

2005 ASSEMBLY BILL 881

1 **AN ACT to repeal** 251.20 (2); **to renumber** 440.142 (title); **to renumber and**
2 **amend** 440.142 (1), 440.142 (2) (a) and 440.142 (2) (b); **to amend** 66.0303 (2),
3 95.22 (4), 250.07 (1) (a), 251.05 (2) (b), 251.05 (2) (c), 251.20 (3), 252.02 (7),
4 252.05 (1), 252.05 (2), 252.05 (3), 252.05 (4), 979.012 (1), 979.012 (2) (a) and
5 979.012 (2) (d); and **to create** 250.03 (1) (k), 250.03 (1) (L) and 250.04 (12m) of
6 the statutes; **relating to:** public health planning, services, and functions;
7 reporting of communicable diseases; public health agreements; required
8 vaccinations, isolation, or quarantine; contracts between municipalities and
9 federally recognized American Indian tribes or bands; and requiring the
10 exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

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

ASSEMBLY BILL 881**SECTION 1**

1 **SECTION 1.** 66.0303 (2) of the statutes is amended to read:

2 66.0303 **(2)** A municipality may contract with municipalities of another state
3 or with federally recognized American Indian tribes or bands located in another state
4 for the receipt or furnishing of services or the joint exercise of any power or duty
5 required or authorized by statute to the extent that laws of the other state or of the
6 United States permit the joint exercise.

7 **SECTION 2.** 95.22 (4) of the statutes is amended to read:

8 95.22 **(4)** The department shall provide the reports of any communicable
9 diseases under sub. (1) to the department of health and family services and to the
10 local health officer, as defined in s. 250.01 (5), for the area in which the animal is
11 located.

12 **SECTION 3.** 250.03 (1) (k) of the statutes is created to read:

13 250.03 **(1)** (k) Promote cooperation and formal collaborative agreements
14 among any of the following with regard to public health planning, priority setting,
15 information and data sharing, reporting, resource allocation, funding, service
16 delivery, and jurisdiction:

- 17 1. The state.
- 18 2. Local health departments.
- 19 3. Federally recognized American Indian tribes or bands located in this state.
- 20 4. The federal Indian health service.

21 **SECTION 4.** 250.03 (1) (L) of the statutes is created to read:

22 250.03 **(1)** (L) Perform or facilitate the performance of all of the following
23 services and functions:

- 24 1. Monitor the health status of populations to identify and solve community
25 health problems.

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- 1 2. Investigate and diagnose community health problems and health hazards.
- 2 3. Inform and educate individuals about health issues.
- 3 4. Mobilize public and private sector collaboration and action to identify and
- 4 solve health problems.
- 5 5. Develop policies, plans, and programs that support individual and
- 6 community health efforts.
- 7 6. Enforce statutes and rules that protect health and ensure safety.
- 8 7. Link individuals to needed personal health services.
- 9 8. Assure a competent public health workforce.
- 10 9. Evaluate effectiveness, accessibility, and quality of personal and
- 11 population-based health services.
- 12 10. Provide research to develop insights into and innovative solutions for
- 13 health problems.

14 **SECTION 5.** 250.04 (12m) of the statutes is created to read:

15 250.04 **(12m)** In public health planning, the department shall collaborate with

16 local health departments on an ongoing basis and shall consult with private sector

17 entities, as defined in s. 229.41 (9), and with public sector entities, as defined in s.

18 229.41 (10).

19 **SECTION 6.** 250.07 (1) (a) of the statutes is amended to read:

20 250.07 **(1)** (a) ~~At least once every 10 years~~ By January 1, 2010, and at least

21 every 10 years thereafter, develop a ~~successor document to healthier people in~~

22 ~~Wisconsin, a public health agenda for the year 2000 published by the department in~~

23 ~~February 1990.~~

24 **SECTION 7.** 251.05 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 881**SECTION 7**

1 251.05 (2) (b) A Level II local health department shall provide at least the
2 services under par. (a) and additional services specified by the department by rule
3 under s. 251.20 ~~(2)~~ (3).

4 **SECTION 8.** 251.05 (2) (c) of the statutes is amended to read:

5 251.05 (2) (c) A Level III local health department shall provide at least the
6 services under par. (a) and additional services specified by the department by rule
7 under s. 251.20 ~~(2)~~ and (3).

8 **SECTION 9.** 251.20 (2) of the statutes is repealed.

9 **SECTION 10.** 251.20 (3) of the statutes is amended to read:

10 251.20 (3) Additional required services for Level II and Level III local health
11 departments under s. 251.05 (2) (b) and (c), including services that DHFS determines
12 appropriately address at least 3 of the objectives from each section of healthier people
13 in Wisconsin: a or services specified in the most recent public health agenda for the
14 year 2,000, published by the department in February 1990. ~~The initial rules~~
15 ~~concerning these services shall correspond to the objectives set forth in each section~~
16 ~~of that document~~ under s. 250.07 (1) (a).

17 **SECTION 11.** 252.02 (7) of the statutes is amended to read:

18 252.02 (7) The department shall promulgate rules that specify medical
19 conditions treatable by prescriptions or nonprescription drug products for which
20 pharmacists and pharmacies must report under s. ~~440.142~~ 450.145 (1).

21 **SECTION 14.** 252.05 (1) of the statutes is amended to read:

22 252.05 (1) Any health care provider, as defined in s. 146.81 (1), who knows or
23 has reason to believe that a person treated or visited by him or her has a
24 communicable disease, or having a communicable disease, has died, shall report the
25 appearance of the communicable disease or the death to the local health officer. The

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1 health agency of a federally recognized American Indian tribe or band may report
2 this information to the local health officer. The local health officer shall report this
3 information to the department or shall direct the person reporting to report to the
4 department. Any person directed to report shall submit this information to the
5 department.

6 **SECTION 15.** 252.05 (2) of the statutes is amended to read:

7 252.05 (2) Each laboratory shall report as prescribed by the department those
8 specimen results that indicate that an individual providing the specimen has a
9 communicable disease, or having a communicable disease, has died, or that the
10 department finds necessary for the surveillance, control, diagnosis, and prevention
11 of communicable diseases.

12 **SECTION 16.** 252.05 (3) of the statutes is amended to read:

13 252.05 (3) Anyone having knowledge or reason to believe that any person has
14 a communicable disease shall report the facts to the local health officer or to the
15 department.

16 **SECTION 17.** 252.05 (4) of the statutes is amended to read:

17 252.05 (4) Reports under subs. (1) and (2) shall state so far as known the name,
18 sex, age, and residence of the person, the communicable disease and other facts the
19 department or local health officer requires. Report forms, including forms
20 appropriate for reporting under s. 95.22 (1m), may be furnished by the department
21 and distributed by the local health officer.

22 **SECTION 18.** 440.142 (title) of the statutes is renumbered 450.145 (title).

23 **SECTION 19.** 440.142 (1) of the statutes is renumbered 450.145 (1) and amended
24 to read:

ASSEMBLY BILL 881**SECTION 19**

1 450.145 (1) A Within 24 hours after an occurrence of any of the following, a
2 pharmacist or pharmacy shall report the occurrence electronically, by fax machine,
3 by telephone, or in writing to a local health department, as defined in s. 250.01 (4),
4 or the department of health and family services all of the following:

5 (a) An unusual increase in the number of prescriptions dispensed or
6 nonprescription drug products sold by the pharmacist or pharmacy for the treatment
7 of medical conditions specified by the department of health and family services by
8 rule under s. 252.02 (7).

9 (b) An unusual increase in the number of prescriptions dispensed by the
10 pharmacist or pharmacy that are antibiotic drugs.

11 (c) The dispensing of a prescription by the pharmacist or pharmacy for
12 treatment of a disease that is relatively uncommon or may be associated with
13 bioterrorism, as defined in s. 166.02 (1r).

14 **SECTION 20.** 440.142 (2) (a) of the statutes is renumbered 440.142 (2) and
15 amended to read:

16 440.142 (2) Except as provided in ~~par. (b)~~ s. 450.145 (2), a pharmacist or
17 pharmacy may not report personally identifying information concerning an
18 individual who is dispensed a prescription or who purchases a nonprescription drug
19 product as specified in sub. (1) (a), (b), or (c).

20 **SECTION 21.** 440.142 (2) (b) of the statutes is renumbered 450.145 (2) and
21 amended to read:

22 450.145 (2) ~~Upon request by the department of health and family services~~ In
23 submitting a report under sub. (1), a pharmacist or pharmacy shall ~~report to that~~
24 ~~department~~ include personally identifying information other than a social security

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1 number concerning an individual who is dispensed a prescription or who purchases
2 a nonprescription drug product as specified in sub. (1) (a), (b), or (c).

3 **SECTION 22.** 979.012 (1) of the statutes is amended to read:

4 979.012 (1) If a coroner or medical examiner is aware of the death of a person
5 who, at the time of his or her death, had an illness or a health condition that satisfies
6 s. 166.02 (7) (a) or if the coroner or medical examiner knows or suspects that the
7 person had a communicable disease that, under rules promulgated by the
8 department of health and family services, must be reported to a local health officer
9 or to the state epidemiologist, the coroner or medical examiner shall report the
10 illness ~~or~~ health condition, or communicable disease to the department of health and
11 family services and to the local health department, as defined in s. 250.01 (4), in
12 whose jurisdiction the coroner or medical examiner is located in writing or by
13 electronic transmission within 24 hours of learning of the deceased's illness ~~or~~
14 health condition, or communicable disease.

15 **SECTION 23.** 979.012 (2) (a) of the statutes is amended to read:

16 979.012 (2) (a) The illness ~~or~~ health condition, or communicable disease of the
17 deceased.

18 **SECTION 24.** 979.012 (2) (d) of the statutes is amended to read:

19 979.012 (2) (d) If the illness ~~or~~ health condition, or communicable disease was
20 related to an animal or insect bite, the suspected location where the bite occurred and
21 the name and address of the owner of the animal or insect, if an owner is identified.

22

(END)