 carrier or both shall pay for the examination and opinion. The employer or insurance
6 carrier or both shall receive appropriate credit for any overpayment to the employee
7 determined by the department after receipt of the opinion.

History: 1973 c. 272, 282; 1975 c. 147; 1977 c. 29; 1979 c. 102 s. 236 (3); 1979 c. 278; 1981 c. 92; 1983 a. 98, 279; 1985 a. 83; 1987 a. 179; 1989 a. 64, 359; 1991 a. 85; 1993 a. 81; 1997 a. 38.

8 **SECTION 21.** 102.17 (1) (d) of the statutes is amended to read:

9 102.17 (1) (d) The contents of certified medical and surgical reports by
10 physicians, podiatrists, surgeons, dentists, psychologists and ~~chiropractors~~
11 chiropractic physicians licensed in and practicing in this state and of certified reports
12 by experts concerning loss of earning capacity under s. 102.44 (2) and (3), presented
13 by a party for compensation constitute prima facie evidence as to the matter
14 contained in them, subject to any rules and limitations the department prescribes.
15 Certified reports of physicians, podiatrists, surgeons, dentists, psychologists and
16 ~~chiropractors~~ chiropractic physicians, wherever licensed and practicing, who have
17 examined or treated the claimant, and of experts, if the practitioner or expert
18 consents to subject himself or herself to cross-examination also constitute prima
19 facie evidence as to the matter contained in them. Certified reports of physicians,
20 podiatrists, surgeons, psychologists and ~~chiropractors~~ chiropractic physicians are
21 admissible as evidence of the diagnosis, necessity of the treatment and cause and
22 extent of the disability. Certified reports by doctors of dentistry are admissible as
23 evidence of the diagnosis and necessity for treatment but not of disability. Any
24 physician, podiatrist, surgeon, dentist, psychologist, ~~chiropractor~~ chiropractic

1 physician or expert who knowingly makes a false statement of fact or opinion in such
2 a certified report may be fined or imprisoned, or both, under s. 943.395. The record
3 of a hospital or sanatorium in this state operated by any department or agency of the
4 federal or state government or by any municipality, or of any other hospital or
5 sanatorium in this state which is satisfactory to the department, established by
6 certificate, affidavit or testimony of the supervising officer or other person having
7 charge of such records, or of a physician, podiatrist, surgeon, dentist, psychologist or
8 ~~chiropractor~~ chiropractic physician to be the record of the patient in question, and
9 made in the regular course of examination or treatment of such patient, constitutes
10 prima facie evidence in any worker's compensation proceeding as to the matter
11 contained in it, to the extent that it is otherwise competent and relevant. The
12 department may, by rule, establish the qualifications of and the form used for
13 certified reports submitted by experts who provide information concerning loss of
14 earning capacity under s. 102.44 (2) and (3). The department may not admit into
15 evidence a certified report of a practitioner or other expert or a record of a hospital
16 or sanatorium that was not filed with the department and all parties in interest at
17 least 15 days before the date of the hearing, unless the department is satisfied that
18 there is good cause for the failure to file the report.

History: 1971 c. 148; 1971 c. 213 s. 5; 1973 c. 150. 282; Sup. Ct. Order. 67 Wis. 2d 585, 774 (1975); 1975 c. 147 ss. 20, 54; 1975 c. 100, 200; 1977 c. 20, 195, 273; 1979 c. 278; 1981 c. 92, 314; 1981 c. 317 s. 2202; 1981 c. 380; 1981 c. 391 s. 211; 1985 a. 83; 1989 a. 64, 139, 359; 1991 a. 85; 1993 a. 81, 492; 1995 a. 27, 117; 1997 a. 38, 191, 237; 1999 a. 9; 2001 a. 37.

19 **SECTION 22.** 102.17 (1) (e) of the statutes is amended to read:

20 102.17 (1) (e) The department may, with or without notice to any party, cause
21 testimony to be taken, an inspection of the premises where the injury occurred to be
22 made, or the time books and payrolls of the employer to be examined by any
23 examiner, and may direct any employee claiming compensation to be examined by
24 a physician, ~~chiropractor~~ chiropractic physician, psychologist, dentist, or podiatrist.

1 The testimony so taken, and the results of any such inspection or examination, shall
2 be reported to the department for its consideration upon final hearing. All ex parte
3 testimony taken by the department shall be reduced to writing and any party shall
4 have opportunity to rebut that testimony on final hearing.

History: 1971 c. 148; 1971 c. 213 s. 5; 1973 c. 150, 282; Sup. Ct. Order, 67 Wis. 2d 585, 774 (1975); 1975 c. 147 ss. 20, 54; 1975 c. 199, 200; 1977 c. 29, 195, 273; 1979 c. 278; 1981 c. 92, 314; 1981 c. 317 s. 2202; 1981 c. 380; 1981 c. 391 s. 211; 1985 a. 83; 1989 a. 64, 139, 359; 1991 a. 85; 1993 a. 81, 492; 1995 a. 27, 117; 1997 a. 38, 191, 237; 1999 a. 9; 2001 a. 37.

5 **SECTION 23.** 102.17 (1) (g) of the statutes is amended to read:

6 102.17 (1) (g) Whenever the testimony presented at any hearing indicates a
7 dispute, or is such as to create doubt as to the extent or cause of disability or death,
8 the department may direct that the injured employee be examined or autopsy be
9 performed, or an opinion of a physician, ~~chiropractor~~ chiropractic physician, dentist,
10 psychologist or podiatrist be obtained without examination or autopsy, by an
11 impartial, competent physician, ~~chiropractor~~ chiropractic physician, dentist,
12 psychologist or podiatrist designated by the department who is not under contract
13 with or regularly employed by a compensation insurance carrier or self-insured
14 employer. The expense of such examination shall be paid by the employer or, if the
15 employee claims compensation under s. 102.81, from the uninsured employers fund.
16 The report of such examination shall be transmitted in writing to the department
17 and a copy thereof shall be furnished by the department to each party, who shall have
18 an opportunity to rebut such report on further hearing.

History: 1971 c. 148; 1971 c. 213 s. 5; 1973 c. 150, 282; Sup. Ct. Order, 67 Wis. 2d 585, 774 (1975); 1975 c. 147 ss. 20, 54; 1975 c. 199, 200; 1977 c. 29, 195, 273; 1979 c. 278; 1981 c. 92, 314; 1981 c. 317 s. 2202; 1981 c. 380; 1981 c. 391 s. 211; 1985 a. 83; 1989 a. 64, 139, 359; 1991 a. 85; 1993 a. 81, 492; 1995 a. 27, 117; 1997 a. 38, 191, 237; 1999 a. 9; 2001 a. 37.

19 **SECTION 24.** 102.29 (3) of the statutes is amended to read:

20 102.29 (3) Nothing in this chapter shall prevent an employee from taking the
21 compensation he or she may be entitled to under it and also maintaining a civil action

1 against any physician, ~~chiropractor~~ chiropractic physician, psychologist, dentist or
2 podiatrist for malpractice.

History: 1975 c. 147 ss. 24, 54; 1977 c. 195; 1979 c. 323 s. 33; 1981 c. 92; 1985 a. 83 s. 44; 1985 a. 332 s. 253; 1987 a. 179; 1989 a. 64; 1995 a. 117, 289; 1997 a. 38; 1999 a. 9, 14; 2001 a. 16, 37.

3 **SECTION 25.** 102.42 (2) (a) of the statutes is amended to read:

4 102.42 (2) (a) Where the employer has notice of an injury and its relationship
5 to the employment the employer shall offer to the injured employee his or her choice
6 of any physician, ~~chiropractor~~ chiropractic physician, psychologist, dentist or
7 podiatrist licensed to practice and practicing in this state for treatment of the injury.
8 By mutual agreement, the employee may have the choice of any qualified
9 practitioner not licensed in this state. In case of emergency, the employer may
10 arrange for treatment without tendering a choice. After the emergency has passed
11 the employee shall be given his or her choice of attending practitioner at the earliest
12 opportunity. The employee has the right to a 2nd choice of attending practitioner on
13 notice to the employer or its insurance carrier. Any further choice shall be by mutual
14 agreement. Partners and clinics are deemed to be one practitioner. Treatment by
15 a practitioner on referral from another practitioner is deemed to be treatment by one
16 practitioner.

History: 1971 c. 61; 1973 c. 150, 282; 1975 c. 147; 1977 c. 195 ss. 24 to 28, 45; 1977 c. 273; 1979 c. 278; 1981 c. 20; 1987 a. 179; 1989 a. 64; 1995 a. 27 ss. 3743m, 3744, 9130 (4); 1997 a. 3, 38; 1999 a. 9; 2001 a. 37.

17 **SECTION 26.** 102.61 (1g) (c) of the statutes is amended to read:

18 102.61 (1g) (c) On receiving notice that he or she is eligible to receive vocational
19 rehabilitation services under 29 USC 701 to 797a, an employee shall provide the
20 employer with a written report from a physician, ~~chiropractor~~ chiropractic
21 physician, psychologist, or podiatrist stating the employee's permanent work
22 restrictions. Within 60 days after receiving that report, the employer shall provide
23 to the employee in writing an offer of suitable employment, a statement that the

1 employer has no suitable employment for the employee, or a report from a physician,
2 ~~chiropractor~~ chiropractic physician, psychologist, or podiatrist showing that the
3 permanent work restrictions provided by the employee's practitioner are in dispute
4 and documentation showing that the difference in work restrictions would
5 materially affect either the employer's ability to provide suitable employment or a
6 vocational rehabilitation counselor's ability to recommend a rehabilitative training
7 program. If the employer and employee cannot resolve the dispute within 30 days
8 after the employee receives the employer's report and documentation, the employer
9 or employee may request a hearing before the department to determine the
10 employee's work restrictions. Within 30 days after the department determines the
11 employee's work restrictions, the employer shall provide to the employee in writing
12 an offer of suitable employment or a statement that the employer has no suitable
13 employment for the employee.

14 History: 1975 c. 147; 1985 a. 83, 135; 1993 a. 370; 1995 a. 27 ss. 374⁵, 9126 (19), 9130 (4); 1997 a. 3, 112; 2001 a. 37.

15 **SECTION 27. 118.15 (3) (a)** of the statutes is amended to read:

16 118.15 (3) (a) Any child who is excused by the school board because the child
17 is temporarily not in proper physical or mental condition to attend a school program
18 but who can be expected to return to a school program upon termination or
19 abatement of the illness or condition. The school attendance officer may request the
20 parent or guardian of the child to obtain a written statement from a licensed
21 physician, dentist, ~~chiropractor~~ chiropractic physician, optometrist or psychologist
22 or Christian Science practitioner living and residing in this state, who is listed in the
Christian Science Journal, as sufficient proof of the physical or mental condition of

1 the child. An excuse under this paragraph shall be in writing and shall state the time
2 period for which it is valid, not to exceed 30 days.

History: 1971 c. 40, 125, 154; 1973 c. 89, 243, 319, 332; 1975 c. 39, 199; 1979 c. 221, 298, 300, 355; 1981 c. 20; 1983 a. 512; 1985 a. 29; 1987 a. 36, 285, 399; 1989 a. 31, 336; 1991 a. 39; 1993 a. 223, 399; 1995 a. 27 s. 3945, 9145 (1); 1995 a. 77, 225; 1997 a. 27, 164, 205, 239; 2001 a. 109.

3 SECTION 28. 146.81 (1) (b) of the statutes is amended to read:

4 146.81 (1) (b) A ~~chiropractor~~ chiropractic physician licensed under ch. 446.

History: 1979 c. 221; 1981 c. 39 s. 22; 1983 a. 27; 1983 a. 189 s. 329 (1); 1983 a. 535; 1985 a. 315; 1987 a. 27, 70, 264; 1987 a. 399 ss. 403br. 491r; 1987 a. 403; 1989 a. 31, 168, 199, 200, 229, 316, 359; 1991 a. 39, 160, 269; 1993 a. 27, 32, 105, 112, 183, 385, 443, 496; 1995 a. 27 s. 9145 (1); 1995 a. 77, 98, 352; 1997 a. 27, 67, 75, 156, 175; 1999 a. 9, 32, 151, 180, 188; 2001 a. 38, 70, 74, 80, 89.

5 SECTION 29. 146.997 (1) (d) 2. of the statutes is amended to read:

6 146.997 (1) (d) 2. A ~~chiropractor~~ chiropractic physician licensed under ch. 446.

History: 1999 a. 176, 186; 2001 a. 38, 70, 74, 89, 105.

7 SECTION 30. 155.01 (7) of the statutes is amended to read:

8 155.01 (7) "Health care provider" means a nurse licensed or permitted under
9 ch. 441, a ~~chiropractor~~ chiropractic physician licensed under ch. 446, a dentist
10 licensed under ch. 447, a physician, physician assistant, perfusionist, podiatrist,
11 physical therapist, occupational therapist, or occupational therapy assistant
12 licensed under ch. 448, a person practicing Christian Science treatment, an
13 optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a
14 partnership thereof, a corporation or limited liability company thereof that provides
15 health care services, an operational cooperative sickness care plan organized under
16 ss. 185.981 to 185.985 that directly provides services through salaried employees in
17 its own facility, or a home health agency, as defined in s. 50.49 (1) (a).

NOTE: NOTE: Sub. (7) is shown below as affected by 2001 Wis. Acts 70 and 89, eff. 4-1-04. NOTE:

18 (7) "Health care provider" means a nurse licensed or permitted under ch. 441, a ~~chiropractor~~ licensed under ch. 446, a dentist licensed under ch. 447, a physician,
19 physician assistant, perfusionist, podiatrist, physical therapist, physical therapist assistant, occupational therapist, or occupational therapy assistant licensed under
20 ch. 448, a person practicing Christian Science treatment, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a partnership thereof, a
21 corporation or limited liability company thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985
22 that directly provides services through salaried employees in its own facility, or a home health agency, as defined in s. 50.49 (1) (a).

History: 1989 a. 200; 1991 a. 281; 1993 a. 27, 105, 112, 490; 1995 a. 27 ss. 4395, 9126 (19); 1997 a. 35, 67; 1999 a. 9, 180; 2001 a. 70, 89, 105.

23 SECTION 31. 185.981 (1) of the statutes is amended to read:

24 185.981 (1) Cooperative associations may be organized under this chapter
25 without capital stock, exclusively to establish and operate in the state or in any
26 county or counties therein a nonprofit plan or plans for sickness care, including

1 hospital care, for their members and their dependents through contracts with
2 physicians, medical societies, ~~chiropractors~~ chiropractic physicians, optometrists,
3 dentists, dental societies, hospitals and others.

History: 1971 c. 40 s. 93; 1971 c. 307 s. 118; 1975 c. 98; 1975 c. 223 s. 28; 1975 c. 224 s. 146; 1975 c. 421; 1981 c. 39 s. 22; 1981 c. 205; 1981 c. 391 s. 210; 1985 a. 29; 1985 a. 30 s. 42; 1987 a. 27 ss. 1917e, 3202 (47) (a); 1987 a. 312 s. 17; 1989 a. 121, 129, 200, 201, 336; 1991 a. 39, 123, 269; 1993 a. 27, 450, 481; 1995 a. 27, 118, 289; 1997 a. 27, 155, 237; 1999 a. 95, 115; s. 13.93 (2) (c).

4 **SECTION 32.** 185.981 (2) of the statutes is amended to read:

5 185.981 (2) Such associations shall operate only on a cooperative nonprofit
6 basis and for the purpose of establishing, maintaining and operating a voluntary
7 nonprofit health, dental or vision care plan or plans or for constructing, operating
8 and maintaining nonprofit hospitals or other facilities whereby sickness care,
9 including hospital, dental or vision care, is provided at the expense of such
10 association, its members or both, to such persons or groups of persons as shall become
11 subscribers to such plan, under contracts which will entitle each such subscriber to
12 definite medical, surgical, chiropractic, vision, dental or hospital care, appliances
13 and supplies, by physicians and surgeons licensed and registered under ch. 448,
14 optometrists licensed under ch. 449, ~~chiropractors~~ chiropractic physicians licensed
15 under ch. 446 and dentists licensed under ch. 447 in their offices, in hospitals, in
16 other facilities and in the home.

History: 1971 c. 40 s. 93; 1971 c. 307 s. 118; 1975 c. 98; 1975 c. 223 s. 28; 1975 c. 224 s. 146; 1975 c. 421; 1981 c. 39 s. 22; 1981 c. 205; 1981 c. 391 s. 210; 1985 a. 29; 1985 a. 30 s. 42; 1987 a. 27 ss. 1917e, 3202 (47) (a); 1987 a. 312 s. 17; 1989 a. 121, 129, 200, 201, 336; 1991 a. 39, 123, 269; 1993 a. 27, 450, 481; 1995 a. 27, 118, 289; 1997 a. 27, 155, 237; 1999 a. 95, 115; s. 13.93 (2) (c).

17 **SECTION 33.** 185.981 (3) of the statutes is amended to read:

18 185.981 (3) No cooperative association organized for the purposes provided in
19 ss. 185.981 to 185.983 shall be prevented from contracting with any hospital in this
20 state for the rendition of such hospital care as is included within such a plan because
21 such hospital participates in any other such plan, or in a plan organized and operated
22 under ss. 148.03 and 613.80. No hospital may discriminate against any physician
23 and surgeon, ~~chiropractor~~ chiropractic physician, or dentist with respect to the use

1 of such hospital's facilities by reason of his or her participation in a sickness care plan
2 of a cooperative.

History: 1971 c. 40 s. 93; 1971 c. 307 s. 118; 1975 c. 98; 1975 c. 223 s. 28; 1975 c. 224 s. 146; 1975 c. 421; 1981 c. 39 s. 22; 1981 c. 205; 1981 c. 391 s. 210; 1985 a. 29; 1985 a. 30 s. 42; 1987 a. 27 ss. 1917e, 3202 (47) (a); 1987 a. 312 s. 17; 1989 a. 121, 129, 200, 201, 336; 1991 a. 39, 123, 269; 1993 a. 27, 450, 481; 1995 a. 27, 118, 289; 1997 a. 27, 155, 237; 1999 a. 95, 115; s. 13.93 (2) (c).

3 **SECTION 34. 185.981 (4)** of the statutes is amended to read:

4 185.981 (4) No contract by or on behalf of any such cooperative association shall
5 provide for the payment of any cash, indemnity or other material benefit by that
6 association to the subscriber or the subscriber's estate on account of death, illness or
7 injury, nor be in any way related to the payment of any such benefit by any other
8 agency, but any such association may stipulate in its plan that it will pay any
9 nonparticipating physician and surgeon, optometrist, ~~chiropractor~~ chiropractic
10 physician, dentist or hospital outside of its normal territory for sickness or hospital
11 care rendered any covered member or a member's covered dependent who is in need
12 of the benefits of such plan when he or she is outside of the territory of such
13 association in which the benefits of such plan are normally available. Any such plan
14 may prescribe monetary limitations with respect to such extraterritorial benefits.

History: 1971 c. 40 s. 93; 1971 c. 307 s. 118; 1975 c. 98; 1975 c. 223 s. 28; 1975 c. 224 s. 146; 1975 c. 421; 1981 c. 39 s. 22; 1981 c. 205; 1981 c. 391 s. 210; 1985 a. 29; 1985 a. 30 s. 42; 1987 a. 27 ss. 1917e, 3202 (47) (a); 1987 a. 312 s. 17; 1989 a. 121, 129, 200, 201, 336; 1991 a. 39, 123, 269; 1993 a. 27, 450, 481; 1995 a. 27, 118, 289; 1997 a. 27, 155, 237; 1999 a. 95, 115; s. 13.93 (2) (c).

15 **SECTION 35. 185.982 (1)** of the statutes is amended to read:

16 185.982 (1) No sickness care plan or contract issued thereunder by such
17 cooperative association shall interfere with the manner or mode of the practice of
18 medicine, optometry, chiropractic or dentistry, the relationship of physician,
19 ~~chiropractor~~ chiropractic physician, optometrist or dentist and patient, nor the
20 responsibility of physician, ~~chiropractor~~ chiropractic physician, optometrist or
21 dentist to patient. A plan may require persons covered to utilize health care
22 providers designated by the cooperative association. The cooperative association
23 may provide health care services directly through providers who are employees of the

1 cooperative association or through agreements with individual providers or groups
2 of providers organized on a group practice or individual practice basis. In making
3 such agreements, no plan may refuse to provide coverage for vision care services or
4 procedures provided by an optometrist licensed under ch. 449 within the scope of the
5 practice of optometry, as defined in s. 449.01 (1), if the plan provides coverage for the
6 same services or procedures when provided by another health care provider.

History: 1981 c. 205; 1987 a. 27.

7 **SECTION 36.** 185.982 (2) of the statutes is amended to read:

8 185.982 (2) Any cooperative association operating a voluntary sickness care
9 plan under the provisions of this chapter may pay physicians and surgeons,
10 optometrists, ~~chiropractors~~ chiropractic physicians, or dentists on a salary, per
11 person or fee-for-service basis to provide sickness care to members of such
12 association. Every association shall contract only with its own members for the
13 benefits of any plan which it operates, but any association which operates a hospital
14 may make the facilities thereof available to nonmembers and to nonparticipating
15 physicians, optometrists or dentists.

History: 1981 c. 205; 1987 a. 27.

16 **SECTION 37.** 252.14 (1) (ar) 2. of the statutes is amended to read:

17 252.14 (1) (ar) 2. A ~~chiropractor~~ chiropractic physician licensed under ch. 446.

History: 1989 a. 201; 1991 a. 32, 39, 160, 189, 269, 315; 1993 a. 27 ss. 326 to 331; Stats. 1993 s. 252.14; 1993 a. 105, 190, 252, 443; 1993 a. 490 s. 143; 1993 a. 491, 495;
1995 a. 27 ss. 6322, 9145 (1); 1997 a. 27, 35, 67, 75, 175; 1999 a. 2, 32, 180; 2001 a. 70, 80, 89.

18 **SECTION 38.** 254.35 (3) (b) of the statutes is amended to read:

19 254.35 (3) (b) For a site having an ionizing radiation installation serving
20 physicians and clinics, osteopaths and clinics, ~~chiropractors~~ chiropractic physicians,
21 or hospitals that possesses radioactive materials in any quantity, the fee shall be at
22 least \$36 for each site and at least \$44 for each X-ray tube.

History: 1977 c. 29; 1979 c. 221; 1985 a. 29; 1989 a. 359; 1993 a. 27 s. 229; Stats. 1993 s. 254.35; 1995 a. 27 ss. 6335, 9116 (5); 1999 a. 9.

23 **SECTION 39.** 341.14 (1a) of the statutes is amended to read:

1 341.14 (1a) If any resident of this state, who is registering or has registered an
2 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
3 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
4 gross weight of not more than 12,000 pounds or a motor home, submits a statement
5 once every 4 years, as determined by the department, from a physician licensed to
6 practice medicine in any state, from an advanced practice nurse licensed to practice
7 nursing in any state, from a physician assistant licensed or certified to practice in any
8 state, from a ~~chiropractor~~ chiropractic physician licensed to practice chiropractic in
9 any state or from a Christian Science practitioner residing in this state and listed in
10 the Christian Science journal certifying to the department that the resident is a
11 person with a disability that limits or impairs the ability to walk, the department
12 shall procure, issue and deliver to the disabled person plates of a special design in
13 lieu of plates which ordinarily would be issued for the vehicle, and shall renew the
14 plates. The plates shall be so designed as to readily apprise law enforcement officers
15 of the fact that the vehicle is owned by a nonveteran disabled person and is entitled
16 to the parking privileges specified in s. 346.50 (2a). No charge in addition to the
17 registration fee shall be made for the issuance or renewal of such plates.

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 421; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186, 2001 a. 16, 38, 103, 109.

18 **SECTION 40.** 341.14 (1e) (a) of the statutes is amended to read:

19 341.14 (1e) (a) If any resident of this state, who is registering or has registered
20 a motorcycle, submits a statement once every 4 years, as determined by the
21 department, from a physician licensed to practice medicine in any state, from an
22 advanced practice nurse licensed to practice nursing in any state, from a physician
23 assistant licensed or certified to practice in any state, from a ~~chiropractor~~

1 chiropractic physician licensed to practice chiropractic in any state, from a Christian
2 Science practitioner residing in this state and listed in the Christian Science journal
3 or from the U.S. department of veterans affairs certifying to the department that the
4 resident is a person with a disability that limits or impairs the ability to walk, the
5 department shall procure, issue and deliver to the disabled person a plate of a special
6 design in lieu of the plate which ordinarily would be issued for the motorcycle, and
7 shall renew the plate. The statement shall state whether the disability is permanent
8 or temporary and, if temporary, the opinion of the physician, advanced practice
9 nurse, physician assistant, ~~chiropractor~~ chiropractic physician, practitioner or U.S.
10 department of veterans affairs as to the duration of the disability. The plate shall
11 be so designed as to readily apprise law enforcement officers of the fact that the
12 motorcycle is owned by a disabled person and is entitled to the parking privileges
13 specified in s. 346.50 (2a). No charge in addition to the registration fee may be made
14 for the issuance or renewal of the plate.

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109.

15 **SECTION 41. 341.14 (1m)** of the statutes is amended to read:

16 **341.14 (1m)** If any licensed driver submits to the department a statement once
17 every 4 years, as determined by the department, from a physician licensed to practice
18 medicine in any state, from an advanced practice nurse licensed to practice nursing
19 in any state, from a physician assistant licensed or certified to practice in any state,
20 from a ~~chiropractor~~ chiropractic physician licensed to practice chiropractic in any
21 state or from a Christian Science practitioner residing in this state and listed in the
22 Christian Science journal certifying that another person who is regularly dependent
23 on the licensed driver for transportation is a person with a disability that limits or

1 impairs the ability to walk, the department shall issue and deliver to the licensed
2 driver plates of a special design in lieu of the plates which ordinarily would be issued
3 for the automobile or motor truck, dual purpose motor home or dual purpose farm
4 truck having a gross weight of not more than 8,000 pounds, farm truck having a gross
5 weight of not more than 12,000 pounds or motor home, and shall renew the plates.
6 The plates shall be so designed as to readily apprise law enforcement officers of the
7 fact that the vehicle is operated by a licensed driver on whom a disabled person is
8 regularly dependent and is entitled to the parking privileges specified in s. 346.50
9 (2a). No charge in addition to the registration fee may be made for the issuance or
10 renewal of the plates. The plates shall conform to the plates required in sub. (1a).

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109.

11 **SECTION 42.** 341.14 (1q) of the statutes is amended to read:

12 341.14 (1q) If any employer who provides an automobile, or a motor truck, dual
13 purpose motor home or dual purpose farm truck which has a gross weight of not more
14 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000
15 pounds or a motor home, for an employee's use submits to the department a
16 statement once every 4 years, as determined by the department, from a physician
17 licensed to practice medicine in any state, from an advanced practice nurse licensed
18 to practice nursing in any state, from a physician assistant licensed or certified to
19 practice in any state, from a ~~chiropractor~~ chiropractic physician licensed to practice
20 chiropractic in any state or from a Christian Science practitioner residing in this
21 state and listed in the Christian Science journal certifying that the employee is a
22 person with a disability that limits or impairs the ability to walk, the department
23 shall issue and deliver to such employer plates of a special design in lieu of the plates

1 which ordinarily would be issued for the vehicle, and shall renew the plates. The
2 plates shall be so designed as to readily apprise law enforcement officers of the fact
3 that the vehicle is operated by a disabled person and is entitled to the parking
4 privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may
5 be made for the issuance or renewal of the plates. The plates shall conform to the
6 plates required in sub. (1a).

History: 1971 c. 164 s. 83; 1971 c. 299; 1975 c. 384, 417; 1977 c. 16; 1977 c. 29 ss. 1417, 1418, 1654 (7) (a), (e); 1977 c. 43, 183, 292, 418, 447; 1979 c. 236; 1981 c. 255; 1983 a. 227, 430, 511; 1985 a. 29, 55; 1985 a. 87 ss. 1, 5; 1985 a. 124, 202; 1985 a. 332 ss. 191, 251 (4); 1987 a. 19, 64, 112, 145, 315, 399, 403; 1989 a. 31, 54, 56, 137, 302, 304, 312, 359; 1991 a. 2, 39, 100, 240; 1993 a. 16, 291, 303, 415, 491; 1995 a. 147, 253, 255, 445; 1997 a. 27, 67, 252, 255; 1999 a. 9, 32, 80, 92, 167, 186; 2001 a. 16, 38, 103, 109.

7 **SECTION 43. 343.51 (1)** of the statutes is amended to read:

8 **343.51 (1)** Any person who qualifies for registration plates of a special design
9 under s. 341.14 (1), (1a), (1m) or (1q) or any other person with a disability that limits
10 or impairs the ability to walk may request from the department a special
11 identification card that will entitle any motor vehicle, other than a motorcycle,
12 parked by, or under the direction of, the person, or a motor vehicle, other than a
13 motorcycle, operated by or on behalf of the organization when used to transport such
14 a person, to parking privileges under s. 346.50 (2), (2a) and (3). The department shall
15 issue the card at a fee to be determined by the department, upon submission by the
16 applicant, if the applicant is an individual rather than an organization, of a
17 statement from a physician licensed to practice medicine in any state, from an
18 advanced practice nurse licensed to practice nursing in any state, from a physician
19 assistant licensed or certified to practice in any state, from a ~~chiropractor~~
20 chiropractic physician licensed to practice chiropractic in any state or from a
21 Christian Science practitioner residing in this state and listed in the Christian
22 Science journal that the person is a person with a disability that limits or impairs
23 the ability to walk. The statement shall state whether the disability is permanent

1 or temporary and, if temporary, the opinion of the physician, advanced practice
2 nurse, physician assistant, ~~chiropractor~~ chiropractic physician, or practitioner as to
3 the duration of the disability. The department shall issue the card upon application
4 by an organization on a form prescribed by the department if the department
5 believes that the organization meets the requirements under this subsection.

History: 1979 c. 276; 1981 c. 119, 255; 1985 a. 87 s. 5; 1985 a. 202, 332; 1987 a. 19; 1989 a. 304; 1991 a. 240, 269; 1993 a. 16; 1995 a. 147; 1997 a. 27, 67, 252; 1999 a.
88.

6 SECTION 44. 440.08 (2) (a) 24. of the statutes is amended to read:

7 440.08 (2) (a) 24. ~~Chiropractor~~ Chiropractic physician: January 1 of each
8 odd-numbered year; \$168.

History: 1991 a. 39 ss. 3305, 3313; 1991 a. 78, 160, 167, 269, 278, 315; 1993 a. 3, 16, 102, 105, 107, 443, 463, 465; 1993 a. 490 ss. 228 to 230, 274, 275; 1995 a. 27, 233,
321, 322, 461; 1997 a. 27, 75, 81, 96, 156, 191, 237, 261, 300; 1999 a. 9, 32; 2001 a. 16, 70, 74, 80, 89.

9 SECTION 45. 446.02 (7) (a) of the statutes is amended to read:

10 446.02 (7) (a) Except as provided in par. (b), a ~~chiropractor~~ chiropractic
11 physician who is licensed under this chapter may delegate to a person who is not
12 licensed under this chapter the performance of services that are adjunctive to the
13 practice of chiropractic if the services are performed under the direct, on-premises
14 supervision of the ~~chiropractor~~ chiropractic physician.

History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

15 SECTION 46. 446.02 (7) (b) of the statutes is amended to read:

16 446.02 (7) (b) A ~~chiropractor~~ chiropractic physician may not delegate to a
17 person who is not licensed under this chapter the making of a diagnosis, the
18 performance of a chiropractic adjustment, the analysis of a diagnostic test or clinical
19 information or any practice or service that the examining board, by rule, prohibits
20 a ~~chiropractor~~ chiropractic physician from delegating to a person who is not licensed
21 under this chapter.

History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

22 SECTION 47. 446.02 (7) (c) of the statutes is amended to read:

1 446.02 (7) (c) A ~~chiropractor~~ chiropractic physician who delegates the
2 performance of a service that is adjunctive to the practice of chiropractic to a person
3 who is not licensed under this chapter shall verify, according to standards and
4 procedures established by the examining board by rule, that the person has adequate
5 education, training and experience to perform the delegated service safely, and is
6 responsible for that person's performance of the delegated service.

7 History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

SECTION 48. 446.02 (7m) (a) of the statutes is amended to read:

8 446.02 (7m) (a) A ~~chiropractor~~ chiropractic physician shall create and
9 maintain a patient record for every patient the ~~chiropractor~~ chiropractic physician
10 examines or treats. A patient record created and maintained under this paragraph
11 shall contain complete and comprehensive health care information, as defined by the
12 examining board by rule.

13 History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

SECTION 49. 446.02 (7m) (b) of the statutes is amended to read:

14 446.02 (7m) (b) A ~~chiropractor~~ chiropractic physician shall preserve a patient
15 record created and maintained under par. (a) for at least 3 years after the
16 ~~chiropractor~~ chiropractic physician makes his or her last entry or notation in the
17 patient record or for any longer period that is otherwise required by law.

18 History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

SECTION 50. 446.02 (8) of the statutes is amended to read:

19 446.02 (8) Every practicing ~~chiropractor~~ chiropractic physician shall have in
20 effect professional liability insurance. The examining board shall promulgate rules
21 establishing the minimum amount of insurance required under this subsection.

22 History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

SECTION 51. 446.02 (9) (a) of the statutes is amended to read:

1 446.02 (9) (a) A student or graduate of a college of chiropractic who practices
2 chiropractic, in a program for the clinical training of students and graduates that is
3 reviewed and approved by the examining board, under the supervision of a
4 chiropractor chiropractic physician who is approved by the examining board to
5 supervise the clinical training of the student or graduate and who is licensed under
6 this chapter and is responsible for the student's or graduate's practice in an
7 infirmary, clinic, hospital or private chiropractic office that is connected or associated
8 for training purposes with a college of chiropractic approved by the examining board.

History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

9 **SECTION 52.** 446.02 (10) (a) of the statutes is amended to read:

10 446.02 (10) (a) The examining board and the physical therapists affiliated
11 credentialing board acting under s. 448.525 shall jointly promulgate rules that
12 establish the circumstances under which and the extent to which a chiropractor
13 chiropractic physician licensed under this chapter may claim to render physical
14 therapy or physiotherapy services within the scope of the practice of chiropractic.

History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

15 **SECTION 53.** 446.02 (10) (b) of the statutes is amended to read:

16 446.02 (10) (b) The examining board may promulgate rules relating to the
17 circumstances under which and the extent to which a chiropractor chiropractic
18 physician licensed under this chapter may claim to render physical therapy or
19 physiotherapy services within the scope of the practice of chiropractic only as
20 provided under par. (a).

NOTE: NOTE: Sub. (10) is repealed eff. 4-1-04 by 2001 Wis. Act 70. NOTE:

History: 1975 c. 39, 199, 383; 1977 c. 29, 418; 1979 c. 98, 162, 337; 1981 c. 380; 1991 a. 39; 1993 a. 31; 1995 a. 94, 166; 2001 a. 70.

21 **SECTION 54.** 446.04 (4) of the statutes is amended to read:

22 446.04 (4) Splitting or dividing any fee for chiropractic service with any person
23 except an associate licensed ~~chiropractor~~ chiropractic physician;

History: 1979 c. 162, 337, 355; 1987 a. 264, 1991 a. 207, 315.

1 **SECTION 55.** 446.05 (1) of the statutes is amended to read:

2 446.05 (1) Subject to the rules promulgated under s. 440.03 (1), the examining
3 board may make investigations and conduct hearings in regard to the conduct of any
4 licensed ~~chiropractor~~ chiropractic physician who, it has reason to believe, violated s.
5 446.02 or 446.03. The person complained against may proceed to review any action
6 of the examining board under ch. 227.

7 History: 1977 c. 418, 1997 a. 191, 237.

7 **SECTION 56.** 448.51 (2) (c) (intro.) of the statutes is amended to read:

8 448.51 (2) (c) (intro.) A ~~chiropractor~~ chiropractic physician licensed under ch.
9 446 may claim to render physical therapy or physiotherapy services only as follows:

10 History: 1993 a. 107; 1995 a. 166; 2001 a. 70, 105.

10 **SECTION 57.** 448.51 (2) (c) 2. a. of the statutes is amended to read:

11 448.51 (2) (c) 2. a. If, anytime before October 17, 1995, the ~~chiropractor~~
12 chiropractic physician claimed in an advertisement to render physical therapy or
13 physiotherapy services, the ~~chiropractor~~ chiropractic physician may continue to
14 claim to render physical therapy or physiotherapy services in an advertisement until
15 the rules promulgated under ss. 446.02 (10) and 448.525 take effect.

16 History: 1993 a. 107; 1995 a. 166; 2001 a. 70, 105.

16 **SECTION 58.** 448.51 (2) (c) 2. b. of the statutes is amended to read:

17 448.51 (2) (c) 2. b. The ~~chiropractor~~ chiropractic physician may claim to render
18 physical therapy or physiotherapy services in private communications with an
19 individual who is a patient or prospective patient until the rules promulgated under
20 ss. 446.02 (10) and 448.525 take effect. This subd. 2. b. also applies to an employee
21 or agent of the ~~chiropractor~~ chiropractic physician who claims that the ~~chiropractor~~
22 chiropractic physician renders physical therapy or physiotherapy services.

23 (NOTE: NOTE: Par. (c) is repealed eff. 4-1-04 by 2001 Wis. Act 70. NOTE:

History: 1993 a. 107; 1995 a. 166; 2001 a. 70, 105.

23 **SECTION 59.** 448.525 (1) of the statutes is amended to read:

1 448.525 (1) The affiliated credentialing board and the chiropractic examining
2 board acting under s. 446.02 (10) shall jointly promulgate rules that establish the
3 circumstances under which and the extent to which a ~~chiropractor~~ chiropractic
4 physician licensed under ch. 446 may claim to render physical therapy or
5 physiotherapy services within the scope of the practice of chiropractic.

History: 1995 a. 166; 1997 a. 35; 2001 a. 70.

6 **SECTION 60.** 448.525 (2) of the statutes is amended to read:

7 448.525 (2) The affiliated credentialing board may promulgate rules relating
8 to the circumstances under which and the extent to which a ~~chiropractor~~ chiropractic
9 physician licensed under ch. 446 may claim to render physical therapy or
10 physiotherapy services within the scope of the practice of chiropractic only as
11 provided under sub. (1).

NOTE: NOTE: This section is repealed eff. 4-1-04 by 2004 Wis. Act 70. NOTE:

History: 1995 a. 166; 1997 a. 35; 2001 a. 70.

12 **SECTION 61.** 448.56 (1) of the statutes is amended to read:

13 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
14 448.52, a person may practice physical therapy only upon the written referral of a
15 physician, ~~chiropractor~~ chiropractic physician, dentist or podiatrist. Written
16 referral is not required if a physical therapist provides services in schools to children
17 with disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the
18 department of public instruction; provides services as part of a home health care
19 agency; provides services to a patient in a nursing home pursuant to the patient's
20 plan of care; provides services related to athletic activities, conditioning or injury
21 prevention; or provides services to an individual for a previously diagnosed medical
22 condition after informing the individual's physician, ~~chiropractor~~ chiropractic
23 physician, dentist or podiatrist who made the diagnosis. The affiliated credentialing

1 board may promulgate rules establishing additional services that are excepted from
2 the written referral requirements of this subsection.

History: 1993 a. 107 ss. 54, 59; 1995 a. 27 s. 9145 (1); 1997 a. 27, 164; 2001 a. 70.

3 **SECTION 62.** 448.56 (1m) (b) ^{created} of the statutes, as ~~affected~~ by 2001 Wisconsin Act
4 70, is amended to read:

5 448.56 (1m) (b) The affiliated credentialing board shall promulgate rules
6 establishing the requirements that a physical therapist must satisfy if a physician,
7 ~~chiropractor~~ chiropractic physician, dentist, or podiatrist makes a written referral
8 under sub. (1). The purpose of the rules shall be to ensure continuity of care between
9 the physical therapist and the health care practitioner.

NOTE: NOTE: Sub. (1m) is created eff. 4-1-04 by 2001 Wis. Act 70. NOTE:

History: 1993 a. 107 ss. 54, 59; 1995 a. 27 s. 9145 (1); 1997 a. 27, 164; 2001 a. 70.

10 **SECTION 63.** 450.10 (3) (a) 3. of the statutes is amended to read:

11 450.10 (3) (a) 3. A ~~chiropractor~~ chiropractic physician licensed under ch. 446.

History: 1985 a. 146; 1987 a. 264, 399; 1989 a. 31, 316; 1991 a. 39, 160; 1993 a. 222, 443; 1995 a. 27 s. 9145 (1); 1995 a. 448; 1997 a. 27, 67, 75, 175; 1999 a. 9, 32, 180; 2001 a. 70, 80.

12 **SECTION 64.** 628.46 (2m) (a) of the statutes is amended to read:

13 628.46 (2m) (a) Notwithstanding subs. (1) and (2) and except as provided in
14 par. (b), a claim for payment for chiropractic services is overdue if not paid within 30
15 days after the insurer receives clinical documentation from the ~~chiropractor~~
16 chiropractic physician that the services were provided unless, within those 30 days,
17 the insurer provides to the insured and to the ~~chiropractor~~ chiropractic physician the
18 written statement under s. 632.875 (2).

History: 1975 c. 375; 1979 c. 109 s. 16; 1979 c. 110 s. 69 (13); 1981 c. 38 s. 24; Stats. 1981 s. 628.46; 2001 a. 16, 65.

19 **SECTION 65.** 632.64 of the statutes is amended to read:

20 **632.64 Certification of disability.** Insurers doing a life insurance business
21 in this state shall afford equal weight to a certification of disability signed by a
22 physician with respect to matters within the scope of the physician's professional
23 license and to a certification of disability signed by a ~~chiropractor~~ chiropractic

1 physician with respect to matters within the scope of the ~~chiropractor's chiropractic~~
2 physician's professional license for the purpose of insurance policies they issue. This
3 section does not require an insurer to treat a certificate of disability as conclusive
4 evidence of disability.

History: 1981 c. 55.

5 **SECTION 66.** 632.87 (3) (a) (intro.)[✓] of the statutes is amended to read:

6 632.87 (3) (a) (intro.) No policy, plan or contract may exclude coverage for
7 diagnosis and treatment of a condition or complaint by a licensed ~~chiropractor~~
8 chiropractic physician within the scope of the ~~chiropractor's chiropractic physician's~~
9 professional license, if the policy, plan or contract covers diagnosis and treatment of
10 the condition or complaint by a licensed physician or osteopath, even if different
11 nomenclature is used to describe the condition or complaint. Examination by or
12 referral from a physician shall not be a condition precedent for receipt of chiropractic
13 care under this paragraph. This paragraph does not:

History: 1975 c. 223, 371, 422; 1981 c. 205; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1991/a. 39, 269; 1995 a. 412.

14 **SECTION 67.** 632.87 (3) (b) (intro.)[✓] of the statutes is amended to read:

15 632.87 (3) (b) (intro.) No insurer, under a policy, plan or contract covering
16 diagnosis and treatment of a condition or complaint by a licensed ~~chiropractor~~
17 chiropractic physician within the scope of the ~~chiropractor's chiropractic physician's~~
18 professional license, may do any of the following:

History: 1975 c. 223, 371, 422; 1981 c. 205; 1983 a. 27; 1985 a. 29; 1987/a. 27; 1991 a. 39, 269; 1995 a. 412.

19 **SECTION 68.** 632.87 (3) (b) 1.[✓] of the statutes is amended to read:

20 632.87 (3) (b) 1. Restrict or terminate coverage for the treatment of a condition
21 or a complaint by a licensed ~~chiropractor~~ chiropractic physician within the scope of
22 the ~~chiropractor's~~ chiropractic physician's professional license on the basis of other
23 than an examination or evaluation by or a recommendation of a licensed ~~chiropractor~~

1 chiropractic physician or a peer review committee that includes a licensed
2 ~~chiropractor~~ chiropractic physician.

3 History: 1975 c. 223, 371, 422; 1981 c. 205; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1991 a. 39, 269; 1995 a. 412.

3 SECTION 69. 632.87 (3) (b) 2. of the statutes is amended to read:

4 632.87 (3) (b) 2. Refuse to provide coverage to an individual because that
5 individual has been treated by a ~~chiropractor~~ chiropractic physician.

6 History: 1975 c. 223, 371, 422; 1981 c. 205; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1991 a. 39, 269; 1995 a. 412.

6 SECTION 70. 632.87 (3) (b) 4. of the statutes is amended to read:

7 632.87 (3) (b) 4. Exclude or restrict health care coverage of a health condition
8 solely because the condition may be treated by a ~~chiropractor~~ chiropractic physician.

9 History: 1975 c. 223, 371, 422; 1981 c. 205; 1983 a. 27; 1985 a. 29; 1987 a. 27; 1991 a. 39, 269; 1995 a. 412.

9 SECTION 71. 632.875 (1) (a) of the statutes is amended to read:

10 632.875 (1) (a) “~~Chiropractor~~” “Chiropractic physician” means a person
11 licensed to practice chiropractic under ch. 446.

12 History: 1995 a. 94; 2001 a. 16.

12 SECTION 72. 632.875 (1) (b) of the statutes is amended to read:

13 632.875 (1) (b) “Independent evaluation” means an examination or evaluation
14 by or recommendation of a ~~chiropractor~~ chiropractic physician or a peer review
15 committee under s. 632.87 (3) (b) 1.

16 History: 1995 a. 94; 2001 a. 16.

16 SECTION 73. 632.875 (1) (c) of the statutes is amended to read:

17 632.875 (1) (c) “Patient” means a person whose treatment by a ~~chiropractor~~
18 chiropractic physician is the subject of an independent evaluation.

19 History: 1995 a. 94; 2001 a. 16.

19 SECTION 74. 632.875 (1) (d) of the statutes is amended to read:

20 632.875 (1) (d) “Treating ~~chiropractor~~ chiropractic physician” means a
21 ~~chiropractor~~ chiropractic physician who is treating a patient and whose treatment
22 of the patient is the subject of an independent evaluation.

23 History: 1995 a. 94; 2001 a. 16.

23 SECTION 75. 632.875 (2) (intro.) of the statutes is amended to read:

1 632.875 (2) (intro.) If, on the basis of an independent evaluation, an insurer
2 restricts or terminates a patient's coverage for the treatment of a condition or
3 complaint by a ~~chiropractor~~ chiropractic physician acting within the scope of his or
4 her license and the restriction or termination of coverage results in the patient
5 becoming liable for payment for his or her treatment, the insurer shall, within the
6 time required under s. 628.46 (2m), provide to the patient and to the treating
7 ~~chiropractor~~ chiropractic physician a written statement that contains all of the
8 following:

9 History: 1995 a. 94; 2001 a. 16.

9 **SECTION 76.** 632.875 (2) (b) [✓] of the statutes is amended to read:

10 632.875 (2) (b) The name of the treating ~~chiropractor~~ chiropractic physician.

11 History: 1995 a. 94; 2001 a. 16.

11 **SECTION 77.** 632.875 (3) (a) [✓] of the statutes is amended to read:

12 632.875 (3) (a) In this subsection, "claim" means a patient's claim for coverage,
13 under a policy, plan or contract covering diagnosis and treatment of a condition or
14 complaint by a licensed ~~chiropractor~~ chiropractic physician within the scope of the
15 ~~chiropractor's~~ chiropractic physician's professional license, the restriction or
16 termination of which coverage is the subject of an independent evaluation.

17 History: 1995 a. 94; 2001 a. 16.

17 **SECTION 78.** 632.875 (3) (b) [✓] of the statutes is amended to read:

18 632.875 (3) (b) A ~~chiropractor~~ chiropractic physician who conducts an
19 independent evaluation may not be compensated by an insurer based on a
20 percentage of the dollar amount by which a claim is reduced as a result of the
21 independent evaluation.

22 History: 1995 a. 94; 2001 a. 16.

22 **SECTION 79.** 632.99 [✓] of the statutes is amended to read:

1 **632.99 Certifications of disability.** Every insurer doing a health or
2 disability insurance business in this state shall afford equal weight to a certification
3 of disability signed by a physician with respect to matters within the scope of the
4 physician's professional license and to a certification of disability signed by a
5 ~~chiropractor~~ chiropractic physician with respect to matters within the scope of the
6 ~~chiropractor's~~ chiropractic physician's professional license for the purpose of
7 insurance policies they issue. This section does not require an insurer to treat any
8 certification of disability as conclusive evidence of disability.

9 History: 1981 c. 55.

SECTION 80. 889.18 (1) (title) of the statutes is repealed and recreated to read:

889.18 (1) (title) CHIROPRACTIC PHYSICIANS.

11 SECTION 81. 895.48 (1m) (intro.) of the statutes, as affected by 2001 Wisconsin
12 Act 74, is amended to read:

13 895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448,
14 ~~chiropractor~~ chiropractic physician licensed under ch. 446, dentist licensed under ch.
15 447, emergency medical technician licensed under s. 146.50, first responder certified
16 under s. 146.50 (8), physician assistant licensed under ch. 448, registered nurse
17 licensed under ch. 441, or a massage therapist or bodyworker issued a certificate
18 under ch. 460 who renders voluntary health care to a participant in an athletic event
19 or contest sponsored by a nonprofit corporation, as defined in s. 46.93 (1m) (c), a
20 private school, as defined in s. 115.001 (3r), a public agency, as defined in s. 46.93 (1m)
21 (e), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his
22 or her acts or omissions in rendering that care if all of the following conditions exist:

NOTE: NOTE: Sub. (1m)(intro.) is shown as amended eff. 3-1-03 by 2001 Wis. Act 74. Prior to 3-1-03 it reads:NOTE:

23 (1m) Any physician or athletic trainer licensed under ch. 448, chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency medical technician
24 licensed under s. 146.50, first responder certified under s. 146.50 (8), physician assistant licensed under ch. 448, registered nurse licensed under ch. 441 or a massage
25 therapist or bodyworker issued a license of registration under subch. XI of ch. 440 who renders voluntary health care to a participant in an athletic event or contest
26 sponsored by a nonprofit corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001 (3r), a public agency, as defined in s. 46.93 (1m) (e), or
27 a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

History: 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32-56, 186; 2001 a. 74.

1 SECTION 82. 895.48 (1m) (b) of the statutes is amended to read:

2 895.48 (1m) (b) The physician, athletic trainer, ~~chiropractor~~ chiropractic
3 physician, dentist, emergency medical technician, first responder, physician
4 assistant, registered nurse, massage therapist or bodyworker does not receive
5 compensation for the health care, other than reimbursement for expenses.

History: 1977 c. 164; 1987 a. 14; 1989 a. 31; 1993 a. 109; 1995 a. 227; 1997 a. 67, 156, 191; 1999 a. 7, 9, 32, 56, 186; 2001 a. 74.

6 SECTION 83. 905.04 (title) of the statutes is amended to read:

7 905.04 (title) Physician-patient, registered nurse-patient,
8 ~~chiropractor-patient~~ chiropractic ~~physician-patient~~,
9 psychologist-patient, social worker-patient, marriage and family
10 therapist-patient and professional counselor-patient privilege.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987, a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

11 SECTION 84. 905.04 (1) (a) of the statutes is amended to read:

12 905.04 (1) (a) "~~Chiropractor~~" "Chiropractic physician" means a person licensed
13 under s. 446.02, or a person reasonably believed by the patient to be a ~~chiropractor~~
14 chiropractic physician.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

15 SECTION 85. 905.04 (1) (b) of the statutes is amended to read:

16 905.04 (1) (b) A communication or information is "confidential" if not intended
17 to be disclosed to 3rd persons other than those present to further the interest of the
18 patient in the consultation, examination, or interview, or persons reasonably
19 necessary for the transmission of the communication or information or persons who
20 are participating in the diagnosis and treatment under the direction of the physician,
21 registered nurse, ~~chiropractor~~ chiropractic physician, psychologist, social worker,

1 marriage and family therapist or professional counselor, including the members of
2 the patient's family.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

3 **SECTION 86.** 905.04 (1) (c) of the statutes is amended to read:

4 905.04 (1) (c) "Patient" means an individual, couple, family or group of
5 individuals who consults with or is examined or interviewed by a physician,
6 registered nurse, ~~chiropractor~~ chiropractic physician, psychologist, social worker,
7 marriage and family therapist or professional counselor.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

8 **SECTION 87.** 905.04 (2) of the statutes is amended to read:

9 905.04 (2) GENERAL RULE OF PRIVILEGE. A patient has a privilege to refuse to
10 disclose and to prevent any other person from disclosing confidential
11 communications made or information obtained or disseminated for purposes of
12 diagnosis or treatment of the patient's physical, mental or emotional condition,
13 among the patient, the patient's physician, the patient's registered nurse, the
14 patient's ~~chiropractor~~ chiropractic physician, the patient's psychologist, the patient's
15 social worker, the patient's marriage and family therapist, the patient's professional
16 counselor or persons, including members of the patient's family, who are
17 participating in the diagnosis or treatment under the direction of the physician,
18 registered nurse, ~~chiropractor~~ chiropractic physician, psychologist, social worker,
19 marriage and family therapist or professional counselor.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

20 **SECTION 88.** 905.04 (3) of the statutes is amended to read:

21 905.04 (3) WHO MAY CLAIM THE PRIVILEGE. The privilege may be claimed by the
22 patient, by the patient's guardian or conservator, or by the personal representative
23 of a deceased patient. The person who was the physician, registered nurse,

1 ~~chiropractor~~ chiropractic physician, psychologist, social worker, marriage and family
2 therapist or professional counselor may claim the privilege but only on behalf of the
3 patient. The authority so to do is presumed in the absence of evidence to the contrary.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

4 **SECTION 89.** 905.04 (4) (a) of the statutes is amended to read:

5 905.04 (4) (a) *Proceedings for hospitalization, guardianship, protective services*
6 *or protective placement.* There is no privilege under this rule as to communications
7 and information relevant to an issue in proceedings to hospitalize the patient for
8 mental illness, to appoint a guardian under s. 880.33, for court-ordered protective
9 services or protective placement or for review of guardianship, protective services or
10 protective placement orders, if the physician, registered nurse, ~~chiropractor~~
11 chiropractic physician, psychologist, social worker, marriage and family therapist or
12 professional counselor in the course of diagnosis or treatment has determined that
13 the patient is in need of hospitalization, guardianship, protective services or
14 protective placement.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

15 **SECTION 90.** 905.04 (4) (e) 2 of the statutes is amended to read:

16 905.04 (4) (e) 2. There is no privilege in situations where the examination of
17 an abused or neglected child creates a reasonable ground for an opinion of the
18 physician, registered nurse, ~~chiropractor~~ chiropractic physician, psychologist, social
19 worker, marriage and family therapist or professional counselor that the abuse or
20 neglect was other than accidentally caused or inflicted by another.

History: Sup. Ct. Order, 59 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

21 **SECTION 91.** 905.04 (4) (e) 3 of the statutes is amended to read:

22 905.04 (4) (e) 3. There is no privilege in situations where the examination of
23 the expectant mother of an abused unborn child creates a reasonable ground for an

1 opinion of the physician, registered nurse, ~~chiropractor~~ chiropractic physician,
2 psychologist, social worker, marriage and family therapist or professional counselor
3 that the physical injury inflicted on the unborn child was caused by the habitual lack
4 of self-control of the expectant mother of the unborn child in the use of alcohol
5 beverages, controlled substances or controlled substance analogs, exhibited to a
6 severe degree.

History: Sup. Ct. Order, 39 Wis. 2d R121; 1975 c. 393; 1977 c. 61, 418; 1979 c. 32 s. 92 (1); 1979 c. 221, 352; 1983 a. 400, 535; 1987 a. 233, 264; Sup. Ct. Order, 151 Wis. 2d xxi (1989); 1991 a. 32, 39, 160; 1993 a. 98; 1995 a. 77, 275, 436; 1997 a. 292; 1999 a. 22; 2001 a. 80.

7 **SECTION 92. 908.03 (6m) (a)** of the statutes, as affected by 2001 Wisconsin Act
8 74, is amended to read:

9 **908.03 (6m) (a) Definition.** In this subsection, “health care provider” means
10 a massage therapist or bodyworker issued a certificate under ch. 460, a ~~chiropractor~~
11 chiropractic physician licensed under ch. 446, a dentist licensed under ch. 447, a
12 physician assistant licensed under ch. 448, or a health care provider as defined in s.
13 655.001 (8).

NOTE: NOTE: Part (a) is shown as amended eff. 3-1-03 by 2001 Wis. Act 74. Prior to 3-1-03 it read: NOTE:

14 (a) *Definition.* In this subsection, “health care provider” means a massage therapist or bodyworker issued a license of registration under subch. XI of ch. 440, a
15 ~~chiropractor~~ licensed under ch. 446, a dentist licensed under ch. 447, a physician assistant licensed under ch. 448 or a health care provider as defined in s. 655.001 (8).

History: Sup. Ct. Order, 59 Wis. 2d R250; Sup. Ct. Order, 67 Wis. 2d vii (1975); 1983 a. 447; Sup. Ct. Order, 158 Wis. 2d xxv (1990); 1991 a. 32, 269; 1993 a. 105; 1995 a. 27 s. 9126 (19); 1997 a. 67, 156; 1999 a. 32, 85, 162; 2001 a. 74, 109.

16 **SECTION 93. 949.04 (3)** of the statutes is amended to read:

17 **949.04 (3) MEDICAL AND DENTAL RECORDS.** The applicant shall submit to the
18 department reports from all physicians, osteopaths, dentists, optometrists,
19 ~~chiropractors~~ chiropractic physicians, or podiatrists who treated or examined the
20 victim at the time of or subsequent to the victim’s injury or death. The department
21 may also order such other examinations and reports of the victim’s previous medical
22 and dental history, injury or death as it believes would be of material aid in its
23 determination.

History: 1975 c. 344, 421; 1975 c. 422 s. 163; 1977 c. 239; 1981 c. 20.

24 **SECTION 94. 990.01 (5)** of the statutes is amended to read:

1 990.01 (5) ~~CHIROPRACTOR.~~ "Chiropractor" CHIROPRACTIC PHYSICIAN.

2 "Chiropractic physician" means a person holding a license issued by the chiropractic
3 examining board.

History: 1971 c. 164 ss. 80, 91; 1971 c. 213 s. 5; Sup. Ct. Order, 67 Wis. 2d 784; 1977 c. 305; 1979 c. 169; 1981 c. 291, 391; 1983 a. 447; 1985 a. 65, 182, 332; Sup. Ct. Order, 141 Wis. 2d xiii (1987); 1987 a. 399; 1989 a. 56, 278; 1991 a. 39; 1993 a. 486; 1995 a. 27 ss. 7294, 7295, 9126 (19); 1995 a. 77, 352; 1997 a. 252, 306; 1999 a. 22, 85; 2001 a. 102.

4 **SECTION 95.** 990.01 (28) of the statutes is amended to read:

5 990.01 (28) PHYSICIAN, SURGEON OR OSTEOPATH. "Physician," "surgeon" or
6 "osteopath" means a person holding a license or certificate of registration from the
7 medical examining board, except that "chiropractic physician" has the meaning
8 given in sub. (5).

History: 1971 c. 164 ss. 80, 91; 1971 c. 213 s. 5; Sup. Ct. Order, 67 Wis. 2d 784; 1977 c. 305; 1979 c. 169; 1981 c. 291, 391; 1983 a. 447; 1985 a. 65, 182, 332; Sup. Ct. Order, 141 Wis. 2d xiii (1987); 1987 a. 399; 1989 a. 56, 278; 1991 a. 39; 1993 a. 486; 1995 a. 27 ss. 7294, 7295, 9126 (19); 1995 a. 77, 352; 1997 a. 252, 306; 1999 a. 22, 85; 2001 a. 102.

9 **SECTION 96. Effective dates.** This act takes effect on the day after publication,

10 except as follows:

11 (1) The treatment of section 448.56 (1m) (b) of the statutes takes effect on April
12 1, 2004.

13 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1423/P1dn

MDK:/:....

WLJ

Representative Foti:

Rather than change the references under current law regarding physicians licensed by the medical examining board, this bill substitutes references to "chiropractic physician" for references to "chiropractor". I think this is consistent with your intent to create the new term "chiropractic physician".

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1423/P1dn
MDK:wlj:rs

January 16, 2003

Representative Foti:

Rather than change the references under current law regarding physicians licensed by the Medical Examining Board, this bill substitutes references to "chiropractic physician" for references to "chiropractor." I think this is consistent with your intent to create the new term "chiropractic physician."

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

**Chiropractic Physician
Statutory Changes**

Professional title.

990,05
The terms **chiropractor, doctor of chiropractic, chiropractic, DC. and chiropractic physician** are synonymous and mean a practitioner of chiropractic as defined in _____

✓ 15.165(5)(a)7. One member who is a physician, as defined in s. 448.01 (5) or _____

✓ 15.405(7m) Nursing home administrator examining board. There is created a nursing home administrator examining board in the department of regulation and licensing consisting of 9 members appointed for staggered 4-year terms and the secretary of health and family services or a designee, who shall serve as a nonvoting member. Five members shall be nursing home administrators licensed in this state. One member shall be a physician **as defined in s. 448.01 (5)**. One member shall be a nurse licensed under ch. 441. Two members shall be public members. No more than 2 members may be officials or full-time employees of this state.

✓ 15.407(1m) Respiratory care practitioners examining council. There is created a respiratory care practitioners examining council in the department of regulation and licensing and serving the medical examining board in an advisory capacity in the formulating of rules to be promulgated by the medical examining board for the regulation of respiratory care practitioners. The respiratory care practitioners examining council shall consist of 3 certified respiratory care practitioners, each of whom shall have engaged in the practice of respiratory care for at least 3 years preceding appointment, one physician **as defined in s. 448.01 (5)**. and one public member. The respiratory care practitioner and physician members shall be appointed by the medical examining board. The members of the examining council shall serve 3-year terms. Section 15.08 (1) to (4) (a) and (6) to (10) shall apply to the respiratory care practitioners examining council.

✓ 15.915(2)(b) A representative of local health departments who is not an employee of the department of health and family services, one physician **as defined in s. 448.01 (5)** representing clinical laboratories, one member representing private environmental testing laboratories, one member representing occupational health laboratories and 3 additional members, one of whom shall be a medical examiner or coroner, appointed for 3-year terms. No member appointed under this paragraph may be an employee of the laboratory of hygiene.

RP 16.009(1)(h) Physician" has the meaning given in s. 448.01 (5). or _____

no change ✓ 16.752(8)(g) Maintain a record for each severely handicapped individual employed by it which includes a written report prepared by a licensed physician **as defined in s. 448.01 (5)** or _____

no change necessary 23.33(7)(a) If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician **as defined in s. 448.01 (5)** or _____, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and shall file a written report of the accident with the department on the form provided by it within 10 days after the accident. or psychiatrist, or a qualified psychologist, reflecting the nature and extent of the disability that causes the individual to qualify as severely handicapped.

560.183(1)(b) "Physician" means a physician, as defined in s. 448.01 (5), or _____ who specializes in family practice, general internal medicine, general pediatrics, obstetrics and gynecology, or psychiatry.

do NOT AFFECT

20.927(1) Except as provided under subs. (2) and (3), no funds of this state or of any county, city, village, town or family care district under s. 46.2895 or of any subdivision or agency of this state or of any county, city, village or town and no federal funds passing through the state treasury shall be authorized for or paid to a physician as defined in s. 448.01 (5) or surgeon or a hospital, clinic or other medical facility for the performance of an abortion.

23.33(4p)(b)4. 'Validity; procedure.' A chemical test of blood or urine conducted for the purpose of authorized analysis is valid as provided under s. 343.305 (6). The duties and responsibilities of the laboratory of hygiene, department of health and family services and department of transportation under s. 343.305 (6) apply to a chemical test of blood or urine conducted for the purpose of authorized analysis under this subsection. Blood may be withdrawn from a person arrested for a violation of the intoxicated operation of an all-terrain vehicle law only by a physician or _____ registered nurse, medical technologist, physician assistant or person acting under the direction of a physician and the person who withdraws the blood, the employer of that person and any hospital where blood is withdrawn have immunity from civil or criminal liability as provided under s. 895.53

No change necessary

23.33(7)(a) If an accident results in the death of any person or in the injury of any person which requires the treatment of the person by a physician , as defined in s. 448.01 (5), or _____, the operator of each all-terrain vehicle involved in the accident shall give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and shall file a written report of the accident with the department on the form provided by it within 10 days after the accident.

No change necessary

29.193(2)(c)2. The department shall issue a Class B permit under this subsection to an applicant who has a temporary disability which restricts mobility or ambulation due to injury or operative procedures and who either has a leg, hip or back, or any part thereof, casted by a licensed physician , as defined in s. 448.01 (5), or _____ due to a fracture or has leg, hip or back surgery.

No change

29.193(3)(a) Produces a certificate from a licensed physician as defined in s. 448.01 (5), or optometrist stating that his or her sight is impaired to the degree that he or she cannot read ordinary newspaper print with or without corrective glasses.

30.67(6)(b) In cases of death involving a boat in which the person died within 6 hours of the time of the accident, a blood specimen of at least 10 cc. shall be withdrawn from the body of the decedent within 12 hours after his or her death, by the coroner or medical examiner or by a physician as defined in s. 448.01 (5) so designated by the coroner or medical examiner or by a qualified person at the direction of the physician. All morticians shall obtain a release from the coroner or medical examiner prior to proceeding with embalming any body coming under the scope of this section. The blood so drawn shall be forwarded to a laboratory approved by the state health officer for analysis of the alcoholic content of the blood specimen. The coroner or medical examiner causing the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each analysis to the state health officer. The state health officer shall keep a record of all examinations to be used for statistical purposes only. The cumulative results of the examinations, without identifying the individuals involved, shall be disseminated and made public by the state health officer. The department shall reimburse

coroners and medical examiners for the costs incurred in submitting reports and taking blood specimens and laboratories for the costs incurred in analyzing blood specimens under this section.

30.684(2)(d) Validity; procedure. A chemical test of blood or urine conducted for the purpose of authorized analysis is valid as provided under s. 343.305 (6). The duties and responsibilities of the laboratory of hygiene, department of health and family services and department of transportation under s. 343.305 (6) apply to a chemical test of blood or urine conducted for the purpose of authorized analysis under this section. Blood may be withdrawn from a person arrested for a violation of the intoxicated boating law only by a physician as defined in s. 448.01 (5), or _____, registered nurse, medical technologist, physician assistant or person acting under the direction of a physician and the person who withdraws the blood, the employer of that person and any hospital where blood is withdrawn have immunity from civil or criminal liability as provided under s. 895.53.

No
Change

40.63 (9)(a) The board may require that any disability annuitant shall be examined by at least one licensed and practicing physician as defined in s. 448.01 (5), or _____, designated or approved by the board, during any calendar year the annuitant is receiving the annuity. A written report of the examination in a form approved by the department which shall indicate whether or not the annuitant is still disabled as specified in sub. (1) (b), shall be filed with the department. This paragraph and par. (c) shall not apply to any annuitant who has attained the normal retirement date for the annuitant's former participant classification.

No
Change

45.52 Physical disability does not disqualify for public employment. A veteran, as defined under s. 45.35 (5) (a), who has suffered a physical disability as a direct result of military or naval service shall not on that account be barred from employment in any public position or employment whether under state, county or municipal civil service or otherwise, if the licensed physician as defined in s. 448.01 (5), or _____, making a physical examination of the veteran for the public employer certifies that the applicant's disability will not materially handicap the veteran in the performance of the duties of the position.

No
Change

46.21(2)(m) May establish and maintain in connection with such county hospital, an emergency unit or department for the treatment, subject to such rules as may be prescribed by the county board of supervisors, of persons in the county who may meet with accidents or be suddenly afflicted with illness not contagious; provided that medical care and treatment shall only be furnished in such unit or department until such time as the patient may be safely removed to another hospital or to his or her place of abode, or regularly admitted to the county hospital. The county board of supervisors may also contract with any private hospital or nonprofit hospital within the county for the use of its facilities and for medical service to be furnished by a licensed physician as defined in s. 448.01 (5) or physicians to patients who require emergency medical treatment or first aid as a result of any accident, injury or sudden affliction of illness occurring within the county, except that reasonable compensation may only be authorized until the patient is regularly admitted as an inpatient or safely removed to another hospital or to his place of abode. In this paragraph, "hospital" includes, without limitation due to enumeration, public health centers, medical facilities and general, tuberculosis, mental, chronic disease and other types of hospitals and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals. In this paragraph, "hospital" does not include any hospital furnishing primarily domiciliary care. In this paragraph "nonprofit hospital" means any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

✓

46.245 Information for certain pregnant women. Upon request, a county department under s. 46.215, 46.22 or 46.23 shall distribute the materials described under s. 253.10 (3) (d), as prepared and distributed by the department. A physician as defined in s. 448.01 (5) who intends to perform or induce an abortion or another qualified physician, as defined in s. 253.10 (2) (g), who reasonably believes that he or she might have a patient for whom the information under s. 253.10 (3) (d) is required to be given, shall request a reasonably adequate number of the materials from the county department under this section or from the department under s. 253.10 (3) (d). An individual may request a reasonably adequate number of the materials.

(R
46.27
(1)
(6g))
46.27(5)(h) Within the limits of state and federal funds allocated under sub. (7) and in accordance with the county's plan for gradual implementation, apply the program to any person who has been diagnosed by a physician as defined in s. 448.01 (5) as having Alzheimer's disease, who meets the level of care requirements under sub. (6r) (b) 4. and who wants to be assessed and to receive long-term community support services.

46.27(6)(a)2.b. Emergency admissions, as determined by a physician as defined in s. 448.01 (5), but shall be applied within 10 days of admission.

46.297(2)(a) The person is certified as deaf or severely hearing impaired by a physician as defined in s. 448.01 (5), an audiologist licensed under subch. II of ch. 459 or the department.

46.298 Vehicle sticker for the hearing impaired. Upon the request of a person who is certified as hearing impaired by the department, by a physician defined in s. 448.01 (5) by a hearing instrument specialist licensed under subch. I of ch. 459 or by an audiologist licensed under subch. II of ch. 459, the department shall issue to the person a decal or sticker for display on a motor vehicle owned or frequently operated by the person to apprise law enforcement officers of the fact that the vehicle is owned or operated by a hearing-impaired person. No charge shall be made for issuance of the decal or sticker. The department shall specify the design of the decal or sticker. The department shall designate the location on the vehicle at which the decal or sticker shall be affixed by its own adhesive.

46.87(5)(a)1. At least one member of the household must be a person who has been diagnosed by a physician defined in s. 448.01 (5) as having Alzheimer's disease.

48.195(2)(d)4. An attending physician defined in s. 448.01 (5) for purposes of diagnosis and treatment of the child.

48.27(3)(b)2. A court is not required to provide notice, under subd. 1., to any person who may be the father of a child conceived as a result of a sexual assault if a physician defined in s. 448.01 (5) attests to his or her belief that there was a sexual assault of the child's mother that may have resulted in the child's conception.

48.295(1) After the filing of a petition and upon a finding by the court that reasonable cause exists to warrant an examination or an alcohol and other drug abuse assessment that conforms to the criteria specified under s. 48.547 (4), the court may order any child coming within its jurisdiction to be examined as an outpatient by personnel in an approved treatment facility for alcohol and other drug abuse, by a physician defined in s. 448.01 (5), psychiatrist or licensed psychologist, or by another expert appointed by the court holding at least a master's degree in social work or another related field of child development, in order that the child's physical, psychological, alcohol or other drug dependency, mental or developmental condition may be considered. The court may also order an examination or an alcohol and other drug abuse

assessment that conforms to the criteria specified under s. 48.547 (4) of a parent, guardian or legal custodian whose ability to care for a child is at issue before the court or of an expectant mother whose ability to control her use of alcohol beverages, controlled substances or controlled substance analogs is at issue before the court. The court shall hear any objections by the child, the child's parents, guardian or legal custodian to the request for such an examination or assessment before ordering the examination or assessment. The expenses of an examination, if approved by the court, shall be paid by the county of the court ordering the examination in a county having a population of less than 500,000 or by the department in a county having a population of 500,000 or more. The payment for an alcohol and other drug abuse assessment shall be in accordance with s. 48.361.

48.31(4) The court or jury shall make findings of fact and the court shall make conclusions of law relating to the allegations of a petition filed under s. 48.13, 48.133 or 48.42, except that the court shall make findings of fact relating to whether the child or unborn child is in need of protection or services which can be ordered by the court. In cases alleging a child to be in need of protection or services under s. 48.13 (11), the court may not find that the child is suffering emotional damage unless a licensed physician **defined in s. 448.01 (5)** specializing in psychiatry or a licensed psychologist appointed by the court to examine the child has testified at the hearing that in his or her opinion the condition exists, and adequate opportunity for the cross-examination of the physician or psychologist has been afforded. The judge may use the written reports if the right to have testimony presented is voluntarily, knowingly and intelligently waived by the guardian ad litem or legal counsel for the child and the parent or guardian. In cases alleging a child to be in need of protection or services under s. 48.13 (11m) or an unborn child to be in need of protection or services under s. 48.133, the court may not find that the child or the expectant mother of the unborn child is in need of treatment and education for needs and problems related to the use or abuse of alcohol beverages, controlled substances or controlled substance analogs and its medical, personal, family or social effects unless an assessment for alcohol and other drug abuse that conforms to the criteria specified under s. 48.547 (4) has been conducted by an approved treatment facility.

48.375(2)(c) "Counselor" means a physician including a physician **defined in s. 448.01 (5)** specializing in psychiatry, a licensed psychologist, as defined in s. 455.01 (4), or an ordained member of the clergy. "Counselor" does not include any person who is employed by or otherwise affiliated with a reproductive health care facility, a family planning clinic or a family planning agency; any person affiliated with the performance of abortions, except abortions performed to save the life of the mother; or any person who may profit from giving advice to seek an abortion.

48.42(2m) Notice not required. Except as provided in this subsection, notice is not required to be given to a person who may be the father of a child conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3), 948.02 (1) or (2) or 948.025 if a physician **defined in s. 448.01 (5)** attests to his or her belief that a sexual assault as specified in this subsection has occurred or if the person who may be the father of the child has been convicted of sexual assault as specified in this subsection for conduct which may have led to the child's conception. A person who under this subsection is not given notice does not have standing to appear and contest a petition for the termination of his parental rights. This subsection does not apply to a person who may be the father of a child conceived as a result of a sexual assault in violation of s. 948.02 (1) or (2) if that person was under 18 years of age at the time of the sexual assault.

48.432 Definitions "Physician" means an individual licensed under s. 448.01 (5)

→ CR 48.02(14K)

49.148(1m)(b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician **defined in s. 448.01 (5)** or _____ and to law enforcement authorities.

No change

49.19(11s)(b)2. The child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician **defined in s. 448.01 (5)** or _____ and to law enforcement authorities.

49.26(1)(g)11. If the individual is the mother of a child, a physician **defined in s. 448.01 (5)** has not determined that the individual should delay her return to school after giving birth.

49.453(4)(c) The department shall promulgate rules specifying the method to be used in calculating the expected value of the benefit, based on 26 CFR 1.72-1 to 1.72-18, and specifying the criteria for adjusting the expected value of the benefit based on a medical condition diagnosed by a physician **defined in s. 448.01 (5)** before the assets were transferred to the annuity, or transferred by promissory note or similar instrument. In calculating the amount of the divestment when a transfer to an annuity, or a transfer by promissory note or similar instrument, is made, payments made to the transferor in any year subsequent to the year in which the transfer was made shall be discounted to the year in which the transfer was made by the applicable federal rate specified under par. (a) on the date of the transfer.

Am 49.43 (9)

49.46(2)(a)4. The following medical services if prescribed by a physician **as defined in s. 448.01 (5)**:

49.46(2)(b)6. The following services if prescribed by a physician **as defined in s. 448.01 (5)**:

50.01(5m) "Recuperative care" means care anticipated to be provided in a nursing home for a period of 90 days or less for a resident whose physician **as defined in s. 448.01 (5)** has certified that he or she is convalescing or recuperating from an illness or medical treatment.

50.04(2)(b) Each nursing home shall employ a charge nurse. The charge nurse shall either be a licensed practical nurse acting under the supervision of a professional nurse or a physician **as defined in s. 448.01 (5)**, or shall be a professional nurse. The department shall, by rule, define the duties of a charge nurse.

50.04 (2)(b) Each nursing home shall employ a charge nurse. The charge nurse shall either be a licensed practical nurse acting under the supervision of a professional nurse or a physician **defined in s. 448.01 (5)**, or shall be a professional nurse. The department shall, by rule, define the duties of a charge nurse.

50.04 (2m) (a) Except as provided in par. (b), no nursing home may admit any patient until a physician **defined in s. 448.01 (5)**, has completed a plan of care for the patient and the patient is

RC 50.01 (4p)

assessed or the patient is exempt from or waives assessment under. Failure to comply with this subsection is a class "C" violation under sub. (4) (b) 3.

50.09 (1) (a) Private and unrestricted communications with the resident's family, physician **defined in s. 448.01 (5)** or _____, attorney and any other person, unless medically contraindicated as documented by the resident's physician in the resident's medical record, except that communications with public officials or with the resident's attorney shall not be restricted in any event. The right to private and unrestricted communications shall include, but is not limited to, the right to:

50.09 (1) (f) 1. Privacy for visits by spouse. If both spouses are residents of the same facility, they shall be permitted to share a room unless medically contraindicated as documented by the resident's physician **defined in s. 448.01 (5)** in the resident's medical record.

50.09 (1) (h) Meet with, and participate in activities of social, religious and community groups at the resident's discretion, unless medically contraindicated as documented by the resident's physician **defined in s. 448.01 (5)** in the resident's medical record.

50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical and physical restraints except as authorized in writing by a physician **defined in s. 448.01 (5)** for a specified and limited period of time and documented in the resident's medical record. Physical restraints may be used in an emergency when necessary to protect the resident from injury to himself or herself or others or to property. However, authorization for continuing use of the physical restraints shall be secured from a physician within 12 hours. Any use of physical restraints shall be noted in the resident's medical records. "Physical restraints" includes, but is not limited to, any article, device or garment which interferes with the free movement of the resident and which the resident is unable to remove easily, and confinement in a locked room.

50.36 (3g) (c) If a hospital grants a psychologist hospital staff privileges or limited hospital staff privileges under par. (b), the psychologist or the hospital shall, prior to or at the time of hospital admission of a patient, identify an appropriate physician **defined in s. 448.01 (5)** with admitting privileges at the hospital who shall be responsible for the medical evaluation and medical management of the patient for the duration of his or her hospitalization.

50.49 (1) (c) "Physician" means an individual licensed under s. 448.01 (5)

50.90 (3) "Palliative care" means management and support provided for the reduction or abatement of pain, for other physical symptoms and for psychosocial or spiritual needs of individuals with terminal illness and includes ~~physician services~~ **services provided by physicians defined in s. 448.01 (5)** or _____, skilled nursing care, medical social services, services of volunteers and bereavement services. "Palliative care" does not mean treatment provided in order to cure a medical condition or disease or to artificially prolong life.

51.10 Definitions "Physician" means an individual licensed under s. 448.01 (5)

51.20 Definitions "Physician" means an individual licensed under s. 448.01 (5)

51.30 (1) (c) Definitions "Physician" means an individual licensed under s. 448.01 (5)

51.35 Definitions "Physician" means an individual licensed under s. 448.01 (5)

(12)
50.79
(1)(d)

(12)
51.01
(13)

51.37 Definitions "Physician" means an individual licensed under s. 448.01 (5)

51.40 (1) (h) "Physician" means an individual licensed under s. 448.01 (5)

51.45 (2) (h) "Physician" means an individual licensed under s. 448.01 (5)

51.47 Definition "Physician" means an individual licensed under s. 448.01 (5)

51.61 (2) "Physician" means an individual licensed under s. 448.01 (5)

55.043(1)(b) The county protective services agency may transport the vulnerable adult for performance of a medical examination by a physician licensed under s. 448.01 (5) if any of the following applies:

59.53 Definition "Physician" means an individual licensed under s. 448.01 (5)

60.23(9) (9) Resident physicians, physician assistants and nurses in certain towns. In a town comprised entirely of one or more islands, annually appropriate money to retain a physician licensed under s. 448.01 (5) or _____ or, if no physician is available, a physician assistant or nurse practitioner, as a resident within the town.

63.32 Applicants to be examined; character of examinations. All applicants for offices, places or employments in the civil service of such city, except those mentioned in s. 63.27, shall be residents of this state before their application for examination, and shall be subject to examination under and in accordance with the rules so made by said commissioners; except that for technical and professional services the commission may open the examination to residents of other states who are citizens of the United States. Such examinations, including minimum training and experience requirements, shall be job-related in compliance with appropriate validation standards and may include tests of physical qualifications, and, when appropriate, of manual skill. All relevant experience, whether paid or unpaid, shall satisfy experience requirements. No otherwise qualified blind persons shall be discriminated against in examination, reexamination, appointment, reappointment, promotion or demotion unless eyesight is absolutely indispensable for the performance of the duties and responsibilities of the position. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment or selection to an office or for employment within the scope of the rules established as aforesaid shall be in any manner affected or influenced by such opinions or affiliations. All such applicants may be examined by a competent physician licensed under s. 448.01 (5) or _____ as to the soundness of their health for the work to be performed. Upon the request of an applicant or an eligible for a civil service position who is blind, the department of health and family services, shall obtain from the city civil service commission a detailed description of all duties entailed by such position and shall investigate the necessity for eyesight in the fulfillment of the duties of any position, and shall determine and report its findings to the civil service commission, as to the physical ability of the applicant, or eligible, to perform the duties of such position. Such findings shall be conclusive as to the physical qualifications of any applicant or eligible so examined.

66.0601 Definition "Physician" means an individual licensed under s. 448.01 (5)

69.01 (28) "Physician" means an individual licensed under s. 448.01 (5)

69.14 Definition "Physician" means an individual licensed under s. 448.01 (5)

59.53 (13)(a)
no change

No change

am 66.0601 (1)(b)

create 69.01 (17m)

69.18 Definition "Physician" means an individual licensed under s. 448.01 (5)

70.11(4m)(c) In this subsection, "health and fitness center" means an establishment the primary purpose of which is to provide recreational services or facilities that are purported to assist patrons in physical exercise, in weight control or in figure development, including but not limited to a health and fitness center, studio, salon or club. In this subsection, "health and fitness center" does not include a facility the primary purpose of which is to provide services or facilities that are primarily a part of a course of rehabilitation or therapy prescribed by a physician licensed under s. 448.01 (5) or _____ or physical therapist to treat a physical injury or dysfunction and that are aimed primarily at patients of the hospital or an affiliated entity and not at the general public and that is located within the physical confines of a hospital.

No change

70.47(8) (8) Hearing. The board shall hear upon oath all persons who appear before it in relation to the assessment. The board shall hear upon oath, by telephone, all ill or disabled persons who present to the board a letter from a physician licensed under s. 448.01 (5) or _____, surgeon or osteopath that confirms their illness or disability. The board at such hearing shall proceed as follows:

No change

77.54 (14) Definition "Physician" means an individual licensed under s. 448.01 (5)

91.17(2) When the owner of land subject to a farmland preservation agreement dies or is certified by a physician licensed under s. 448.01 (5) or _____, to be totally and permanently disabled, the land may be released from the program under this chapter and shall not be subject to a lien under s. 91.19 (8).

OR 77.51 (10m)

No change

91.19(1m) Upon request, a farmland preservation agreement shall be relinquished by the department on behalf of the state when the owner of land subject to the agreement dies or is certified by a physician licensed under s. 448.01 (5) or _____ to be totally and permanently disabled.

No change

95.21 (1) (g) Definition "Physician" means an individual licensed under s. 448.01 (5)

100.43(3)(c) A household substance, subject to special packaging standards, which is dispensed pursuant to a prescription of a physician licensed under s. 448.01 (5), dentist, or other licensed medical practitioner may be sold in conventional or noncomplying packages when directed in such prescription or requested by the purchaser.

(R 95.21 (d m))

101.123 (1) (j) Definition "Physician" means an individual licensed under s. 448.01 (5)

101.592 (1) (j) Definition "Physician" means an individual licensed under s. 448.01 (5)

(R 101.01 (10m))

103.13(5) Medical records inspection. The right of the employee or the employee's designated representative under sub. (3) to inspect personnel records under this section includes the right to inspect any personal medical records concerning the employee in the employer's files. If the employer believes that disclosure of an employee's medical records would have a detrimental effect on the employee, the employer may release the medical records to the employee's physician licensed under s. 448.01 (5) or _____ or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family.

*No change:
-d-note:
-chir-
records?*

106.21(10)(e) Physical examination. No physical examination is required in order to apply for employment as a corps member but the department shall require a physical examination before employment. The department may accept evidence of a physical examination conducted within one year before employment if the examining physician **licensed under s. 448.01 (5) or** _____ signs a form containing the information required by the department.

No
change

106.215(11)(e) Physical examination. No physical examination is required in order to apply for employment as a corps enrollee but the board may require a physical examination after a corps enrollee is employed. The board may accept evidence of a physical examination conducted within one year prior to employment as meeting such a requirement if the examining physician **licensed under s. 448.01 (5) or** _____ signs a form containing the information required by the board.

106.50(2r)(bm)2.

2. Subdivision 1. does not apply in the case of the rental of owner-occupied housing if the owner or a member of his or her immediate family occupying the housing possesses and, upon request, presents to the individual a certificate signed by a physician **licensed under s. 448.01 (5)** which states that the owner or family member is allergic to the type of animal the individual possesses.

111.37(6)(c)1. Throughout all phases of the test the examinee is permitted to end the test at any time; the examinee is not asked questions in a manner that degrades, or needlessly intrudes on, the examinee; the examinee is not asked any question about religious beliefs or affiliations, political beliefs or affiliations, sexual behavior, beliefs or opinions on racial matters, or about beliefs, affiliations, opinions, or lawful activities regarding unions or labor organizations; and the examiner does not conduct the test if there is sufficient written evidence provided by a physician **licensed under s. 448.01 (5) or** _____ that the examinee is suffering from a medical or psychological condition or undergoing treatment that might cause abnormal responses during the testing.

111.70(7)(a) Whoever violates sub. (4) (L) after an injunction against such a strike has been issued shall be fined \$10. After the injunction has been issued, any employee who is absent from work because of purported illness shall be presumed to be on strike unless the illness is verified by a written report from a physician **licensed under s. 448.01 (5) or** _____ to the employer. Each day of continued violation constitutes a separate offense. The court shall order that any fine imposed under this subsection be paid by means of a salary deduction at a rate to be determined by the court.

111.70(7m)(c)2. 'Individuals.' Any individual who violates sub. (4) (L) after an injunction against a strike has been issued shall be fined \$10. Each day of continued violation constitutes a separate offense. After the injunction has been issued, any municipal employee who is absent from work because of purported illness is presumed to be on strike unless the illness is verified by a written report from a physician **licensed under s. 448.01 (5) or** _____ to the municipal employer. The court shall order that any fine imposed under this subdivision be paid by means of a salary deduction at a rate to be determined by the court.

115.53(4)(a) The application shall be accompanied by the report of a physician **licensed under s. 448.01 (5)** appointed by the superintendent of the Wisconsin School for the Deaf or the director of the Wisconsin Center for the Blind and Visually Impaired and shall be in the same form as reports of other physicians for admission of patients to such hospital.

No
change

No change

115.777(1)(a) A physician licensed under s. 448.01 (5) or _____, nurse, psychologist, social worker or administrator of a social agency who reasonably believes that a child brought to him or her for services has a disability shall refer the child to the local educational agency. If the local educational agency to whom the referral is made is the school district in which the child resides but the child is attending a public school in a nonresident school district under s. 118.51 or 121.84 (1) (a) or (4), the school board of the school district in which the child resides shall provide the name of the child and related information to the school board of the school district that the child is attending.

118.25 Definition "Physician" means an individual licensed under s. 448.01 (5) or _____.

118.29(1)(g) Definition "Physician" means an individual licensed under s. 448.01 (5)

146.0255(2) Testing. Any hospital employee who provides health care, social worker or intake worker under ch. 48 may refer an infant or an expectant mother of an unborn child, as defined in s. 48.02 (19), to a physician licensed under s. 448.01 (5) for testing of the bodily fluids of the infant or expectant mother for controlled substances or controlled substance analogs if the hospital employee who provides health care, social worker or intake worker suspects that the infant or expectant mother has controlled substances or controlled substance analogs in the bodily fluids of the infant or expectant mother because of the use of controlled substances or controlled substance analogs by the mother while she was pregnant with the infant or by the expectant mother while she is pregnant with the unborn child. The physician may test the infant or expectant mother to ascertain whether or not the infant or expectant mother has controlled substances or controlled substance analogs in the bodily fluids of the infant or expectant mother, if the physician determines that there is a serious risk that there are controlled substances or controlled substance analogs in the bodily fluids of the infant or expectant mother because of the use of controlled substances or controlled substance analogs by the mother while she was pregnant with the infant or by the expectant mother while she is pregnant with the unborn child and that the health of the infant, the unborn child or the child when born may be adversely affected by the controlled substances or controlled substance analogs. If the results of the test indicate that the infant does have controlled substances or controlled substance analogs in the infant's bodily fluids, the physician shall make a report under s. 46.238. If the results of the test indicate that the expectant mother does have controlled substances or controlled substance analogs in the expectant mother's bodily fluids, the physician may make a report under s. 46.238. Under this subsection, no physician may test an expectant mother without first receiving her informed consent to the testing.

146.17 Limitations. Nothing in the statutes shall be construed to authorize interference with the individual's right to select his or her own physician licensed under s. 448.01 (5) or mode of treatment, nor as a limitation upon the municipality to enact measures in aid of health administration, consistent with statute and acts of the department.

146.301(3)(a) A physician licensed under s. 448.01 (5) or _____, registered nurse or emergency medical technician - paramedic.

146.301(3)(b) A licensed practical nurse under the specific direction of a physician licensed under s. 448.01 (5) or _____, or registered nurse.

146.31(3) "Physician" means an individual licensed under s. 448.01 (5)

RM 5/14/11
118.25
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118.29
(1)(e)

No change

CR
146.31
(1g)

(12) **146.55 Definition "Physician" means an individual licensed under s. 448.01 (5)**

146.55
(1)
(fm)
no change necessary
146.82(3)(a) Notwithstanding sub. (1), a physician licensed under s. 448.01 (5) or _____ who treats a patient whose physical or mental condition in the physician's judgment affects the patient's ability to exercise reasonable and ordinary control over a motor vehicle may report the patient's name and other information relevant to the condition to the department of transportation without the informed consent of the patient.

146.89(1) In this section, "volunteer health care provider" means an individual who is licensed as a physician under ch. 448, chiropractor licensed under ch. 446, dentist under ch. 447, registered nurse, practical nurse or nurse-midwife under ch. 441, optometrist under ch. 449 or physician assistant under ch. 448 or certified as a dietitian under subch. V of ch. 448 and who receives no income from the practice of that health care profession or who receives no income from the practice of that health care profession when providing services at the nonprofit agency specified under sub. (3).

(12) **Chapter 155 Definition "Physician" means an individual licensed under s. 448.01 (5)**

155.01
(9m)
157.05 Autopsy. Consent for a licensed physician licensed under s. 448.01 (5) to conduct an autopsy on the body of a deceased person shall be deemed sufficient when given by whichever one of the following assumes custody of the body for purposes of burial: Father, mother, husband, wife, child, guardian, next of kin, or in the absence of any of the foregoing, a friend, or a person charged by law with the responsibility for burial. If 2 or more such persons assume custody of the body, the consent of one of them shall be deemed sufficient.

157.06(1)(h) "Physician" means an individual licensed under s. 448.01 (5) or otherwise authorized to practice medicine and surgery or osteopathy and surgery under the laws of any state.

165.765 Definition "Physician" means an individual licensed under s. 448.01 (5)

185.983
(1g)
185.983(2) Every such plan shall make provision for a minimum of one physician licensed under s. 448.01 (5) and surgeon, or dentist to each 2,000 persons covered for medical or dental care and a minimum of 6 hospital beds for each 2,000 persons covered for hospital care.

234.622(1)(a) Is the participant's spouse and a physician licensed under s. 448.01 (5) or _____ certifies that the participant or the coowner is permanently disabled.

no change
250.01(1) "Chief medical officer" means a physician licensed under s. 448.01 (5) or _____ who is appointed by the state health officer under s. 250.02 (2).

no change necessary
250.01(6) "Physician" has the meaning given in s. 448.01 (5).

no change necessary
251.03(1) A local board of health shall consist of not more than 9 members. At least 3 of these members shall be persons who are not elected officials or employees of the governing body that establishes the local health department and who have a demonstrated interest or competence in the field of public health or community health. In appointing the members who are not elected officials or employees, a good faith effort shall be made to appoint a registered nurse and a physician licensed under s. 448.01 (5) or _____. Members of the local board of health shall reflect the diversity of the community. A county human services board under s. 46.23 (4) may act as a county board of health if the membership of the county human services board meets

the qualifications specified in this subsection and if the county human services board is authorized to act in that capacity by the county board of supervisors. If a county human services board acts in this capacity, it shall use the word "health" in its title.

251.06(1)(a)2. A local health officer of a village or town health department established under s. 251.02 (3m) or of a multiple municipal local health department established under s. 251.02 (3r) shall be either a physician **licensed under s. 448.01 (5)** or _____ or a registered nurse. The local health officer shall be a voting member of the local board of health and shall take an oath of office. With respect to the levels of services of a Level I local health department, as specified in s. 251.05 (2) (a), the local health officer shall be authorized to act by and be directed by the county health officer of the county specified under s. 251.02 (3m).

252.04 Definition "Physician" means an individual licensed under s. 448.01 (5)

252.06(3) If a local health officer suspects or is informed of the existence of any communicable disease, the officer shall at once investigate and make or cause such examinations to be made as are necessary. The diagnostic report of a physician **licensed under s. 448.01 (5)**, the notification or confirmatory report of a parent or caretaker of the patient, or a reasonable belief in the existence of a communicable disease shall require the local health officer immediately to quarantine, isolate, require restrictions or take other communicable disease control measures in the manner, upon the persons and for the time specified in rules promulgated by the department. If the local health officer is not a physician, he or she shall consult a physician as speedily as possible where there is reasonable doubt or disagreement in diagnosis and where advice is needed. The local health officer shall investigate evasion of the laws and rules concerning communicable disease and shall act to protect the public.

252.07 (1g)(c) "Physician" means an individual licensed under s. 448.01 (5)

252.11 "Physician" means an individual licensed under s. 448.01 (5)

253.09(1) No hospital shall be required to admit any patient or to allow the use of the hospital facilities for the purpose of performing a sterilization procedure or removing a human embryo or fetus. A physician **licensed under s. 448.01 (5)** or any other person who is a member of or associated with the staff of a hospital, or any employee of a hospital in which such a procedure has been authorized, who shall state in writing his or her objection to the performance of or providing assistance to such a procedure on moral or religious grounds shall not be required to participate in such medical procedure, and the refusal of any such person to participate therein shall not form the basis of any claim for damages on account of such refusal or for any disciplinary or recriminatory action against such person.

253.10 Definition "Physician" means an individual licensed under s. 448.01 (5)

253.11 Definition "Physician" means an individual licensed under s. 448.01 (5)

253.15 Definition "Physician" means an individual licensed under s. 448.01 (5)

255.04 Definition "Physician" means an individual licensed under s. 448.01 (5)

255.08 Definition "Physician" means an individual licensed under s. 448.01 (5)

No
Change
Necessary

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252.01
(5)

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253.01
(2)

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255.01
(2m)

301.08(1)(c)3m.b. The probationer, parolee or person on extended supervision has a statement from a physician licensed under s. 448.01 (5) or _____ certifying to the department that the probationer, parolee or person on extended supervision should be excused from working for medical reasons.

No change req'd

*302.10
302.113(95)(c)
302.37(2)
302.383(1)(b)
302.40*

301.45 (1d)(d) Definition "Physician" means an individual licensed under s. 448.01 (5)

301.45 (1d) (a-e)

302 Definition "Physician" means an individual licensed under s. 448.01 (5)

304.073(4)(b) The probationer, parolee or person on extended supervision has a statement from a physician licensed under s. 448.01 (5) or _____ certifying to the department that the probationer, parolee or person on extended supervision should be excused from working for medical reasons.

No change req'd

304.074(3)(d) Has a statement from a physician licensed under s. 448.01 (5) or _____ certifying to the department that the probationer, parolee or person on extended supervision should be excused from working for medical reasons.

343.16 Definition "Physician" means an individual licensed under s. 448.01

343.17 Definition "Physician" means an individual licensed under s. 448.01

CR 343.045

343.305(5)(b) Blood may be withdrawn from the person arrested for violation of s. 346.63 (1), (2), (2m), (5) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1), (2m) or (5), or as provided in sub. (3) (am) or (b) to determine the presence or quantity of alcohol, a controlled substance, a controlled substance analog or any other drug, or any combination of alcohol, controlled substance, controlled substance analog and any other drug in the blood only by a physician licensed under s. 448.01 (5) or _____, registered nurse, medical technologist, physician assistant or person acting under the direction of a physician.

No change

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in blood
operate
- draw blood
drink
driving
offense*

343.63(4) The applicant shall submit with his or her application a statement completed by a registered physician licensed under s. 448.01 (5) or _____ showing that in the physician's judgment the applicant is physically fit to teach driving.

346.67(1)(c) The operator shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician licensed under s. 448.01 (5), surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person.

(CR 346.01 (3))

346.70 Definition "Physician" means an individual licensed under s. 448.01 (5)

346.71 Definition "Physician" means an individual licensed under s. 448.01 (5)

347.485(2)(b) Except for photosensitive corrective glasses prescribed by an ophthalmologist, physician licensed under s. 448.01 (5), oculist or optometrist, eye protection worn during hours of darkness may not be tinted or darkened.

350.104(2)(d) Validity; procedure. A chemical test of blood or urine conducted for the purpose of authorized analysis is valid as provided under s. 343.305 (6). The duties and responsibilities of

No change

the laboratory of hygiene, department of health and family services and department of transportation under s. 343.305 (6) apply to a chemical test of blood or urine conducted for the purpose of authorized analysis under this section. Blood may be withdrawn from a person arrested for a violation of the intoxicated snowmobiling law only by a physician, registered nurse, medical technologist, physician assistant or person acting under the direction of a physician **licensed under s. 448.01 (5) or _____**, and the person who withdraws the blood, the employer of that person and any hospital where blood is withdrawn have immunity from civil or criminal liability as provided under s. 895.53

No change
350.15(3)(a) If a snowmobile accident results in the death of any person, or in an injury that requires the treatment of a person by a physician **licensed under s. 448.01 (5) or _____**, the operator of each snowmobile involved in the accident shall give notice of the accident to a conservation warden or local law enforcement officer as soon as possible and, within 10 days after the accident, shall file a written report of the accident with the department on the form prescribed by it.

350.15(5)(b) The department may investigate any snowmobile accident that results in an injury that requires the treatment of a person by a physician **licensed under s. 448.01 (5) or _____**.

✓ 350.155(2) In cases of death involving a snowmobile in which the decedent died within 6 hours of the time of the accident, a blood specimen of at least 10 cc. shall be withdrawn from the body of the decedent within 12 hours after death, by the coroner or medical examiner or by a physician **licensed under s. 448.01 (5)** so designated by the coroner or medical examiner or by a qualified person at the direction of such physician. All funeral directors shall obtain a release from the coroner or medical examiner prior to proceeding with embalming any body coming under the scope of this section. The blood so drawn shall be forwarded to a laboratory approved by the department of health and family services for analysis of the alcoholic content of such blood specimen. The coroner or medical examiner causing the blood to be withdrawn shall be notified of the results of each analysis made and shall forward the results of each such analysis to the department of health and family services. The department of health and family services shall keep a record of all such examinations to be used for statistical purposes only. The cumulative results of the examinations, without identifying the individuals involved, shall be disseminated and made public by the department of health and family services. The department shall reimburse coroners and medical examiners for the costs incurred in submitting reports and taking blood specimens and laboratories for the costs incurred in analyzing blood specimens under this section.

No change necessary
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See
CRB-1424
PI
441.11(3) Practice of practical nursing. The practice of practical nursing under this subchapter means the performance for compensation of any simple acts in the care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any act or procedure in the care of the more acutely ill, injured or infirm under the specific direction of a nurse, physician **licensed under s. 448.01 (5) or _____**, podiatrist licensed under ch. 448, dentist licensed under ch. 447 or optometrist licensed under ch. 449, or under an order of a person who is licensed to practice medicine, podiatry, dentistry or optometry in another state if that person prepared the order after examining the patient in that other state and directs that the order be carried out in this state. A simple act is one that does not require any substantial nursing skill, knowledge or training, or the application of nursing principles based on biological, physical or social sciences, or the understanding of cause and effect in such acts and is one that is of a nature of those approved by the board for the curriculum of schools for licensed practical nurses.

441.11(4) Practice of professional nursing. The practice of professional nursing within the terms of this subchapter means the performance for compensation of any act in the observation or care of the ill, injured or infirm, or for the maintenance of health or prevention of illness of others, which act requires substantial nursing skill, knowledge or training, or application of nursing principles based on biological, physical and social sciences, such as the observation and recording of symptoms and reactions, the execution of procedures and techniques in the treatment of the sick under the general or special supervision or direction of a physician **licensed under s. 448.01 (5)** or _____, podiatrist licensed under ch. 448, dentist licensed under ch. 447 or optometrist licensed under ch. 449, or under an order of a person who is licensed to practice medicine, podiatry, dentistry or optometry in another state if that person prepared the order after examining the patient in that other state and directs that the order be carried out in this state, and the execution of general nursing procedures and techniques. Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the supervision of a patient and the supervision and direction of licensed practical nurses and less skilled assistants.

no change necessary

see LRP 1/24/11

AM 441.15(2)(b)

441.15(4) A nurse-midwife who discovers evidence that any aspect of care involves any complication which jeopardizes the health or life of the newborn or mother shall immediately refer the patient to the supervising physician **licensed under s. 448.01 (5)** under sub. (2) (b) or, if that physician is unavailable, to another physician.

AM

441.16(6) Nothing in this section prohibits a nurse from issuing a prescription order as an act delegated by a physician **licensed under s. 448.01 (5)**.

444.10 Physician to examine contestants. Prior to entering the ring, each contestant must be examined by a physician **licensed under s. 448.01 (5)** who has been licensed to practice in Wisconsin not less than 5 years and who is appointed by the department and certifies in writing, over his or her signature, as to the contestant's physical and mental fitness to engage in such contest. ~~§ 444.11~~ 444.11 - no change

445.14 Funeral directors; who to employ. No public officer, employee or officer of any public institution, physician **licensed under s. 448.01 (5)** or surgeon shall send, or cause to be sent, to any funeral director, the corpse of any deceased person, without having first made due inquiry as to the desires of the next of kin, or any persons who may be chargeable with the funeral expenses of such deceased person, and if any such kin or person is found, his or her authority or direction shall be received as to the disposal of such corpse.

OK 4513

447.01(8)(g) Penetrating, piercing or severing the tissues within the human oral cavity or adjacent associated structures. This paragraph does not apply to care or treatment rendered by a physician **licensed under s. 448.01 (5)**, as defined in s. 448.01 (5), acting within the scope of the practice of medicine and surgery, as defined in s. 448.01 (9).

447.03(3)(h) A physician **licensed under s. 448.01 (5)**, or surgeon licensed in this state who extracts teeth, or operates upon the palate or maxillary bones and investing tissues, or who administers anesthetics, either general or local.

AM 449.01(2) 449.02(2) 449.01(5)

449.01 Definition "Physician" means an individual licensed under s. 448.01 (5)

450.01(15m)

All Chapter 450 Definition "Physician" means an individual licensed under s. 448.01 (5)

454.02 Definition "Physician" means an individual licensed under s. 448.01 (5)

454.01(14m) ✓

and am

454.02(1)

✓ 459.035 Medical exam before being fitted. A hearing aid shall not be fitted for or sold to a child 16 years of age or younger unless within 90 days prior to the fitting the person to be fitted has been examined by a physician **licensed under s. 448.01 (5)** to determine whether or not he or she has any physical deficiencies that would prohibit the effective use of a hearing aid.

✓ 632.68 Definition "Physician" means an individual licensed under s. 448.01 (5)

632.76(2)(h) Notwithstanding par. (a), no claim for loss incurred or disability commencing after 6 months from the date of issue of a medicare supplement policy, medicare replacement policy or long-term care insurance policy may be reduced or denied on the ground that a disease or physical condition existed prior to the effective date of coverage. A medicare supplement policy, medicare replacement policy or long-term care insurance policy may not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician **licensed under s. 448.01 (5)** or _____ within 6 months before the effective date of coverage. Notwithstanding par. (a), if on the basis of information contained in an application for insurance a medicare supplement policy, medicare replacement policy or long-term care insurance policy excludes from coverage a condition by name or specific description, the exclusion must terminate no later than 6 months after the date of issue of the medicare supplement policy, medicare replacement policy or long-term care insurance policy. The commissioner may by rule exempt from this paragraph certain classes of medicare supplement policies, medicare replacement policies and long-term care insurance policies, if the commissioner finds the exemption is not adverse to the interests of policyholders and certificate holders.

632.835(6m)(c) If a physician **licensed under s. 448.01 (5)**, hold a current certification by a recognized American medical specialty board in the area or areas appropriate to the subject of the review.

632.853 Coverage of drugs and devices. A health care plan, as defined in s. 628.36 (2) (a) 1., or a self-insured health plan, as defined in s. 632.85 (1) (c), that provides coverage of only certain specified prescription drugs or devices shall develop a process through which a physician **licensed under s. 448.01 (5)**, may present medical evidence to obtain an individual patient exception for coverage of a prescription drug or device not routinely covered by the plan. The process shall include timelines for both urgent and nonurgent review.

632.89 "Physician" means an individual licensed under s. 448.01 (5)

✗ 765.03 (1) No marriage shall be contracted while either of the parties has a husband or wife living, nor between persons who are nearer of kin than 2nd cousins except that marriage may be contracted between first cousins where the female has attained the age of 55 years or where either party, at the time of application for a marriage license, submits an affidavit signed by a physician **licensed under s. 448.01 (5)** stating that either party is permanently sterile. Relationship under this section shall be computed by the rule of the civil law, whether the parties to the marriage are of the half or of the whole blood. A marriage may not be contracted if either party has such want of understanding as renders him or her incapable of assenting to marriage.

767.47(7) Testimony of a physician **licensed under s. 448.01 (5)** concerning the medical circumstances of the pregnancy and the condition and characteristics of the child upon birth is not privileged.

✗ 804.10 Definition "Physician" means an individual licensed under s. 448.01 (5) or _____

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~~880.33~~ Definition "Physician" means an individual licensed under s. 448.01 (5)

891.09(2) Church and doctor's records. Any church, parish or baptismal record, and any record of a physician licensed under s. 448.01 (5) or a person authorized to solemnize marriages, in which record are preserved the facts relating to any birth, stillbirth, fetal death, marriage or death, including the names of the persons, dates, places and other material facts, may be admitted as prima facie evidence of any fact aforesaid. But such record must be produced by its proper custodian and be supported by the custodian's oath that it is such a record as it purports to be and is genuine to the best of the custodian's knowledge and belief.

891.40 "Physician" means an individual licensed under s. 448.01 (5)

938.27(3)(b)2. A court is not required to provide notice, under subd. 1., to any person who may be the father of a juvenile conceived as a result of a sexual assault if a physician licensed under s. 448.01 (5) attests to his or her belief that there was a sexual assault of the juvenile's mother that may have resulted in the juvenile's conception.

938.295 Definition "Physician" means an individual licensed under s. 448.01 (5)

938.48(6) Consent to emergency surgery under the direction of a licensed physician licensed under s. 448.01 (5) or surgeon for any juvenile under its supervision under s. 938.183, 938.34 (4h), (4m) or (4n) or 938.357 (4) upon notification by a licensed physician or surgeon of the need for such surgery and if reasonable effort, compatible with the nature and time limitation of the emergency, has been made to secure the consent of the juvenile's parent or guardian.

938.505(2)(a)3. Based on the recommendation of a physician licensed under s. 448.01 (5), that the juvenile is in need of psychotropic medication, that psychotropic medication is appropriate for the juvenile's needs and that psychotropic medication is the least restrictive treatment consistent with the juvenile's needs.

939.615(5)(c)4. Has a statement from a physician licensed under s. 448.01 (5) or _____ certifying to the department that the person should be excused from working for medical reasons.

939.615(6)(e) A person filing a petition requesting termination of lifetime supervision who is entitled to a hearing under par. (d) 2. shall be examined by a person who is either a physician or a psychologist licensed under ch. 455 and who is approved by the court. The physician licensed under s. 448.01 (5) or psychologist who conducts an examination under this paragraph shall prepare a report of his or her examination that includes his or her opinion of whether the person petitioning for termination of lifetime supervision is a danger to public. The physician or psychologist shall file the report of his or her examination with the court within 60 days after completing the examination, and the court shall provide copies of the report to the person filing the petition and the district attorney who received a copy of the person's petition under par. (c). The contents of the report shall be confidential until the physician or psychologist testifies at a hearing under par. (f). The person petitioning for termination of lifetime supervision shall pay the cost of an examination required under this paragraph.

940 Definition "Physician" means an individual licensed under s. 448.01 (5)

941.315 Definition "Physician" means an individual licensed under s. 448.01 (5)

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pp 948.70(1) a)
948.70(1) (intio) (b)

948.13 Definition "Physician" means an individual licensed under s. 448.01 (5)

✓ 968.255(3) No person other than a physician licensed under s. 448.01 (5), physician assistant or registered nurse licensed to practice in this state may conduct a body cavity search.

✓ 971.14 Definition "Physician" means an individual licensed under s. 448.01 (5) - 971.14(5)(am)

975.06 Definition "Physician" means an individual licensed under s. 448.01 (5) 971.14(2)(g)

ca 975.001

~~979.01~~ Definition "Physician" means an individual licensed under s. 448.01 (5)