

2007 DRAFTING REQUEST

Bill

Received: 04/09/2007

Received By: csundber

Wanted: As time permits

Identical to LRB: 1975/3

For: Charles Benedict (608) 266-9967

By/Representing: Tara Vasby

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - prof lic

Extra Copies:

Submit via email: YES

Requester's email: Rep.Benedict@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Needle electromyography, nerve conduction study, and surface electromyography

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>
/?	csundber 04/09/2007	wjackson 04/09/2007		_____			
/1			jfrantze 04/09/2007	_____	cduerst 04/09/2007	lparisi 04/10/2007	

FE Sent For: NONE

<END>

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/?	csundber	/1 WLj 4/9		_____			
				_____			

FE Sent For:

<END>

## Sundberg, Christopher

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**From:** Vasby, Tara  
**Sent:** Monday, April 09, 2007 11:21 AM  
**To:** Sundberg, Christopher  
**Subject:** RE: EMG redraft

Chris,  
I spoke to Kelly in Sen. Erpenbach's office, and our office would like to do the Assembly companion bill to their needle EMG bill. Could you please draft a version for our office, jacket it and send it over?  
Thanks!

Tara Vasby  
Leg. Assistant  
Rep. Chuck Benedict

lu: 4/9/07  
wanted: 4/11/07

2394/1

2007 - 2008 LEGISLATURE

LRB-1975/3

CTS:wlj:rs

↑  
stays

2007 BILL

d-note

Regen

1 AN ACT to amend 448.03 (1) (a) and 448.03 (2) (a); and to create 448.015 (1g),  
2 448.015 (1h), 448.015 (3m), 448.03 (2) (q) and 448.03 (2) (r) of the statutes;  
3 relating to: needle electromyography, surface electromyography, and nerve  
4 conduction studies.

*Analysis by the Legislative Reference Bureau*

Generally, under current law, a person may not practice medicine and surgery unless the person has been granted a license by the Medical Examining Board (board). Current law contains several exceptions to this licensure requirement for a person engaged in certain other professions regulated by the board or by another credentialing body, if the person holds the credential.

This bill expands the licensure requirement to apply to the performance or interpretation of needle electromyography (defined in the bill as a diagnostic medical procedure using needle electrodes inserted into a muscle to study spontaneous and voluntary electrical activity to diagnose the cause of neuromuscular disease) and the interpretation of a nerve conduction study (defined in the bill as the recording and interpretation for diagnostic purposes of electrical activity generated in the peripheral nerves by using surface electrodes and stimuli). The bill also adds exceptions to the licensure requirement for 1) the performance of a nerve conduction study by a person who is qualified by education, training, or experience to perform such a study, if the person performs the study under the direct supervision of a

**BILL**

physician; and 2) the performance of surface electromyography by a person who is qualified by education, training, or experience to perform surface electromyography.

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

1           **SECTION 1.** 448.015 (1g) of the statutes is created to read:

2           448.015 (1g) “Needle electromyography” means a diagnostic medical  
3 procedure using needle electrodes inserted into a muscle to study spontaneous and  
4 voluntary electrical activity to diagnose the cause of neuromuscular disease.

5           **SECTION 2.** 448.015 (1h) of the statutes is created to read:

6           448.015 (1h) “Nerve conduction study” means the recording and interpretation  
7 for diagnostic purposes of electrical activity generated in the peripheral nerves by  
8 using surface electrodes and stimuli.

9           **SECTION 3.** 448.015 (3m) of the statutes is created to read:

10          448.015 (3m) “Surface electromyography” means the recording of motor unit  
11 action potential discharges from skeletal muscles using surface electrodes.

12          **SECTION 4.** 448.03 (1) (a) of the statutes is amended to read:

13          448.03 (1) (a) No person may practice medicine and surgery, perform or  
14 interpret needle electromyography, or interpret a nerve conduction study, or attempt  
15 to do so or make a representation as authorized to do so, without a license to practice  
16 medicine and surgery granted by the board.

17          **SECTION 5.** 448.03 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 292,  
18 is amended to read:

19          448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
20 permit, registration, certificate or certification granted to practice midwifery under  
21 ~~subch. XI of ch. 440~~ subch. XII of ch. 440, to practice professional or practical nursing

**BILL**

1 or nurse–midwifery under ch. 441, to practice chiropractic under ch. 446, to practice  
2 dentistry or dental hygiene under ch. 447, to practice optometry under ch. 449, to  
3 practice acupuncture under ch. 451 or under any other statutory provision, or as  
4 otherwise provided by statute, except that only a physician may perform or interpret  
5 needle electromyography or interpret a nerve conduction study.

6 **SECTION 6.** 448.03 (2) (q) of the statutes is created to read:

7 448.03 (2) (q) The performance of a nerve conduction study by a person who is  
8 qualified by education, training, or experience to perform a nerve conduction study,  
9 if the person performs the study under the direct supervision of a physician.

10 **SECTION 7.** 448.03 (2) (r) of the statutes is created to read:

11 448.03 (2) (r) The performance of surface electromyography by a person who  
12 is qualified by education, training, or experience to perform surface  
13 electromyography.

14 **SECTION 8. Effective date.**

15 (1) This act takes effect on May 1, 2007, or on the day after publication,  
16 whichever is later.

17 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2394/1dn  
CTS:.....

Wlj

Representative Benedict:

This draft is identical to LRB-1975/3.

Christopher T. Sundberg  
Legislative Attorney  
Phone: (608) 266-9739  
E-mail:  
[christopher.sundberg@legis.wisconsin.gov](mailto:christopher.sundberg@legis.wisconsin.gov)



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2394/1dn  
CTS:wlj:jf

April 9, 2007

Representative Benedict:

This draft is identical to LRB-1975/3.

Christopher T. Sundberg  
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Phone: (608) 266-9739  
E-mail:  
[christopher.sundberg@legis.wisconsin.gov](mailto:christopher.sundberg@legis.wisconsin.gov)

**Parisi, Lori**

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**From:** Sundberg, Christopher  
**Sent:** Monday, April 09, 2007 11:32 AM  
**To:** LRB.Legal  
**Subject:** jacket request

This is for LRB-2394/1, which went to editing today.

CS

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