

2019-2020 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0429/P1ins  
MED:...

SAV

INSERT 2-13

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<sup>x (title)</sup>  
**SECTION 1.** 14.87 of the statutes is amended to read:

<sup>(title)</sup>  
**14.87 Enhanced nurse Nurse licensure compact.** There is created an interstate commission of nurse licensure compact administrators as specified in s. 441.51. The administrator of the commission representing this state shall be the chairperson of the board of nursing or his or her designee as provided in s. 441.51 (7) (b) 1. The commission has the powers and duties granted and imposed under s. 441.51.

History: 2017 a. 135.

INSERT 16-6

\*\*\*\*NOTE: I left this one as saying "with prescribing authority" because it refers to someone "in any state" and other states may not have the same method for granting prescribing authority as we would. ✓

INSERT 34-3

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<sup>x</sup>  
**SECTION 2.** 440.03 (13) (b) 3. of the statutes is amended to read:  
440.03 (13) (b) 3. Advanced practice registered nurse prescriber.

History: 1977 c. 418 ss. 24, 792; 1979 c. 34, 221, 337; 1981 c. 94; 1985 a. 29, 340; 1989 a. 31, 340; 1991 a. 39; 1993 a. 16, 102, 107, 443, 445, 490, 491; 1995 a. 27 ss. 6472g, 6472j, 9126 (19); 1995 a. 233; 1997 a. 27, 75, 79; 1997 a. 191 ss. 312, 313, 318; 1997 a. 231, 237; 1997 a. 261 ss. 1 to 4, 7, 10, 13; 1997 a. 311; 1999 a. 9, 32; 2001 a. 16, 66, 80; 2003 a. 151; 2005 a. 25; 2007 a. 20 ss. 3449 to 3462, 9121 (6) (a); 2007 a. 153, 189; 2009 a. 28, 130, 276, 282, 355; 2011 a. 32, 146, 160, 190, 255; 2013 a. 20, 36, 124, 244, 288, 358; 2015 a. 55, 116; 2015 a. 197 s. 51; 2015 a. 258; 2017 a. 59, 82, 113, 135, 278, 319, 329, 331; 2017 a. 365 ss. 79, 112.

Cross-reference: See also SPS, Wis. adm. code.

INSERT 34-7

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<sup>x</sup>  
**SECTION 3.** 440.08 (2) (a) 4m. of the statutes is amended to read:  
440.08 (2) (a) 4m. Advanced practice nurse registered prescriber: October  
March 1 of each even-numbered year.

History: 1991 a. 39 ss. 3305, 3313; 1991 a. 78, 160, 167, 269, 278, 315; 1993 a. 3, 16, 102, 105, 107, 443, 463, 465; 1993 a. 490 ss. 228 to 230, 274, 275; 1995 a. 27, 233, 321, 322, 461; 1997 a. 27, 75, 81, 96, 156, 191, 237, 261, 300; 1999 a. 9, 32; 2001 a. 16, 70, 74, 80, 89; 2003 a. 150, 270, 285, 327; 2005 a. 25, 31, 242, 292, 297, 407; 2007 a. 20, 174, 189; 2009 a. 28, 29, 106, 130, 174, 282, 355, 360; 2011 a. 160, 190, 258; 2013 a. 20, 240, 244, 358; 2015 a. 3, 16, 55, 116; 2015 a. 195 s. 83; 2015 a. 258; 2017 a. 82, 113, 329, 364.

\*\*\*\*NOTE: I assumed you'd want the same renewal date for the permit to issue prescription orders. Let me know if that's incorrect. ✓

INSERT 35-4

*advanced of nursing*

1 SECTION 4. 441.001 (1c) of the statutes is created to read:

2 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. "Advanced practice  
3 registered nursing" means the practice in one of the 4 recognized roles based on  
4 advanced clinical knowledge and skills focusing on direct care of individuals, greater  
5 responsibility, autonomy, and accountability for the provision of care, health  
6 promotion and maintenance, and management of patient conditions.

*g should be considered*  
\*\*\*\*NOTE: For better consistency with ch. 441, I moved the definitions to s. 441.001.  
\* These changes are purely non-substantive. *but please see my revisions to this definition for consistency with the other definitions in s. 441.001.*

7 SECTION 5. 441.001 (1m) of the statutes is created to read:

8 441.001 (1m) CLINICAL PHARMACOLOGY OR THERAPEUTICS. "Clinical  
9 pharmacology or therapeutics" means the identification of individual and classes of  
10 drugs, their indications and contraindications, their efficacy, their side effects and  
11 their interactions, as well as clinical judgment skills and decision-making based on  
12 thorough interviewing, history taking, physical assessment, test selection and  
13 interpretation, pathophysiology, epidemiology, diagnostic reasoning, differentiation  
14 of conditions, treatment decisions, case evaluation, and nonpharmacological  
15 interventions.

16 SECTION 6. 441.001 (5) of the statutes is created to read:

17 441.001 (5) RECOGNIZED ROLE. "Recognized role" means one of the following  
18 roles:

- 19 (a) Certified nurse-midwife.
- 20 (b) Certified registered nurse anesthetist.
- 21 (c) Clinical nurse specialist.
- 22 (d) Nurse practitioner.

23 SECTION 7. 441.01 (3) of the statutes is amended to read:

1           441.01 (3) The board may promulgate rules to establish minimum standards  
 2 for schools for professional nurses and, schools for licensed practical nurses, and  
 3 schools for advanced practice registered nurses, including all related clinical units  
 4 and facilities, and make and provide periodic surveys and consultations to such  
 5 schools. ~~It~~ The board may also establish promulgate rules to prevent unauthorized  
 6 persons from practicing professional nursing. ~~It shall approve all rules for the~~  
 7 ~~administration of this chapter in accordance with ch. 227.~~

**History:** 1971 c. 125; 1975 c. 37; 1977 c. 29, 418; 1979 c. 34; 1983 a. 253, 1983 a. 273 ss. 2, 8; 1985 a. 340; 1987 a. 264; 1999 a. 22; 2009 a. 28; 2013 a. 124; 2017 a. 329, 364.

**Cross-reference:** See also chs. N 1 and 2, Wis. adm. code.

\*\*\*\*NOTE: I added this change so that these provisions also reference APRN schools  
 \* so that it's clear the board still has authority for APRN programs. I struck the last  
 \* sentence as now being unnecessary. X

8           **SECTION 8.** 441.01 (4) of the statutes is amended to read:

9           441.01 (4) The board shall direct that those schools that qualify be placed on  
 10 a list of schools the board has approved for professional nurses ~~or~~, of schools the board  
 11 has approved for licensed practical nurses, or of schools the board has approved for  
 12 advanced practice registered nurses on application and proof of qualifications; <sup>and</sup> <sup>the</sup> and the  
 13 shall make a study of nursing education and initiate promulgate rules and policies  
 14 to improve it.

**History:** 1971 c. 125; 1975 c. 37; 1977 c. 29, 418; 1979 c. 34; 1983 a. 253, 1983 a. 273 ss. 2, 8; 1985 a. 340; 1987 a. 264; 1999 a. 22; 2009 a. 28; 2013 a. 124; 2017 a. 329, 364.

**Cross-reference:** See also chs. N 1 and 2, Wis. adm. code.

\*\*\*\*NOTE: I added this change so that these provisions also reference APRN schools  
 \* so that it's clear the board still has authority for APRN programs.

15           **SECTION 9.** 441.01 (7) (a) (intro.) of the statutes is amended to read:

16           441.01 (7) (a) (intro.) The board shall require each applicant for the renewal  
 17 of a registered nurse ~~or~~, licensed practical nurse, or advanced practice registered

1 license issued under this chapter to do all of the following as a condition for renewing  
2 the license:

History: 1971 c. 125; 1975 c. 37; 1977 c. 29, 418; 1979 c. 34; 1983 a. 253, 1983 a. 273 ss. 2, 8; 1985 a. 340; 1987 a. 264; 1999 a. 22; 2009 a. 28; 2013 a. 124; 2017 a. 329, 364.

Cross-reference: See also chs. N 1 and 2, Wis. adm. code.

3 **SECTION 10.** 441.01 (7) (b) of the statutes is amended to read:

4 441.01 (7) (b) The board may not renew a registered nurse or, licensed practical  
5 nurse, or advanced practice registered license under this chapter unless the renewal  
6 applicant has completed the nursing workforce survey to the satisfaction of the  
7 board. The board shall establish standards to determine whether the survey has  
8 been completed. The board shall, by no later than June 30 of each odd-numbered  
9 year, submit all completed nursing workforce survey forms to the department of  
10 workforce development.

History: 1971 c. 125; 1975 c. 37; 1977 c. 29, 418; 1979 c. 34; 1983 a. 253, 1983 a. 273 ss. 2, 8; 1985 a. 340; 1987 a. 264; 1999 a. 22; 2009 a. 28; 2013 a. 124; 2017 a. 329, 364.

Cross-reference: See also chs. N 1 and 2, Wis. adm. code.

11 **SECTION 11.** 441.01 (7) (c) of the statutes is created to read:

12 441.01 (7) (c) An applicant who is renewing both a registered nurse and  
13 advanced practice registered nurse license under s. 441.09 (1) (d) is only required to  
14 pay a single fee under par. (a) 2.

\*\*\*\*NOTE: I added in this language since we put renewal of an RN license for an  
APRN under the APRN license provision. This just makes clear the person doesn't have  
to pay multiple fees every biennium, which I think is in the spirit of what was in 2017 Act  
329. OK?

15 **SECTION 12.** 441.06 (title) of the statutes is repealed and recreated to read:

16 **441.06 (title) Registered nurses; civil liability exemption.**

INSERT 35-12

17 **SECTION 13.** 441.06 (4) of the statutes is amended to read:

18 441.06 (4) Except as provided in s. 257.03, no person may practice or attempt  
19 to practice professional nursing, nor use the title, letters, or anything else to indicate

1 that he or she is a registered or professional nurse unless he or she is licensed under  
2 this section. Except as provided in s. 257.03, no person not so licensed may use in  
3 connection with his or her nursing employment or vocation any title or anything else  
4 to indicate that he or she is a trained, certified or graduate nurse. This subsection  
5 does not apply to any registered nurse who holds a multistate license, as defined in  
6 s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted the  
7 enhanced nurse licensure compact under s. 441.51.

**History:** 1971 c. 125, 215; 1973 c. 159; 1975 c. 39, 199; 1977 c. 29, 164; 1979 c. 34, 162; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96, 187; 2007 a. 20; 2009 a. 42; 2013 a. 114 ss. 4, 5; 2013 a. 124 s. 28; 2015 a. 55, 195; 2017 a. 135, 329.

**Cross-reference:** See also chs. N 2 and 3, Wis. adm. code.

**INSERT 38-18**

\*\*\*\*NOTE: Should I advance this date forward by two years? ✓

**INSERT 39-4**

8 6. The applicant does not have an arrest or conviction record, subject to ss.  
9 111.321, 111.322, and 111.335.

✎ \*\*\*\*NOTE: I added this for consistency with the licensure requirements for other professions, including RNs and LPNs. Arguably this is unnecessary since this would be grounds for a denial of an RN license under s. 441.06 (1) (b) or under the compact, but I think it makes it a bit more clear and consistent to have it here as well. OK?

**INSERT 39-7**

10 (b) An applicant who satisfies the requirements established by the board under  
11 sub. (6) (c) may, concurrently with his or her application for an advanced practice  
12 registered nurse under par. (a) and upon payment of the additional fee required for  
13 the permit under s. 440.05 (1), apply for a permit to issue prescription orders under  
14 sub. (2).  
*to sub. (2)(b)3.*

15 (c) 1. Subject to subd. 3. and s. 441.07 (1g), the board shall grant an advanced  
16 practice registered nurse license to an applicant the board determines meets the  
17 requirements under par. (a). The board shall also grant a person who is granted a  
18 license all of the following:

1 a. One or more specialty designations corresponding to the recognized roles for  
2 which the board determines that the person qualifies based on the person's  
3 qualifications under par. (a).

4 b. A permit to issue prescription orders under sub. (2), if the board determines  
5 the applicant satisfies the requirements under sub. (2) (b). *the applicant applies for a permit under par. (b) and*

6 2. Each specialty designation granted under subd. 1. a. shall appear on the  
7 person's advanced practice registered nurse license.

8 3. The board may not grant an advanced practice registered nurse license to  
9 a person applying concurrently for a license under s. 441.06 (1), (1c), or (1m), unless  
10 the board also grants the person the license under s. 441.06 (1), (1c), or (1m).

11 4. The board may place specific limitations on a person licensed as an advanced  
12 practice registered nurse as a condition of licensure.

**INSERT 40-15**

*(a) In this <sup>sub</sup> section, "prescription order" has the meaning given in s. 450.01(21). #*

13 **(2) PERMIT TO ISSUE PRESCRIPTION ORDERS.** (b) Subject to s. 441.07 (1g), the board  
14 shall grant a permit to issue prescription orders to an applicant who satisfies all of  
15 the following:

16 1. The applicant is licensed as advanced practice registered nurse under sub.  
17 (1) or the applicant applies for the permit under sub. (1) (b) concurrently with his  
18 or her application for a license under sub. (1) and is granted the license under sub.  
19 (1) (c).

20 2. The applicant meets the additional requirements for granting the permit  
21 established by the board under sub. (6) (c).

22 3. The applicant pays the fee specified under s. 440.05 (1).

1 (c) On or before the applicable renewal date specified under s. 440.08 (2) (a),  
 2 a person issued a certificate<sup>ep permit</sup> under par. (b) shall submit to the board on a form  
 3 furnished by the board a statement giving his or her name and residence and any  
 4 other information that the board requires by rule<sup>g</sup> with the applicable renewal fee  
 5 determined by the department under s. 440.03 (9) (a). The board shall grant to a  
 6 person who satisfies the requirements under this paragraph the renewal of his or her  
 7 permit to issue prescription orders.

8 (d) An advanced practice registered nurse who holds a permit under this  
 9 subsection may issue prescription orders, subject to the rules promulgated under  
 10 sub. (6) (a) and (d), and may provide expedited partner therapy in the manner  
 11 described in s. 448.035.

**INSERT 42-8**

\*\*\*\*NOTE: I left this as is per the request, but please confirm again that all APRNs,  
 including those that do not have a permit to issue prescription orders, should be required  
 to complete this CE in clinical pharmacology and therapeutics.

12 (5) MALPRACTICE LIABILITY INSURANCE. Except for a person whose employer has  
 13 in effect malpractice liability insurance that provides coverage for the person in the  
 14 amounts specified under s. 655.23 (4), no person may practice advanced practice  
 15 registered nursing unless he or she at all times has in effect malpractice liability  
 16 insurance coverage in the minimum amounts required by the rules of the board. An  
 17 advanced practice registered nurse shall submit evidence of that coverage to the  
 18 board when applying for an initial license under this section or a renewal of a license  
 19 under this section. An advanced practice registered nurse shall also submit such  
 20 evidence to the board upon request of the board.

**INSERT 43-7**

\*\*\*\*NOTE: See the changes here. I added the word "further" at the beginning to address what I asked about in my note in the previous version, and I added what I think DSPTS/the Board had suggested with respect to prescribing. OK? ✓

**INSERT 43-18**

1 (f) Establishing the minimum amount of malpractice liability insurance  
2 coverage that an advanced practice registered nurse must at all times have in effect  
3 for purposes of sub. (5). The board shall promulgate rules under this paragraph in  
4 consultation with the commissioner of insurance.

5 **SECTION 14.** 441.10 (7) of the statutes is amended to read:

6 441.10 (7) No license is required for practical nursing, but, except as provided  
7 in s. 257.03, no person without a license may hold himself or herself out as a licensed  
8 practical nurse or licensed attendant, use the title or letters "Trained Practical  
9 Nurse" or "T.P.N.," "Licensed Practical Nurse" or "L.P.N.," "Licensed Attendant" or  
10 "L.A.," "Trained Attendant" or "T.A.," or otherwise seek to indicate that he or she is  
11 a licensed practical nurse or licensed attendant. No licensed practical nurse or  
12 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,  
13 graduate or professional nurse. Anyone violating this subsection shall be subject to  
14 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~  
15 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~  
16 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds  
17 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than  
18 this state, that has adopted the enhanced nurse licensure compact under s. 441.51.

**History:** 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42; 2013 a. 114, 124; 2015 a. 55, 195; 2017 a. 135.

**Cross-reference:** See also ch. N 6, Wis. adm. code.

**INSERT 44-7**

19 **SECTION 15.** 441.16 (title) and (2) to (6) of the statutes ~~are~~ repealed.

xxxxx NOTE: I deleted this language about LPNs practicing in 1949 being able to get an initial license. OK?



1 **SECTION 16.** 441.16 (1) of the statutes is renumbered 441.09 (2) (a) and 441.09  
2 (2) (a) (intro.), as renumbered, is amended to read:

3 **441.09 (2) (a) (intro.)** In this section subsection:

History: 1993 a. 138; 1995 a. 448; 2009 a. 28, 280; 2013 a. 114; 2017 a. 227, 329.

Cross-reference: See also ch. N 8, Wis. adm. code.

**INSERT 45-10**

4 **SECTION 17.** Subchapter II (title) of chapter 441 [precedes 441.51] of the  
5 statutes is amended to read:

**CHAPTER 441**

**SUBCHAPTER II**

**ENHANCED NURSE LICENSURE COMPACT**

9 **SECTION 18.** 441.51 (title) of the statutes is amended to read:

10 **441.51 (title) Enhanced nurse Nurse licensure compact.**

History: 2017 a. 135.

**INSERT 45-10**

*53-18*

\*\*\*NOTE: For now, I advanced the effective date forward by two years. OK? We  
could move it back to March 1, 2020 at some point if needed.

## Duchek, Michael

---

**From:** Gina Dennik-Champion <gina@wisconsinnurses.org>  
**Sent:** Thursday, December 13, 2018 1:23 PM  
**To:** Duchek, Michael  
**Cc:** Pulda, Matt; Forbes McIntosh (forbes@wis-gps.com)  
**Subject:** WNA response to drafter comments  
**Attachments:** Requested Changes and Response to Drafter Questions on LRB 121318.docx

Hello Mike, Attached is the response to your questions and comments on LRB 0429/P1.

Please let me know if you have any questions/concerns

Thank you

Gina



Gina Dennik-Champion, MSN, RN, MSHA  
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APRN Coalition Suggested Changes and Response to Drafter Questions on LRB-0429/P1

1. Page 34 – Drafter Question – No problems with renewal dates
2. Page 35 line 4 need to add “nurse” before midwifery
3. Page 35 add in on line 19 “health promotion and maintenance, add *including prescribing pharmacological agents and therapeutics*, and management of patient conditions.”
4. Page 35 – Drafter Question – No problem with definitions moved to beginning of 441
5. Page 35 – Move the definition Clinical Pharm and Therapeutics to 441.001
6. Page 36 – Drafter Comment - no concerns
7. Page 37 – Drafter Comment – no concerns
8. Page 37 – Drafter Comment – no concerns
9. Page 41 – Drafter Question – prefer the date to stay at 2020 and not move it forward 2 years
10. Page 41 – Drafter Question - Agree
11. Page 44 – Line 1 (e) An advanced practice registered nurse who holds a permit to issue prescription orders ~~(Delete) under this subsection may not delegate the act of issuing a prescription order to any nurse who does not hold such a permit. Nothing in this subsection prohibits a nurse from issuing a prescription order as an act delegated by a physician.~~  
**(Insert)** may delegate tasks and orders to another clinically trained health care worker if the advance practice nurse is competent to perform the delegated task or order and has reasonable evidence that the clinically trained health care worker is minimally competent to perform the task or issue the order under the circumstances.  
Page 45 – Drafter Question - all APRNs non-permit and permit APRNs have the same CE requirements.
12. Page 46 Line 1 - Drafter Question – Coalition recommends deleting “further”. AGREE
13. Page 46 Line 11 (d) this looks like formulary wording-this is the same language of ss.441.16
14. Page 47 – Drafter Question – no concern with deletion
15. Page 48 section 441.19 (2) this is present law; questions what is a “waiver”; this means you can manufacture/compound substances; Federal 21 USC 823 states only practitioner not physician.
16. Page 55 – CRNA’s would like to add the word “anesthetist” be identified as a protected title in addition to nurse anesthetist and CRNA; will be a point of possible contention. This is for title protection due to the anesthetist assistants.

## Duchek, Michael

---

**From:** Gina Dennik-Champion <gina@wisconsinnurses.org>  
**Sent:** Thursday, December 13, 2018 5:24 PM  
**To:** Duchek, Michael  
**Cc:** Burton Wagner; Forbes McIntosh (forbes@wis-gps.com)  
**Subject:** WNA Response to your questions  
**Attachments:** Requested Changes and Response to Drafter Questions on LRB 121318 Drafter Questions 12\_13\_18.docx

Hello Mike, thank you for the fast turn-around on my response and questions that I sent you today. I believe that I have addressed your questions and comments. Please see the attached

Thank you again

Gina



Gina Dennik-Champion, MSN, RN, MSHA  
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APRN Coalition Suggested Changes and Response to Drafter Questions on LRB-0429/P1

1. Page 34 – Drafter Question – No problems with renewal dates
2. Page 35 line 4 need to add “nurse” before midwifery  
This is actually the provision on midwives, not nurse-midwives (midwives are licensed separately by DSPS under ch. 440). It basically says that nurse-midwives are not also required to also be licensed as regular midwives too. So here that reference is actually correct.  
Thank you, I agree.
3. Page 35 add in on line 19 “health promotion and maintenance, add *including prescribing pharmacological agents and therapeutics*, and management of patient conditions.”
4. Page 35 – Drafter Question – No problem with definitions moved to beginning of 441
5. Page 35 – Move the definition Clinical Pharm and Therapeutics to 441.001
6. Page 36 – Drafter Comment - no concerns
7. Page 37 – Drafter Comment – no concerns
8. Page 37 – Drafter Comment – no concerns
9. Page 41 – Drafter Question – prefer the date to stay at 2020 and not move it forward 2 years  
Currently, the date referenced is 1/1/2017, not 2020, so 2020 would mean moving it forward 3 years. This is basically the grandfathering provision for people who may not meet the new criteria in the bill.  
Got it! Thank you for the clarification.
10. Page 41 – Drafter Question - Agree
11. Page 44 – Line 1 (e) An advanced practice registered nurse who holds a permit to issue prescription orders (~~Delete~~) ~~under this subsection may not delegate the act of issuing a prescription order to any nurse who does not hold such a permit. Nothing in this subsection prohibits a nurse from issuing a prescription order as an act delegated by a physician.~~  
**(Insert)** may delegate tasks and orders to another clinically trained health care worker if the advance practice nurse is competent to perform the delegated task or order and has reasonable evidence that the clinically trained health care worker is minimally competent to perform the task or issue the order under the circumstances.  
Page 45 – Drafter Question - all APRNs non-permit and permit APRNs have the same CE requirements.
12. Page 46 Line 1 - Drafter Question – Coalition recommends deleting “further”. AGREE  
OK, but I think that with respect to “advanced practice registered nursing,” that term is defined in Section 79. So I think the word “further” would still apply with respect to the scope of “advanced practice registered nursing” because the board would be defining it further beyond what is in Section 79. But I think you are correct that otherwise the word “further” may not be appropriate. Does that sound OK?  
We understand the intent of using the word. Please keep it in the language.
13. Page 46 Line 11 (d) this looks like formulary wording-this is the same language of ss.441.16  
Yes, is that OK? I think that is what was requested.

Yes.

14. Page 47 – Drafter Question – no concern with deletion

15. Page 48 section 441.19 (2) this is present law; questions what is a “waiver”; this means you can manufacture/compound substances; Federal 21 USC 823 states only practitioner not physician. This provision relates to waivers to prescribe buprenorphine. Let me know if you want me to explain this one further. See <https://www.samhsa.gov/programs-campaigns/medication-assisted-treatment/training-materials-resources/qualify-np-pa-waivers>

I reviewed this with Burt Wagner and he supports using waiver. Your explanation will be helpful to my communication with the other APRN members.

16. Page 55 – CRNA’s would like to add the word “anesthetist” be identified as a protected title in addition to nurse anesthetist and CRNA; will be a point of possible contention. This is for title protection due to the anesthetist assistants.

Well at least in the statutes, their title is called “anesthesiologist assistants,” not “anesthetist assistants” (see s. 448.03 (3) (g)). So theoretically there would seem to be no conflict there. So I can add it if you want.

Do you think putting it in 655 is the best location? Not sure if PCF would have a concern?

Thank you so very much Mike.

Gina Dennik-Champion

## Duchek, Michael

---

**From:** Gina Dennik-Champion <gina@wisconsinnurses.org>  
**Sent:** Wednesday, December 19, 2018 5:53 PM  
**To:** Duchek, Michael  
**Cc:** Forbes McIntosh (forbes@wis-gps.com); Burton Wagner  
**Subject:** RE: WNA Response to your questions

Hi Mike – this is Burt’s response: I would not add the change. It is implied and the APRN is the legally responsible party if anything goes wrong, not the person to whom delegated. (The idea that the delegatee will be held to a lesser standard would not likely hold up in a court case.)

Thank you

Gina



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**From:** Duchek, Michael [mailto:Michael.Duchek@legis.wisconsin.gov]  
**Sent:** Tuesday, December 18, 2018 11:30 AM  
**To:** Gina Dennik-Champion  
**Cc:** Burt Wagner; Forbes McIntosh  
**Subject:** RE: WNA Response to your questions

Also one other thing. Since you are adding a reference to prescribing in the definition/scope of practice for advanced practice registered nursing, I suggest adding this to make it clear that *only* an APRN with a permit can prescribe (and I also pulled the language from s. 441.16(6) that says nurses can still issue prescription orders as delegated from an MD or podiatrist). OK?

An advanced practice registered nurse who does not hold a permit under this subsection may not issue prescription orders, but nothing in this subsection prohibits a nurse from issuing a prescription order as an act delegated by a physician, and nothing in this subsection prohibits an advanced practice registered nurse licensed under this section from issuing a prescription order as an act delegated by a podiatrist.

**From:** Gina Dennik-Champion <[gina@wisconsinnurses.org](mailto:gina@wisconsinnurses.org)>  
**Sent:** Tuesday, December 18, 2018 6:41 AM  
**To:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>  
**Cc:** Burt Wagner <[bawagner@wisc.edu](mailto:bawagner@wisc.edu)>; Forbes McIntosh <[forbes@wis-gps.com](mailto:forbes@wis-gps.com)>  
**Subject:** Re: WNA Response to your questions

Good morning Mike, Here is our response to your comments. .

Please leave #15 and #16 alone. No language change. They are ok. Expand #11 to include all APRN not only those with prescriptive authority. Leave the grandmother date at 2017, so we avoid rushing folks trying to become grandmothed when this is published.ike.

Thanks again M

Gina Dennik-Champion, MSN, RN, MSHA  
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(W) 608-221-0383 Ext. 202  
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**From:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>  
**Sent:** Friday, December 14, 2018 11:41 AM  
**To:** Gina Dennik-Champion  
**Cc:** Burton Wagner; Forbes McIntosh ([forbes@wis-gps.com](mailto:forbes@wis-gps.com))  
**Subject:** RE: WNA Response to your questions

Hopefully this is the last time - see my purple at 9, 11, 15 and 16.

---

**From:** Gina Dennik-Champion <[gina@wisconsinnurses.org](mailto:gina@wisconsinnurses.org)>  
**Sent:** Thursday, December 13, 2018 5:24 PM  
**To:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>  
**Cc:** Burton Wagner <[bawagner@wisc.edu](mailto:bawagner@wisc.edu)>; Forbes McIntosh ([forbes@wis-gps.com](mailto:forbes@wis-gps.com)) <[forbes@wis-gps.com](mailto:forbes@wis-gps.com)>  
**Subject:** WNA Response to your questions

Hello Mike, that you for the fast turn-around on my response and questions that I sent you today. I believe that I have addressed your questions and comments. Please see the attached

Thank you again  
Gina



*gina*

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## Duchek, Michael

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**From:** Duchek, Michael  
**Sent:** Tuesday, December 18, 2018 11:30 AM  
**To:** 'Gina Dennik-Champion'  
**Cc:** Burt Wagner; Forbes McIntosh  
**Subject:** RE: WNA Response to your questions

Also one other thing. Since you are adding a reference to prescribing in the definition/scope of practice for advanced practice registered nursing, I suggest adding this to make it clear that *only* an APRN with a permit can prescribe (and I also pulled the language from s. 441.16(6) that says nurses can still issue prescription orders as delegated from an MD or podiatrist). OK?

An advanced practice registered nurse who does not hold a permit under this subsection may not issue prescription orders, but nothing in this subsection prohibits a nurse from issuing a prescription order as an act delegated by a physician, and nothing in this subsection prohibits an advanced practice registered nurse licensed under this section from issuing a prescription order as an act delegated by a podiatrist.

---

**From:** Gina Dennik-Champion <gina@wisconsinnurses.org>  
**Sent:** Tuesday, December 18, 2018 6:41 AM  
**To:** Duchek, Michael <Michael.Duchek@legis.wisconsin.gov>  
**Cc:** Burt Wagner <bawagner@wisc.edu>; Forbes McIntosh <forbes@wis-gps.com>  
**Subject:** Re: WNA Response to your questions

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Please leave #15 and #16 alone. No language change. They are ok. Expand #11 to include all APRN not only those with prescriptive authority. Leave the grandmother date at 2017, so we avoid rushing folks trying to become grandmothers when this is published.ike.

Thanks again M

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**From:** Duchek, Michael <[Michael.Duchek@legis.wisconsin.gov](mailto:Michael.Duchek@legis.wisconsin.gov)>  
**Sent:** Friday, December 14, 2018 11:41 AM  
**To:** Gina Dennik-Champion  
**Cc:** Burton Wagner; Forbes McIntosh ([forbes@wis-gps.com](mailto:forbes@wis-gps.com))  
**Subject:** RE: WNA Response to your questions

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**Cc:** Burton Wagner <[bawagner@wisc.edu](mailto:bawagner@wisc.edu)>; Forbes McIntosh ([forbes@wis-gps.com](mailto:forbes@wis-gps.com)) <[forbes@wis-gps.com](mailto:forbes@wis-gps.com)>  
**Subject:** WNA Response to your questions

Hello Mike, that you for the fast turn-around on my response and questions that I sent you today. I believe that I have addressed your questions and comments. Please see the attached

Thank you again

Gina



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## Duchek, Michael

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**From:** Gina Dennik-Champion <gina@wisconsinnurses.org>  
**Sent:** Friday, December 28, 2018 3:32 PM  
**To:** Duchek, Michael  
**Cc:** Burton Wagner; Forbes McIntosh (forbes@wis-gps.com)  
**Subject:** Response to last question

Hello Mike, If possible we would like to see the language below not included at this time. We are concerned about unintended consequences as we are not sure where the Board of Nursing stands on this and would rather wait for a time when we can have a discussion with them.

An advanced practice registered nurse who does not hold a permit under this subsection may not issue prescription orders, but nothing in this subsection prohibits a nurse from issuing a prescription order as an act delegated by a physician, and nothing in this subsection prohibits an advanced practice registered nurse licensed under this section from issuing a prescription order as an act delegated by a podiatrist.

Happy New Year.  
Gina



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