

2009 DRAFTING REQUEST

Bill

Received: **01/13/2009**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Louis Molepske Jr (608) 267-9649**

By/Representing: **Lloyd**

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

Drafter: **rnelson2**

May Contact:

Adl. Drafters: **rkite
agary
tdodge**

Subject: **Veterans - miscellaneous
Nat. Res. - miscellaneous
Transportation - other
Health - public health**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Molepske@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Nurse practitioners duties

Instructions:

See attached 07 AB 497

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>
/?	rnelson2	nnatzke		_____			
	01/13/2009	02/05/2009		_____			
	rkite			_____			
	01/14/2009			_____			
	agary			_____			
	01/14/2009			_____			

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/1			pherry _____ 02/05/2009 _____		mbarman 02/05/2009		
/2	tdodge 02/03/2010 mnelson2 02/03/2010 rkite 02/04/2010	nnatzke 02/05/2010	rschluet 02/05/2010 _____ _____ _____ _____		cduerst 02/05/2010	cduerst 02/08/2010	

FE Sent For:

None

<END>

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	rkite 01/14/2009			_____			
	agary 01/14/2009			_____			

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<END>

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By/Representing: Lloyd

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Adl. Drafters: rkite
agary

Subject: Veterans - miscellaneous
Nat. Res. - miscellaneous
Transportation - other

Extra Copies:

Submit via email: YES

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Pre Topic:

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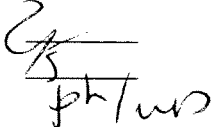
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/?	rnelson2	11 ^{num} 2/3					

FE Sent For:

<END>

Nelson, Robert P.

From: Duerst, Christina
Sent: Monday, January 12, 2009 4:34 PM
To: Nelson, Robert P.
Subject: FW: Bill Draft Request - Rep. Molepske
Importance: High

The LRB is 07-2462 if you need it.

From: Clark, Lloyd
Sent: Monday, January 12, 2009 4:30 PM
To: LRB.Legal
Subject: Bill Draft Request - Rep. Molepske

Date: 1/12/09

Legislator: Rep. Molepske
Staff Contact: Lloyd Clark 267-9649

Bill Description:

Redraft of 2007 AB 497

This bill would:

Under current law, the Department of Veterans Affairs (DVA) may grant assistance to needy veterans who have suffered a loss of income due to illness, injury, or natural disaster. By rule, DVA has defined an illness or injury as a physical or mental health problem that is diagnosed by a physician, dentist, optometrist, or audiologist.

This bill expands the health care providers who can diagnose an illness or injury for DVA purposes to include certified advanced practice nurse prescribers.

Under current law, the Department of Transportation (DOT) may require an operator's license applicant or licensee to submit to a special examination to determine incompetency, physical or mental disability, disease, or any other condition that might prevent the applicant or licensee from exercising reasonable and ordinary control over a motor vehicle. If DOT receives a report from a physician, advanced practice nurse prescriber, or optometrist, DOT must determine whether the operator should submit to a special examination. When DOT receives the results of a special examination, DOT must consider the recommendation of the examiner together with other evidence in determining if it is in the interest of public safety to issue, renew, deny, or cancel a license.

This bill specifies that a special examination required by DOT may be conducted by, and the results of the examination certified by, a physician, certified advanced practice nurse prescriber, or optometrist.

Under current law, the Department of Natural Resources (DNR) is authorized to issue certain hunting permits that authorize hunting by persons who have a physical disability or who are visually handicapped (specialized permits). Among the privileges granted by these specialized permits is the privilege of hunting with assistance rendered by another person. In order to obtain a specialized permit from DNR, a person must submit an application furnished by DNR that includes a statement or report prepared and signed by a licensed physician or chiropractor verifying that the applicant is physically disabled. A person may also obtain a specialized permit even if the person would otherwise be ineligible for a specialized permit if DNR, based on the recommendation of a licensed physician or chiropractor, determines that the issuance of the permit complies with the intent of the law.

This bill authorizes an applicant for a specialized permit to submit a statement, report, or recommendation from a certified advanced practice nurse prescriber, as well as from a physician or chiropractor, in support of a specialized permit application.

Some provisions may already exist in current Wisconsin statute.

Keep Confidential

LLOYD CLARK

OFFICE OF REPRESENTATIVE LOUIS J. MOLEPSKE, JR.
CHAIR - COMMITTEE ON JOBS, THE ECONOMY, AND SMALL BUSINESS
608-267-9649
888-534-0071

P.W.F.

in 1/14

1468/11
LRB-2462/2
RPN/RNK/ARG:bjk/ps:pg
nwn

D-N

2007 ASSEMBLY BILL 497

September 6, 2007 - Introduced by Representatives MOLEPSKE, BIES, BERCEAU, GUNDERSON and TURNER, cosponsored by Senator MILLER. Referred to Committee on Health and Healthcare Reform.

SAW
x-ref ✓

regia

1 AN ACT *to renumber* 45.40 (1); *to amend* 25.36 (1), 29.193 (2) (b) 2., 29.193 (2)
2 (c) 3., 45.40 (2m) (a), 45.40 (2m) (b), 45.40 (3m), 49.855 (4m) (b), 343.16 (5) (a),
3 812.30 (9) and 814.29 (1) (d) 1.; and *to create* 45.40 (1g) and 45.40 (1t) of the
4 statutes; **relating to:** allowing certified advanced practice nurse prescribers to
5 determine an illness or injury and complete forms for the purpose of granting
6 assistance to needy veterans and of medical review related to motor vehicle
7 operator's licenses, and allowing certified advanced practice nurse prescribers
8 to determine disability for the purpose of issuing certain hunting permits.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Veterans Affairs (DVA) may grant assistance to needy veterans who have suffered a loss of income due to illness, injury, or natural disaster. By rule, DVA has defined an illness or injury as a physical or mental health problem that is diagnosed by a physician, dentist, optometrist, or audiologist.

This bill expands the health care providers who ^{may} can diagnose an illness or injury for DVA purposes to include certified advanced practice nurse prescribers.

Under current law, the Department of Transportation (DOT) may require an operator's license applicant or licensee to submit to a special examination to

ASSEMBLY BILL 497

determine incompetency, physical or mental disability, disease, or any other condition that might prevent the applicant or licensee from exercising reasonable and ordinary control over a motor vehicle. If DOT receives a report from a physician, advanced practice nurse prescriber, or optometrist, DOT must determine whether the operator should submit to a special examination. When DOT receives the results of a special examination, DOT must consider the recommendation of the examiner together with other evidence in determining if it is in the interest of public safety to issue, renew, deny, or cancel a license.

This bill specifies that a special examination required by DOT may be conducted by, and the results of the examination certified by, a physician, certified advanced practice nurse prescriber, or optometrist.

Under current law, the Department of Natural Resources (DNR) is authorized to issue certain hunting permits that authorize hunting by persons who have a physical disability or who are visually handicapped (specialized permits). Among the privileges granted by these specialized permits is the privilege of hunting with assistance rendered by another person. In order to obtain a specialized permit from DNR, a person must submit an application furnished by DNR that includes a statement or report prepared and signed by a licensed physician or chiropractor verifying that the applicant is physically disabled. A person may also obtain a specialized permit even if the person would otherwise be ineligible for a specialized permit if DNR, based on the recommendation of a licensed physician or chiropractor, determines that the issuance of the permit complies with the intent of the law.

This bill authorizes an applicant for a specialized permit to submit a statement, report, or recommendation from a certified advanced practice nurse prescriber, as well as from a physician or chiropractor, in support of a specialized permit application.

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

1 [✓]~~X~~ **SECTION 1.** 25.36 (1) of the statutes is amended to read:

2 25.36 **(1)** Except as provided in sub. (2), all moneys appropriated or transferred

3 by law shall constitute the veterans trust fund which shall be used for the lending

4 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the

5 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy), (w), (z), and

6 (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 ~~(1)~~ (1m), 45.41, 45.42, 45.43, and 45.82 and

7 administered by the department of veterans affairs, including all moneys received

8 from the federal government for the benefit of veterans or their dependents; all

ASSEMBLY BILL 497

1 moneys paid as interest on and repayment of loans under the post-war
 2 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
 3 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
 4 under this fund; all moneys paid as expenses for, interest on, and repayment of
 5 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
 6 as expenses for, interest on, and repayment of veterans personal loans; the net
 7 proceeds from the sale of mortgaged properties related to veterans personal loans;
 8 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
 9 issuance purchased with moneys in the veterans trust fund; all moneys received from
 10 the state investment board under s. 45.42 (8) (b); all moneys received from the
 11 veterans mortgage loan repayment fund under s. 45.37 (7) (a) and (c); and all gifts
 12 of money received by the board of veterans affairs for the purposes of this fund. ✓

13 **SECTION 2.** [✓]~~29.193~~ (2) (b) 2. of the statutes is amended to read:

14 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
 15 and furnished by the department, which shall include a written statement or report
 16 prepared and signed by a licensed physician ~~or~~ a licensed chiropractor ^{plain} ~~or an~~
 17 advanced practice nurse prescriber certified under s. 441.16 (2) [✓] prepared no more
 18 than 6 months preceding the application and verifying that the applicant is
 19 physically disabled. ✓

20 **SECTION 3.** [✓]~~29.193~~ (2) (c) 3. of the statutes is amended to read:

21 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
 22 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
 23 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
 24 applicant and the recommendation of a licensed physician ~~or~~ a licensed chiropractor,
 25 or an advanced practice nurse prescriber certified under s. 441.16 (2) [✓] selected by the

ASSEMBLY BILL 497**SECTION 3**

1 applicant from a list of licensed physicians ~~and~~, licensed chiropractors, and advanced
 2 practice nurse prescribers certified under s. 441.16 (2) compiled by the department,
 3 the department finds that issuance of a permit complies with the intent of this
 4 subsection. The use of this review procedure is discretionary with the department
 5 and all costs of the review procedure shall be paid by the applicant.

6 **SECTION 4.** ~~45.40~~ (1) of the statutes is renumbered 45.40 (1m).

7 **SECTION 5.** ~~45.40~~ (1g) of the statutes is created to read:

8 45.40 (1g) DEFINITIONS. In this section:

9 (a) "Health care provider" means an advanced practice nurse prescriber
 10 certified under s. 441.16 (2), an audiologist licensed under ch. 459, a dentist licensed
 11 under ch. 447, an optometrist licensed under ch. 449, or a physician licensed under
 12 ch. 448.

13 (b) "Illness" or "injury" means a physical or mental health problem that has
 14 been diagnosed by a health care provider. *(insert 4-14)*

15 **SECTION 6.** ~~45.40~~ (1t) of the statutes is created to read:

16 45.40 (1t) COMPLETION OF HEALTH CARE FORMS. A health care provider may
 17 complete the medical forms necessary for the receipt of aid under this section if the
 18 provider has diagnosed the veteran and determined the veteran's medical condition.

19 **SECTION 7.** ~~45.40~~ (2m) (a) of the statutes is amended to read:

20 45.40 (2m) (a) The unremarried spouse and dependent children of a veteran
 21 who died on active duty, or in the line of duty while on active or inactive duty for
 22 training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed
 23 forces are eligible to receive payments under subs. (1) (1m) and (2) if the household
 24 income of those persons does not exceed the income limitations established under
 25 sub. (3m).

ASSEMBLY BILL 497

1 SECTION 8. ^{✓x} 45.40 (2m) (b) of the statutes is amended to read:

2 45.40 (2m) (b) The spouse and dependent children of a member of the U.S.
3 armed forces or of the Wisconsin national guard who has been activated or deployed
4 to serve in the U.S. armed forces who are residents of this state, who have suffered
5 a loss of income due to that activation or deployment, and who experience an
6 economic emergency during the member's activation or deployment are eligible to
7 receive assistance under subs. ~~(1)~~ (1m) and ~~(2)~~.

8 SECTION 9. ^{✓x} 45.40 (3m) of the statutes is amended to read:

9 45.40 (3m) RULES. The department shall promulgate rules establishing
10 eligibility criteria and household income limits for payments under subs. ~~(1)~~ (1m),
11 (2), and (2m).

Ins
5-12

12 SECTION 10. [✓] 49.855 (4m) (b) of the statutes is amended to read:

13 49.855 (4m) (b) The department of revenue may provide a certification that it
14 receives under sub. (1), (2m), or (2p) to the department of administration. Upon
15 receipt of the certification, the department of administration shall determine
16 whether the obligor is a vendor or is receiving any other payments from this state,
17 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
18 45.40 ~~(1)~~ (1m), this chapter, or ch. 46, 108, or 301. If the department of
19 administration determines that the obligor is a vendor or is receiving payments from
20 this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971
21 stats., s. 45.40 ~~(1)~~ (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold
22 the amount certified from those payments and shall notify the obligor that the state
23 intends to reduce any payments due the obligor by the amount the obligor is
24 delinquent under the support, maintenance, or receiving and disbursing fee order or
25 obligation, by the outstanding amount for past support, medical expenses, or birth

ASSEMBLY BILL 497

SECTION 10

1 expenses under the court order, or by the amount due under s. 46.10 (4) or 301.12 (4).
2 The notice shall provide that within 20 days after receipt of the notice the obligor may
3 request a hearing before the circuit court rendering the order under which the
4 obligation arose. An obligor may, within 20 days after receiving notice, request a
5 hearing under this paragraph. Within 10 days after receiving a request for hearing
6 under this paragraph, the court shall set the matter for hearing. A circuit court
7 commissioner may conduct the hearing. Pending further order by the court or circuit
8 court commissioner, the department of workforce development or its designee,
9 whichever is appropriate, may not disburse the payments withheld from the obligor.
10 The sole issues at the hearing are whether the obligor owes the amount certified and,
11 if not and it is a support or maintenance order, whether the money withheld shall be
12 paid to the obligor or held for future support or maintenance, except that the obligor's
13 ability to pay is also an issue at the hearing if the obligation relates to an order under
14 ~~s. 767.51 (3) (e) 1. or 767.62 (4) (d) 1.~~ s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the
15 order specifies that the court found that the obligor's income was at or below the
16 poverty line established under 42 USC 9902 (2).

17 ~~18~~ SECTION 11. 343.16 (5) (a) of the statutes is amended to read:

18 343.16 (5) (a) The secretary may require any applicant for a license or any
19 licensed operator to submit to a special examination by such persons or agencies as
20 the secretary may direct to determine incompetency, physical or mental disability,
21 disease, or any other condition that might prevent such applicant or licensed person
22 from exercising reasonable and ordinary control over a motor vehicle. If the
23 department requires the applicant to submit to an examination, the applicant shall
24 pay for the examination. If the department receives an application for a renewal or
25 duplicate license after voluntary surrender under s. 343.265 or receives a report from

ASSEMBLY BILL 497

1 a physician, advanced practice nurse prescriber certified under s. 441.16 (2),[✓] or
2 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
3 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
4 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
5 recognized American Indian tribe or band in this state in conformity with s. 346.63
6 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
7 where the offense involved the use of a vehicle, the department shall determine, by
8 interview or otherwise, whether the operator should submit to an examination under
9 this section. The examination may consist of an assessment. If the examination
10 results from the department receiving a report from a physician, advanced practice
11 nurse prescriber certified under s. 441.16 (2),[✓] or optometrist under s. 146.82 (3),[✓] the
12 examination may be conducted by, and the results of the examination certified by, a
13 physician, advanced practice nurse prescriber certified under s. 441.16 (2),[✓] or
14 optometrist. If the examination indicates that education or treatment for a
15 disability, disease or condition concerning the use of alcohol, a controlled substance
16 or a controlled substance analog is appropriate, the department may order a driver
17 safety plan in accordance with s. 343.30 (1q). If there is noncompliance with
18 assessment or the driver safety plan, the department shall revoke the person's
19 operating privilege in the manner specified in s. 343.30 (1q) (d).[✓]

20 **SECTION 12.** ^{✓✓} 812.30 (9) of the statutes is amended to read:

21 812.30 (9) "Need-based public assistance" means aid to families with
22 dependent children, relief funded by a relief block grant under ch. 49, relief provided
23 by counties under s. 59.53 (21), medical assistance, supplemental security income,
24 food stamps, or benefits received by veterans under s. 45.40 (1) (1m) or under 38 USC
25 501 to 562.[✓]

**ASSEMBLY AMENDMENT 1,
TO 2007 ASSEMBLY BILL 497**

February 27, 2008 – Offered by Representative MOLEPSKE.

insert 4-14

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

2 **1.** Page 4, line 14: after “provider” insert “acting within the scope of that
3 provider’s certification or license”.

4 (END)

INSERT 5-12

1 SECTION 1. ^X 49.855 (4m) (b) of the statutes is amended to read:

2 49.855 (4m) (b) The department of revenue may provide a certification that it
3 receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon
4 receipt of the certification, the department of administration shall determine
5 whether the obligor is a vendor or is receiving any other payments from this state,
6 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
7 45.40 ~~(1)~~ [✓] (1m), this chapter, or ch. 46, 108, or 301. If the department of
8 administration determines that the obligor is a vendor or is receiving payments from
9 this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971
10 stats., s. 45.40 ~~(1)~~ [✓] (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold
11 the amount certified from those payments and shall notify the obligor that the state
12 intends to reduce any payments due the obligor by the amount the obligor is
13 delinquent under the support, maintenance, or receiving and disbursing fee order or
14 obligation, by the outstanding amount for past support, medical expenses, or birth
15 expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4),
16 or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice
17 the obligor may request a hearing before the circuit court rendering the order under
18 which the obligation arose. An obligor may, within 20 days after receiving notice,
19 request a hearing under this paragraph. Within 10 days after receiving a request for
20 hearing under this paragraph, the court shall set the matter for hearing. A circuit
21 court commissioner may conduct the hearing. Pending further order by the court or
22 circuit court commissioner, the department of children and families or its designee,
23 whichever is appropriate, may not disburse the payments withheld from the obligor.

1 The sole issues at the hearing are whether the obligor owes the amount certified and,
2 if not and it is a support or maintenance order, whether the money withheld shall be
3 paid to the obligor or held for future support or maintenance, except that the obligor's
4 ability to pay is also an issue at the hearing if the obligation relates to an order under
5 s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that
6 the obligor's income was at or below the poverty line established under 42 USC 9902
7 (2).[✓]

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1468/1dn

RNK:j:....

nwn

Date

This is a redraft of 2007 Assembly Bill 497[✓] which expanded the type of health care provider authorized to make certain injury, illness, or disability determinations. Accordingly, as in last session's bill, this draft authorizes the Department of Natural Resources (DNR) to issue Class A, B, and C permits based upon the report of a certified advanced practice nurse prescriber, as well as a physician or chiropractor. Current law also authorizes DNR to issue a crossbow permit (see s. 29.171 (4), stats.)[✓] to persons with certain disabilities. Under current law, DNR may issue the permit if the applicant is unable to use a bow and arrow. An applicant may demonstrate this inability based upon certain standard tests administered by a licensed physician or licensed chiropractor. This draft does not amend current law to allow a certified advanced practice nurse prescriber to administer these tests in support of an application for a crossbow permit. Did you want to amend current law to allow advanced practice nurse prescribers to administer these tests?

Current law also authorizes DNR to issue a disabled person fishing license. See s. 29.193 (3). One of the ways that a person may qualify for this license is by producing a certificate from a licensed physician or optometrist documenting the person's visual impairment. Do you want to expand this provision to allow certified advanced practice nurse prescribers to complete such a certificate?

Please feel free to contact me if you have any questions with regard to these issues.[✓]

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1468/1dn
RNK:nwn:ph

February 5, 2009

This is a redraft of 2007 Assembly Bill 497 which expanded the type of health care provider authorized to make certain injury, illness, or disability determinations. Accordingly, as in last session's bill, this draft authorizes the Department of Natural Resources (DNR) to issue Class A, B, and C permits based upon the report of a certified advanced practice nurse prescriber, as well as a physician or chiropractor. Current law also authorizes DNR to issue a crossbow permit (see s. 29.171 (4), stats.) to persons with certain disabilities. Under current law, DNR may issue the permit if the applicant is unable to use a bow and arrow. An applicant may demonstrate this inability based upon certain standard tests administered by a licensed physician or licensed chiropractor. This draft does not amend current law to allow a certified advanced practice nurse prescriber to administer these tests in support of an application for a crossbow permit. Did you want to amend current law to allow advanced practice nurse prescribers to administer these tests?

Current law also authorizes DNR to issue a disabled person fishing license. See s. 29.193 (3). One of the ways that a person may qualify for this license is by producing a certificate from a licensed physician or optometrist documenting the person's visual impairment. Do you want to expand this provision to allow certified advanced practice nurse prescribers to complete such a certificate?

Please feel free to contact me if you have any questions with regard to these issues.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

Nelson, Robert P.

From: Farnsworth, Kathy
Sent: Monday, February 01, 2010 2:48 PM
To: Nelson, Robert P.
Cc: Rep.Molepske; 'Gina Dennik-Champion'
Subject: LRB 1468/1

Thank you for your assistance earlier today. Here are redrafting instructions:

1. Please review LRB 1468/1 for any changes which need to be made to it relative to passage of the new podiatry statute per your suggestion on the phone today.
2. Please, with regard to the questions in the Drafter's Notes:
 - a. Yes amend the current law to allow APN prescribers to administer those tests
 - b. Yes expand provision to allow certified APN prescribers to complete such a certificate.
3. Please add an additional section per the following:

Chapter 252 – Communicable Diseases, < Sexually Transmitted Diseases>

TJD
252.11(1m) (1m) A physician or other health care professional called to attend a person infected with any form of sexually transmitted disease, as specified in rules promulgated by the department, shall report the disease to the local health officer and to the department in the manner directed by the department in writing on forms furnished by the department. A physician may treat a minor infected with a sexually transmitted disease or examine and diagnose a minor for the presence of such a disease without obtaining the consent of the minor's parents or guardian. The physician, *or an advanced practice nurse prescriber certified under s. 441.16 (2)* shall incur no civil liability solely by reason of the lack of consent of the minor's parents or guardian.

4. Finally, we may need, during deliberation on the bill, to delete the last provision I asked you to add (affecting Ch. 252 Communicable Diseases). Is it appropriate to ask you to draft such an amendment now or do you need to wait until the bill is introduced. I thought as long as you were working on this, it might be just as easy to do it at the same time in the event we need it...but I don't know what I don't know about drafting protocols.

Many thanks.

Kathy Farnsworth
Office of Representative Louis J. Molepske, Jr.
Chair-Committee on Jobs, the Economy and Small Business
State Capitol
P. O. Box 8953
Madison, WI 53708-8953
608.267.9649
888.534.0071
kathy.farnsworth@legis.wisconsin.gov



ITSO

LRB-14681002

RPN/RNK/ARC:nwn:ph

RMR

2009 BILL

SAV

D-note

certified

allowing advanced practice nurse prescribers to treat minors for sexually transmitted diseases

→ Regen

1 AN ACT **to renumber** 45.40 (1); **to amend** 25.36 (1), 29.193 (2) (b) 2., 29.193 (2)

2 (c) 3., 45.40 (2m) (a), 45.40 (2m) (b), 45.40 (3m), 49.855 (4m) (b), 343.16 (5) (a),

3 812.30 (9) and 814.29 (1) (d) 1.; and **to create** 45.40 (1g) and 45.40 (1t) of the

4 statutes; **relating to:** allowing certified advanced practice nurse prescribers to

5 determine an illness or injury and complete forms for the purpose of granting

6 assistance to needy veterans and of medical review related to motor vehicle

7 operator's licenses, and allowing certified advanced practice nurse prescribers

8 to determine disability for the purpose of issuing certain hunting permits.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Veterans Affairs (DVA) may grant assistance to needy veterans who have suffered a loss of income due to illness, injury, or natural disaster. By rule, DVA has defined an illness or injury as a physical or mental health problem that is diagnosed by a physician, dentist, optometrist, or audiologist. → No R

This bill expands the health care providers who may diagnose an illness or injury for DVA purposes to include certified advanced practice nurse prescribers.

Under current law, the Department of Transportation (DOT) may require an operator's license applicant or licensee to submit to a special examination to

This bill allows certified advanced nurse prescribers to provide certain services provided by other health care providers.

Transportation

practice

BILL

and, under some circumstances, hunting with a crossbow

determine incompetency, physical or mental disability, disease, or any other condition that might prevent the applicant or licensee from exercising reasonable and ordinary control over a motor vehicle. If DOT receives a report from a physician, advanced practice nurse prescriber, or optometrist, DOT must determine whether the operator should submit to a special examination. When DOT receives the results of a special examination, DOT must consider the recommendation of the examiner together with other evidence in determining if it is in the interest of public safety to issue, renew, deny, or cancel a license.

This bill specifies that a special examination required by DOT may be conducted by, and the results of the examination certified by, a physician, certified advanced practice nurse prescriber, or optometrist.

specified medical professional

Natural Resources

Under current law, the Department of Natural Resources (DNR) is authorized to issue certain hunting permits that authorize hunting by persons who have a physical disability or who are visually handicapped (specialized permits). Among the privileges granted by these specialized permits is the privilege of hunting with assistance rendered by another person. In order to obtain a specialized permit from DNR, a person must submit an application furnished by DNR that includes a statement or report prepared and signed by a ~~licensed physician or chiropractor~~ verifying that the applicant is physically disabled. A person may also obtain a specialized permit even if the person would otherwise be ineligible for a specialized permit if DNR, based on the recommendation of a ~~licensed physician or chiropractor~~, determines that the issuance of the permit complies with the intent of the law.

use 2x

Ins. Analysis RK

Ins A-ID

This bill authorizes an applicant for a specialized permit to submit a statement, report, or recommendation from a certified advanced practice nurse prescriber, ~~as well as from a physician or chiropractor~~, in support of a specialized permit application.

in addition to the medical professionals specified under current law

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

1 **SECTION 1.** 25.36 (1) of the statutes is amended to read:
2 25.36 (1) Except as provided in sub. (2), all moneys appropriated or transferred
3 by law shall constitute the veterans trust fund which shall be used for the lending
4 of money to the mortgage loan repayment fund under s. 45.37 (5) (a) 12. and for the
5 veterans programs under ss. 20.485 (2) (m), (mn), (tm), (u), (v), (vo), (vy), (w), (z), and
6 (zm), 45.03 (19), 45.07, 45.20, 45.21, 45.40 (1) (1m), 45.41, 45.42, 45.43, and 45.82 and
7 administered by the department of veterans affairs, including all moneys received
8 from the federal government for the benefit of veterans or their dependents; all

BILL

1 moneys paid as interest on and repayment of loans under the post-war
2 rehabilitation fund; soldiers rehabilitation fund, veterans housing funds as they
3 existed prior to July 1, 1961; all moneys paid as interest on and repayment of loans
4 under this fund; all moneys paid as expenses for, interest on, and repayment of
5 veterans trust fund stabilization loans under s. 45.356, 1995 stats.; all moneys paid
6 as expenses for, interest on, and repayment of veterans personal loans; the net
7 proceeds from the sale of mortgaged properties related to veterans personal loans;
8 all mortgages issued with the proceeds of the 1981 veterans home loan revenue bond
9 issuance purchased with moneys in the veterans trust fund; all moneys received from
10 the state investment board under s. 45.42 (8) (b); all moneys received from the
11 veterans mortgage loan repayment fund under s. 45.37 (7) (a) and (c); and all gifts
12 of money received by the board of veterans affairs for the purposes of this fund.

13 **SECTION 2.** 29.193 (2) (b) 2. of the statutes is amended to read: ✓

14 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
15 and furnished by the department, which shall include a written statement or report
16 prepared and signed by a licensed physician ^{, a} ~~or, a~~ licensed chiropractor, or an
17 advanced practice nurse prescriber certified under s. 441.16 (2) prepared no more
18 than 6 months preceding the application and verifying that the applicant is
19 physically disabled.

20 **SECTION 3.** 29.193 (2) (c) 3. of the statutes is amended to read: ✓

21 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
22 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
23 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
24 applicant and the recommendation of a licensed physician ~~or, a~~ licensed chiropractor,
25 or an advanced practice nurse prescriber certified under s. 441.16 (2) selected by the

BILL**SECTION 3**

1 applicant from a list of licensed physicians and, licensed chiropractors, and advanced
2 practice nurse prescribers certified under s. 441.16 (2) compiled by the department,
3 the department finds that issuance of a permit complies with the intent of this
4 subsection. The use of this review procedure is discretionary with the department
5 and all costs of the review procedure shall be paid by the applicant.

6 **SECTION 4.** 45.40 (1) of the statutes is renumbered 45.40 (1m). ✓

7 **SECTION 5.** 45.40 (1g) of the statutes is created to read: ✓

8 45.40 (1g) DEFINITIONS. In this section:

9 (a) "Health care provider" means an advanced practice nurse prescriber
10 certified under s. 441.16 (2), an audiologist licensed under ch. 459, a dentist licensed
11 under ch. 447, an optometrist licensed under ch. 449, or a physician licensed under
12 ch. 448.

13 (b) "Illness" or "injury" means a physical or mental health problem that has
14 been diagnosed by a health care provider acting within the scope of that provider's
15 certification or license.

16 **SECTION 6.** 45.40 (1t) of the statutes is created to read: ✓

17 45.40 (1t) COMPLETION OF HEALTH CARE FORMS. A health care provider may
18 complete the medical forms necessary for the receipt of aid under this section if the
19 provider has diagnosed the veteran and determined the veteran's medical condition.

20 **SECTION 7.** 45.40 (2m) (a) of the statutes is amended to read: ✓

21 45.40 (2m) (a) The unremarried spouse and dependent children of a veteran
22 who died on active duty, or in the line of duty while on active or inactive duty for
23 training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed
24 forces are eligible to receive payments under subs. (1) (1m) and (2) if the household

BILL

1 income of those persons does not exceed the income limitations established under
2 sub. (3m).

3 **SECTION 8.** 45.40 (2m) (b) of the statutes is amended to read:

4 45.40 **(2m)** (b) The spouse and dependent children of a member of the U.S.
5 armed forces or of the Wisconsin national guard who has been activated or deployed
6 to serve in the U.S. armed forces who are residents of this state, who have suffered
7 a loss of income due to that activation or deployment, and who experience an
8 economic emergency during the member's activation or deployment are eligible to
9 receive assistance under subs. (1) (1m) and (2).

10 **SECTION 9.** 45.40 (3m) of the statutes is amended to read:

11 45.40 **(3m)** RULES. The department shall promulgate rules establishing
12 eligibility criteria and household income limits for payments under subs. (1) (1m),
13 (2), and (2m).

14 **SECTION 10.** 49.855 (4m) (b) of the statutes is amended to read:

15 49.855 **(4m)** (b) The department of revenue may provide a certification that it
16 receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon
17 receipt of the certification, the department of administration shall determine
18 whether the obligor is a vendor or is receiving any other payments from this state,
19 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
20 45.40 (1) (1m), this chapter, or ch. 46, 108, or 301. If the department of
21 administration determines that the obligor is a vendor or is receiving payments from
22 this state, except for wages, retirement benefits, or assistance under s. 45.352, 1971
23 stats., s. 45.40 (1) (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold
24 the amount certified from those payments and shall notify the obligor that the state
25 intends to reduce any payments due the obligor by the amount the obligor is

BILL

1 delinquent under the support, maintenance, or receiving and disbursing fee order or
 2 obligation, by the outstanding amount for past support, medical expenses, or birth
 3 expenses under the court order, or by the amount due under s. 46.10 (4), 49.345 (4),
 4 or 301.12 (4). The notice shall provide that within 20 days after receipt of the notice
 5 the obligor may request a hearing before the circuit court rendering the order under
 6 which the obligation arose. An obligor may, within 20 days after receiving notice,
 7 request a hearing under this paragraph. Within 10 days after receiving a request for
 8 hearing under this paragraph, the court shall set the matter for hearing. A circuit
 9 court commissioner may conduct the hearing. Pending further order by the court or
 10 circuit court commissioner, the department of children and families or its designee,
 11 whichever is appropriate, may not disburse the payments withheld from the obligor.
 12 The sole issues at the hearing are whether the obligor owes the amount certified and,
 13 if not and it is a support or maintenance order, whether the money withheld shall be
 14 paid to the obligor or held for future support or maintenance, except that the obligor's
 15 ability to pay is also an issue at the hearing if the obligation relates to an order under
 16 s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1. and the order specifies that the court found that
 17 the obligor's income was at or below the poverty line established under 42 USC 9902

(2).

SECTION 11. 343.16 (5) (a) of the statutes is amended to read:

20 343.16 (5) (a) The secretary may require any applicant for a license or any
 21 licensed operator to submit to a special examination by such persons or agencies as
 22 the secretary may direct to determine incompetency, physical or mental disability,
 23 disease, or any other condition that might prevent such applicant or licensed person
 24 from exercising reasonable and ordinary control over a motor vehicle. If the
 25 department requires the applicant to submit to an examination, the applicant shall

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Ins
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BILL

1 pay for the examination. If the department receives an application for a renewal or
2 duplicate license after voluntary surrender under s. 343.265 or receives a report from
3 a physician, advanced practice nurse prescriber certified under s. 441.16 (2), or
4 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
5 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
6 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
7 recognized American Indian tribe or band in this state in conformity with s. 346.63
8 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
9 where the offense involved the use of a vehicle, the department shall determine, by
10 interview or otherwise, whether the operator should submit to an examination under
11 this section. The examination may consist of an assessment. If the examination
12 results from the department receiving a report from a physician, advanced practice
13 nurse prescriber certified under s. 441.16 (2), or optometrist under s. 146.82 (3), the
14 examination may be conducted by, and the results of the examination certified by, a
15 physician, advanced practice nurse prescriber certified under s. 441.16 (2), or
16 optometrist. If the examination indicates that education or treatment for a
17 disability, disease or condition concerning the use of alcohol, a controlled substance
18 or a controlled substance analog is appropriate, the department may order a driver
19 safety plan in accordance with s. 343.30 (1q). If there is noncompliance with
20 assessment or the driver safety plan, the department shall revoke the person's
21 operating privilege in the manner specified in s. 343.30 (1q) (d). ✓

22 **SECTION 12.** 812.30 (9) of the statutes is amended to read:

23 812.30 (9) "Need-based public assistance" means aid to families with
24 dependent children, relief funded by a relief block grant under ch. 49, relief provided
25 by counties under s. 59.53 (21), medical assistance, supplemental security income,

BILL

1 food stamps, or benefits received by veterans under s. 45.40 ~~(1)~~ (1m) or under 38 USC
2 501 to 562.

3 **SECTION 13.** 814.29 ~~(1)~~ (d) 1. of the statutes is amended to read:

4 814.29 **(1)** (d) 1. That the person is a recipient of means-tested public
5 assistance, including aid to families with dependent children, relief funded by a relief
6 block grant under ch. 49, relief provided by counties under s. 59.53 (21), medical
7 assistance, supplemental security income, food stamps or benefits received by
8 veterans under s. 45.40 ~~(1)~~ (1m) or under 38 USC 501 to 562.

9 (END)

→ D-notes

2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1468/2insRK
RNK:.....

INSERT ANALYSIS

Current law also requires DNR to issue an annual or temporary disabled person fishing license (disabled fishing license) to a resident who produces a certificate from a specified medical professional stating that his or her sight is impaired to a specified degree. Among the privileges of a disabled fishing license is the right to pay a reduced fee for the license and the authority to fish during special fishing seasons designated by DNR. This bill allows an advanced practice nurse prescribers, in addition to the medical professionals specified under current law, to furnish the required certificate for a disabled fishing license.

INSERT 6-18

insert 1-1
1 SECTION 1. 29.171 (4) (a) 5. of the statutes is amended to read:

2 29.171 (4) (a) 5. Has a permanent substantial loss of function in one or both
3 shoulders and fails to meet the minimum standards of the standard shoulder
4 strength tests, administered under the direction of a licensed physician, an advanced
5 practice nurse prescriber certified under s. 441.16 (2), or a licensed chiropractor.

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109; 2005 a. 285, 387.

6 SECTION 2. 29.171 (4) (c) of the statutes is amended to read:

7 29.171 (4) (c) The department may issue a crossbow permit to an applicant who
8 is ineligible for a permit under par. (a) or who is denied a permit under par. (a) if, upon
9 review and after considering the physical condition of the applicant and the
10 recommendation of a licensed physician, an advanced practice nurse prescriber
11 certified under s. 441.16 (2), or licensed chiropractor selected by the applicant from
12 a list of licensed physicians *and licensed chiropractors compiled by the department,*
13 the department finds that issuance of a permit complies with the intent of this
14 subsection. The use of this review procedure is discretionary with the department
15 and all costs of the review procedure shall be paid by the applicant.

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109; 2005 a. 285, 387.

16 SECTION 3. 29.193 (2) (b) 2. of the statutes, as affected by 2009 Wisconsin Act

17 (Senate Bill 191), is amended to read:

1 29.193 (2) (b) 2. An applicant shall submit an application on a form prepared
 2 and furnished by the department, which shall include a written statement or report
 3 prepared and signed by a licensed ^{move}physician, ^{a ← plain}licensed chiropractor, an advanced
 4 practice nurse prescriber certified under s. 441.16 (2), or a licensed podiatrist
 5 prepared no more than 6 months preceding the application and verifying that the
 6 applicant is physically disabled. ✓

7 History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

SECTION 4. 29.193 (2) (e) of the statutes, as affected by 2009 Wisconsin Act

8 (Senate Bill 191), is amended to read:

9 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this
 10 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
 11 a licensed physician, ^{move}a licensed chiropractor, an advanced practice nurse prescriber
 12 certified under s. 441.16 (2), or a licensed podiatrist designated by the department
 13 and with an office located in the department district in which the applicant resides.
 14 The department shall pay for the cost of a review under this paragraph unless the
 15 denied application on its face fails to meet the standards set forth in par. (c) 1. or 2.
 16 A review under this paragraph is the only method of review of a decision to deny a
 17 permit under this subsection and is not subject to further review under ch. 227. ✓

18 History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

SECTION 5. 29.193 (3) (a) of the statutes is amended to read:

19 29.193 (3) (a) Produces a certificate from a licensed physician, an advanced
 20 practice nurse prescriber certified under s. 441.16 (2), or an optometrist stating that
 21 his or her sight is impaired to the degree that he or she cannot read ordinary
 22 newspaper print with or without corrective glasses. ✓

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

insert
2-b

**2009-2010 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1468/2ins2RK
RNK:.....

INSERT 1-1 (TO INSERT RK)

1 **SECTION 1.** 29.171 (4) (a) 4. (intro.) of the statutes is amended to read:
2 29.171 (4) (a) 4. (intro.) Has a permanent substantial loss of function in one or
3 both arms or one or both hands and fails to meet the minimum standards of any one
4 of the following standard tests, administered under the direction of a licensed
5 physician ~~or~~, an advanced practice nurse prescriber certified under s. 441.16 (2), or
6 a licensed chiropractor:✓

History: 1973 c. 90 s. 538; 1977 c. 232; 1979 c. 34; 1983 a. 27; 1985 a. 270; 1987 a. 353; 1989 a. 31; 1991 a. 39, 77; 1995 a. 293; 1997 a. 27, 168; 1997 a. 248 ss. 231 to 235; Stats. 1997 s. 29.171; 1997 a. 249 s. 25; 1999 a. 32; 2001 a. 18, 109; 2005 a. 285, 387.

INSERT 2-6 (TO INSERT RK)

7 **SECTION 2.** 29.193 (2) (c) 3. of the statutes, as affected by 2009 Wisconsin Act
8 ... (Senate Bill 191), is amended to read:
9 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
10 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
11 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
12 applicant and the recommendation of a licensed physician, an advanced practice
13 nurse prescriber certified under s. 441.16 (2), a licensed chiropractor, or a licensed
14 podiatrist selected by the applicant from a list of licensed physicians, advanced
15 practice nurse prescribers certified under s. 441.16 (2), licensed chiropractors, and
16 licensed podiatrists compiled by the department, the department finds that issuance
17 of a permit complies with the intent of this subsection. The use of this review
18 procedure is discretionary with the department and all costs of the review procedure
19 shall be paid by the applicant.

History: 1997 a. 248 ss. 135 to 142, 323, 410; 1997 a. 249 ss. 3 to 13; 1997 a. 322 ss. 2, 3; 1999 a. 9, 32; 2001 a. 17.

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INSERT A-TD

① Health care.

Under current law, physician^s may examine, diagnose, and treat a minor with a sexually transmitted disease, which includes syphilis, gonorrhea, and chlamydia, without obtaining consent of the minor's parents or guardian. The physician may not be held civilly liable for not having that consent.

The bill allows an advanced practice nurse prescriber to examine, diagnose, and treat a minor with a sexually transmitted disease without obtaining the parent's or guardian's consent and relieves the advanced practice nurse prescriber from civil liability for not having that consent.

INSERT 6-19-TD

SECTION 1. 252.11 (1m) of the statutes is amended to read:

252.11 (1m) A physician or other health care professional called to attend a person infected with any form of sexually transmitted disease, as specified in rules promulgated by the department, shall report the disease to the local health officer and to the department in the manner directed by the department in writing on forms furnished by the department. A physician, or an advanced practice nurse prescriber certified under s. 441.16 (2), may treat a minor infected with a sexually transmitted disease or examine and diagnose a minor for the presence of such a disease without obtaining the consent of the minor's parents or guardian. The physician or advanced practice nurse prescriber shall incur no civil liability solely by reason of the lack of consent of the minor's parents or guardian.

History: 1971 c. 42, 125; 1973 c. 90; 1975 c. 6; 1975 c. 383 s. 4; 1975 c. 421; 1981 c. 291; 1991 a. 269; 1993 a. 27 s. 297; Stats. 1993 s. 252.11; 1993 a. 32; 1995 a. 77; 1999 a. 188; 2005 a. 187.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1468/2dnTD

TJD

nwn

ERP

Date

The draft request sought to relieve advance practice nurse prescribers from liability for not obtaining parental consent to examine, diagnose, or treat a minor for a sexually transmitted disease. Under current s. 252.11 (1m), only a physician is allowed to examine, diagnose, or treat the minor for the sexually transmitted disease without parental consent. Therefore, I added language to allow advanced practice nurse prescribers to examine, diagnose, or treat a minor for a sexually transmitted disease without parental consent and also relieved them from liability for not obtaining that consent. Is that okay?

Tamara J. Dodge
Legislative Attorney
Phone: (608) 267-7380
E-mail: tamara.dodge@legis.wisconsin.gov

SB 191 recently passed and sent to the Governor ~~means~~ ^{allows} advanced practice nurse prescribers ~~in those who~~ ~~can~~ ~~provide~~ to diagnose a veteran's illness or injury so those sections are removed from this bill.

ERP

2009 DRAFTING REQUEST

Bill

Received: 01/13/2009

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Louis Molepske Jr (608) 267-9649

By/Representing: Lloyd

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Adl. Drafters: rkite
agary
tdodge

Subject: Veterans - miscellaneous
Nat. Res. - miscellaneous
Transportation - other
Health - public health

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

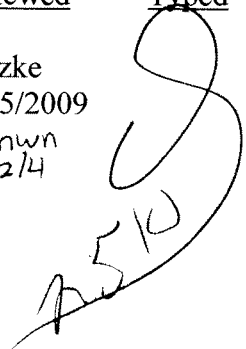
Topic:

Nurse practitioners duties

Instructions:

See attached 07 AB 497

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>
/?	rnelson2 01/13/2009	nmatzke 02/05/2009		_____			
	rkite 01/14/2009	1/2 nwn 2/4		_____			
	agary 01/14/2009			_____			

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/1 tdodge phenry _____ mbarman
02/05/2009 _____ 02/05/2009

FE Sent For:

<END>

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

LRB-1468/2dn
TJD&RPN:nwn:rs

February 5, 2010

The draft request sought to relieve advance practice nurse prescribers from liability for not obtaining parental consent to examine, diagnose, or treat a minor for a sexually transmitted disease. Under current s. 252.11 (1m), only a physician is allowed to examine, diagnose, or treat the minor for the sexually transmitted disease without parental consent. Therefore, I added language to allow advanced practice nurse prescribers to examine, diagnose, or treat a minor for a sexually transmitted disease without parental consent and also relieved them from liability for not obtaining that consent. Is that okay?

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Legislative Attorney
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SB 191, recently passed and sent to the governor, allows advanced practice nurse prescribers to diagnose a veteran's illness or injury, so those sections are removed from this bill.

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Duerst, Christina

From: Rep.Molepske
Sent: Friday, February 05, 2010 3:51 PM
To: LRB.Legal
Cc: Farnsworth, Kathy
Subject: Draft Review: LRB 09-1468/2 Topic: Nurse practitioners duties

Please Jacket LRB 09-1468/2 for the ASSEMBLY.