

1 *~~0876/1.17~~* SECTION ~~34~~ 49.47 (4) (h) of the statutes is renumbered 49.47 (4)
2 (cg) 2. and amended to read:

3 49.47 (4) (cg) 2. For the Except as provided in subd. 3., for purposes of
4 determining whether an individual meets the income limits under par. (am),
5 “income” includes income that would be used included in determining eligibility for
6 aid to families with dependent children under s. 49.19 and excludes income that
7 would be excluded in determining eligibility for aid to families with dependent
8 children under s. 49.19.

9 *~~0876/1.18~~* SECTION ~~35~~ 49.665 (4) (a) 1. of the statutes is amended to read:
10 49.665 (4) (a) 1. The family’s income does not exceed 185% of the poverty line,
11 except as provided in par. (at) and except that a family that is already receiving
12 health care coverage under this section may have an income that does not exceed
13 200% of the poverty line. The Subject to par. (d), the department shall establish by
14 rule the criteria to be used to determine income.

15 *~~0876/1.19~~* SECTION ~~36~~ 49.665 (4) (d) of the statutes is created to read:
16 49.665 (4) (d) For purposes of determining a family’s or child’s income under
17 this section, the department shall exclude from the calculation of farm or
18 self-employment income any amounts claimed for depreciation for income tax
19 purposes.

20 *~~4180/1.1~~* SECTION ~~37~~ 49.688 (4r) of the statutes is created to read:
21 49.688 (4r) In determining a person’s annual household income under sub. (2)
22 (a) 4. and (b) for purposes of determining eligibility for prescription drug assistance
23 and under sub. (3) (b) 1. and 2. a. for purposes of establishing the required deductible
24 amount, the department shall deduct the amount of property taxes that the person
25 or any member of his or her household paid on the person’s primary residence in the

1 12-month period before the department makes an eligibility determination under
2 sub. (4).

3 ~~*-0288/1.1* SECTION 38.~~ 51.30 (4) (b) 13. of the statutes is renumbered 51.30
4 (4) (cm) and amended to read:

5 51.30 (4) (cm) Required access to records. ~~To the parents, children~~
6 Notwithstanding par. (a), treatment records of an individual shall be released
7 without informed written consent, except as restricted under par. (c), to the parent,
8 child, sibling, or spouse of an individual who is or was a patient at an inpatient
9 facility; to a law enforcement officer who is seeking to determine whether an
10 individual is on unauthorized absence from the facility; and to mental health
11 professionals who are providing treatment to the individual at the time that the
12 information is released to others. Information released under this subdivision
13 paragraph is limited to notice as to whether or not an individual is a patient at the
14 inpatient facility and, if the individual is no longer a patient at the inpatient facility,
15 the facility or other place, if known, at which the individual is located. This
16 paragraph does not apply to an individual's parent, child, sibling, or spouse from
17 whom the individual has specifically requested that the information under this
18 paragraph be withheld.

19 ~~*-0081/2.1* SECTION 39.~~ 100.31 (title) of the statutes is amended to read:

20 100.31 (title) **Unfair discrimination in Prescription drug pricing.**

21 ~~*-0081/2.2* SECTION 40.~~ 100.31 (1) (a) of the statutes is renumbered 100.31 (1)
22 (bm) and amended to read:

23 100.31 (1) (bm) ~~"Drug"~~ "Prescription drug" means any substance subject to 21
24 USC 353 (b).

25 ~~*-0081/2.3* SECTION 41.~~ 100.31 (1) (ae) of the statutes is created to read:

1 100.31 (1) (ae) “Consumer” means a person for whom a prescription drug is
2 prescribed.

3 *~~0081/2.4~~* SECTION ~~42~~ 100.31 (1) (as) of the statutes is created to read:

4 100.31 (1) (as) “Federal drug list” means the “Approved Drug Products with
5 Therapeutic Equivalence Evaluations” published by the federal food and drug
6 administration, or other publication specified in rules promulgated by the
7 department under sub. (2r).

8 *~~0081/2.5~~* SECTION ~~43~~ 100.31 (1) (b) of the statutes is renumbered 100.31 (1)
9 (am) and amended to read:

10 100.31 (1) (am) “Purchaser” “Dispenser” means any person who engages
11 primarily in selling dispensing, as defined in s. 450.01 (7), prescription drugs directly
12 to consumers for outpatient use. “Dispenser” includes a hospital that directly or
13 indirectly bills patients for prescription drugs, or an insurer that issues a defined
14 network plan, as defined in s. 609.01 (1b), and that provides prescription drugs or
15 prescription drug coverage to the enrollees of the plan.

16 *~~0081/2.6~~* SECTION ~~44~~ 100.31 (1) (c) of the statutes is amended to read:

17 100.31 (1) (c) “Seller” means any person who trades in prescription drugs for
18 resale to ~~purchasers~~ dispensers in this state.

19 *~~0081/2.7~~* SECTION ~~45~~ 100.31 (2) of the statutes is amended to read:

20 100.31 (2) PRICE DISCRIMINATION PROHIBITED. Every seller shall offer
21 prescription drugs from the most current federal drug list ~~of therapeutically~~
22 ~~equivalent drugs published by the federal food and drug administration~~ to every
23 ~~purchaser~~ dispenser in this state, with all rights and privileges offered or accorded
24 by the seller to the most favored ~~purchaser~~ dispenser, including purchase prices for
25 similar volume purchases, rebates, free merchandise, samples, and similar trade

1 concessions. Nothing in this subsection prohibits the giving of a discount for volume
2 purchases.

3 ~~SECTION 46~~ *-0081/2.8* SECTION 46, 100.31 (2r) of the statutes is created to read:

4 100.31 (2r) RULES. The department may promulgate rules that, for purposes
5 of sub. (1) (as), specify a publication that identifies drug products approved on the
6 basis of safety and effectiveness by the federal food and drug administration under
7 the federal Food, Drug, and Cosmetic Act.

8 ~~SECTION 47~~ *-0081/2.9* SECTION 47, 100.31 (4) of the statutes is amended to read:

9 100.31 (4) PENALTIES. For any violation of this section, the department or a
10 district attorney may commence an action on behalf of the state to recover a forfeiture
11 of not less than \$100 nor more than \$10,000 for each offense. Each delivery of a
12 prescription drug sold to a purchaser dispenser at a price in violation of this section
13 and each separate day in violation of an injunction issued under this section is a
14 separate offense.

15 ~~SECTION 48~~ *-2171/3.1* SECTION 48, 146.385 of the statutes is created to read:

16 **146.385 Health care provider service rate charges; limitations.** (1) In
17 this section:

18 (a) "Health care provider" means any of the following that receives income from
19 the provision of health care or mental health services, items, or supplies in this state:

20 1. An individual who is licensed, registered, permitted, or certified by the
21 department of health and family services or by the department of regulation and
22 licensing to provide health care or mental health services, items, or supplies.

23 2. A partnership, corporation, or limited liability company of individuals
24 specified in subd. 1.

1 3. A facility or agency that provides health care or mental health services,
2 items, or supplies.

3 (b) “Insurer” means an insurer that is authorized to do business in this state,
4 in one or more lines of insurance that includes health insurance, and that offers
5 health care plans, as defined in s. 628.36 (2) (a) 1., covering individuals in this state.

6 (2) (a) By April 1 annually, the department shall make available on the
7 department’s website, in a form that is downloadable, and, upon request, by mail, the
8 current Medical Assistance fee schedule for health care services of health care
9 providers.

10 (b) The department may make available on the department’s website, in a form
11 that is downloadable, and, upon request, by mail, all of the following:

12 1. The current insurer rates of health care providers provided to the
13 department under sub. (3) (a), including any rate increases about which the
14 department is informed under sub. (3) (a).

15 2. The current rates of reimbursement for health care services of health care
16 providers provided to the department under sub. (5), including any rate increases
17 about which the department is informed under sub. (5).

18 (c) The department may contract for the receipt of information under sub. (3)
19 (a) or (5) and for the posting of the information under par. (a) or (b), in accordance
20 with the department’s request-for-proposal procedures.

21 (3) (a) By April 15 annually, a health care provider shall provide to the
22 department, on a form provided by the department, a statement of the provider’s
23 rates for health care services for the period from the following May 1 to April 30. If
24 during this period the health care provider increases any of the rates from the
25 amount stated, the health care provider shall so inform the department, on a form

1 provided by the department. The rates shall be stated in a form determined by the
2 department that may include statement as a percentage of the Medical Assistance
3 fee schedule for services of providers, as specified by the department under sub. (2)
4 (a).

5 (b) Beginning on May 1 annually, a health care provider shall, with respect to
6 the provider's rates for the period from that date to April 30 of the following year, do
7 all of the following:

8 1. If the health care provider has an Internet website, post the rates, including
9 any rate increases, on the website, in a form that is downloadable.

10 2. Take reasonable steps to ensure that health care consumers of services of the
11 health care provider are aware that information on the provider's rates for health
12 care services is available and are informed about the means by which the rate
13 information may be obtained.

14 (4) Any increase in a rate for the health care service of a health care provider
15 is chargeable only after the health care provider has, under sub. (3) (a), informed the
16 department of the increase and has, if applicable, posted the rate increase under sub.
17 (3) (b) 1.

18 (5) By April 15 annually, an insurer shall provide to the department, on a form
19 provided by the department, and to the insurer's insureds a statement of the
20 insurer's rates of reimbursement for health care services of health care providers for
21 the period from the following May 1 to April 30. If during this period the insurer
22 increases any of the rates of reimbursement from the amount stated, the insurer
23 shall so inform the department, on a form provided by the department. The rates of
24 reimbursement shall be stated as a percentage of the Medical Assistance fee

1 schedule for health care services of health care providers, as specified by the
2 department under sub. (2) (a).

3 ~~*-0289/2.1* SECTION 49~~ 146.89 (1) of the statutes is renumbered 146.89 (1)
4 (intro.) and amended to read:

5 146.89 (1) (intro.) In this section, ~~“volunteer:~~

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

13 ~~*-0289/2.2* SECTION 50~~ 146.89 (1) (d) of the statutes is created to read:

14 146.89 (1) (d) “Governing body” means the governing body of any of the
15 following:

16 1. A charter school, as defined in s. 115.001 (1).

17 2. A private school, as defined in s. 115.001 (3r), that participates in the
18 Milwaukee Parental Choice Program under s. 119.23.

19 ~~*-0289/2.3* SECTION 51~~ 146.89 (1) (g) of the statutes is created to read:

20 146.89 (1) (g) “School” means any of the following:

21 1. A public elementary school.

22 2. A charter school, as defined in s. 115.001 (1).

23 3. A private school, as defined in s. 115.001 (3r), that participates in the
24 Milwaukee Parental Choice Program under s. 119.23

25 ~~*-0289/2.4* SECTION 52~~ 146.89 (1) (h) of the statutes is created to read:

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

2 *-0289/2.5* SECTION ~~53~~ 146.89 (2) (a) of the statutes is amended to read:

3 146.89 (2) (a) A volunteer health care provider may participate under this
4 section only if he or she submits a joint application with a nonprofit agency, school
5 board, or governing body to the department of administration and that department
6 approves the application. If the volunteer health care provider submits a joint
7 application with a school board or governing body, the application shall include a
8 statement by the school board or governing body that certifies that the volunteer
9 health care provider has received materials that specify school board or governing
10 body policies concerning the provision of health care services to students and has
11 agreed to comply with the policies. The department of administration shall provide
12 application forms for use under this paragraph.

13 *-0289/2.6* SECTION ~~54~~ 146.89 (2) (c) of the statutes is amended to read:

14 146.89 (2) (c) The department of administration shall notify the volunteer
15 health care provider and the nonprofit agency, school board, or governing body of the
16 department's decision to approve or disapprove the application.

17 *-0289/2.7* SECTION ~~55~~ 146.89 (2) (d) of the statutes is amended to read:

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

1 *~~0289/2.8~~* SECTION ~~56~~ 146.89 (3) (b) (intro.) of the statutes is amended to
2 read:

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

5 *~~0289/2.9~~* SECTION ~~57~~ 146.89 (3) (c) of the statutes is amended to read:

6 146.89 (3) (c) ~~The~~ Under this section, the nonprofit agency may not provide
7 emergency medical services, hospitalization, or surgery, except as provided in par.
8 (b) 8.

9 *~~0289/2.10~~* SECTION ~~58~~ 146.89 (3) (d) (intro.) of the statutes is amended to
10 read:

11 146.89 (3) (d) (intro.) ~~The~~ Under this section, the nonprofit agency shall provide
12 health care services primarily to low-income persons who are uninsured and who are
13 not recipients of any of the following:

14 *~~0289/2.11~~* SECTION ~~59~~ 146.89 (3m) of the statutes is created to read:

15 146.89 (3m) All of the following apply to a volunteer health care provider whose
16 joint application with a school board or relevant governing body is approved under
17 sub. (2):

18 (a) Before providing health care services in a school, the volunteer health care
19 provider shall provide to the school board or relevant governing body proof of
20 satisfactory completion of any competency requirements that are relevant to the
21 volunteer health care provider, as specified by the department of public instruction
22 by rule.

23 (b) Under this section, the volunteer health care provider may provide only to
24 students from 4-year-old kindergarten to grade 6 the following health care services:

1 1. Except as specified in par. (c), the health care services specified in sub. (3)
2 (b) 1. to 5., 7., and 8.

3 2. First aid for illness or injury.

4 3. Except as specified in par. (c), the administration of drugs, as specified in s.
5 118.29 (2) (a) 1. to 3.

6 4. Health screenings.

7 5. Any other health care services designated by the department of public
8 instruction by rule.

9 (c) Under this section, the volunteer health care provider may not provide any
10 of the following:

11 1. Emergency medical services.

12 2. Hospitalization.

13 3. Surgery, except as provided in par. (b) 2. and 5.

14 4. A referral for abortion, as defined in s. 48.375.

15 5. A contraceptive article, as defined in s. 450.155 (1) (a).

16 6. A pregnancy test.

17 (d) Any health care services provided under par. (b) shall be provided without
18 charge at the school and shall be available to all students from 4-year-old
19 kindergarten to grade 6 regardless of income.

20 *~~0083/1.2~~* ~~SECTION 60~~. 441.07 (1) (d) of the statutes is amended to read:

21 441.07 (1) (d) Misconduct or unprofessional conduct. In this paragraph,

22 “misconduct” and “unprofessional conduct” do not include the prescribing of an

23 antibiotic drug as described in s. 448.035.

24 *~~0083/1.3~~* ~~SECTION 61~~. 441.16 (3m) of the statutes is created to read:

1 441.16 (3m) An advanced practice nurse who is certified under sub. (2) may
2 prescribe an antibiotic drug as described in s. 448.035.

3 *~~0083/1.4~~* SECTION ~~62~~ 448.015 (4) of the statutes is amended to read:

4 448.015 (4) "Unprofessional conduct" means those acts or attempted acts of
5 commission or omission defined as unprofessional conduct by the board under the
6 authority delegated to the board by s. 15.08 (5) (b) and any act by a physician or
7 physician assistant in violation of ch. 450 or 961. "Unprofessional conduct" does not
8 include the prescribing of an antibiotic drug as described in s. 448.035.

9 *~~0083/1.5~~* SECTION ~~63~~ 448.035 of the statutes is created to read:

10 **448.035 Prescribing certain antibiotic drugs. (1)** In this section:

11 (a) "Advanced practice nurse prescriber" means a nurse who is certified under
12 s. 441.16 (2).

13 (b) "Antibiotic drug" means an antibiotic drug recommended for treatment of
14 chlamydia, gonorrhea, or trichomonas in the most current guidelines for the
15 treatment of sexually transmitted diseases of the federal centers for disease control.

16 (2) Notwithstanding the requirements of s. 448.30, a physician, physician
17 assistant, or advanced practice nurse prescriber may prescribe an antibiotic drug as
18 a course of therapy for treatment of chlamydia, gonorrhea, or trichomonas to a
19 patient for use by a person with whom the patient has had sexual intercourse if the
20 patient states to the physician, physician assistant, or advanced practice nurse
21 prescriber that the person is not allergic to the drug. The prescription order is
22 required to include the name and address of the patient, a statement that indicates
23 that the patient should ask the person with whom the patient has had sexual
24 intercourse whether that person is allergic to the drug, and a statement that
25 indicates that the drug should not be taken by a person who is allergic to the drug.

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1 The prescription order is not required to include the name and address of the person
2 with whom the patient has had sexual intercourse. This subsection does not apply
3 to the prescribing of a substance listed in the schedules in ss. 961.14, 961.16, 961.18,
4 961.20, and 961.22 or substances added by the controlled substances board acting
5 under s. 961.11 (1). A physician, physician assistant, or advanced practice nurse
6 prescriber may not issue prescriptions under this subsection for more than 2 persons
7 in one year with whom a particular patient has had sexual intercourse.

8 (3) At the time of issuing the prescription under sub. (2), the physician,
9 physician assistant, or advanced practice nurse prescriber may provide the patient,
10 in writing, with information specified by the department of health and family
11 services under s. 46.03 (44) and request that the patient give the information to the
12 person with whom the patient has had sexual intercourse.

13 *-0083/1.6* SECTION ~~64~~. 448.04 (1) (a) of the statutes is amended to read:

14 448.04 (1) (a) *License to practice medicine and surgery*. A person holding a
15 license to practice medicine and surgery may practice as defined in s. 448.01 (9) and
16 as provided in s. 448.035.

17 *-0083/1.7* SECTION ~~65~~. 450.10 (1) (a) (intro.) of the statutes is amended to
18 read:

19 450.10 (1) (a) (intro.) In this subsection, "unprofessional conduct" includes any
20 of the following, but ~~is not limited to~~ does not include the dispensing of an antibiotic
21 drug as described in s. 450.11 (1g):

22 *-0083/1.8* SECTION ~~66~~. 450.11 (1) of the statutes is amended to read:

23 450.11 (1) DISPENSING. No person may dispense any prescribed drug or device
24 except upon the prescription order of a practitioner. All prescription orders shall
25 specify the date of issue, ~~the name and address of the patient,~~ the name and address

1 of the practitioner, the name and quantity of the drug product or device prescribed,
2 directions for the use of the drug product or device and, if the order is written by the
3 practitioner, the signature of the practitioner. Except as provided in s. 448.035 (2),
4 all prescription orders shall also specify the name and address of the patient. Any
5 oral prescription order shall be immediately reduced to writing by the pharmacist
6 and filed according to sub. (2).

7 *-0083/1.9* SECTION ~~67~~ 450.11 (1g) of the statutes is created to read:

8 450.11 (1g) DISPENSING CERTAIN ANTIBIOTIC DRUGS. (a) In this subsection,
9 "antibiotic drug" has the meaning given in s. 448.035 (1) (b).

10 (b) A pharmacist may, upon the prescription order of a practitioner, as specified
11 in s. 448.035, and under all other requirements of sub. (1), dispense an antibiotic
12 drug as a course of therapy for treatment of chlamydia, gonorrhea, or trichomonas
13 to a patient for use by a person with whom the patient has had sexual intercourse.

14 *-0082/1.1* SECTION ~~68~~ 456.02 (intro.) of the statutes is amended to read:

15 456.02 Duties. (intro.) The examining board shall do all of the following:

16 *-0082/1.2* SECTION ~~69~~ 456.02 (1) of the statutes is amended to read:

17 456.02 (1) Develop, impose and enforce standards ~~which must be met by~~
18 individuals that an individual is required to meet in order to receive a license as a
19 nursing home administrator, ~~which.~~ The standards shall be designed to ~~insure~~
20 ensure that a nursing home administrators ~~will be individuals who are~~
21 administrator is of good character ~~and are,~~ is otherwise suitable, and ~~who,~~ by
22 training or experience in the field of institutional administration, ~~are~~ is qualified to
23 serve as a nursing home administrators; administrator.

24 *-0082/1.3* SECTION ~~70~~ 456.02 (2) of the statutes is amended to read:

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1 456.02 (2) Develop and apply appropriate techniques, including examinations
2 and investigations, for determining whether an individual meets ~~such~~ the
3 standards; under sub. (1).

4 *~~-0082/1.4~~* SECTION ~~71~~[#]. 456.02 (3) of the statutes is amended to read:

5 456.02 (3) Issue ~~licenses to individuals~~ a license to an individual determined,
6 after the application of ~~such~~ the techniques under sub. (2), to meet ~~such~~ the
7 standards under sub. (1), and revoke or suspend ~~licenses~~ a license previously granted
8 by the examining board ~~in any case where~~ if the individual holding ~~any such~~ the
9 license is determined substantially to have failed to conform to the requirements of
10 ~~such~~ the standards;

11 *~~-0082/1.5~~* SECTION ~~72~~[#]. 456.02 (4) of the statutes is amended to read:

12 456.02 (4) Establish and carry out procedures designed to ~~insure~~ ensure that
13 individuals licensed as nursing home administrators will, ~~during any period that~~
14 ~~they serve as such~~, comply with the requirements of ~~such~~ the standards; under sub.
15 (1).

16 *~~-0082/1.6~~* SECTION ~~73~~[#]. 456.02 (5) of the statutes is amended to read:

17 456.02 (5) Subject to the rules promulgated under s. 440.03 (1), receive,
18 investigate, and take appropriate action with respect to, any charge or complaint
19 filed with the examining board to the effect that any individual licensed as a nursing
20 home administrator has failed to comply with the requirements of ~~such~~ the
21 standards; under sub. (1).

22 *~~-0082/1.7~~* SECTION ~~74~~[#]. 456.02 (6) of the statutes is amended to read:

23 456.02 (6) In cooperation with other agencies and appropriate organizations,
24 conduct a continuing study of the practice of nursing home administration within the
25 state with a view to the improvement of the standards imposed for the licensing of

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1 such nursing home administrators and of procedures and methods for the
2 enforcement of such the standards under sub. (1) with respect to nursing home
3 administrators of nursing homes who have been licensed as such; under this chapter.

4 *-0082/1.8* SECTION 75, 456.02 (7) of the statutes is amended to read:

5 456.02 (7) ~~Develop and enforce standards for the~~ Promulgate rules

6 establishing supervised practical experience to be required requirements that an
7 individual shall satisfy before being allowed to take an examination for licensure;

8 and as a nursing home administrator. ~~The~~ rules shall require the individual to

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9 complete at least 2,000 hours in any consecutive 3-year period within the 5-year
10 period immediately preceding the date of application for examination in an

11 internship, administrator-in-training program, or any other structured program
12 approved by the examining board.

13 *-0082/1.9* SECTION 76. 456.04 (4) of the statutes is repealed and recreated
14 to read:

15 456.04 (4) Has one of the following:

16 (a) A bachelor's, master's, or doctoral degree with a major in health care
17 administration or long-term care from an accredited college or university.

18 (b) A bachelor's degree in any field from an accredited college or university and
19 completion of a specialized course that the examining board determines is adequate
20 preparation for nursing home administration.

21 *-0082/1.10* SECTION 77. 456.04 (5) of the statutes is created to read:

22 456.04 (5) Satisfies the supervised practical experience requirements specified
23 in the rules promulgated under s. 456.02 (7).

24 *-0082/1.11* SECTION 78. 456.07 (5) of the statutes is amended to read:

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1 456.07 (5) ~~Only Except as provided in s. 456.12, only an individual who has~~
2 ~~qualified as a licensed and registered nursing home administrator under this~~
3 ~~chapter and who holds a valid current registration certificate under this section for~~
4 ~~the current registration period may use the title "Nursing Home Administrator", and~~
5 ~~the abbreviation "N.H.A." after the person's name. No other person may use or be~~
6 ~~designated by such title or such abbreviation or any other words, letters, sign, card~~
7 ~~or device tending to or intended to indicate that the person is a licensed and~~
8 ~~registered nursing home administrator.~~

9 *~~-0082/1.12~~* SECTION ~~79~~[#]. 456.08 of the statutes is renumbered 456.08 (intro.)
10 and amended to read:

11 **456.08 Reciprocity.** (intro.) The examining board may grant a nursing home
12 administrator license under this chapter to ~~a person~~ an applicant who holds a
13 current nursing home administrator license issued by the proper authorities of any
14 other state or licensing jurisdiction, upon payment of the fee specified in s. 440.05 (2)
15 and upon submission of ~~satisfactory evidence of the person's qualifications.~~ evidence
16 satisfactory to the examining board that the applicant satisfies each of the following:

17 *~~-0082/1.13~~* SECTION ~~80~~[#]. 456.08 (1), (2), (3) and (4) of the statutes are created
18 to read:

19 456.08 (1) The applicant has a bachelor's degree in any field or holds a current
20 certification as a nursing home administrator granted by the American College of
21 Health Care Administrators.

22 (2) The applicant has practiced as a nursing home administrator in good
23 standing for at least 2,000 hours in any consecutive 3-year period within the 5-year
24 period immediately preceding the date of application.

title or

1 (3) Subject to ss. 111.321, 111.322, and 111.335, the applicant does not have an
2 arrest or conviction record.

3 (4) The applicant has passed an examination approved by the examining board
4 relating to state and federal laws governing the practice of nursing home
5 administration.

6 *-0082/1.14* SECTION ~~81~~ 456.09 (1) (c) of the statutes is amended to read:

7 456.09 (1) (c) ~~Practice~~ Except as provided in s. 456.12, practice as a nursing
8 home administrator or use in connection with his or her name any designation
9 tending to imply that the person is a nursing home administrator unless duly
10 licensed and registered to so practice under this chapter; or

11 *-0082/1.15* SECTION ~~82~~ 456.12 of the statutes is created to read:

12 **456.12 Exemption.** This chapter does not apply to a nursing home
13 administrator of a nursing home operated by adherents of a church or religious
14 denomination which subscribes to the act of healing by prayer and the principles of
15 which are opposed to medical treatment.

16 *-2923/1.1* SECTION ~~83~~ 609.22 (2) of the statutes is amended to read:

17 609.22 (2) ADEQUATE CHOICE. A defined network plan that is not a preferred
18 provider plan shall ensure that, with respect to covered benefits, each enrollee has
19 adequate choice among participating providers and that the providers are, to the
20 extent consistent with s. 628.36 (2) (b) 3. and (2m), accessible and qualified.

21 *-2923/1.2* SECTION ~~84~~ 609.32 (2) (a) of the statutes is amended to read:

22 609.32 (2) (a) A defined network plan shall develop, consistent with s. 628.36
23 (2) (b) 3. and (2m), a process for selecting participating providers, including written
24 policies and procedures that the plan uses for review and approval of providers. After
25 consulting with appropriately qualified providers, the plan shall establish, to the

INSERT 39-11

1 extent consistent with s. 628.36 (2) (b) 3. and (2m), minimum professional
2 requirements for its participating providers. The process for selection shall include
3 verification of a provider's license or certificate, including the history of any
4 suspensions or revocations, and the history of any liability claims made against the
5 provider.

6 *~~2923/1.3~~* SECTION ~~85~~[#]. 628.36 (1) of the statutes is renumbered 628.36 (1m)
7 and amended to read:

8 628.36 (1m) PAYMENT METHODS. Any corporation operating a voluntary health
9 care plan may pay health care professionals on a salary, per patient, or
10 fee-for-service basis to provide health care to policyholders or beneficiaries of the
11 corporation.

12 *~~2923/1.4~~* SECTION ~~86~~[#]. 628.36 (1c) (intro.) of the statutes is created to read:

13 628.36 (1c) DEFINITIONS. (intro.) In this section:

14 *~~2923/1.5~~* SECTION ~~87~~[#]. 628.36 (2) (a) (intro.) of the statutes is amended to
15 read:

16 628.36 (2) (a) (intro.) In this section ~~subsection~~ subsection:

17 *~~2923/1.6~~* SECTION ~~88~~[#]. 628.36 (2) (b) 3. of the statutes is amended to read:

18 628.36 (2) (b) 3. Except as provided in ~~subd.~~ subds. 4. and 4m., and subject to
19 sub. (2m) (e), no provider may be denied the opportunity to participate in a health
20 care plan, ~~other than a health maintenance organization, a limited service health~~
21 ~~organization or a preferred provider plan~~, under the terms of the plan.

22 *~~2923/1.7~~* SECTION ~~89~~[#]. 628.36 (2) (b) 4. of the statutes is amended to read:

23 628.36 (2) (b) 4. Any health care plan may exclude a provider from participation
24 in the health care plan for cause related to the practice of his or her profession. A

1 health care plan that excludes a provider from participation shall advise the provider
2 in writing of the reason for the exclusion.

3 *~~2923/1.8~~* SECTION ~~90~~[#]. 628.36 (2) (b) 4m. of the statutes is created to read:
4 628.36 (2) (b) 4m. Subdivision 3. applies to a health maintenance organization,
5 limited service health organization, or preferred provider plan only with respect to
6 a provider located in the geographic service area of the health maintenance
7 organization, limited service health organization, or preferred provider plan.

8 *~~2923/1.9~~* SECTION ~~91~~[#]. 628.36 (2m) (title) of the statutes is repealed and
9 recreated to read:

10 628.36 (2m) (title) ANNUAL PARTICIPATION ELECTION PERIOD.

11 *~~2923/1.10~~* SECTION ~~92~~[#]. 628.36 (2m) (a) (intro.) and 2m. of the statutes are
12 consolidated, renumbered 628.36 (2m) (ac) and amended to read:

13 628.36 (2m) (ac) In this subsection: ~~2m.~~ “Pharmaceutical, health care
14 services” do not include the administration of a drug product or device or vaccine
15 under s. 450.035.

16 *~~2923/1.11~~* SECTION ~~93~~[#]. 628.36 (2m) (a) 1. of the statutes is renumbered
17 628.36 (1c) (a).

18 *~~2923/1.12~~* SECTION ~~94~~[#]. 628.36 (2m) (a) 2. of the statutes is renumbered
19 628.36 (1c) (b).

20 *~~2923/1.13~~* SECTION ~~95~~[#]. 628.36 (2m) (a) 3. of the statutes is renumbered
21 628.36 (1c) (c).

22 *~~2923/1.14~~* SECTION ~~96~~[#]. 628.36 (2m) (e) 1. of the statutes is amended to read:

23 628.36 (2m) (e) 1. A health maintenance organization, limited service health
24 organization, or preferred provider plan that provides coverage of pharmaceutical
25 health care services when that are performed by one or more pharmacists health care

1 professionals who are selected by the organization or plan but who are not full-time
2 salaried employees or partners of the organization or plan shall provide an annual
3 period of at least 30 days during which any ~~pharmacist registered under ch. 450~~
4 health care professional who provides those health care services, who has been
5 granted a credential, as defined in s. 440.01 (2) (a), to practice in this state, and who
6 is located in the geographic service area of the organization or plan may elect to
7 participate in the health maintenance organization, limited service health
8 organization, or preferred provider plan under its terms as a selected provider for at
9 least one year.

10 *~~2923/1.15~~* SECTION ~~97~~, 628.36 (2m) (e) 2. of the statutes is amended to read:

11 628.36 (2m) (e) 2. Except as provided in subd. 3., subd. 1. applies to health
12 maintenance organizations ~~on and after May 10, 1984. Except as provided in subd.~~
13 ~~4., subd. 1. applies to,~~ limited service health organizations, and preferred provider
14 plans on or after ~~April 28, 1990~~ the effective date of this subdivision [revisor
15 inserts date].

16 *~~2923/1.16~~* SECTION ~~98~~, 628.36 (2m) (e) 3. of the statutes is amended to read:

17 628.36 (2m) (e) 3. If compliance with the requirements of subd. 1. during the
18 period specified in subd. 2. would impair any provision of a contract between a health
19 maintenance organization, limited service health organization, or preferred
20 provider plan and any other person, and if the contract provision was in existence
21 prior to ~~May 10, 1984~~ the effective date of this subdivision [revisor inserts date],
22 then immediately after the expiration of all such contract provisions the health
23 maintenance organization, limited service health organization, or preferred
24 provider plan shall comply with the requirements of subd. 1.

25 *~~2923/1.17~~* SECTION ~~99~~, 628.36 (2m) (e) 4. of the statutes is repealed.

1 *~~2923~~/1.18* SECTION ~~100~~. 628.36 (3) of the statutes is amended to read:

2 628.36 (3) EXEMPTION BY RULE. By rule the commissioner may exempt from the
3 application of any part of subs. ~~(1)~~ (1m) to (2m) plans ~~which~~ that provide innovative
4 approaches to the delivery of health care or ~~which~~ that are designed to contain health
5 care costs, and ~~which~~ that cannot operate successfully consistent with all of the
6 provisions in subs. ~~(1)~~ (1m) to (2m). The commissioner may promulgate such a rule
7 only if on a finding that the interests of the public require such plans as an
8 experiment, to supply health care services that are not otherwise available in
9 adequate quantity or quality, or to contain health care costs. The promulgated rule
10 shall be as narrow as is compatible with the success of the plans.

11 *~~4204~~/1.1* SECTION ~~101~~. 632.89 (1) (am) of the statutes is created to read:

12 632.89 (1) (am) “Consumer price index” means the consumer price index for all
13 urban consumers, U.S. city average, as determined by the U.S. department of labor.

14 *~~4203~~/1.1* SECTION ~~102~~. 632.89 (1) (b) of the statutes is created to read:

15 632.89 (1) (b) “Diagnostic testing” means procedures used to exclude the
16 existence of conditions other than nervous or mental disorders or alcoholism or other
17 drug abuse problems.

18 *~~4204~~/1.2* SECTION ~~103~~. 632.89 (2) (b) 1. of the statutes is amended to read:

19 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability
20 insurance policy issued by an insurer provides coverage of inpatient hospital
21 treatment or outpatient treatment or both, the policy shall provide coverage in every
22 policy year as provided in pars. (c) to (dm), as appropriate, except that the total
23 coverage under the policy for a policy year need not exceed ~~\$7,000~~ \$16,800 or the
24 equivalent benefits measured in services rendered.

25 *~~4204~~/1.3* SECTION ~~104~~. 632.89 (2) (c) 2. b. of the statutes is amended to read:

1 632.89 (2) (c) 2. b. ~~Seven thousand~~ Sixteen thousand eight hundred dollars
2 minus any applicable cost sharing at the level charged under the policy for inpatient
3 hospital services or the equivalent benefits measured in services rendered or, if the
4 policy does not use cost sharing, ~~\$6,300~~ \$15,100 in equivalent benefits measured in
5 services rendered.

6 *~~4204/1.4~~* SECTION ~~105~~ [#]. 632.89 (2) (d) 2. of the statutes is amended to read:
7 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
8 provide coverage in every policy year for not less than ~~\$2,000~~ \$3,100 minus any
9 applicable cost sharing at the level charged under the policy for outpatient services
10 or the equivalent benefits measured in services rendered or, if the policy does not use
11 cost sharing, ~~\$1,800~~ \$2,800 in equivalent benefits measured in services rendered.

12 *~~4204/1.5~~* SECTION ~~106~~ [#]. 632.89 (2) (dm) 2. of the statutes is amended to read:
13 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
14 provide coverage in every policy year for not less than ~~\$3,000~~ \$4,600 minus any
15 applicable cost sharing at the level charged under the policy for transitional
16 treatment arrangements or the equivalent benefits measured in services rendered
17 or, if the policy does not use cost sharing, ~~\$2,700~~ \$4,100 in equivalent benefits
18 measured in services rendered.

19 *~~4204/1.6~~* SECTION ~~107~~ [#]. 632.89 (2) (f) of the statutes is created to read:
20 632.89 (2) (f) *Report on coverage limits.* The department of health and family
21 services shall report annually to the governor and the legislature on revising the
22 coverage limits specified in this subsection based on the change in the consumer price
23 index for medical costs.

24 *~~4203/1.2~~* SECTION ~~108~~ [#]. 632.89 (6) and (7) of the statutes are created to read:

1 632.89 (6) PRESCRIPTION DRUGS AND DIAGNOSTIC TESTING. (a) The coverage
2 amounts specified in sub. (2) shall not include costs incurred for prescription drugs
3 or diagnostic testing.

4 (b) The department of health and family services may specify, by rule, the
5 diagnostic testing procedures to which par. (a) applies.

6 (7) TREATMENT OF COSTS. The coverage amounts specified in sub. (2) apply to
7 actual payments or reimbursements made by an insurer if the payment or
8 reimbursement amounts are less than the amounts charged by a provider.

9 *~~-0289/2.12*~~ SECTION ~~109~~[#]. 895.48 (1m) of the statutes, as affected by 2003
10 Wisconsin Act 33, is renumbered 895.48 (1m) (a).

11 *~~-0289/2.13*~~ SECTION ~~110~~[#]. 895.48 (1m) (b) of the statutes is created to read:
12 895.48 (1m) (b) This subsection does not apply to health care services provided
13 by a volunteer health care provider under s. 146.89.

14 *~~-0083/1.10*~~ SECTION ~~111~~[#]. **Nonstatutory provisions.**

15 (1) ~~SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION~~. The department of
16 health and family services shall submit in proposed form the rules required under
17 section 46.03 (44) of the statutes, as created by this act, to the legislative council staff
18 under section 227.15 (1) of the statutes no later than the first day of the 7th month
19 beginning after the effective date of this subsection.

20 *~~-4180/1.2*~~ SECTION ~~112~~[#]. **Initial applicability.**

21 (1) ~~DEDUCTION~~^(KA) (1) ~~DEDUCTION~~. The treatment of section 49.688 (4r) of the statutes first applies
22 to eligibility determinations made and deductible amounts paid on the effective date
23 of this subsection.

24 *~~4203/1.3*~~ SECTION ~~113~~. ~~Initial applicability.~~

CREATE
AUTOREF A

SECTION 113

2

1 (1) If an insurance policy that is in effect on the effective date of this subsection
2 contains a provision that is inconsistent with the treatment of section 632.89 (6) or
3 (7) of the statutes, the treatment of section 632.89 (6) or (7) of the statutes, whichever
4 is inconsistent, first applies to that insurance policy on the date on which it is
5 renewed.

Insert 46-7

~~*4204/1.7* SECTION 114. Initial applicability.~~

7 (1) ~~This act~~ first applies to a policy issued, renewed, or modified on the first day
8 of the 13th month beginning after publication.

~~*0289/2.14* SECTION 115. Initial applicability.~~

INSERT 46-10

10 (1) ~~Volunteer Health Care Provider Program. This act~~ first applies to
11 applications submitted under section 146.89 (2) (a) of the statutes, as affected by this
12 act, on the effective date of this subsection.

~~*0082/1.26* SECTION 416. Initial applicability.~~

14 (1) The renumbering and amendment of section 456.08 of the statutes and the
15 creation of section 456.08 (1), (2), (3), and (4) of the statutes first apply to applications
16 received on the effective date of this subsection.

~~*0876/1.20* SECTION 117. Initial applicability.~~

Insert 46-18

18 (1) ~~This act~~ first applies to eligibility determinations for the Medical Assistance
19 and Badger Care health care programs that are made on the effective date of this
20 subsection.

, except as follows

Change Company

-4180/1.3 SECTION 118. Effective date. ~~Except as otherwise provided~~
in the following subsection, this act takes effect on the day after publication.

22 (1) ~~This act takes~~ effect on the first day of the 2nd month beginning after
23 publication.

The treatment of section 49.688 (4) of the statutes and SECTION AUTOREF A (1) of this act take

~~*0293/2.5* SECTION 119. Effective date.~~

A.R.
KA

SECTION 119

The treatment of sections
20.435 (4) (b) and (7) (bd), 49.45 (6ur)
and 49.45 (6v) of the statutes

1 [#] 2 (1) This act takes effect on January 1, 2005, or on the day after publication,
2 whichever is later.

3 ~~*0081/2.10* SECTION 120. Effective date. (INSERT 47-4)~~

4 [#] 3 (1) This act takes effect on the first day of the 3rd month beginning after
5 publication.

6 ~~*0083/1.11* SECTION 121. Effective dates. This act takes effect on the first~~
7 ~~day of the 13th month beginning after publication, except as follows.~~

8 [#] (1) SECTION 111 (1) of this act takes effect on the day after publication.

9 [#] 5 ~~*0082/1.17* SECTION 122. Effective dates. This act takes effect on the first~~
10 ~~day of the 7th month beginning after publication, except as follows:~~

11 (1) ~~The treatment of section 456.02 (7) of the statutes takes effect on the day~~
12 ~~after publication~~

(END)

INSERT
47-9

[#]
(4)
The treatment of sections 46.03 (44),
441.07 (1) (d), 441.16 (3m), 448.015 (4),
448.035, 448.04 (1) (a), 450.10 (1) (a)
(intro.) and 450.11 (1) and (1g) of the statutes

INSERT ANAL

~~4~~ This bill also requires the DHFS
fiscal intermediary for MA to maintain
a separate unit for the processing of
MA claims for dental services provided
under MA.

INSERT 18-17

SECTION #. CR; 49.45 (53)

49.45(53) FISCAL INTERMEDIARY; DENTAL FORMS.

The department's fiscal intermediary shall maintain a separate unit for the processing of claims for dental services received under this section.

Insert 46-7

¶ The treatment of sections 632.89
✓ (1) (am) and (2) (b) 1., (c) 2. b.,
(d) 2., (dm) 2., and (f) of the
statutes

(end of ins 46-7)

Nonstat File Sequence: **EEE**

LRB _____ / _____

_____ : _____ : _____

INITIAL APPLICABILITY

- In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the budget action phrase, execute: create → action: → *NS: → 93XX
 For the text, execute: create → text: → *NS: → inappl
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9300 department code.

of the statutes, the numbering and amendments of section 146.89 (1) of the statutes,

SECTION # 93 **Initial applicability;**

#1) ()

The treatment of sections ..

146.89 (1), (2)(a), (c), and (d), (3)(b) (intro.), (c), and (d) (intro.), and (3.m) and 895.48 (1m) and the creation of section 146.89 (1)(d), (g), and (h) and 895.48 (1m)(b) of the statutes

first applies to

- In the component bar:
 For the action phrase, execute: create → action: → *NS: → inappl
 For the text, execute: create → text: → *NS: → inapplA
- Nonstatutory subunits are numbered automatically. Fill in the Section # or subsection # only if a "frozen" number is needed.

SECTION # _____ **Initial applicability;**

(#1) ()

This act first applies to

Insert 46-18

The treatment of sections 49.46 (1) (a)
1., 1g., 1m., 6., 9., 10., 11., and 12., (ar), (e),
and (L), 49.47 (4) (am) 1. and 2., (c) 1. and
3., (cg) 3., and (h), and 49.665 (4) (a) 1.
and (d) of the statutes

(end of ins 46-18)

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INSERT 5A:

In addition, the prescription order must state that the patient is responsible for paying for the antibiotic drug that is prescribed for the person with whom the patient has had sexual intercourse

INSERT 6A:

The bill creates an exception to the above requirements that apply to a person who ~~person~~ was enrolled, at any time within the two-year period before the bill's general effective date, in a course of study that the Nursing Home Administrator Examining Board had considered adequate preparation at that time. The bill allows such a person to take the examination if he or she completes the course no later than two years after the bill's general effective date and if the person satisfies, no later than the same deadline, practical experience requirements specified in the bill. ~~FF~~

INSERT 6B:

person who acts in the capacity of an administrator of a nursing home operated by adherents of a church or religious denomination which subscribes to the act of healing by prayer and the principles of which do not include medical treatment. However, the exemption applies only if the person does not use any title implying that he or she is a nursing home administrator.

INSERT 34-2:

No FF

The prescription order shall state that the patient is responsible for paying for the antibiotic drug that is prescribed for the person with whom the patient has had sexual intercourse.

INSERT 35-13:

1 ~~No~~ A pharmacist may dispense an antibiotic drug under this paragraph without
 2 providing a consultation to the person with whom the patient has had sexual
 3 intercourse.

4 (c) A patient specified in par. (b) is responsible for paying for an antibiotic drug
 5 that is dispensed under par. (b). Any insurance claim submitted by a pharmacist for
 6 an antibiotic drug dispensed under this subsection shall specify that the antibiotic
 7 drug was dispensed for use by a person other than the patient.

8 **INSERT 37-6:**

9 except as provided in s. 456.04 (2m).

10 **INSERT 37-8:**

11 Except as provided in s. 456.04 (2m), the

12 **INSERT 37-12:**

13 **SECTION #.** 456.04 (intro.) (except 456.04 (title)) of the statutes is renumbered
 14 456.04 (1m) (intro.) and amended to read:

15 456.04 (1m) (intro.) The Except as provided in sub. (2m), the examining board
 16 shall allow any person to take the examination for licensure as a nursing home
 17 administrator who satisfies all of the following requirements:

18 **SECTION #.** 456.04 (1) of the statutes is renumbered 456.04 (1m) (a).

19 **SECTION #.** 456.04 (1m) (d) of the statutes is created to read:

20 456.04 (1m) (d) Has one of the following:

21 1. A bachelor's, master's, or doctoral degree with a major in health care
 22 administration or long-term care from an accredited college or university.

23 2. A bachelor's degree in any field from an accredited college or university and
 24 completion of a specialized course that the examining board determines is adequate
 25 preparation for nursing home administration.

1 SECTION #. 456.04 (1m) (e) of the statutes is created to read:

2 456.04 (1m) (e) Satisfies the supervised practical experience requirements
3 specified in the rules promulgated under s. 456.02 (7).

4 SECTION #. 456.04 (2) of the statutes is renumbered 456.04 (1m) (b).

5 SECTION #. 456.04 (2m) of the statutes is created to read:

6 456.04 (2m) The examining board shall allow a person to take the examination
7 for licensure as a nursing home administrator if he or she satisfies the requirements
8 specified in sub. (1m) (a), (b), and (c) and all of the following are satisfied:

9 (a) The person was enrolled, at any time within the 2-year period before the
10 effective date of this paragraph [revisor inserts date], in a regular course of study
11 or equivalent specialized courses or a program of study that the examining board
12 considered adequate academic preparation for nursing home administration under
13 s. 456.04 (4), 2001 stats.

14 (b) No later than 2 years after the effective date of this paragraph [revisor
15 inserts date], the person completes the regular course of study, specialized courses,
16 or program of study specified in par. (a).

17 (c) If the person was enrolled, at any time within the 2-year period before the
18 effective date of this paragraph [revisor inserts date], in specialized courses or a
19 program of study specified in par. (a), the person completes, no later than 2 years
20 after the effective date of this paragraph [revisor inserts date], one year of
21 supervised practical experience as specified in rules promulgated by the examining
22 board.

23 (d) If the person was enrolled, at any time within the 2-year period before the
24 effective date of this paragraph [revisor inserts date], in a regular course of study
25 specified in par. (a), the person completes, no later than 2 years after the effective

1 date of this paragraph [revisor inserts date], a supervised clinical practicum as
2 specified in rules promulgated by the examining board.

3 SECTION #. 456.04 (3) of the statutes is renumbered 456.04 (1m) (c).

4 SECTION #. 456.04 (4) of the statutes is repealed.

5 **INSERT 39-11:**

6 **456.12 Exemption.** This chapter does not apply to a person who acts in the
7 capacity of an administrator of a nursing home operated by adherents of a church or
8 religious denomination which subscribes to the act of healing by prayer and the
9 principles of which do not include medical treatment, if the person does not use in
10 connection with his or her name any title or designation tending to imply that the
11 person is a nursing home administrator.

12 **INSERT 47-4:**

13 The treatment of sections 100.31 (title), (1) (a), (ae), (as), (b), and (c), (2), (2r), and (4)
14 of the statutes

15 **INSERT 47-9:**

16 The treatment of sections 456.02 (intro.), (1), (2), (3), (4), (5), and (6), 456.04 (intro.),
17 (1), (1m) (d) and (e), (2), (2m), (3), and (4) 456.08 (1), (2), (3), and (4), 456.09 (1) (c),
18 and 456.12 of the statutes and the renumbering and amendment of section 456.08
19 of the statutes

↓
STCF OK