

**2017 DRAFTING REQUEST****Bill**

For: **Eric Genrich (608) 266-0616** Drafter: **tkuczens**  
 By: **Steve** Secondary Drafters:  
 Date: **2/20/2017** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email: **Rep.Genrich@legis.wisconsin.gov**  
 Carbon copy (CC) to: **tracy.kuczenski@legis.wisconsin.gov**  
**fern.knepp@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

TB testing requirement for new teachers

**Instructions:**

Modify 2017 LRB-0786/3 to permit an RN to administer the screening questionnaire, but to provide that the exam "at a minimum" includes a screening questionnaire.

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 2/21/2017	jdyer 2/22/2017			
/P1	tkuczens 3/9/2017	jdyer 3/13/2017	lparisi 2/22/2017		
/P2	tkuczens 3/17/2017	jdyer 3/20/2017	mbarman 3/13/2017		
/P3	tkuczens 3/27/2017	jdyer 3/28/2017	mbarman 3/20/2017		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P4	tkuczens 3/29/2017	jdye 3/30/2017	mbarman 3/28/2017		
/1	tkuczens 4/21/2017	aernsttr 4/21/2017	hkohn 3/30/2017		
/2			lparisi 4/21/2017	lparisi 5/11/2017	

FE Sent For:

<END>

↳ Not Needed

# "RESEARCH APPENDIX"

... Drafting History Reproduction Request Form ...



## DRAFTING ATTORNEYS:

PLEASE COMPLETE THIS FORM AND GIVE TO MIKE BARMAN

(Request Made By: TKK) (Date: 2 / 20 / 17)

**Note:** BOTH DRAFTS SHOULD HAVE THE SAME "REQUESTOR" (exception: companion bills)



Please transfer the drafting file for 2015 LRB (For: Rep. / Sen. \_\_\_\_\_)

to the drafting file for 2017 LRB (For: Rep. / Sen. \_\_\_\_\_)

- - - OR - - -

Please copy the drafting file for 2017 LRB 0786 / 13 (include the version) (For: Rep. / Sen. Genrich)

and place it in the drafting file for 2017 LRB 2199 (For: Rep. / Sen. Genrich)

Are These "Companion Bills" ?? ... Yes  No

If yes, who in the initial requestor's office authorized the copy/transfer of the drafting history ("guts") from the original file: \_\_\_\_\_



State of Wisconsin  
2017 - 2018 LEGISLATURE

2199/P1  
LRB-0786/3  
TKK:jld  
Keep *penner*

2017 BILL

*in 2/21 wanted 2/23*

*lx*  
*Regen*

1 AN ACT *to renumber and amend* 118.25 (1); *to amend* 118.25 (2); and *to create*  
2 118.25 (1) (a) of the statutes; **relating to:** screening school district employees  
3 for tuberculosis. ✓

***Analysis by the Legislative Reference Bureau***

This bill requires a school board other than the school board of the Milwaukee Public School District to, with limited exceptions, condition employment in the school district on the completion of a physical examination that includes a screening questionnaire for tuberculosis. The physical examination may be conducted by a licensed physician, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). The practitioner must certify that the school district employee appears to be free from tuberculosis in a communicable form. Current law requires such a school district to condition employment on a physical examination that includes a chest X-ray or a tuberculin test. Under current law and this bill, freedom from tuberculosis in a communicable form is a condition of employment.

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

4 SECTION 1. 118.25 (1) of the statutes is renumbered 118.25 (1) (intro.) and  
5 amended to read:

**BILL****SECTION 1**

1 118.25 (1) (intro.) In this section "school:

2 (b) "School employee" means a person employed by a school board who comes  
3 in contact with children or who handles or prepares food for children while they are  
4 under the supervision of school authorities.

5 **SECTION 2.** 118.25 (1) (a) of the statutes is created to read:

6 118.25 (1) (a) "Practitioner" means a person licensed as a physician or as a  
7 physician assistant in any state or licensed or certified as an advanced practice nurse  
8 prescriber in any state. In this paragraph, "physician" has the meaning given in s.  
9 448.01 (5).

10 **SECTION 3.** 118.25 (2) of the statutes is amended to read:

11 118.25 (2) (a) As Subject to par. (b), a school board other than the school board  
12 of a 1st class city school district shall, as a condition of employment, the school board,  
13 except in 1st class cities, shall require a physical examination, including a chest  
14 X-ray or tuberculin test, of every school employee of the school district. The school  
15 board shall ensure that the physical examination includes <sup>at a minimum</sup> a screening questionnaire  
16 for tuberculosis approved by the department of health services and, if indicated, a  
17 test to determine the presence or absence of tuberculosis in a communicable form.  
18 Freedom from tuberculosis in a communicable form is a condition of employment.  
19 In the case of a new school employee, the school board may permit the school  
20 employee to submit proof of an examination, chest X-ray or tuberculin test  
21 complying with this section which was taken within the past 90 days in lieu of  
22 requiring such examination, X-ray or test. If the reaction to the tuberculin test is  
23 positive, a chest X-ray shall be required. Additional physical The school board may  
24 require additional physical examinations shall be required thereafter of school board  
25 employees at intervals determined by the school board. The school employee shall

The screen

**BILL**

selected by the school employee and

1 be examined by a physician practitioner in the employ of or under contract with the  
2 school district, but if a physician practitioner is not employed or under contract, the  
3 examination shall be made by a physician practitioner selected by the school  
4 employee. The screening questionnaire may be administered by a school nurse  
or by a registered nurse licensed under 50 441.06 or in a party  
state as defined in 50 441.50(2)(j).

5 (b) ~~Such~~ The school board may not require physical examinations, chest X-rays  
6 ~~or tuberculin tests shall not be required of any school employee who files with the~~  
7 ~~school board an affidavit setting forth that the employee depends exclusively upon~~  
8 ~~prayer or spiritual means for healing in accordance with the teachings of a bona fide~~  
9 ~~religious sect, denomination, or organization and that the employee is to the best of~~  
10 ~~the employee's knowledge and belief in good health and that the employee claims~~  
11 ~~exemption from health examination on these grounds. Notwithstanding the filing~~  
12 ~~of such affidavit, if there is reasonable cause to believe that such employee is~~  
13 ~~suffering from an illness detrimental to the health of the pupils, the school board may~~  
14 ~~require a health examination of such school employee sufficient to indicate whether~~  
15 ~~or not such school employee is suffering from such an illness. No school employee~~  
16 ~~may be discriminated against by reason of the employee's filing such affidavit.~~

17 (c) ~~The physician making a practitioner performing the physical examination~~  
18 ~~under par. (a) shall prepare complete a report of the examination upon a standard~~  
19 ~~form prepared by the department of health services and the department. Such~~  
20 ~~report. The practitioner shall be retained retain a copy of the report in the~~  
21 ~~physician's his or her files and the physician shall make confidential~~  
22 ~~recommendations therefrom to the school board and to the school employee on a form~~  
23 ~~prepared by the department of health services and the department. The~~  
24 ~~recommendation form shall contain space for a certificate that the person is~~  
25 ~~examined by the practitioner appears to be free from tuberculosis in a communicable~~

**BILL**

**SECTION 3**

1 form. The school board shall pay the cost of such the examinations required under  
2 par. (a), including X-rays and tuberculin tests, shall be paid if needed, out of school  
3 district funds.

4 (END)







State of Wisconsin  
2017 - 2018 LEGISLATURE

P2  
LRB-2199/PT  
TKK:jld  
jwca

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in 3/9 wanted 3/13

Regen

Lx

1 AN ACT to renumber and amend 118.25 (1); to amend 118.25 (2); and to create  
2 118.25 (1) (a) of the statutes; relating to: screening school district employees  
3 for tuberculosis.

*Analysis by the Legislative Reference Bureau*

This bill requires a school board other than the school board of the Milwaukee Public School District to, with limited exceptions, condition employment in the school district on the completion of a physical examination that includes a screening questionnaire for tuberculosis. The physical examination may be conducted by a licensed physician, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). The practitioner must certify that the school district employee appears to be free from tuberculosis in a communicable form. Current law requires such a school district to condition employment on a physical examination that includes a chest X-ray or a tuberculin test. Under current law and this bill, freedom from tuberculosis in a communicable form is a condition of employment.

please note this a stand-alone R

TT Invert Analysis  
TT

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

4 SECTION 1. 118.25 (1) of the statutes is renumbered 118.25 (1) (intro.) and  
5 amended to read:

1 118.25 (1) (intro.) In this section "school:

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3 in contact with children or who handles or prepares food for children while they are  
4 under the supervision of school authorities.

5 SECTION 2. 118.25 (1) (a) of the statutes is created to read:

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7 physician assistant in any state or licensed or certified as an advanced practice nurse  
8 prescriber in any state. In this paragraph, "physician" has the meaning given in s.  
9 448.01 (5).

10 SECTION 3. 118.25 (2) <sup>(a)</sup> of the statutes is <sup>renumbered 118.25(2)(a) 10 and</sup> amended to read:

11 118.25 <sup>10</sup> (2) (a) As Subject to par. (b), a school board other than the school board  
12 of a 1st class city school district shall, as a condition of employment, the school board,  
13 except in 1st class cities, shall require a physical examination, including a chest  
14 X-ray or tuberculin test, of every school employee of the school district. The school  
15 board shall ensure that the physical examination includes <sup>2</sup> at a minimum a screening  
16 questionnaire for tuberculosis approved by the department of health services and,  
17 if indicated, a test to determine the presence or absence of tuberculosis in a  
18 communicable form. Freedom from tuberculosis in a communicable form is a  
19 condition of employment. In the case of a new school employee, the school board may  
20 permit the school employee to submit proof of an examination, chest X-ray or  
21 tuberculin test complying with this section which was taken within the past 90 days  
22 in lieu of requiring such examination, X-ray or test. If the reaction to the tuberculin  
23 test is positive, a chest X-ray shall be required. Additional physical <sup>2</sup> The school board  
24 may require additional physical <sup>strike</sup> examinations shall be required thereafter <sup>2</sup> of school  
25 board employees at intervals determined by the school board. The school employee

Insert 3-7

1 shall be examined by a physieian practitioner in the employ of or under contract with  
 2 the school district, but if a physieian practitioner is not employed or under contract,  
 3 the examination shall be made by a physieian practitioner selected by the school  
 4 employee. The screening questionnaire may be administered by a school nurse or by  
 5 a registered nurse selected by the school employee and licensed under s. 441.06 or  
 6 in a party state, as defined in s. 441.50 (2) (j).

7 (b) ~~Such~~ <sup>1180 25(2)B</sup> The school board may not require physical examinations, chest X-rays  
 8 or tuberculin tests shall not be required of any school employee who files with the  
 9 school board an affidavit setting forth that the employee depends exclusively upon  
 10 prayer or spiritual means for healing in accordance with the teachings of a bona fide  
 11 religious sect, denomination, or organization and that the employee is to the best of  
 12 the employee's knowledge and belief in good health and that the employee claims  
 13 exemption from health examination on these grounds. Notwithstanding the filing  
 14 of such affidavit, if there is reasonable cause to believe that such employee is  
 15 suffering from an illness detrimental to the health of the pupils, the school board may  
 16 require a health examination of such school employee sufficient to indicate whether  
 17 or not such school employee is suffering from such an illness. No school employee  
 18 may be discriminated against by reason of the employee's filing such affidavit.

Insert 3-19

19 <sup>10</sup> ~~118.25(2)(c)~~ <sup>2 a ← plain</sup> The physician making <sup>a</sup> a practitioner performing <sup>the</sup> the physical examination  
 20 <sup>B</sup> under par. (a) shall ~~prepare complete~~ a report of the examination upon a standard  
 21 form prepared by the department of health services and ~~the department.~~ Such  
 22 report. The practitioner shall be retained retain a copy of the report in the  
 23 physician's his or her files and the physician shall make confidential  
 24 recommendations therefrom to the school board and to the school employee on a form  
 25 prepared by the department of health services and the department. The

97 30

1 recommendation form shall contain space for a certificate that the person is  
2 examined by the practitioner appears to be free from tuberculosis in a communicable  
3 form.) The school board shall pay the cost of such the examinations required under  
4 par. (a), including X-rays and tuberculin tests, shall be paid if needed, out of school  
5 district funds.

6

(END)

Insert 4-6

**INSERT ANALYSIS**

Ⓢ Current law also permits a school district to require additional physical examinations at intervals determined by the school district. Under the bill, the school district may also require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board. If additional screening questionnaires are administered, they may be administered by a school nurse or other registered nurse. ✓

**INSERT 3-7**

1           **SECTION 1.** 118.25 (2) (a) 2. of the statutes is created to read:

2           118.25 (2) (a) 2. The school board may require a school employee to complete  
3 additional health examinations, including physical examinations and an  
4 examination consisting of a screening questionnaire for tuberculosis approved by the  
5 department of health services, at intervals determined by the school board. A  
6 screening questionnaire administered as permitted under this ✓ subdivision may be  
7 administered by a school nurse or by a registered nurse selected by the school  
8 employee and licensed under s. 441.06 or in a party state, as defined in s. 441.50 (2)  
9 (j).

10           **SECTION 2.** 118.25 (2) (b) ✓ of the statutes is amended to read:

**INSERT 3-19**

11           **SECTION 3.** 118.25 (2) (c) ✓ of the statutes is renumbered 118.25 (2) (c) 1. and  
12 amended to read:

**INSERT 4-6**

13           **SECTION 4.** 118.25 (2) (c) 2. ✓ of the statutes is created to read:

14           118.25 (2) (c) 2. A registered nurse or school nurse administering a screening  
15 questionnaire under par. (a) 2. ✓ shall retain a copy of the screening questionnaire in  
16 his or her files and shall make confidential recommendations therefrom to the school



- 1 board and to the school employee on a form prepared by the department of health
- 2 services. ✓

\*\*\*\*NOTE: Should the RN or school nurse be required to make a certificate of any kind? What if a chest x-ray or screening test is the the substance of the confidential recommendation under this subdivision?

## TUBERCULOSIS (TB) RISK ASSESSMENT QUESTIONNAIRE SCREEN

To satisfy tuberculosis screening requirements, this assessment should be performed by a physician, physician assistant, nurse practitioner or registered nurse.

Instructions: Use this tool to identify **asymptomatic adults** for latent TB infection (LTBI) testing.

Name	Date of Birth	Date of Risk Assessment
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History of positive TB test (TST or IGRA) or TB disease?  Yes  No

Have you been treated for TB disease or infection?  Yes  No

### Follow-up for positive TB Test(s)

- An **initial** positive tuberculin skin test (TST) or Interferon Gamma Release Assay (IGRA; blood test) should be followed by a thorough medical exam and a chest x-ray (CXR), to assure that the patient does not have TB disease. If no disease is found, the person should be offered treatment for LTBI.
- Once a person has a documented positive TST or IGRA followed by a CXR deemed to be free of infectious TB, further CXR are **not** needed unless the patient has signs or symptoms of TB disease, or unless ordered by a physician for a specific diagnostic examination.
- A screening risk assessment for exposure to TB disease should be **repeated** even if a person has been treated for previous TB disease or infection, as TB infection can occur more than once. A new risk factor for TB disease exposure should be followed by a symptom review, medical exam, and CXR. Retesting (TST or IGRA) would not be helpful, as the patient already has a positive test.

### Follow-up for TB Screening Risk Assessment:

- If there is a "Yes" response to any of the five questions below since the last assessment, then a TST or IGRA should be performed. A positive test should be followed by a medical exam and a chest x-ray (CXR), and, if normal, treatment for LTBI is advised.
- Re-**TESTING** by TST or IGRA should only be done in persons who previously tested negative, and who have new risk factors since the last assessment.

### Risk Assessment Questionnaire Screen for Exposure to TB Disease

1. I have a persistent cough lasting 3 or more weeks AND one or more of the following symptoms: coughing up blood, fever, night sweats, unexplained weight loss, excessive fatigue. Note: A chest x-ray and/or sputum examination may be necessary to rule out infectious TB.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. I have been exposed to someone with known infectious TB disease or lived with or had close contact with someone who has TB disease.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. I was born in a high TB-prevalence country (any country other than the United States, Canada, Australia, New Zealand, or a country in Western or Northern Europe).	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. I have traveled to a high TB-prevalence country <b>for more than one month</b> . Note: High TB-prevalence country includes any country other than the United States, Canada, Australia, New Zealand, or a country in Western or Northern Europe.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. I am a current or former resident or worked in a high-risk setting in a state/district with higher TB prevalence (Alaska, California, Florida, Hawaii, New Jersey, New York, Texas, or Washington DC).	<input type="checkbox"/> Yes <input type="checkbox"/> No

### CERTIFICATE OF COMPLETION

To be signed by the licensed health care provider completing the risk assessment and/or examination.

Name	Date of Birth (dd/mm/yyyy)
Date of Assessment or Examination	

Check one of the following statements:

- A tuberculosis risk assessment has been completed for the above-named individual. The person does not have risk factors, or if tuberculosis risk factors were identified, he/she has been examined and determined to be free of infectious tuberculosis.*
- The above-named individual has a history of a previous positive TB test. A TB symptom review and/or chest x-ray was completed, and the person is determined to be free of infectious tuberculosis.*

SIGNATURE - Health Care Provider			Date Signed
Print Health Care Provider Name		Title	
Office Address - Street	City	State	Zip Code
Telephone	Fax		





State of Wisconsin  
2017 - 2018 LEGISLATURE

P3  
LRB-2199/P2  
TKK:jld

in scA  
fune

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

in 3/17

wanted 3/20

4

Reger

1 **AN ACT to renumber and amend** 118.25 (1), 118.25 (2) (a) and 118.25 (2) (c); **to**  
2 **amend** 118.25 (2) (b); and **to create** 118.25 (1) (a), 118.25 (2) (a) 2. and 118.25  
3 (2) (c) 2. of the statutes; **relating to:** screening school district employees for  
4 tuberculosis.

***Analysis by the Legislative Reference Bureau***

This bill requires a school board other than the school board of the Milwaukee Public School District to, with limited exceptions, condition employment in the school district on the completion of a physical examination that includes a screening questionnaire for tuberculosis. The physical examination may be conducted by a licensed physician, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). The practitioner must certify that the school district employee appears to be free from tuberculosis in a communicable form. Current law requires such a school district to condition employment on a physical examination that includes a chest X-ray or a tuberculin test.

Current law also permits a school district to require additional physical examinations at intervals determined by the school district. Under the bill, the school district may also require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board. If additional screening questionnaires are administered, they may be administered by a school nurse or other registered nurse.

Under current law and this bill, freedom from tuberculosis in a communicable form is a condition of employment.

---

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

1           **SECTION 1.** 118.25 (1) of the statutes is renumbered 118.25 (1) (intro.) and  
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3           118.25 (1) (intro.) In this section “school:

4           (b) “School employee” means a person employed by a school board who comes  
5 in contact with children or who handles or prepares food for children while they are  
6 under the supervision of school authorities.

7           **SECTION 2.** 118.25 (1) (a) of the statutes is created to read:

8           118.25 (1) (a) “Practitioner” means a person licensed as a physician or as a  
9 physician assistant in any state or licensed or certified as an advanced practice nurse  
10 prescriber in any state. In this paragraph, “physician” has the meaning given in s.  
11 448.01 (5).

12           **SECTION 3.** 118.25 (2) (a) of the statutes is renumbered 118.25 (2) (a) 1. and  
13 amended to read:

14           118.25 (2) (a) 1. As Subject to par. (b), a school board other than the school board  
15 of a 1st class city school district shall, as a condition of employment, the school board,  
16 except in 1st class cities, shall require a physical examination, including a chest  
17 X-ray or tuberculin test, of every school employee of the school district. The school  
18 board shall ensure that the physical examination includes a screening questionnaire  
19 for tuberculosis approved by the department of health services and, if indicated, a  
20 test to determine the presence or absence of tuberculosis in a communicable form.  
21 Freedom from tuberculosis in a communicable form is a condition of employment.

1 ~~In the case of a new school employee, the school board may permit the school~~  
2 ~~employee to submit proof of an examination, chest X-ray or tuberculin test~~  
3 ~~complying with this section which was taken within the past 90 days in lieu of~~  
4 ~~requiring such examination, X-ray or test. If the reaction to the tuberculin test is~~  
5 ~~positive, a chest X-ray shall be required. Additional physical examinations shall be~~  
6 ~~required thereafter at intervals determined by the school board. The school~~  
7 ~~employee shall be examined by a physician practitioner in the employ of or under~~  
8 ~~contract with the school district, but if a physician practitioner is not employed or~~  
9 ~~under contract, the examination shall be made by a physician practitioner selected~~  
10 ~~by the school employee.~~

11 **SECTION 4.** 118.25 (2) (a) 2. of the statutes is created to read:

12 118.25 (2) (a) 2. The school board may require a school employee to complete  
13 additional health examinations, including physical examinations and an  
14 examination consisting of a screening questionnaire for tuberculosis approved by the  
15 department of health services, at intervals determined by the school board. A  
16 screening questionnaire administered as permitted under this subdivision may be  
17 administered by a school nurse or by a registered nurse selected by the school  
18 employee and licensed under s. 441.06 or in a party state, as defined in s. 441.50 (2)  
19 (j).

20 **SECTION 5.** 118.25 (2) (b) of the statutes is amended to read:

21 118.25 (2) (b) ~~Such~~ The school board may not require physical examinations,  
22 ~~chest X-rays or tuberculin tests shall not be required~~ of any school employee who  
23 files with the school board an affidavit setting forth that the employee depends  
24 exclusively upon prayer or spiritual means for healing in accordance with the  
25 teachings of a bona fide religious sect, denomination, or organization and that the

1 employee is to the best of the employee's knowledge and belief in good health and that  
2 the employee claims exemption from health examination on these grounds.  
3 Notwithstanding the filing of such affidavit, if there is reasonable cause to believe  
4 that such employee is suffering from an illness detrimental to the health of the  
5 pupils, the school board may require a health examination of such school employee  
6 sufficient to indicate whether or not such school employee is suffering from such an  
7 illness. No school employee may be discriminated against by reason of the  
8 employee's filing such affidavit.

9 **SECTION 6.** 118.25 (2) (c) of the statutes is renumbered 118.25 (2) (c) 1. and  
10 amended to read:

11 118.25 (2) (c) 1. The physician making practitioner performing a physical  
12 examination under par. (a) shall prepare complete a report of the examination upon  
13 a standard form prepared by the department of health services and the department.  
14 Such report. The practitioner shall be retained retain a copy of the report in the  
15 physician's his or her files and the physician shall make confidential  
16 recommendations therefrom to the school board and to the school employee on a form  
17 prepared by the department of health services and the department. The  
18 recommendation form shall contain space for a certificate that the person is  
19 examined by the practitioner appears to be free from tuberculosis in a communicable  
20 form.

21 3. The school board shall pay the cost of such the examinations required under  
22 par. (a), including X-rays and tuberculin tests, shall be paid if needed, out of school  
23 district funds.

24 **SECTION 7.** 118.25 (2) (c) 2. of the statutes is created to read:

1           118.25 (2) (c) 2. A registered nurse or school nurse administering a screening  
 2 questionnaire under par. (a) 2. shall <sup>provide</sup> retain a copy of the screening questionnaire in  
 3 his or her files <sup>to the school board</sup> and shall make confidential recommendations therefrom to the school  
 4 board and to the school employee on a form prepared by the department of health  
 5 services.

\*\*\*\*NOTE: Should the RN or school nurse be required to make a certificate of any kind? What if a chest X-ray or screening test is the substance of the confidential recommendation under this subdivision?

(END)

Insert 5-6 ✓

**2017-2018 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2199/P2ins  
TKK:jld

**INSERT 5-6**

1 <sup>NO</sup><sub>A</sub> The recommendation form shall contain space for a certificate that the person  
2 examined by the registered nurse or school nurse does not have risk factors for  
3 tuberculosis. If tuberculosis risk factors were identified, the registered nurse or  
4 school nurse shall recommend that the person receive a test to determine the  
5 presence or absence of tuberculin<sup>v</sup> in a communicable form.

**Kuczenski, Tracy**

---

**From:** Peters, Steve  
**Sent:** Friday, March 24, 2017 4:58 PM  
**To:** Kuczenski, Tracy  
**Subject:** RE: TB Bill Feedback

Given the history better do a p4...Hopefully this will be it though.

---

**From:** Kuczenski, Tracy  
**Sent:** Friday, March 24, 2017 4:57 PM  
**To:** Peters, Steve <Steve.Peters@legis.wisconsin.gov>  
**Subject:** RE: TB Bill Feedback

Hi Steve –

I will incorporate these suggestions.

Should I prepare this as an introducible draft?

Tracy K. Kuczenski  
*Senior Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

---

**From:** Peters, Steve  
**Sent:** Friday, March 24, 2017 4:31 PM  
**To:** Kuczenski, Tracy <[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)>  
**Subject:** RE: TB Bill Feedback

Can we incorporate this suggestion into the last paragraph of the /3? That would seem to remove all doubt about what a RN or school nurse would need to do if TB factors were identified.

Thanks,

Steve

What if we took that last sentence from the last paragraph and created a new last paragraph that read something like:

"If the tuberculosis factors were identified, the registered nurse or school nurse shall recommend that the person receive a test to determine the presence or absence of tuberculin in a communicable form. If the test is negative, a practitioner shall complete a certificate verifying that the school employee is free of tuberculosis in a communicable form."

The key is that we want to make sure that, if TB factors are identified, the process is taken out of the control of an RN. It then needs to be supervised by a practitioner.

---

**From:** Kuczenski, Tracy  
**Sent:** Thursday, March 23, 2017 4:55 PM

**To:** Peters, Steve <[Steve.Peters@legis.wisconsin.gov](mailto:Steve.Peters@legis.wisconsin.gov)>

**Subject:** RE: TB Bill Feedback

Hi Steve –

I would recommend that you share the /P3 draft with your partners. The /P3 version may address this individual's concerns, but it may be the case that it doesn't accurately describe an RN's current practice. The individual seems to be making an argument about the interaction between the language in the /P2 and the TB Screening form in its current form. The presence of the certification on the form does raise the question: what happens when a teacher marks yes on the screening form? It is possible that the substance of the form may need to change as a result of the bill.

The /P3 draft of the bill provides instructions for the scenario your partner proposes, to wit, a patient who marks yes on the form. Under the bill, the RN must recommend that the person receive a test to determine the presence of TB. The question about how an RN must deal with a form that he or she cannot certify remains under the /P3 version: that is, does an RN who makes a recommendation that a teacher receive a TB test as required under the /P3 throw away a form that he or she cannot certify?

Tracy

Tracy K. Kuczenski  
*Senior Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
[tracy.kuczenski@legis.wisconsin.gov](mailto:tracy.kuczenski@legis.wisconsin.gov)  
(608) 266-9867

---

**From:** Peters, Steve

**Sent:** Thursday, March 23, 2017 4:17 PM

**To:** Kuczenski, Tracy <[Tracy.Kuczenski@legis.wisconsin.gov](mailto:Tracy.Kuczenski@legis.wisconsin.gov)>

**Subject:** TB Bill Feedback

Tracy we received this feedback from one of our partners from the /P2. Do you think the /P3 addressed this problem on page 5?

Thanks,

Steve

On the Tuberculosis Risk Assessment Questionnaire, if a person marks Yes to the history of positive TB test or TB disease, the school nurse or registered nurse would not proceed. We would not have access to the items mentioned in the paragraph below that. This individual would go to a practitioner.

A school nurse/RN would only proceed through this form if that question is marked no.

Moving on through the results, if any risk factors, the school nurse/RN would not sign the form, rather the individual would be referred to a practitioner for examination and recommendation.

The combination of risk assessment and or examination on the back of the form causes confusion. The statement is reading that they were examined and the school nurse/RN are not examining the individual.

The language on the Questionnaire needs two steps to indicate what the SN/RN is doing. Risk assessment is one. Depending upon the outcome of this, the certificate portion signed by the SN/RN cannot include examined. Two types of certificate may be needed to indicate appropriately what each level (SN/RN or practitioner) did.



Coming back to the Bill: language for the new paragraph would need to be changed if the one form is to be used by SN/RNs and practitioners unless the form would have levels for each to sign.

Steven Peters  
Office of Representative Eric Genrich  
320W State Capitol  
608-266-0616



State of Wisconsin  
2017 - 2018 LEGISLATURE

PA  
LRB-2199/P3  
TKK:jld

Phoebe

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

in 3/27

what's 3/28

X

Regen

1 AN ACT *to renumber and amend* 118.25 (1), 118.25 (2) (a) and 118.25 (2) (c); *to*  
2 *amend* 118.25 (2) (b); and *to create* 118.25 (1) (a), 118.25 (2) (a) 2. and 118.25  
3 (2) (c) 2. of the statutes; **relating to:** screening school district employees for  
4 tuberculosis.

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***Analysis by the Legislative Reference Bureau***

This bill requires a school board other than the school board of the Milwaukee Public School District to, with limited exceptions, condition employment in the school district on the completion of a physical examination that includes a screening questionnaire for tuberculosis. The physical examination may be conducted by a licensed physician, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). The practitioner must certify that the school district employee appears to be free from tuberculosis in a communicable form. Current law requires such a school district to condition employment on a physical examination that includes a chest X-ray or a tuberculin test.

Current law also permits a school district to require additional physical examinations at intervals determined by the school district. Under the bill, the school district may also require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board. If additional screening questionnaires are administered, they may be administered by a school nurse or other registered nurse.

Under current law and this bill, freedom from tuberculosis in a communicable form is a condition of employment.

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2 the employee claims exemption from health examination on these grounds.  
3 Notwithstanding the filing of such affidavit, if there is reasonable cause to believe  
4 that such employee is suffering from an illness detrimental to the health of the  
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19 examined by the practitioner appears to be free from tuberculosis in a communicable  
20 form.

21 3. The school board shall pay the cost of such the examinations required under  
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 7 factors for tuberculosis. If tuberculosis risk factors were identified, the registered  
 8 nurse or school nurse shall recommend that the person receive a test to determine  
 9 the presence or absence of tuberculin in a communicable form.

(END)

~~NO~~ IF a test to determine the presence or absence of tuberculin in a communicable form is recommended and if the test indicates the absence of tuberculin in a communicable form, the practitioner who administers the test shall certify, on a form prepared by the department of health services, that the person appears to be free from tuberculosis in a communicable form. ✓



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-2199/P4  
TKK:jld

RMR

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

in 3/29

wanted 3/30

Regen

4

1 AN ACT *to renumber and amend* 118.25 (1), 118.25 (2) (a) and 118.25 (2) (c); *to*  
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This bill requires a school board other than the school board of the Milwaukee Public School District to, with limited exceptions, condition employment in the school district on the completion of a physical examination that includes a screening questionnaire for tuberculosis. The physical examination may be conducted by a licensed physician, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). The practitioner must certify that the school district employee appears to be free from tuberculosis in a communicable form. Current law requires such a school district to condition employment on a physical examination that includes a chest X-ray or a tuberculin test.

Current law also permits a school district to require additional physical examinations at intervals determined by the school district. Under the bill, the school district may also require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board. If additional screening questionnaires are administered, they may be administered by a school nurse or other registered nurse.

Under current law and this bill, freedom from tuberculosis in a communicable form is a condition of employment.

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9 receive a test from a practitioner to determine the presence or absence of <sup>tuberculosis</sup> tuberculin  
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15 (END)



State of Wisconsin  
2017 - 2018 LEGISLATURE

2  
LRB-2199/T  
TKK:jld

*RAM-102*

2017 BILL

*in 4/21 Today*

*sal*

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*including*  
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✗ Current law also permits <sup>such</sup> a school district to require additional physical examinations at intervals determined by the school district. Under the bill, the school district may also require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board. ✓  
If additional screening questionnaires are administered, they may be administered by a school nurse or other registered nurse.

*including MPS*

*other than the Milwaukee Public School District*

**BILL**

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**BILL****SECTION 5**

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**BILL**

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15 (END)



**Parisi, Lori**

---

**From:** Peters, Steve  
**Sent:** Thursday, May 11, 2017 1:50 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2199/2

Please Jacket LRB -2199/2 for the ASSEMBLY.