



## 2017 SENATE BILL 385

August 10, 2017 - Introduced by Senators TESTIN, L. TAYLOR, OLSEN, RINGHAND, STROEBEL and VINEHOUT, cosponsored by Representatives BALLWEG, BERNIER, CROWLEY, EDMING, JACQUE, KOLSTE, MURPHY, MURSAU, PETRYK, RIPP, ROHRKASTE, SKOWRONSKI, SPIROS, SUBECK and VRUWINK. Referred to Committee on Workforce Development, Military Affairs and Senior Issues.

1 **AN ACT relating to:** therapeutic diets in certain long-term care facilities.

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### *Analysis by the Legislative Reference Bureau*

This bill amends the Department of Health Service's administrative code to allow attending physicians to delegate prescribing of a nursing home resident's therapeutic diet to a certified dietitian and prescribing of a modified diet of a resident of a facility serving persons with developmental disabilities to a certified dietitian. Currently, the administrative code allows only physicians to order therapeutic diets in nursing homes and modified diets in facilities serving persons with developmental disabilities.

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

2 **SECTION 1.** DHS 132.63 (4) (b) of the administrative code is amended to read:

3 DHS 132.63 (4) (b) *Therapeutic diets.* Therapeutic diets shall be prescribed by  
4 the attending physician. The attending physician may delegate to a certified  
5 dietitian the prescribing of a resident's diet, including a therapeutic diet, to the  
6 extent allowed by law. Therapeutic diets shall be served ~~only on order of the~~  
7 ~~physician, and shall be consistent with such orders.~~

**SENATE BILL 385****SECTION 2**

1           **SECTION 2.** DHS 134.64 (4) (b) 1. of the administrative code is amended to read:

2           DHS 134.64 (4) (b) 1. Modified diets shall be prescribed by the attending

3 physician. The attending physician may delegate to a certified dietitian the task of

4 prescribing a resident's diet, including a modified diet, to the extent allowed by law.

5 A modified diet may shall ~~be served only on order of the resident's physician and shall~~

6 ~~be consistent with that order.~~ A dietitian shall participate in decisions about

7 modified and special diets. A record of the order shall be kept on file.

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(END)