

2007 SENATE BILL 175

May 3, 2007 – Introduced by Senators ERPENBACH, CARPENTER, KREITLOW, SULLIVAN and ROESSLER, cosponsored by Representatives BENEDICT, TRAVIS, SINICKI, BERCEAU, TURNER, HIXSON, GUNDERSON and KESSLER. Referred to Committee on Health and Human Services.

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

SENATE BILL 175

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

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

SENATE BILL 175

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)