



**ASSEMBLY AMENDMENT 1,
TO 2009 ASSEMBLY BILL 526**

March 31, 2010 – Offered by COMMITTEE ON AGING AND LONG-TERM CARE.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 10: after “physician” insert “, an advanced practice nurse
3 prescriber certified under s. 441.16 (2), or a physician assistant licensed under ch.
4 448,”.

5 **2.** Page 3, line 1: after “sub.” insert “(3m) or”.

6 **3.** Page 4, line 3: after “54.25” insert “(2) (d) 2. ab. and ac”.

7 **4.** Page 4, line 3: after that line insert:

8 “(cm) If a health care agent is acting on behalf of a resident, the health care
9 agent shall give informed consent in accordance with the desires of the resident as
10 expressed in the power of attorney for health care instrument under ch. 155 or, if the
11 resident’s desires are unknown, in accordance with s. 155.20 (5).”.

12 **5.** Page 4, line 11: after that line insert:

1 “(fm) At the time a resident, or a person acting on behalf of the resident, signs
2 the informed consent form, the nursing home shall orally inform the resident, or the
3 person acting on behalf of the resident, of all of the following:

4 1. That the resident, or the person on behalf of the resident, may withdraw
5 consent, in writing, at any time.

6 2. That, unless consent is withdrawn sooner, the informed consent is valid for
7 the period specified on the informed consent form or for 15 months from the date on
8 which the resident, or the person acting on behalf of the resident, signs the form,
9 whichever is shorter.”.

10 **6.** Page 4, line 17: after that line insert:

11 “(3m) A nursing home is not required to obtain written informed consent before
12 administering a psychotropic medication to a resident under sub. (3) if the
13 prescription for the psychotropic medication is written or reauthorized while the
14 resident is off of the nursing home’s premises.”.

15 **7.** Page 5, line 17: after that line insert:

16 “(5) This section does not abridge any rights that a resident has under s. 51.61
17 (1) (g).”.

18 **SECTION 2m. Effective date.**

19 (1) This act takes effect on the first day of the 7th month beginning after
20 publication.”.

21 **(END)**