

2003 Senate Bill 243

Date of enactment: **December 3, 2003**
Date of publication*: **December 17, 2003**

2003 WISCONSIN ACT 92

AN ACT *to amend* 146.89 (1), 146.89 (3) (a), 146.89 (3) (b) 8. and 146.89 (3) (d) 2.; and *to create* 146.89 (3m) of the statutes; **relating to:** provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

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

SECTION 1. 146.89 (1) of the statutes is amended to read:

146.89 (1) In this section, “volunteer health care provider” means an individual who is licensed as a physician under ch. 448, dentist or dental hygienist under ch. 447, registered nurse, practical nurse or nurse–midwife under ch. 441, optometrist under ch. 449, or physician assistant under ch. 448 or who is 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).

SECTION 2. 146.89 (3) (a) of the statutes is amended to read:

146.89 (3) (a) The volunteer health care provider shall provide services under par. (b) without charge, except as provided in sub. (3m), at the nonprofit agency, if the joint application of the volunteer health care provider and the nonprofit agency has received approval under sub. (2) (a).

SECTION 3. 146.89 (3) (b) 8. of the statutes is amended to read:

146.89 (3) (b) 8. Dental services, including simple tooth extractions and any necessary suturing related to

the extractions, performed by a dentist who is a volunteer health provider; and dental hygiene services, performed by a dental hygienist who is a volunteer health provider.

SECTION 4. 146.89 (3) (d) 2. of the statutes is amended to read:

146.89 (3) (d) 2. Medical assistance Except as provided in sub. (3m), Medical Assistance under subch. IV of ch. 49.

SECTION 5. 146.89 (3m) of the statutes is created to read:

146.89 (3m) A volunteer health care provider who is a dentist may provide dental services or a volunteer health care provider who is a dental hygienist may provide dental hygiene services, to persons who are recipients of Medical Assistance, if all of the following apply:

(a) The nonprofit agency’s fees for these services apply to the recipients and to persons who are not recipients of Medical Assistance.

(b) The agency accepts discounted payments, based on ability to pay, from the persons who are not Medical Assistance recipients.

(c) The volunteer health care provider is certified under s. 49.45 (2) (a) 11. a., the department has waived the requirement for certification, or the volunteer health care provider is not required to be certified under s. 49.45 (2) (a) 11. a.

* Section 991.11, WISCONSIN STATUTES 2001–02 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].