

1 464.23 (1) The ~~affiliated credentialing~~ examining board shall conduct or
2 arrange for examinations required for occupational therapist and occupational
3 therapy assistant licensure under s. 448.963 464.22 (2) (c) and (3) (c) at times and
4 places determined by the affiliated credentialing board.

5 **SECTION 207.** 448.965 of the statutes is renumbered 464.24, and 464.24 (title),
6 (1) (intro.) and (b) and (2), as renumbered, are amended to read:

7 **464.24 (title) Duties and powers of affiliated credentialing examining**
8 **board.** (1) (intro.) The ~~affiliated credentialing~~ examining board shall promulgate
9 rules that establish each of the following:

10 (b) Continuing education requirements for license renewal for an occupational
11 therapist or occupational therapy assistant under s. 448.967 464.25 (2).

12 (2) The ~~affiliated credentialing~~ examining board may promulgate rules that
13 define the scope of practice of occupational therapy or the scope of assisting in the
14 practice of occupational therapy.

15 **SECTION 208.** 448.966 of the statutes is renumbered 464.234 and amended to
16 read:

17 **464.234 Reciprocal licensure.** (1) Upon application and payment of the fee
18 specified in s. 440.05 (2), the ~~affiliated credentialing~~ examining board shall grant a
19 license as an occupational therapist to a person who holds a similar certificate or
20 license in another state or territory of the United States if the ~~affiliated credentialing~~
21 examining board determines that the requirements for receiving the certificate or
22 license in the other state or territory are substantially equivalent to the
23 requirements under s. 448.963 464.22 (2).

24 (2) Upon application and payment of the fee specified in s. 440.05 (2), the
25 ~~affiliated credentialing~~ examining board shall grant a license as an occupational

1 therapy assistant to a person who holds a similar certificate or license in another
2 state or territory of the United States if the ~~affiliated credentialing~~ examining board
3 determines that the requirements for receiving the certificate or license in the other
4 state or territory are substantially equivalent to the requirements under s. 448.963
5 464.22 (3).

6 **SECTION 209.** 448.967 of the statutes is renumbered 464.25, and 464.25 (2), as
7 renumbered, is amended to read:

8 464.25 (2) The renewal dates for licenses granted under this subchapter are
9 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
10 department on a form provided by the department and shall include the renewal fee
11 determined by the department under s. 440.03 (9) (a) and a statement attesting
12 compliance with the continuing education requirements established in rules
13 promulgated under s. 448.965 464.24 (1) (b).

14 **SECTION 210.** 448.968 of the statutes is renumbered 464.26, and 464.26 (1) and
15 (2) (intro.), (c), (d) and (f), as renumbered, are amended to read:

16 464.26 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
17 ~~credentialing~~ examining board may make investigations and conduct hearings to
18 determine whether a violation of this subchapter or any rule promulgated under this
19 subchapter has occurred.

20 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
21 ~~credentialing~~ examining board may reprimand a licensee or deny, limit, suspend, or
22 revoke a license granted under this subchapter if it finds that the applicant or
23 licensee has done any of the following:

24 (c) Advertised in a manner that is false, deceptive, or misleading.

25 (d) Advertised, practiced, or attempted to practice under another's name.

1 (f) Engaged in unprofessional or unethical conduct in violation of the code of
2 ethics established in the rules promulgated under s. ~~448.965~~ 464.24 (1) (c).

3 **SECTION 211.** 448.969 (title) of the statutes is repealed. ✓

4 **SECTION 212.** 448.969 of the statutes is renumbered 464.27 (3) and amended
5 to read:

6 464.27 (3) If the ~~affiliated credentialing~~ examining board has reason to believe
7 that any person is violating this subchapter or any rule promulgated under this
8 subchapter, the ~~affiliated credentialing~~ examining board, the department, the
9 attorney general, or the district attorney of the proper county may investigate and
10 may, in addition to any other remedies, bring an action in the name and on behalf
11 of this state to enjoin the person from the violation. ✓

12 **SECTION 213.** 448.970 (title) of the statutes is repealed. ✓

13 **SECTION 214.** 448.970 (1) of the statutes is renumbered 464.27 (1). ✓

14 **SECTION 215.** 448.970 (2) of the statutes is renumbered 464.27 (2) and amended
15 to read:

16 464.27 (2) Any person aggrieved by any action taken under this subchapter by
17 the ~~affiliated credentialing~~ examining board, its officers, or its agents may apply for
18 judicial review as provided in ch. 227, and shall file notice of such appeal with the
19 secretary of the ~~affiliated credentialing~~ examining board within 30 days. No court
20 of this state may enter an ex parte stay of any action taken by the ~~affiliated~~
21 ~~credentialing~~ examining board under this subchapter.

22 **SECTION 216.** 449.01 (4) of the statutes is amended to read:

23 449.01 (4) EXAMINING BOARD. In this chapter, "examining board" means
24 ~~optometry examining board~~ the medical examining board.

25 **SECTION 217.** 450.10 (3) (a) 5. of the statutes is amended to read: ✓

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SECTION 225. 459.40 (2) of the statutes is created to read:

459.40 (2) "Examining board" means the hearing and speech examining board.

SECTION 226. 459.45 (title) of the statutes is created to read:

459.45 (title) **Powers and duties of examining board.**

SECTION 227. Chapter 460 (title) of the statutes is renumbered subchapter IV (title) of chapter 464 [precedes 464.60].

SECTION 228. 460.01 (intro.) of the statutes is renumbered 464.60 (intro.) and amended to read:

464.60 Definitions. (intro.) In this chapter subchapter:

SECTION 229. 460.01 (1g) of the statutes is renumbered 464.60 (1).

SECTION 230. 460.01 (1r) of the statutes is renumbered 464.60 (2) and amended to read:

464.60 (2) ~~"Affiliated credentialing~~ "Examining board" means the massage therapy and bodywork therapy affiliated credentialing medical therapy examining board.

SECTION 231. 460.01 (2m) of the statutes is renumbered 464.60 (3) and amended to read:

464.60 (3) "License holder" means a person granted a license under this chapter subchapter.

SECTION 232. 460.01 (3) of the statutes is renumbered 464.60 (4).

SECTION 233. 460.01 (4) of the statutes is renumbered 464.60 (5).

SECTION 234. 460.01 (5) of the statutes is renumbered 464.60 (6).

SECTION 235. 460.01 (6) of the statutes is renumbered 464.60 (7).

1 **SECTION 236.** 460.01 (7) of the statutes is renumbered 464.60 (8).

2 **SECTION 237.** 460.02 (title) of the statutes is renumbered 464.61 (title).

3 **SECTION 238.** 460.02 of the statutes is renumbered 464.61 (1) and amended to
4 read:

5 464.61 (1) Except as provided in s. ~~460.03 sub. (2)~~, no person may provide
6 massage therapy or bodywork therapy, designate himself or herself as a massage
7 therapist or bodywork therapist or masseur or masseuse, or use or assume the title
8 “massage therapist and bodywork therapist” or “massage therapist” or “bodywork
9 therapist” or “masseur” or “masseuse” or any title that includes “massage therapist,”
10 “bodywork therapist,” or “bodyworker,” or append to the person’s name the letters
11 “M.T.,” “R.M.T.,” “L.M.T.,” “C.M.T.,” “B.T.,” “B.W.,” “L.B.W.,” “R.B.W.,” or “C.B.W.,”
12 or use any other title or designation that represents or may tend to represent that
13 he or she is licensed under this ~~chapter~~ subchapter, unless the person is licensed
14 under this ~~chapter~~ subchapter.

15 **SECTION 239.** 460.03 (title) of the statutes is repealed.

16 **SECTION 240.** 460.03 of the statutes is renumbered 464.61 (2), and 464.61 (2)
17 (intro.), (a), (b) and (bm) 1. (intro.) and 3., as renumbered, are amended to read:

18 464.61 (2) (intro.) A license under this ~~chapter~~ subchapter is not required for
19 any of the following:

20 (a) A person holding a license, permit, registration, or certification granted by
21 this state or the federal government who engages in a practice of massage therapy
22 or bodywork therapy within the scope of his or her license, permit, registration, or
23 certification and who does not imply that he or she is licensed under this ~~chapter~~
24 subchapter. A person who is exempt from licensure under this ~~subsection~~ paragraph

1 may use the terms "bodywork," "bodyworker," and "bodywork therapy" to identify his
2 or her practice.

3 (b) A person who is authorized to practice massage therapy or bodywork
4 therapy in another state or country and is providing a consultation to or
5 demonstration with a license holder. A person who is exempt from licensure under
6 this subsection paragraph may use the terms "bodywork," "bodyworker," and
7 "bodywork therapy" to identify his or her practice.

8 (bm) 1. (intro.) A person who does any of the following and who satisfies the
9 requirements of ~~par. (b) subd. 2.~~:

10 3. A person who is exempt from licensure under this subsection paragraph may
11 use the terms "bodywork," "bodyworker," and "bodywork therapy" to identify his or
12 her practice.

13 **SECTION 241.** 460.04 (title) of the statutes is renumbered 464.62 (title) and
14 amended to read:

15 **464.62** (title) **Duties of affiliated credentialing examining board.**

16 **SECTION 242.** 460.04 (1m) of the statutes is renumbered 464.62 (intro.) and
17 amended to read:

18 **464.62** (intro.) The ~~affiliated credentialing~~ examining board shall ~~prepare do~~
19 all of the following:

20 **(1) Prepare** an examination on state laws and administrative rules governing
21 massage therapy and bodywork therapy.

22 **SECTION 243.** 460.04 (2) of the statutes is renumbered 464.62 (2), and 464.62
23 (2) (intro.), (b), (c), (d), (e), (f) and (g), as renumbered, are amended to read:

24 **464.62 (2)** (intro.) ~~The affiliated credentialing board shall promulgate~~
25 Promulgate rules that establish all of the following:

1 (b) Criteria for approving a training program for purposes of s. 460.05 ~~464.63~~

2 (1) (e) 1. Rules promulgated under this paragraph shall require the training program
3 to meet the requirements under s. 460.095 ~~464.73~~ and to consist of at least 600
4 classroom hours.

5 (c) Requirements and procedures for obtaining the informed consent of a client
6 under s. 460.11 ~~464.69~~ (1) and for making a report required under s. 460.12 ~~464.70~~
7 (1).

8 (d) A definition of "sexually oriented business" for purposes of s. 460.11 ~~464.69~~
9 (3).

10 (e) A requirement that an applicant for a license under this ~~chapter~~ subchapter
11 submit evidence satisfactory to the ~~affiliated credentialing~~ examining board that the
12 applicant has current proficiency in the use of an automated external defibrillator
13 achieved through instruction provided by an individual, organization, or institution
14 of higher education approved under s. 46.03 (38) to provide such instruction.

15 (f) Requirements to be satisfied by a person seeking a temporary license under
16 s. 460.08 ~~464.67~~. The rules promulgated under this ~~subsection~~ paragraph shall
17 require the person to be a graduate of a massage therapy or bodywork therapy school
18 or program and may require the holder of a temporary license to make disclosures
19 to clients and to practice under the supervision of a massage therapist or bodywork
20 therapist licensed under this ~~chapter~~ subchapter.

21 (g) A requirement that an applicant for a license under this ~~chapter~~ subchapter
22 pass an examination on state laws and administrative rules governing massage
23 therapy and bodywork therapy. ✓

24 **SECTION 244.** 460.05 (1) of the statutes is renumbered 464.63 (1), and 464.63
25 (1) (intro.), (c), (e), (f) and (g), as renumbered, are amended to read:

1 464.63 (1) (intro.) The ~~affiliated credentialing~~ examining board shall grant a
2 license as a massage therapist or bodywork therapist to a person who satisfies all of
3 the following:

4 (c) The person submits an application for the license to the ~~affiliated~~
5 ~~credentialing~~ examining board on a form provided by the ~~affiliated credentialing~~
6 examining board.

7 (e) Except as provided in sub. (2), the person submits evidence satisfactory to
8 the ~~affiliated credentialing~~ examining board that he or she has done all of the
9 following:

10 1. Graduated from a school of massage therapy or bodywork therapy approved
11 by the educational approval board under s. 38.50 that meets the requirements under
12 s. ~~460.095~~ 464.73 or completed a training program approved by the ~~affiliated~~
13 ~~credentialing~~ examining board under the rules promulgated under s. ~~460.04~~ 464.62
14 (2) (b).

15 2. Completed at least 6 classroom hours in the laws of this state and rules of
16 the ~~affiliated credentialing~~ examining board relating to the practice of massage
17 therapy or bodywork therapy in a course of instruction approved by the ~~affiliated~~
18 ~~credentialing~~ examining board.

19 (f) The person passes the examinations under s. ~~460.06~~ 464.64.

20 (g) The person submits evidence satisfactory to the ~~affiliated credentialing~~
21 examining board that he or she has in effect malpractice liability insurance coverage
22 in an amount that is not less than \$1,000,000 per occurrence and \$1,000,000 for all
23 occurrences in one year.

24 **SECTION 245.** 460.05 (2) of the statutes is renumbered 464.63 (2) and amended
25 to read:

1 464.63 (2) The ~~affiliated credentialing~~ examining board may waive a
2 requirement specified in sub. (1) (e) if a person establishes, to the satisfaction of the
3 ~~affiliated credentialing~~ examining board, that he or she has education, training, or
4 other experience that is substantially equivalent to the requirement.

5 **SECTION 246.** 460.05 (4) of the statutes is repealed. ✓

6 **SECTION 247.** 460.06 of the statutes is renumbered 464.64 and amended to
7 read:

8 **464.64 Examinations.** The ~~affiliated credentialing~~ examining board may not
9 grant a license under this ~~chapter~~ subchapter unless the applicant achieves a
10 passing grade on the following examinations:

11 (1) A nationally administered, entry-level competency examination for
12 therapeutic massage and bodywork therapy that meets generally accepted
13 psychometric principles and standards or a substantially equivalent examination
14 approved by the ~~affiliated credentialing~~ examining board.

15 (2) The examination on state laws and administrative rules governing
16 massage therapy and bodywork therapy required under s. 460.04 ~~464.62~~ (2) (g).

17 **SECTION 248.** 460.07 (title) of the statutes is repealed. ✓

18 **SECTION 249.** 460.07 (1) of the statutes is renumbered 464.69 (4) and amended
19 to read:

20 464.69 (4) ~~Each person who is licensed under this chapter~~ A license holder shall
21 conspicuously display the his or her license in the place of business where he or she
22 practices massage therapy or bodywork therapy so that the license can easily be seen
23 and read. ✓

24 **SECTION 250.** 460.07 (2) of the statutes is renumbered 464.65, and 464.65 (2),
25 (3) and (4), as renumbered, are amended to read:

1 464.65 (2) If applicable, proof of completion of continuing education under s.
2 460.10 ~~464.68~~.

3 (3) Evidence satisfactory to the ~~affiliated credentialing~~ examining board that
4 the applicant has in effect malpractice liability insurance coverage in an amount that
5 is not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one
6 year.

7 (4) Evidence satisfactory to the ~~affiliated credentialing~~ examining board that
8 the applicant has current proficiency in the use of an automated external
9 defibrillator achieved through instruction provided by an individual, organization,
10 or institution of higher education approved under s. 46.03 (38) to provide such
11 instruction.

12 SECTION 251. 460.08 of the statutes is renumbered 464.67 and amended to
13 read:

14 **464.67 Temporary license.** The ~~affiliated credentialing~~ examining board
15 may grant a temporary license for a period not to exceed 6 months to an applicant
16 who satisfies the requirements established in the rules under s. 460.04 ~~464.62~~ (2) (f).
17 A temporary license may not be renewed.

18 SECTION 252. 460.09 of the statutes is renumbered 464.66 and amended to
19 read:

20 **464.66 Reciprocal license.** Upon application and payment of the fee
21 specified in s. 440.05 (2), the ~~affiliated credentialing~~ examining board shall grant a
22 massage therapist or bodywork therapist license to a person who holds a similar
23 license in another state or territory of the United States or another country if the
24 ~~affiliated credentialing~~ examining board determines that the requirements for

1 receiving the license in the other state, territory, or country are substantially
2 equivalent to the requirements under s. ~~460.05~~ 464.63.

3 **SECTION 253.** 460.095 of the statutes is renumbered 464.73, and 464.73 (2) and
4 (4) (intro.), as renumbered, are amended to read:

5 464.73 (2) Administer, score, and require, as a prerequisite to graduation, the
6 examination required under s. ~~460.06~~ 464.64 (2).

7 (4) (intro.) Ensure that each instructor hired by the school or training program
8 on or after December 1, 2010, to teach courses in theory and the practice of massage
9 therapy or bodywork therapy is licensed under this chapter subchapter and has at
10 least one of the following:

11 **SECTION 254.** 460.10 of the statutes is renumbered 464.68, and 464.68 (1)
12 (intro.) and (2), as renumbered, are amended to read:

13 464.68 (1) (intro.) The ~~affiliated credentialing~~ examining board may
14 promulgate rules establishing all of the following:

15 (2) The ~~affiliated credentialing~~ examining board may waive all or part of any
16 requirement established in rules promulgated under sub. (1) (a) if it determines that
17 prolonged illness, disability, or other exceptional circumstances have prevented a
18 license holder from completing the requirement.

19 **SECTION 255.** 460.11 of the statutes is renumbered 464.69, and 464.69 (title)
20 and (3), as renumbered, are amended to read:

21 **464.69 (title) Practice requirements and restrictions.**

22 (3) A license holder may not, whether for compensation or not, practice
23 massage therapy or bodywork therapy for a sexually oriented business, as defined
24 by the ~~affiliated credentialing~~ examining board by rule.

1 **SECTION 256.** 460.12 of the statutes is renumbered 464.70, and 464.70 (1), (2),
2 (3), (4) and (5) (b), as renumbered, are amended to read:

3 **464.70 Duty to make reports.** (1) A license holder shall submit a report to
4 the ~~affiliated credentialing~~ examining board if he or she has reasonable cause to
5 believe that another license holder has committed a crime relating to prostitution
6 under ss. 944.30 to 944.34 or has had sexual contact or sexual intercourse with a
7 client. If the report relates to sexual contact or sexual intercourse with a client, the
8 report may not identify the client unless the client has provided written consent for
9 disclosure of this information.

10 (2) The ~~affiliated credentialing~~ examining board may use a report made under
11 sub. (1) as the basis for an investigation under s. 460.14 464.71 (1). If, after an
12 investigation, the ~~affiliated credentialing~~ examining board has reasonable cause to
13 believe that a license holder has committed a crime, the ~~affiliated credentialing~~
14 examining board shall report the belief to the district attorney for the county in
15 which the crime, in the opinion of the ~~affiliated credentialing~~ examining board,
16 occurred.

17 (3) If, after an investigation, the ~~affiliated credentialing~~ examining board
18 determines that a report submitted under sub. (1) is without merit, the ~~affiliated~~
19 ~~credentialing~~ examining board shall remove the report from the record of the license
20 holder who is the subject of the report.

21 (4) All reports and records made from reports under sub. (1) and maintained
22 by the ~~affiliated credentialing~~ examining board, the department, district attorneys,
23 and other persons, officials, and institutions shall be confidential and are exempt
24 from disclosure under s. 19.35 (1). Information regarding the identity of a client with
25 whom a license holder is suspected of having sexual contact or sexual intercourse

1 shall not be disclosed by persons who have received or have access to a report or
2 record unless disclosure is consented to in writing by the client. The report of
3 information under sub. (1) and the disclosure of a report or record under this
4 subsection does not violate any person's responsibility for maintaining the
5 confidentiality of patient health care records, as defined in s. 146.81 (4) and as
6 required under s. 146.82. Reports and records may be disclosed only to the ~~affiliated~~
7 ~~credentialing~~ examining board, the department, and the appropriate staff of a
8 district attorney or a law enforcement agency within this state for purposes of
9 investigation or prosecution.

10 (5) (b) A license holder shall submit a written report to the ~~affiliated~~
11 ~~credentialing~~ examining board if he or she is convicted of a felony or misdemeanor,
12 or is found to have committed a violation, in this state or elsewhere, and if the
13 circumstances of the felony, misdemeanor, or violation substantially relate to the
14 practice of massage therapy or bodywork therapy. The report shall identify the date,
15 place, and nature of the conviction or finding and shall be submitted within 30 days
16 after the entry of the judgment of conviction or the judgment finding that he or she
17 committed the violation. If the report is submitted by mail, the report is considered
18 to be submitted on the date that it is mailed. ✓

19 **SECTION 257.** 460.13 (title) of the statutes is repealed.

20 **SECTION 258.** 460.13 of the statutes is renumbered 464.69 (5) and amended to
21 read:

22 464.69 (5) Except as provided in s. 460.03 ~~(1) and (2)~~ 464.61 (2) (a) and (b), a
23 license holder may not advertise that he or she practices massage therapy or
24 bodywork therapy unless the advertisement includes a statement that the license

1 holder is a "licensed massage therapist and bodywork therapist" or "licensed
2 massage therapist" or "licensed bodywork therapist."

3 **SECTION 259.** 460.14 of the statutes is renumbered 464.71, and 464.71 (1), (2)
4 (intro.), (f), (g) and (j), (2m) (intro.) and (3), as renumbered, are amended to read:

5 464.71 (1) Subject to the rules promulgated under s. 440.03 (1), the affiliated
6 ~~credentialing~~ examining board may make investigations and conduct hearings to
7 determine whether a violation of this ~~chapter~~ subchapter or any rule promulgated
8 under this ~~chapter~~ subchapter has occurred.

9 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the affiliated
10 ~~credentialing~~ examining board may reprimand a license holder or deny, limit,
11 suspend, or revoke a license under this ~~chapter~~ subchapter if it finds that the
12 applicant or license holder has done any of the following:

13 (f) Intentionally made a false statement in a report submitted under s. 460.12
14 464.70 (1).

15 (g) Engaged in unprofessional conduct in violation of the standards established
16 in rules promulgated under s. ~~460.04~~ 464.62 (2) (a).

17 (j) Violated this ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~
18 subchapter.

19 (2m) (intro.) Subject to the rules promulgated under s. 440.03 (1), the affiliated
20 ~~credentialing~~ examining board shall revoke a license under this ~~chapter~~ subchapter
21 if the license holder is convicted of any of the following:

22 (3) The ~~affiliated credentialing~~ examining board may restore a license that has
23 been suspended or revoked on such terms and conditions as the ~~affiliated~~
24 credentialing examining board may deem appropriate.

1 **SECTION 260.** 460.15 of the statutes is renumbered 464.74 and amended to
2 read:

3 **464.74 Penalty Violations and penalty.** Any person who violates this
4 ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~ subchapter shall
5 forfeit not more than \$1,000 for each violation.

6 **SECTION 261.** 460.17 of the statutes is renumbered 66.0440 and amended to
7 read:

8 **66.0440 Local regulation Massage and bodywork therapy.** A city, village,
9 town, or county may not enact an ordinance that regulates the practice of massage
10 therapy or bodywork therapy, as defined in s. 464.60 (5), by a person who is licensed
11 by the ~~affiliated credentialing~~ medical therapy examining board under ~~this chapter~~
12 subch. IV of ch. 464. No provision of any ordinance enacted by a city, village, town,
13 or county that is in effect before February 1, 1999, and that relates to the practice of
14 massage therapy or bodywork therapy, may be enforced against a person who is
15 licensed by the ~~affiliated credentialing~~ medical therapy examining board under ~~this~~
16 ~~chapter~~ subch. IV of ch. 464.

17 **SECTION 262.** 462.01 (1) of the statutes is amended to read:

18 462.01 (1) "Board" means the radiography medical examining board.

19 **SECTION 263.** 462.02 (2) (f) of the statutes is amended to read:

20 462.02 (2) (f) A podiatrist licensed under s. 448.63 or a person under the direct
21 supervision of such a podiatrist, if the person has successfully completed a course of
22 instruction approved by the ~~podiatrists affiliated credentialing~~ board related to
23 X-ray examinations under s. 448.695 (3).

24 **SECTION 264.** 462.04 of the statutes is amended to read:

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1 **SECTION 271.** 464.41 (title) of the statutes is created to read:

2 **464.41 (title) License required.**

3 **SECTION 272.** 464.49 (title) of the statutes is created to read:

4 **464.49 (title) Violations and penalties.**

5 **SECTION 273.** 464.63 (1) (e) 1. of the statutes, as affected by 2017 Wisconsin Act
6 (this act), is amended to read:

7 464.63 (1) (e) 1. Graduated from a school of massage therapy or bodywork
8 therapy approved by the ~~educational approval board under s. 38.50~~ department
9 under s. 440.52 that meets the requirements under s. 464.73 or completed a training
10 program approved by the examining board under the rules promulgated under s.
11 464.62 (2) (b).

****NOTE: This draft reconciles LRB-1397/P1 and LRB-0943/4 by inserting into
this draft the treatment of s. 460.05 (1) (e) 1. (renumbered s. 464.63 (1) (e) 1.) from
LRB-0943/4 and deleting the treatment from that draft. Because of the delayed effective
date in LRB-0943/4, a change is also made to the effective date, section 9438 (1), of this
draft.

12 **SECTION 274.** 464.65 (title) of the statutes is created to read:

13 **464.65 (title) License renewal.**

14 **SECTION 275.** 632.895 (12m) (b) 7. of the statutes is amended to read:

15 632.895 (12m) (b) 7. An occupational therapist, as defined in s. 448.96 464.20
16 (4).

17 **SECTION 276.** 655.45 (1) of the statutes is amended to read:

18 655.45 (1) For the quarter beginning on July 1, 1986, and for each quarter
19 thereafter, the director of state courts shall file reports complying with sub. (2) with
20 the medical examining board, the ~~physical~~ medical therapy examining board, the
21 ~~podiatry affiliated credentialing board~~, the board of nursing, and the department,
22 respectively, regarding health care providers licensed by the respective bodies.

1 **SECTION 277.** 895.48 (1m) (a) of the statutes is amended to read:

2 895.48 (1m) (a) Except as provided in par. (b), any physician, physician
3 assistant, or podiatrist, or athletic trainer licensed under ch. 448, chiropractor
4 licensed under ch. 446, dentist licensed under ch. 447, athletic trainer licensed under
5 subch. III of ch. 464, emergency medical technician licensed under s. 256.15, first
6 responder certified under s. 256.15 (8), registered nurse licensed under ch. 441, or
7 a massage therapist or bodywork therapist licensed under ~~ch. 460~~ subch. IV of ch.
8 464 who renders voluntary health care to a participant in an athletic event or contest
9 sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private school,
10 as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a public
11 agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is
12 immune from civil liability for his or her acts or omissions in rendering that care if
13 all of the following conditions exist:

14 1. The health care is rendered at the site of the event or contest, during
15 transportation to a health care facility from the event or contest, or in a locker room
16 or similar facility immediately before, during, or immediately after the event or
17 contest.

18 2. The physician, podiatrist, athletic trainer, chiropractor, dentist, emergency
19 medical technician, first responder, physician assistant, registered nurse, massage
20 therapist, or bodywork therapist does not receive compensation for the health care,
21 other than reimbursement for expenses.

22 **SECTION 278.** 905.015 (2) (intro.) of the statutes is amended to read:

23 905.015 (2) (intro.) In addition to the privilege under sub. (1), a person who is
24 licensed as an interpreter under s. 440.032 (3) 459.42 may not disclose any aspect of

1 a confidential communication facilitated by the interpreter unless one of the
2 following conditions applies:

3 **SECTION 279.** 938.78 (2) (g) of the statutes is amended to read:

4 938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
5 information about an individual in its care or legal custody on the written request
6 of the department of safety and professional services or of any interested examining
7 board or affiliated credentialing board in that department for use in any
8 investigation or proceeding relating to any alleged misconduct by any person who is
9 credentialed or who is seeking credentialing under ch. 448, 455 ~~or~~ 457, or 464.
10 Unless authorized by an order of the court, the department of safety and professional
11 services and any examining board or affiliated credentialing board in that
12 department shall keep confidential any information obtained under this paragraph
13 and may not disclose the name of or any other identifying information about the
14 individual who is the subject of the information disclosed, except to the extent that
15 redisclosure of that information is necessary for the conduct of the investigation or
16 proceeding for which that information was obtained.

17 **SECTION 9139. Nonstatutory provisions; Safety and Professional**
18 **Services.**

19 (1) **ELIMINATION OF CERTAIN BOARDS AND TRANSFER OF THEIR FUNCTIONS TO THE**
20 **MEDICAL EXAMINING BOARD.**

21 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
22 liabilities of the podiatry affiliated credentialing board, radiography examining
23 board, and optometry examining board become the assets and liabilities of the
24 medical examining board.

1 (b) *Tangible personal property.* On the effective date of this paragraph, all
2 records and other tangible personal property of the podiatry affiliated credentialing
3 board, radiography examining board, and optometry examining board are
4 transferred to the medical examining board.

5 (c) *Contracts.* All contracts entered into by the podiatry affiliated credentialing
6 board, radiography examining board, and optometry examining board remain in
7 effect and are transferred to the medical examining board. The medical examining
8 board shall carry out any obligations under such a contract until the contract is
9 modified or rescinded by the medical examining board to the extent allowed under
10 the contract.

11 (d) *Rules and orders.* All rules promulgated by the podiatry affiliated
12 credentialing board, radiography examining board, and optometry examining board
13 that are in effect on the effective date of this paragraph remain in effect until their
14 specified expiration dates or until amended or repealed by the medical examining
15 board. All orders issued by those boards that are in effect on the effective date of this
16 paragraph remain in effect until their specified expiration dates or until modified or
17 rescinded by the medical examining board.

18 (e) *Pending matters.* All matters pending with the podiatry affiliated
19 credentialing board, radiography examining board, and optometry examining board
20 on the effective date of this paragraph are transferred to the medical examining
21 board and all materials submitted to or actions taken by those boards with respect
22 to the pending matters are considered as having been submitted to or taken by the
23 medical examining board.

24 (2) TRANSFER OF REGULATION OF SIGN LANGUAGE INTERPRETERS.

25 (a) *Transfer of functions.*

SECTION 9139

1 1. 'Rules and orders.' All rules promulgated by the department of safety and
2 professional services and of the sign language interpreter council under the
3 authority of section 440.032 of the statutes and that are in effect on the effective date
4 of this subdivision remain in effect until their specified expiration date or until
5 amended or repealed by the hearing and speech examining board. All orders issued
6 by the department of safety and professional services under the authority of section
7 440.032 of the statutes or of the sign language interpreter council that are in effect
8 on the effective date of this subdivision remain in effect until their specified
9 expiration date or until modified or rescinded by the hearing and speech examining
10 board.

11 2. 'Pending matters.' Any matter pending with the department of safety and
12 professional services under the authority of section 440.032 of the statutes or of the
13 sign language interpreter council on the effective date of this subdivision is
14 transferred to the hearing and speech examining board, and all materials submitted
15 to or actions taken by the department of safety and professional services or the sign
16 language interpreter council with respect to the pending matter are considered as
17 having been submitted to or taken by the hearing and speech examining board.

18 3. 'Contracts.' All contracts entered into by the department of safety and
19 professional services under the authority of section 440.032 of the statutes or of the
20 sign language interpreter council in effect on the effective date of this subdivision
21 remain in effect and are transferred to the hearing and speech examining board. The
22 hearing and speech examining board shall carry out any obligations under such a
23 contract until the contract is modified or rescinded by the hearing and speech
24 examining board to the extent allowed under the contract.

25 (b) *Board membership.*

1 1. 'Initial appointments.' Notwithstanding the length of terms specified for the
2 members of the hearing and speech examining board under section 15.405 (6m) of
3 the statutes, the new member appointed to the hearing and speech examining board
4 under section 15.405 (6m) (e) of the statutes, as affected by this act, shall be
5 appointed for a term expiring on July 1, 2021; one of the 2 new members appointed
6 to the hearing and speech examining board under section 15.405 (6m) (dm) of the
7 statutes shall be appointed for a term expiring on July 1, 2021; and one of the 2 new
8 members appointed to the hearing and speech examining board under section 15.405
9 (6m) (dm) of the statutes shall be appointed for a term expiring on July 1, 2020.

10 2. 'Provisional appointments.' Notwithstanding section 15.08 (1) of the
11 statutes, the governor may provisionally appoint the new members of the hearing
12 and speech examining board under section 15.405 (6m) (dm) and (e) of the statutes.
13 Those provisional appointments remain in force until withdrawn by the governor or
14 acted upon by the senate, and if confirmed by the senate shall continue for the
15 remainder of the unexpired term, if any, of the member and until a successor is
16 chosen and qualifies. A provisional appointee may exercise all the powers and duties
17 of board membership to which the person is appointed during the time in which the
18 appointee qualifies.

19 (3) ELIMINATION OF CERTAIN COUNCILS; CREATION OF MEDICAL ASSISTANTS COUNCIL.

20 (a) *Initial appointments.* Notwithstanding the length of terms specified for the
21 members of the medical assistants council under section 15.407 (4) of the statutes,
22 initial appointments to the medical assistants council shall be made as follows:

23 1. One of the members under section 15.407 (4) (a) of the statutes, one of the
24 members under section 15.407 (4) (b) of the statutes, and the member under section
25 15.407 (4) (f) of the statutes shall be appointed for terms expiring on July 1, 2018.

1 2. One of the members under section 15.407 (4) (b) of the statutes, one of the
2 members under section 15.407 (4) (c) of the statutes, and one of the members under
3 section 15.407 (4) (e) of the statutes shall be appointed for terms expiring on July 1,
4 2019.

5 3. One of the members under section 15.407 (4) (a) of the statutes, one of the
6 members under section 15.407 (4) (c) of the statutes, and one of the members under
7 section 15.407 (4) (e) of the statutes shall be appointed for terms expiring on July 1,
8 2020.

9 (b) *Provisional appointments.* Notwithstanding section 15.09 (1) of the
10 statutes, the governor may provisionally appoint initial members of the medical
11 assistants council under section 15.407 (4) (a) to (c), (e), and (f) of the statutes. Those
12 provisional appointments remain in force until withdrawn by the governor or acted
13 upon by the senate, and if confirmed by the senate shall continue for the remainder
14 of the unexpired term, if any, of the member and until a successor is chosen and
15 qualifies. A provisional appointee may exercise all the powers and duties of board
16 membership to which the person is appointed during the time in which the appointee
17 qualifies.

18 (4) **ELIMINATION OF CERTAIN CREDENTIALING BOARDS; CREATION OF MEDICAL THERAPY**
19 **EXAMINING BOARD.**

20 (a) *Transfer of functions.*

21 1. 'Rules and orders.' All rules promulgated by the physical therapy examining
22 board, the athletic trainers affiliated credentialing board, the occupational
23 therapists affiliated credentialing board, and the massage therapy and bodywork
24 therapy affiliated credentialing board and that are in effect on the effective date of
25 this subdivision remain in effect until their specified expiration date or until

1 amended or repealed by the medical therapy examining board. All orders issued by
2 the physical therapy examining board, the athletic trainers affiliated credentialing
3 board, the occupational therapists affiliated credentialing board, and the massage
4 therapy and bodywork therapy affiliated credentialing board that are in effect on the
5 effective date of this subdivision remain in effect until their specified expiration date
6 or until modified or rescinded by the medical therapy examining board.

7 2. 'Pending matters.' Any matter pending with the physical therapy examining
8 board, the athletic trainers affiliated credentialing board, the occupational
9 therapists affiliated credentialing board, or the massage therapy and bodywork
10 therapy affiliated credentialing board on the effective date of this subdivision is
11 transferred to the medical therapy examining board, and all materials submitted to
12 or actions taken by the physical therapy examining board, the athletic trainers
13 affiliated credentialing board, the occupational therapists affiliated credentialing
14 board, or the massage therapy and bodywork therapy affiliated credentialing board
15 with respect to the pending matter are considered as having been submitted to or
16 taken by the medical therapy examining board.

17 3. 'Contracts.' All contracts entered into by the physical therapy examining
18 board, the athletic trainers affiliated credentialing board, the occupational
19 therapists affiliated credentialing board, or the massage therapy and bodywork
20 therapy affiliated credentialing board in effect on the effective date of this
21 subdivision remain in effect and are transferred to the medical therapy examining
22 board. The medical therapy examining board shall carry out any obligations under
23 such a contract until the contract is modified or rescinded by the medical therapy
24 examining board to the extent allowed under the contract.

1 4. 'Tangible personal property.' On the effective date of this subdivision, all
2 tangible personal property, including records, of the physical therapy examining
3 board, the athletic trainers affiliated credentialing board, the occupational
4 therapists affiliated credentialing board, and the massage therapy and bodywork
5 therapy affiliated credentialing board is transferred to the medical therapy
6 examining board.

7 (b) *Medical therapy examining board membership; initial appointments.*

8 Notwithstanding the length of terms specified for the members of the medical
9 therapy examining board under section 15.405 (10) of the statutes, initial
10 appointments to the medical therapy examining board shall be made as follows:

11 1. One of the members under section 15.405 (10) (a) of the statutes, one of the
12 members under section 15.405 (10) (b) of the statutes, and one of the members under
13 section 15.405 (10) (c) of the statutes shall be appointed for terms expiring on July
14 1, 2022.

15 2. One of the members under section 15.405 (10) (b) of the statutes, one of the
16 members under section 15.405 (10) (c) of the statutes, and one of the members under
17 section 15.405 (10) (d) of the statutes shall be appointed for terms expiring on July
18 1, 2021.

19 3. One of the members under section 15.405 (10) (a) of the statutes, one of the
20 members under section 15.405 (10) (d) of the statutes, and the member under section
21 15.405 (10) (e) of the statutes shall be appointed for terms expiring on July 1, 2020.

22 (c) *Medical therapy examining board membership; provisional appointments.*

23 Notwithstanding section 15.08 (1) of the statutes, the governor may provisionally
24 appoint initial members of the medical therapy examining board under section
25 15.405 (10) of the statutes. Those provisional appointments remain in force until

1 withdrawn by the governor or acted upon by the senate, and if confirmed by the
2 senate shall continue for the remainder of the unexpired term, if any, of the member
3 and until a successor is chosen and qualifies. A provisional appointee may exercise
4 all the powers and duties of board membership to which the person is appointed
5 during the time in which the appointee qualifies.

6 **SECTION 9439. Effective dates; Safety and Professional Services.**

7 (1) DSPTS BOARD CONSOLIDATIONS; APPROPRIATION CHANGE.

8 (a) The repeal and recreation of section 20.165 (1) (hg) of the statutes takes
9 effect on December 16, 2019.

10 (b) The treatment of section 464.63 (1) (e) 1. (by SECTION 273) of the statutes
11 takes effect on January 1, 2018, or on the day after publication, whichever is later.

12 (END)