

**2007 DRAFTING REQUEST**

**Bill**

Received: **01/26/2007**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Judith Robson (608) 266-2253**

By/Representing: **Nadine Gratz (aide)**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Robson@legis.wisconsin.gov**

Carbon copy (CC:) to: **robin.ryan@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Expanding volunteer health care providers to include pharmacists and pharmacy technicians

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**Instructions:**

See Attached

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**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>
/?	dkennedy 01/26/2007	jdyer 01/27/2007		_____			State
/1			pgreensl 01/29/2007	_____	cduerst 01/29/2007	mbarman 01/30/2007	

FE Sent For: "1" @ intro.  
2-19-2007

<END>

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/?	dkennedy	1 2/7/06	1 2/9 08 PR	1 2/9 06			

FE Sent For: <END>

## Kennedy, Debora

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**From:** Duerst, Christina  
**Sent:** Friday, January 26, 2007 2:51 PM  
**To:** Kennedy, Debora  
**Subject:** FW: Message for Debora Kennedy

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**From:** Gratz, Nadine  
**Sent:** Friday, January 26, 2007 2:50 PM  
**To:** LRB.Legal  
**Subject:** Message for Debora Kennedy

Hi Deborah:

Senator Robson would like to have 2005 SB 544, relating to pharmacists in the volunteer health care provider program, redrafted for introduction this session. No changes are needed. I believe you drafted the bill last session. If I need to contact someone else about getting this draft, please let me know. Thanks.

Nadine Gratz  
Office of Senate Majority Leader Judith B. Robson

## Kennedy, Debora

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**From:** Gratz, Nadine  
**Sent:** Friday, January 26, 2007 4:10 PM  
**To:** Kennedy, Debora  
**Subject:** RE: Draft request

Thanks Deborah

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**From:** Kennedy, Debora  
**Sent:** Friday, January 26, 2007 4:04 PM  
**To:** Gratz, Nadine  
**Subject:** Draft request

Just wanted to let you know I received the request to redraft 2005 SB 544 and have entered the request. It might be a little faster for you, next time you need a redraft, just to e-mail the drafter whose initials are on the draft.

Thanks,  
Debora

*Debora A. Kennedy*

Managing Attorney  
Legislative Reference Bureau  
(608) 266-0137  
debora.kennedy@legis.state.wi.us

SOON - In edit 1/26

2007-2008

2005 - 2006 LEGISLATURE

1706/1  
LRB-4274/2

DAK:lmk:ct

Handwritten initials and scribbles, including "jld".

# 2005 SENATE BILL 544

February 1, 2006 - Introduced by Senators ROBSON, ROESSLER, BROWN, COGGS, MILLER, RISSER, TAYLOR and WIRCH, cosponsored by Representatives SEIDEL, BENEDICT, BERCEAU, FIELDS, GUNDERSON, HAHN, LEHMAN, MCCORMICK, SHERIDAN and YOUNG. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

Reger

1 AN ACT to amend 146.89 (1) of the statutes; relating to: expanding types of  
2 volunteer health care providers to include pharmacists and pharmacy  
3 technicians.

Handwritten note: dental hygienists

### Analysis by the Legislative Reference Bureau

Under the Volunteer Health Care Provider Program (VHCPP) in current law, health care services of a volunteer health care provider and a nonprofit agency whose joint application is approved by the Department of Administration must be provided without charge primarily to low-income persons who are uninsured and, except for the provision of certain dental and dental hygiene services to Medical Assistance (MA) recipients, are not recipients of MA or Medicare Program benefits. Volunteer health care providers include physicians, dentists, registered nurses, licensed practical nurses, nurse-midwives, optometrists, and physician assistants. These volunteers are, for the provision of services under the VHCPP, state agents of the Department of Health and Family Services (DHFS).

Under current law, for a person with status as a state agent of DHFS, the attorney general may, if requested by the secretary of health and family services, appear and defend the person in any civil action or other matter brought before a court as the result of an act committed in the lawful course of the agent's duties. In addition, a civil action or civil proceeding against a state agent for an act committed in the course of the discharge of the agent's duties may not be brought unless the claimant serves on the attorney general written notice within 120 days of the event that caused injury, damage, or death. Lastly, judgments in excess of any insurance

Handwritten note: and dietitians

**SENATE BILL 544**

applicable to the state agent defendant must be paid by the state, and a governmental unit need not provide or pay for legal representation if applicable insurance provides the representation.

This bill expands the types of volunteer health care providers who may provide services under the VHCPP and have status as state agents of DHFS to include licensed pharmacists and persons who perform functions described for pharmacy technicians in rules promulgated by the Pharmacy Examining Board.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

2           146.89 (1) In this section, "volunteer health care provider" means an individual  
3 who is licensed as a physician under ch. 448, dentist or dental hygienist under ch.  
4 447, registered nurse, practical nurse, or nurse-midwife under ch. 441, optometrist  
5 under ch. 449, or physician assistant under ch. 448, or pharmacist under ch. 450, who  
6 is certified as a dietitian under subch. V of ch. 448, or who performs functions  
7 described for pharmacy technicians in rules promulgated by the pharmacy  
8 examining board, and who receives no income from the practice of that health care  
9 profession or who receives no income from the practice of that health care profession  
10 when providing services at the nonprofit agency specified under sub. (3).

11

(END)

INSERT 2-10 ✓

INSERT 2-10

Section #. 146.89 (1) (r) of the statutes is amended to read:

146.89 (1) (r) "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, who is certified as a dietitian under subch. V of ch. 448, ~~or~~ who is a nurse practitioner, as defined in s. 255.06 (1) (d), 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 or school specified under sub. (3).

History: 1989 a. 206; 1991 a. 269; 1993 a. 28, 490; 1995 a. 27 ss. 4378 to 4380, 9126 (19); 1997 a. 27, 57, 67; 1999 a. 23; 2003 a. 92; 2005 a. 188.

or pharmacist under  
ch. 450,

or who performs functions  
described for pharmacy  
technicians in rules  
promulgated by the  
pharmacy examining board,



**Barman, Mike**

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**From:** Gratz, Nadine  
**Sent:** Tuesday, January 30, 2007 1:28 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-1706/1 Topic: Expanding volunteer health care providers to include pharmacists and pharmacy technicians

Please Jacket LRB 07-1706/1 for the SENATE.