

2003 DRAFTING REQUEST**Senate Amendment (SA-SB227)**Received: **11/20/2003**Received By: **mkunkel**Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**By/Representing: **Jennifer Halbur**This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**Extra Copies: **PJH**Submit via email: **YES**Requester's email: **Sen.Roessler@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Notice of disciplinary action to places of employment

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mkunkel 11/20/2003	wjackson 11/20/2003	pgreensl 11/21/2003	_____	lnorthro 11/21/2003	lnorthro 11/21/2003	

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB227)

Received: 11/20/2003

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Carol Roessler (608) 266-5300**

By/Representing: **Jennifer Halbur**

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

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Sen.Roessler@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Notice of disciplinary action to places of employment

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel	1 wlj 11/20	1/21 pg	1/21 Self			

FE Sent For:

<END>

Kunkel, Mark

From: Halbur, Jennifer
Sent: Tuesday, November 11, 2003 3:05 PM
To: Kunkel, Mark
Subject: FW: Senate Bill 227



pic07129.gif



pic02161.pcx



pic05535.gif



pic20450.pcx

448.02
(3)(c)

Mark,

I am sorry if you are getting this twice. I started an e-mail to you and now it is gone. Below is the language I mentioned in my voicemail. She doesn't want a healthcare professional's employer to be made aware of a filing of a formal complaint against the health care professional. She wants the employers to be made aware after disciplinary action is determined. The fear is that an employer would be made aware of the filing of a formal complaint but then the health care professional may be found not guilty. I hope that makes sense. Please let me know if you have any questions.

Page 7 line 16 of the bill is where the "Notice of Pending Complaint..." language begins.

Thank you,

Jennifer

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

From: michael.heifetz@deancare.com [mailto:michael.heifetz@deancare.com]
Sent: Friday, November 07, 2003 3:45 PM
To: Halbur, Jennifer
Subject: Re: Senate Bill 227

Jennifer:

Thanks for the opportunity to provide a recommendation on the "notice" portion of this bill. In consultation with our legal counsel, we believe it is only necessary to inform the physician's employer(s) when the license has been limited, suspended or revoked, or the license holder has been warned or reprimanded. This language is included in section 448.02(3)(c) of current law attached below (the blue, bold, underlined material).

Such language could be included in a new paragraph under the proposed s. 440.037 (5)(a), on page 7 of the bill. However, the experts at the LRB/LFB can determine how to structure this.

I hope this is what you need. Again, thanks for your willingness to address our concerns. If you need additional info or have questions, please contact me.

448.02(3)(c) (Embedded image moved to file: pic07129.gif) (Embedded image moved to file: pic02161.pcx) (Embedded image moved to file: pic05535.gif) (Embedded image moved to file: pic20450.pcx)

(c) Subject to par. (cm), after a disciplinary hearing, the board may, when it determines that a panel established under s. 655.02, 1983 stats., has unanimously found or a court has found that a person has been negligent in treating a patient or when it finds a person guilty of unprofessional conduct or negligence in treatment, do one or more of the following: warn

or reprimand that person, or limit, suspend or revoke any license, certificate or limited permit granted by the board to that person. The board may condition the removal of limitations on a license, certificate or limited permit or the restoration of a suspended or revoked license, certificate or limited permit upon obtaining minimum results specified by the board on one or more physical, mental or professional competency examinations if the board believes that obtaining the minimum results is related to correcting one or more of the bases upon which the limitation, suspension or revocation was imposed.

Michael Heifetz
Director of Governmental Affairs
Dean Health System/SSM Health Care of Wisconsin
Phone: (608) 250-1225
Fax: (608) 250-1020
Email: michael.heifetz@deancare.com



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBa1843/1

MDK: /.....

WLJ

Bu MONDAY
11/24
PM

SENATE AMENDMENT,
TO 2003 SENATE BILL 227

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

2 1. Page 7, line 17: delete lines 17 to 19 and substitute: **No ff**

3 "PRACTICE. (a) Within 30 days after the effective date of a final decision and
4 order of a health care credentialing authority to take disciplinary action against a
5 health care provider for unprofessional conduct, the department shall send written
6 notice of the disciplinary action to all of the following:"

7 2. Page 13, line 13: delete lines 13 and 14 and substitute:

8 **EFF DATES** → "(2m) The treatment of section 440.037 (5) of the statutes first applies to final
9 decisions and orders that are effective on the effective date of this subsection."

10

(END)