



State of Wisconsin
2019 - 2020 LEGISLATURE

In 1-29-19
OA 1-31-19 if poss.

P4

LRB-0429/P8
MED&TJD:emw&kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Insert

1 **AN ACT to repeal** 50.01 (1b), 77.54 (14) (f) 3., 118.2925 (1) (b), 146.89 (1) (r) 3.,
2 252.01 (1c), 440.03 (13) (b) 42., 440.08 (2) (a) 50., 441.11 (title), 441.11 (1), 441.11
3 (3), 441.15, 441.16, 448.035 (1) (a) and 450.01 (1m); **to renumber and amend**
4 253.13 (1), 255.06 (1) (d), 441.06 (7) and 441.11 (2); **to amend** 14.87 (title),
5 29.193 (1m) (a) 2. (intro.), 29.193 (2) (b) 2., 29.193 (2) (c) 3., 29.193 (2) (cd) 2. b.,
6 29.193 (2) (cd) 2. c., 29.193 (2) (e), 29.193 (3) (a), 45.40 (1g) (a), 46.03 (44), 50.08
7 (2), 50.09 (1) (a) (intro.), 50.09 (1) (f) 1., 50.09 (1) (h), 50.09 (1) (k), 50.49 (1) (b)
8 (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 4., 97.59, 102.13 (1) (a),
9 102.13 (1) (b) (intro.), 1., 3. and 4., 102.13 (1) (d) 1., 2., 3. and 4., 102.13 (2) (a),
10 102.13 (2) (b), 102.17 (1) (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30 (1), 118.15
11 (3) (a), 118.25 (1) (a), 118.29 (1) (e), 118.2925 (3), 118.2925 (4) (c), 118.2925 (5),
12 146.343 (1) (c), 146.82 (3) (a), 146.89 (1) (r) 1., 146.89 (1) (r) 8., 146.89 (6), 252.07
13 (8) (a) 2., 252.07 (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7) and (10), 252.15 (3m)
14 (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3. and (7m) (intro.) and (b),
15 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (4), 253.115

1 (7) (a) (intro.), 253.15 (2), 255.06 (2) (d), 255.07 (1) (d), 257.01 (5) (a) and (b),
2 341.14 (1a), (1e) (a), (1m) and (1q), 343.16 (5) (a), 343.51 (1), 343.62 (4) (a) 4.,
3 440.03 (13) (b) 3., 440.08 (2) (a) 4m., 440.981 (1), 440.982 (1), 440.987 (2), 441.01
4 (3), 441.01 (4), 441.01 (7) (a) (intro.), 441.01 (7) (b), 441.06 (3), 441.06 (4), 441.07
5 (1g) (intro.), (a), (c) and (e), 441.10 (7), 441.18 (2) (a) (intro.), 441.18 (2) (b),
6 441.18 (3), 441.19 (2), subchapter II (title) of chapter 441 [precedes 441.51],
7 441.51 (title), 448.03 (2) (a), 448.035 (2), (3) and (4), 448.56 (1) and (1m) (b),
8 448.62 (2m), 448.67 (2), 448.956 (1m), 450.01 (16) (h) 2., 450.01 (16) (hr) 2.,
9 450.03 (1) (e), 450.11 (1i) (a) 1., 450.11 (1i) (b) 2. b., 450.11 (7) (b), 450.11 (8) (e),
10 450.13 (5) (b), 450.135 (7) (b), 462.04, 655.001 (7t), 655.001 (9), 655.005 (2) (a),
11 961.01 (19) (a) and 961.395; **to repeal and recreate** 441.06 (title); and **to**
12 **create** 253.115 (1) (f), 253.13 (1) (a), 253.15 (1) (em), 255.06 (1) (f) 2., 440.03 (13)
13 (b) 39m., 440.08 (2) (a) 47., 441.001 (1c), 441.001 (1m), 441.001 (5), 441.01 (7)
14 (c) and 441.09 of the statutes; **relating to:** advanced practice registered nurses,
15 extending the time limit for emergency rule procedures, providing an
16 exemption from emergency rule procedures, and granting rule-making
17 authority.

Analysis by the Legislative Reference Bureau

NURSING PRACTICE AND LICENSURE

This bill makes various changes to practice, licensure, and certification requirements for nurses, which are administered by the Board of Nursing.

Licensure of advanced practice registered nurses

Under current law, a person who wishes to practice professional nursing must be licensed by the Board of Nursing as a registered nurse (RN). This bill creates an additional system of licensure for advanced practice registered nurses (APRNs), to be administered by the board. Under the bill, in order to apply for an APRN license, a person must 1) hold, or concurrently apply for, an RN license; 2) have completed an accredited graduate-level or postgraduate-level education program preparing the person to practice as an APRN in one of four recognized roles and hold a current

national certification approved by the board; 3) possess malpractice liability insurance in an amount determined as provided in the bill; 4) pay a fee determined by the Department of Safety and Professional Services; and 5) satisfy certain other criteria specified in the bill. The bill also allows a person who has not completed an accredited education program described above to receive an APRN license if the person 1) on January 1, 2017, was both licensed as an RN in Wisconsin and practicing in one of the four recognized roles; and 2) satisfies additional practice or education criteria established by the board. The four recognized roles, as defined in the bill, are 1) certified nurse-midwife; 2) certified registered nurse anesthetist; 3) clinical nurse specialist; and 4) nurse practitioner. The bill also requires the board, upon granting a person an APRN license, to also grant the person one or more specialty designations corresponding to the recognized role or roles for which the person qualifies.

The holder of an APRN license may append the title "A.P.R.N." to his or her name, as well as a title corresponding to whichever specialty designations that the person possesses. The bill prohibits any person from using the title "A.P.R.N.," and from otherwise indicating that he or she is an APRN, unless the person is licensed by the board as an APRN. The bill also prohibits the use of titles and abbreviations corresponding to a recognized role unless the person has a specialty designation for that role. However, the bill allows an APRN to delegate a task or order to another clinically trained health care worker if the task or order is within the scope of the APRN's practice, the APRN is competent to perform the task or issue the order, and the APRN has reasonable evidence that the health care worker is minimally competent to perform the task or issue the order under the circumstances.

Under the bill, when an APRN renews his or her APRN license, the board must grant the person the renewal of both the person's RN license and the person's APRN license. The bill requires all APRNs to complete continuing education requirements each biennium in clinical pharmacology or therapeutics relevant to the APRN's area of practice and to satisfy certain other requirements when renewing a license.

Practice of nurse-midwifery

This bill repeals licensure and practice requirements specific to nurse-midwives and the practice of nurse-midwifery, including specific requirements to practice with an obstetrician. Under the bill, "certified nurse-midwife" is one of the four recognized roles for APRNs, and a person who practices nurse-midwifery under current law who satisfies the APRN licensure requirements may apply for and receive an APRN license and a certified nurse-midwife specialty designation, except that the bill also requires that a person applying for a certified nurse-midwife specialty designation be certified by a national certifying body approved by the board.

Advanced practice registered nurse prescribers

Under current law, a person licensed as an RN may apply to the board for a certificate to issue prescription orders if the person meets certain requirements established by the board. An RN holding a certificate is subject to various practice requirements and limitations established by the board and must possess malpractice liability insurance in an amount determined by the board.

The bill eliminates certificates to issue prescription orders and replaces them with permits to issue prescription orders. The bill allows the holder of an APRN license to apply for a permit or for an applicant for an APRN license to apply for a permit concurrently with his or her APRN license application. The bill requires the board to establish the appropriate education, training, or experience requirements that a registered nurse must satisfy to be granted a permit to issue prescription orders. As under current law, an APRN holding a permit is subject to various practice requirements and limitations established by the board.

OTHER CHANGES

The bill makes numerous other changes throughout the statutes relating to APRNs and APRN prescribers, including various terminology changes and technical changes relating to the Nurse Licensure Compact.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 14.87 (title) of the statutes is amended to read:

2 **14.87 (title) ~~Enhanced nurse~~ Nurse licensure compact.**

3 **SECTION 2.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

4 **29.193 (1m) (a) 2. (intro.)** Has a permanent substantial loss of function in one
5 or both arms or one or both hands and fails to meet the minimum standards of any
6 one of the following standard tests, administered under the direction of a licensed
7 physician, a licensed physician assistant, a licensed chiropractor, or a ~~certified~~
8 licensed advanced practice registered nurse ~~prescriber~~:

9 **SECTION 3.** 29.193 (2) (b) 2. of the statutes is amended to read:

10 **29.193 (2) (b) 2.** An applicant shall submit an application on a form prepared
11 and furnished by the department, which shall include a written statement or report
12 prepared and signed by a licensed physician, a licensed physician assistant, a
13 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice

1 ~~registered~~ nurse ~~prescriber~~ prepared no more than 6 months preceding the
2 application and verifying that the applicant is physically disabled.

3 **SECTION 4.** 29.193 (2) (c) 3. of the statutes is amended to read:

4 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
5 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
6 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
7 applicant and the recommendation of a licensed physician, a licensed physician
8 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed
9 advanced practice ~~registered~~ nurse ~~prescriber~~ selected by the applicant from a list
10 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed
11 podiatrists, and ~~certified~~ licensed advanced practice ~~nurse prescribers~~ registered
12 nurses compiled by the department, the department finds that issuance of a permit
13 complies with the intent of this subsection. The use of this review procedure is
14 discretionary with the department and all costs of the review procedure shall be paid
15 by the applicant.

16 **SECTION 5.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

17 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function
18 in one or both arms and fails to meet the minimum standards of the standard upper
19 extremity pinch test, the standard grip test, or the standard nine-hole peg test,
20 administered under the direction of a licensed physician, a licensed physician
21 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered
22 nurse ~~prescriber~~.

23 **SECTION 6.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

24 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in
25 one or both shoulders and fails to meet the minimum standards of the standard

1 shoulder strength test, administered under the direction of a licensed physician, a
2 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced
3 practice registered nurse ~~prescriber~~.

4 **SECTION 7.** 29.193 (2) (e) of the statutes is amended to read:

5 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this
6 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
7 a licensed physician, a licensed physician assistant, a licensed chiropractor, a
8 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse
9 ~~prescriber~~ designated by the department and with an office located in the
10 department district in which the applicant resides. The department shall pay for the
11 cost of a review under this paragraph unless the denied application on its face fails
12 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is
13 the only method of review of a decision to deny a permit under this subsection and
14 is not subject to further review under ch. 227.

15 **SECTION 8.** 29.193 (3) (a) of the statutes is amended to read:

16 29.193 (3) (a) Produces a certificate from a licensed physician, a licensed
17 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice
18 registered nurse ~~prescriber~~ stating that his or her sight is impaired to the degree that
19 he or she cannot read ordinary newspaper print with or without corrective glasses.

20 **SECTION 9.** 45.40 (1g) (a) of the statutes is amended to read:

21 45.40 (1g) (a) "Health care provider" means an advanced practice registered
22 nurse ~~prescriber~~ certified who holds a permit to issue prescription orders under s.
23 ~~441.16~~ 441.09 (2), an audiologist licensed under ch. 459, a dentist licensed under ch.
24 447, an optometrist licensed under ch. 449, a physician licensed under s. 448.02, or
25 a podiatrist licensed under s. 448.63.

1 **SECTION 10.** 46.03 (44) of the statutes is amended to read:

2 46.03 (44) SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION. Prepare and
3 keep current an information sheet to be distributed to a patient by a physician, a
4 physician assistant, or ~~certified~~ an advanced practice registered nurse prescriber
5 who holds a permit to issue prescription orders under s. 441.09 (2) providing
6 expedited partner therapy to that patient under s. 448.035. The information sheet
7 shall include information about sexually transmitted diseases and their treatment
8 and about the risk of drug allergies. The information sheet shall also include a
9 statement advising a person with questions about the information to contact his or
10 her physician, pharmacist, or local health department, as defined in s. 250.01 (4).

11 **SECTION 11.** 50.01 (1b) of the statutes is repealed.

12 **SECTION 12.** 50.08 (2) of the statutes is amended to read:

13 50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~
14 ~~certified~~ who holds a permit to issue prescription orders under s. 441.16 441.09 (2),
15 or a physician assistant licensed under ch. 448, who prescribes a psychotropic
16 medication to a nursing home resident who has degenerative brain disorder shall
17 notify the nursing home if the prescribed medication has a boxed warning under 21
18 CFR 201.57.

19 **SECTION 13.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

20 50.09 (1) (a) (intro.) Private and unrestricted communications with the
21 resident's family, physician, physician assistant, advanced practice registered nurse
22 ~~prescriber~~, attorney, and any other person, unless medically contraindicated as
23 documented by the resident's physician, physician assistant, or advanced practice
24 registered nurse ~~prescriber~~ in the resident's medical record, except that
25 communications with public officials or with the resident's attorney shall not be

1 restricted in any event. The right to private and unrestricted communications shall
2 include, but is not limited to, the right to:

3 **SECTION 14.** 50.09 (1) (f) 1. of the statutes is amended to read:

4 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses
5 or both domestic partners under ch. 770 are residents of the same facility, the spouses
6 or domestic partners shall be permitted to share a room unless medically
7 contraindicated as documented by the resident's physician, physician assistant, or
8 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

9 **SECTION 15.** 50.09 (1) (h) of the statutes is amended to read:

10 50.09 (1) (h) Meet with, and participate in activities of social, religious, and
11 community groups at the resident's discretion, unless medically contraindicated as
12 documented by the resident's physician, physician assistant, or advanced practice
13 registered nurse ~~prescriber~~ in the resident's medical record.

14 **SECTION 16.** 50.09 (1) (k) of the statutes is amended to read:

15 50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical
16 and physical restraints except as authorized in writing by a physician, physician
17 assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and
18 limited period of time and documented in the resident's medical record. Physical
19 restraints may be used in an emergency when necessary to protect the resident from
20 injury to himself or herself or others or to property. However, authorization for
21 continuing use of the physical restraints shall be secured from a physician, physician
22 assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use
23 of physical restraints shall be noted in the resident's medical records. "Physical
24 restraints" includes, but is not limited to, any article, device, or garment that

1 interferes with the free movement of the resident and that the resident is unable to
2 remove easily, and confinement in a locked room.

3 **SECTION 17.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

4 50.49 (1) (b) (intro.) “Home health services” means the following items and
5 services that are furnished to an individual, who is under the care of a physician,
6 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home
7 health agency, or by others under arrangements made by the home health agency,
8 that are under a plan for furnishing those items and services to the individual that
9 is established and periodically reviewed by a physician, physician assistant, or
10 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in
11 subd. 6., provided on a visiting basis in a place of residence used as the individual’s
12 home:

13 **SECTION 18.** 51.41 (1d) (b) 4. of the statutes is amended to read:

14 51.41 (1d) (b) 4. A psychiatric mental health advanced practice registered
15 nurse who is suggested by the Milwaukee County board of supervisors. The
16 Milwaukee County board of supervisors shall solicit suggestions from organizations
17 including the Wisconsin Nurses Association for individuals who specialize in a full
18 continuum of behavioral health and medical services including emergency
19 detention, inpatient, residential, transitional, partial hospitalization, intensive
20 outpatient, and wraparound community-based services. The Milwaukee County
21 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric
22 mental health advanced practice registered nurses for this board membership
23 position.

24 **SECTION 19.** 70.47 (8) (intro.) of the statutes is amended to read:

1 70.47 (8) HEARING. (intro.) The board shall hear upon oath all persons who
2 appear before it in relation to the assessment. Instead of appearing in person at the
3 hearing, the board may allow the property owner, or the property owner's
4 representative, at the request of either person, to appear before the board, under
5 oath, by telephone or to submit written statements, under oath, to the board. The
6 board shall hear upon oath, by telephone, all ill or disabled persons who present to
7 the board a letter from a physician, osteopath, physician assistant, as defined in s.
8 448.01 (6), or advanced practice registered nurse prescriber certified under s. 441.16
9 (2) licensed under ch. 441 that confirms their illness or disability. At the request of
10 the property owner or the property owner's representative, the board may postpone
11 and reschedule a hearing under this subsection, but may not postpone and
12 reschedule a hearing more than once during the same session for the same property.
13 The board at such hearing shall proceed as follows:

14 **SECTION 20.** 77.54 (14) (f) 3. of the statutes is repealed.

15 **SECTION 21.** 77.54 (14) (f) 4. of the statutes is amended to read:

16 77.54 (14) (f) 4. An advanced practice registered nurse who holds a permit to
17 issue prescription orders under s. 441.09 (2).

18 **SECTION 22.** 97.59 of the statutes is amended to read:

19 **97.59 Handling foods.** No person in charge of any public eating place or other
20 establishment where food products to be consumed by others are handled may
21 knowingly employ any person handling food products who has a disease in a form
22 that is communicable by food handling. If required by the local health officer or any
23 officer of the department for the purposes of an investigation, any person who is
24 employed in the handling of foods or is suspected of having a disease in a form that
25 is communicable by food handling shall submit to an examination by the officer or

1 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
2 designated by the officer. The expense of the examination, if any, shall be paid by the
3 person examined. Any person knowingly infected with a disease in a form that is
4 communicable by food handling who handles food products to be consumed by others
5 and any persons knowingly employing or permitting such a person to handle food
6 products to be consumed by others shall be punished as provided by s. 97.72.

7 **SECTION 23.** 102.13 (1) (a) of the statutes is amended to read:

8 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed
9 by an employee, the employee shall, upon the written request of the employee's
10 employer or worker's compensation insurer, submit to reasonable examinations by
11 physicians, chiropractors, psychologists, dentists, physician assistants, advanced
12 practice nurse ~~prescribers~~ registered nurses, or podiatrists provided and paid for by
13 the employer or insurer. No employee who submits to an examination under this
14 paragraph is a patient of the examining physician, chiropractor, psychologist,
15 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
16 podiatrist for any purpose other than for the purpose of bringing an action under ch.
17 655, unless the employee specifically requests treatment from that physician,
18 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
19 nurse ~~prescriber~~, or podiatrist.

20 **SECTION 24.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended to
21 read:

22 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee
23 submit to reasonable examination under par. (a) or (am) shall tender to the employee,
24 before the examination, all necessary expenses including transportation expenses.
25 The employee is entitled to have a physician, chiropractor, psychologist, dentist,

1 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist
2 provided by himself or herself present at the examination and to receive a copy of all
3 reports of the examination that are prepared by the examining physician,
4 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced
5 practice registered nurse ~~prescriber~~, or vocational expert immediately upon receipt
6 of those reports by the employer or worker's compensation insurer. The employee is
7 also entitled to have a translator provided by himself or herself present at the
8 examination if the employee has difficulty speaking or understanding the English
9 language. The employer's or insurer's written request for examination shall notify
10 the employee of all of the following:

11 1. The proposed date, time, and place of the examination and the identity and
12 area of specialization of the examining physician, chiropractor, psychologist, dentist,
13 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
14 vocational expert.

15 3. The employee's right to have his or her physician, chiropractor, psychologist,
16 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
17 podiatrist present at the examination.

18 4. The employee's right to receive a copy of all reports of the examination that
19 are prepared by the examining physician, chiropractor, psychologist, dentist,
20 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
21 vocational expert immediately upon receipt of these reports by the employer or
22 worker's compensation insurer.

23 **SECTION 25.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

24 102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,
25 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational

1 expert who is present at any examination under par. (a) or (am) may be required to
2 testify as to the results of the examination.

3 2. Any physician, chiropractor, psychologist, dentist, physician assistant,
4 advanced practice registered nurse ~~prescriber~~, or podiatrist who attended a worker's
5 compensation claimant for any condition or complaint reasonably related to the
6 condition for which the claimant claims compensation may be required to testify
7 before the division when the division so directs.

8 3. Notwithstanding any statutory provisions except par. (e), any physician,
9 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
10 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any
11 condition or complaint reasonably related to the condition for which the claimant
12 claims compensation may furnish to the employee, employer, worker's compensation
13 insurer, department, or division information and reports relative to a compensation
14 claim.

15 4. The testimony of any physician, chiropractor, psychologist, dentist,
16 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist who
17 is licensed to practice where he or she resides or practices in any state and the
18 testimony of any vocational expert may be received in evidence in compensation
19 proceedings.

20 **SECTION 26.** 102.13 (2) (a) of the statutes is amended to read:

21 102.13 (2) (a) An employee who reports an injury alleged to be work-related
22 or files an application for hearing waives any physician-patient,
23 psychologist-patient, or chiropractor-patient privilege with respect to any condition
24 or complaint reasonably related to the condition for which the employee claims
25 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any

1 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
2 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
3 shall, within a reasonable time after written request by the employee, employer,
4 worker's compensation insurer, department, or division, or its representative,
5 provide that person with any information or written material reasonably related to
6 any injury for which the employee claims compensation.

7 **SECTION 27.** 102.13 (2) (b) of the statutes is amended to read:

8 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,
9 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or
10 health service provider shall furnish a legible, certified duplicate of the written
11 material requested under par. (a) in paper format upon payment of the actual costs
12 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or
13 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified
14 duplicate of that material in electronic format upon payment of \$26 per request. Any
15 person who refuses to provide certified duplicates of written material in the person's
16 custody that is requested under par. (a) shall be liable for reasonable and necessary
17 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in
18 enforcing the requester's right to the duplicates under par. (a).

19 **SECTION 28.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

20 102.17 (1) (d) 1. The contents of certified medical and surgical reports by
21 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,
22 advanced practice nurse ~~prescribers~~ registered nurses, and chiropractors licensed in
23 and practicing in this state, and of certified reports by experts concerning loss of
24 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation
25 constitute prima facie evidence as to the matter contained in those reports, subject

1 to any rules and limitations the division prescribes. Certified reports of physicians,
2 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced
3 practice nurse ~~prescribers~~ registered nurses, and chiropractors, wherever licensed
4 and practicing, who have examined or treated the claimant, and of experts, if the
5 practitioner or expert consents to being subjected to cross-examination, also
6 constitute prima facie evidence as to the matter contained in those reports. Certified
7 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are
8 admissible as evidence of the diagnosis, necessity of the treatment, and cause and
9 extent of the disability. Certified reports by doctors of dentistry, physician
10 assistants, and advanced practice nurse ~~prescribers~~ registered nurses are
11 admissible as evidence of the diagnosis and necessity of treatment but not of the
12 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,
13 psychologist, chiropractor, physician assistant, advanced practice registered nurse
14 ~~prescriber~~, or expert who knowingly makes a false statement of fact or opinion in a
15 certified report may be fined or imprisoned, or both, under s. 943.395.

16 2. The record of a hospital or sanatorium in this state that is satisfactory to the
17 division, established by certificate, affidavit, or testimony of the supervising officer
18 of the hospital or sanatorium, any other person having charge of the record, or a
19 physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced
20 practice registered nurse ~~prescriber~~, or chiropractor to be the record of the patient
21 in question, and made in the regular course of examination or treatment of the
22 patient, constitutes prima facie evidence as to the matter contained in the record, to
23 the extent that the record is otherwise competent and relevant.

24 **SECTION 29.** 102.29 (3) of the statutes is amended to read:

1 102.29 (3) Nothing in this chapter shall prevent an employee from taking the
2 compensation that the employee may be entitled to under this chapter and also
3 maintaining a civil action against any physician, chiropractor, psychologist, dentist,
4 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for
5 malpractice.

6 **SECTION 30.** 102.42 (2) (a) of the statutes is amended to read:

7 102.42 (2) (a) When the employer has notice of an injury and its relationship
8 to the employment, the employer shall offer to the injured employee his or her choice
9 of any physician, chiropractor, psychologist, dentist, physician assistant, advanced
10 practice registered nurse ~~prescriber~~, or podiatrist licensed to practice and practicing
11 in this state for treatment of the injury. By mutual agreement, the employee may
12 have the choice of any qualified practitioner not licensed in this state. In case of
13 emergency, the employer may arrange for treatment without tendering a choice.
14 After the emergency has passed the employee shall be given his or her choice of
15 attending practitioner at the earliest opportunity. The employee has the right to a
16 2nd choice of attending practitioner on notice to the employer or its insurance carrier.
17 Any further choice shall be by mutual agreement. Partners and clinics are
18 considered to be one practitioner. Treatment by a practitioner on referral from
19 another practitioner is considered to be treatment by one practitioner.

20 **SECTION 31.** 106.30 (1) of the statutes is amended to read:

21 106.30 (1) DEFINITION. In this section, "nurse" means a registered nurse
22 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse
23 licensed or permitted under s. 441.10, or an advanced practice registered nurse
24 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~
25 441.09.

1 **SECTION 32.** 118.15 (3) (a) of the statutes is amended to read:

2 118.15 (3) (a) Any child who is excused by the school board because the child
3 is temporarily not in proper physical or mental condition to attend a school program
4 but who can be expected to return to a school program upon termination or
5 abatement of the illness or condition. The school attendance officer may request the
6 parent or guardian of the child to obtain a written statement from a licensed
7 physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or
8 ~~nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice~~
9 registered nurse prescriber or Christian Science practitioner living and residing in
10 this state, who is listed in the Christian Science Journal, as sufficient proof of the
11 physical or mental condition of the child. An excuse under this paragraph shall be
12 in writing and shall state the time period for which it is valid, not to exceed 30 days.

13 **SECTION 33.** 118.25 (1) (a) of the statutes is amended to read:

14 118.25 (1) (a) "Practitioner" means a person licensed as a physician or as a
15 physician assistant in any state or licensed as an advanced practice registered nurse
16 or certified as an advanced practice registered nurse prescriber in any state. In this
17 paragraph, "physician" has the meaning given in s. 448.01 (5).

18 **SECTION 34.** 118.29 (1) (e) of the statutes is amended to read:

19 118.29 (1) (e) "Practitioner" means any physician, dentist, optometrist,
20 physician assistant, advanced practice registered nurse prescriber with prescribing
21 authority, or podiatrist licensed in any state.

22 **SECTION 35.** 118.2925 (1) (b) of the statutes is repealed.

23 **SECTION 36.** 118.2925 (3) of the statutes is amended to read:

24 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice
25 registered nurse prescriber who holds a permit to issue prescription orders under s.

1 441.09 (2), or a physician assistant may prescribe epinephrine auto-injectors in the
2 name of a school that has adopted a plan under sub. (2) (a), to be maintained by the
3 school for use under sub. (4).

4 **SECTION 37.** 118.2925 (4) (c) of the statutes is amended to read:

5 118.2925 (4) (c) Administer an epinephrine auto-injector to a pupil or other
6 person who the school nurse or designated school personnel in good faith believes is
7 experiencing anaphylaxis in accordance with a standing protocol from a physician,
8 an advanced practice registered nurse prescriber who holds a permit to issue
9 prescription orders under s. 441.09 (2), or a physician assistant, regardless of
10 whether the pupil or other person has a prescription for an epinephrine
11 auto-injector. If the pupil or other person does not have a prescription for an
12 epinephrine auto-injector, or the person who administers the epinephrine
13 auto-injector does not know whether the pupil or other person has a prescription for
14 an epinephrine auto-injector, the person who administers the epinephrine
15 auto-injector shall, as soon as practicable, report the administration by dialing the
16 telephone number "911" or, in an area in which the telephone number "911" is not
17 available, the telephone number for an emergency medical service provider.

18 **SECTION 38.** 118.2925 (5) of the statutes is amended to read:

19 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF
20 MEDICINE. A school and its designated school personnel, and a physician, an advanced
21 practice registered nurse prescriber who holds a permit to issue prescription orders
22 under s. 441.09 (2), or a physician assistant who provides a prescription or standing
23 protocol for school epinephrine auto-injectors, are not liable for any injury that
24 results from the administration or self-administration of an epinephrine
25 auto-injector under this section, regardless of whether authorization was given by

1 the pupil's parent or guardian or by the pupil's physician, physician assistant, or
2 advanced practice registered nurse prescriber, unless the injury is the result of an
3 act or omission that constitutes gross negligence or willful or wanton misconduct.
4 The immunity from liability provided under this subsection is in addition to and not
5 in lieu of that provided under s. 895.48.

6 **SECTION 39.** 146.343 (1) (c) of the statutes is amended to read:

7 146.343 (1) (c) "Nurse-midwife" means an individual who is licensed to engage
8 in the practice of nurse-midwifery under s. 441.15 (3) (a) as an advanced practice
9 registered nurse and possesses a certified nurse-midwife specialty designation
10 under s. 441.09.

11 **SECTION 40.** 146.82 (3) (a) of the statutes is amended to read:

12 146.82 (3) (a) Notwithstanding sub. (1), a physician, physician assistant, as
13 defined in s. 448.01 (6), or advanced practice registered nurse prescriber certified
14 under s. 441.16 (2) licensed under s. 441.09 who treats a patient whose physical or
15 mental condition in the physician's, physician assistant's, or advanced practice nurse
16 prescriber's registered nurse's judgment affects the patient's ability to exercise
17 reasonable and ordinary control over a motor vehicle may report the patient's name
18 and other information relevant to the condition to the department of transportation
19 without the informed consent of the patient.

20 **SECTION 41.** 146.89 (1) (r) 1. of the statutes is amended to read:

21 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental
22 hygienist under ch. 447, a registered nurse, practical nurse, or nurse-midwife
23 advanced practice registered nurse under ch. 441, an optometrist under ch. 449, a
24 physician assistant under ch. 448, a pharmacist under ch. 450, a chiropractor under

1 ch. 446, a podiatrist under subch. IV of ch. 448, or a physical therapist under subch.
2 III of ch. 448.

3 **SECTION 42.** 146.89 (1) (r) 3. of the statutes is repealed.

4 **SECTION 43.** 146.89 (1) (r) 8. of the statutes is amended to read:

5 146.89 (1) (r) 8. An advanced practice registered nurse who ~~has~~ holds a
6 certificate permit to issue prescription orders under s. ~~441.16~~ 441.09 (2).

7 **SECTION 44.** 146.89 (6) of the statutes is amended to read:

8 146.89 (6) (a) While serving as a volunteer health care provider under this
9 section, an advanced practice registered nurse who ~~has~~ holds a certificate permit to
10 issue prescription orders under s. ~~441.16~~ 441.09 (2) is considered to meet the
11 requirements of s. 655.23, if required to comply with s. 655.23.

12 (b) While serving as a volunteer health care provider under this section, an
13 advanced practice registered nurse who ~~has~~ holds a certificate permit to issue
14 prescription orders under s. ~~441.16~~ 441.09 (2) is not required to maintain in effect
15 malpractice insurance.

16 **SECTION 45.** 252.01 (1c) of the statutes is repealed.

17 **SECTION 46.** 252.07 (8) (a) 2. of the statutes is amended to read:

18 252.07 (8) (a) 2. The department or local health officer provides to the court a
19 written statement from a physician, physician assistant, or advanced practice
20 registered nurse ~~prescriber~~ that the individual has infectious tuberculosis or suspect
21 tuberculosis.

22 **SECTION 47.** 252.07 (9) (c) of the statutes is amended to read:

23 252.07 (9) (c) If the court orders confinement of an individual under this
24 subsection, the individual shall remain confined until the department or local health
25 officer, with the concurrence of a treating physician, physician assistant, or advanced

1 practice ~~registered nurse prescriber~~, determines that treatment is complete or that
2 the individual is no longer a substantial threat to himself or herself or to the public
3 health. If the individual is to be confined for more than 6 months, the court shall
4 review the confinement every 6 months.

5 SECTION 48. 252.10 (7) of the statutes is amended to read:

6 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
7 shall be purchased by the department from the appropriation account under s.
8 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local
9 health departments, physicians, or advanced practice nurse prescribers registered
10 nurses who hold a permit to issue prescription orders under s. 441.09 (2).

11 SECTION 49. 252.11 (2), (4), (5), (7) and (10) of the statutes are amended to read:

12 252.11 (2) An officer of the department or a local health officer having
13 knowledge of any reported or reasonably suspected case or contact of a sexually
14 transmitted disease for which no appropriate treatment is being administered, or of
15 an actual contact of a reported case or potential contact of a reasonably suspected
16 case, shall investigate or cause the case or contact to be investigated as necessary.
17 If, following a request of an officer of the department or a local health officer, a person
18 reasonably suspected of being infected with a sexually transmitted disease refuses
19 or neglects examination by a physician, physician assistant, or advanced practice
20 registered nurse prescriber or treatment, an officer of the department or a local
21 health officer may proceed to have the person committed under sub. (5) to an
22 institution or system of care for examination, treatment, or observation.

23 (4) If a person infected with a sexually transmitted disease ceases or refuses
24 treatment before reaching what in a physician's, physician assistant's, or advanced
25 practice nurse prescriber's registered nurse's opinion is the noncommunicable stage,

1 the physician, physician assistant, or advanced practice registered nurse prescriber
2 shall notify the department. The department shall without delay take the necessary
3 steps to have the person committed for treatment or observation under sub. (5), or
4 shall notify the local health officer to take these steps.

5 (5) Any court of record may commit a person infected with a sexually
6 transmitted disease to any institution or may require the person to undergo a system
7 of care for examination, treatment, or observation if the person ceases or refuses
8 examination, treatment, or observation under the supervision of a physician,
9 physician assistant, or advanced practice registered nurse prescriber. The court
10 shall summon the person to appear on a date at least 48 hours, but not more than
11 96 hours, after service if an officer of the department or a local health officer petitions
12 the court and states the facts authorizing commitment. If the person fails to appear
13 or fails to accept commitment without reasonable cause, the court may cite the
14 person for contempt. The court may issue a warrant and may direct the sheriff, any
15 constable, or any police officer of the county immediately to arrest the person and
16 bring the person to court if the court finds that a summons will be ineffectual. The
17 court shall hear the matter of commitment summarily. Commitment under this
18 subsection continues until the disease is no longer communicable or until other
19 provisions are made for treatment that satisfy the department. The certificate of the
20 petitioning officer is prima facie evidence that the disease is no longer communicable
21 or that satisfactory provisions for treatment have been made.

22 (7) Reports, examinations and inspections, and all records concerning sexually
23 transmitted diseases are confidential and not open to public inspection, and may not
24 be divulged except as may be necessary for the preservation of the public health, in
25 the course of commitment proceedings under sub. (5), or as provided under s. 938.296

1 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered
2 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the
3 department under sub. (4), information regarding the presence of the disease and
4 treatment is not privileged when the patient, physician, physician assistant, or
5 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts
6 before any court of record.

7 (10) The state laboratory of hygiene shall examine specimens for the diagnosis
8 of sexually transmitted diseases for any physician, physician assistant, advanced
9 practice registered nurse ~~prescriber~~, or local health officer in the state, and shall
10 report the positive results of the examinations to the local health officer and to the
11 department. All laboratories performing tests for sexually transmitted diseases
12 shall report all positive results to the local health officer and to the department, with
13 the name of the physician, physician assistant, or advanced practice registered nurse
14 ~~prescriber~~ to whom reported.

15 **SECTION 50.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3.
16 and (7m) (intro.) and (b) of the statutes are amended to read:

17 252.15 (3m) (d) 11. b. The coroner, medical examiner, or appointed assistant
18 is investigating the cause of death of the subject of the HIV test and has contact with
19 the body fluid of the subject of the HIV test that constitutes a significant exposure,
20 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,
21 based on information provided to the physician, physician assistant, or advanced
22 practice registered nurse ~~prescriber~~, determines and certifies in writing that the
23 coroner, medical examiner, or appointed assistant has had a contact that constitutes
24 a significant exposure and if the certification accompanies the request for disclosure.

1 13. If the subject of the HIV test has a positive HIV test result and is deceased,
2 by the subject's attending physician, physician assistant, or advanced practice
3 registered nurse ~~prescriber~~, to persons, if known to the physician, physician
4 assistant, or advanced practice registered nurse ~~prescriber~~, with whom the subject
5 had sexual contact or shared intravenous drug use paraphernalia.

6 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse
7 ~~prescriber~~, based on information provided to the physician, physician assistant, or
8 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing
9 that the person has had contact that constitutes a significant exposure. The
10 certification shall accompany the request for HIV testing and disclosure. If the
11 person is a physician, physician assistant, or advanced practice registered nurse
12 ~~prescriber~~, he or she may not make this determination or certification. The
13 information that is provided to a physician, physician assistant, or advanced practice
14 registered nurse ~~prescriber~~ to document the occurrence of the contact that
15 constitutes a significant exposure and the physician's, physician assistant's, or
16 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person
17 has had contact that constitutes a significant exposure, shall be provided on a report
18 form that is developed by the department of safety and professional services under
19 s. 101.02 (19) (a) or on a report form that the department of safety and professional
20 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report
21 form that is developed under s. 101.02 (19) (a).

22 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered
23 nurse ~~prescriber~~, based on information provided to the physician, physician
24 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies
25 in writing that the contact under subd. 1. constitutes a significant exposure. A health

1 care provider who has a contact under subd. 1. c. may not make the certification
2 under this subdivision for himself or herself.

3 (e) 2. If the contact occurs as provided under par. (d) 1. b., the attending
4 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ of
5 the funeral director, coroner, medical examiner, or appointed assistant.

6 3. If the contact occurs as provided under par. (d) 1. c., the physician, physician
7 assistant, or advanced practice registered nurse ~~prescriber~~ who makes the
8 certification under par. (d) 2.

9 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,
10 validated HIV test result is obtained from a test subject, the test subject's physician,
11 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains
12 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist
13 the name of any person known to the physician, physician assistant, or advanced
14 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test
15 subject that constitutes a significant exposure, only after the physician, physician
16 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the
17 following:

18 (b) Notified the HIV test subject that the name of any person known to the
19 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ to
20 have had contact with body fluid of the test subject that constitutes a significant
21 exposure will be reported to the state epidemiologist.

22 **SECTION 51.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

23 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
24 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
25 registered nurse ~~prescriber~~ of all of the following:

1 **SECTION 52.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

2 252.17 (3) (c) (intro.) Has submitted to the department a certification from a
3 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
4 registered nurse prescriber of all of the following:

5 **SECTION 53.** 253.07 (4) (d) of the statutes is amended to read:

6 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
7 communities of licensed registered nurses, licensed practical nurses, ~~certified~~
8 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
9 assistants who are members of a racial minority.

10 **SECTION 54.** 253.115 (1) (f) of the statutes is created to read:

11 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an
12 advanced practice registered nurse and possesses a certified nurse-midwife
13 specialty designation under s. 441.09.

14 **SECTION 55.** 253.115 (4) of the statutes is amended to read:

15 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,
16 nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife licensed
17 under s. 440.982 who attended the birth shall ensure that the infant is screened for
18 hearing loss before being discharged from a hospital, or within 30 days of birth if the
19 infant was not born in a hospital.

20 **SECTION 56.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

21 253.115 (7) (a) (intro.) The physician, nurse-midwife ~~licensed under s. 441.15~~,
22 or certified professional midwife licensed under s. 440.982 who is required to ensure
23 that the infant is screened for hearing loss under sub. (4) shall do all of the following:

24 **SECTION 57.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
25 amended to read:

1 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
2 ~~nurse-midwife~~ shall cause every infant born in each hospital or maternity home,
3 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
4 disorders, as specified in rules promulgated by the department. If the infant is born
5 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~
6 ~~licensed under s. 441.15~~ ~~nurse-midwife~~, or birth attendant who attended the birth
7 shall cause the infant, within one week of birth, to be subjected to these tests.

8 **SECTION 58.** 253.13 (1) (a) of the statutes is created to read:

9 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is
10 licensed as an advanced practice registered nurse and possesses a certified
11 nurse-midwife specialty designation under s. 441.09.

12 **SECTION 59.** 253.15 (1) (em) of the statutes is created to read:

13 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an
14 advanced practice registered nurse and possesses a certified nurse-midwife
15 specialty designation under s. 441.09.

16 **SECTION 60.** 253.15 (2) of the statutes is amended to read:

17 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
18 arrange with a nonprofit organization to prepare printed and audiovisual materials
19 relating to shaken baby syndrome and impacted babies. The materials shall include
20 information regarding the identification and prevention of shaken baby syndrome
21 and impacted babies, the grave effects of shaking or throwing on an infant or young
22 child, appropriate ways to manage crying, fussing, or other causes that can lead a
23 person to shake or throw an infant or young child, and a discussion of ways to reduce
24 the risks that can lead a person to shake or throw an infant or young child. The
25 materials shall be prepared in English, Spanish, and other languages spoken by a

1 significant number of state residents, as determined by the board. The board shall
2 make those written and audiovisual materials available to all hospitals, maternity
3 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
4 make available materials to parents under sub. (3) (a) 1., to the department and to
5 all county departments and nonprofit organizations that are required to provide the
6 materials to child care providers under sub. (4) (d), and to all school boards and
7 nonprofit organizations that are permitted to provide the materials to pupils in one
8 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make
9 those written materials available to all county departments and Indian tribes that
10 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers
11 of prenatal, postpartum, and young child care coordination services under s. 49.45
12 (44). The board may make available the materials required under this subsection
13 to be made available by making those materials available at no charge on the board's
14 Internet site.

15 **SECTION 61.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
16 and amended to read:

17 255.06 (1) (f) (intro.) "~~Nurse practitioner~~" "Women's health nurse clinician"
18 means ~~a~~ any of the following:

19 1. A registered nurse who is licensed under ch. 441 or who holds a multistate
20 license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51
21 (2) (k), and whose practice of professional nursing under s. 441.001 (4) includes
22 performance of delegated medical services under the supervision of a physician,
23 dentist, or podiatrist, or advanced practice registered nurse.

24 **SECTION 62.** 255.06 (1) (f) 2. of the statutes is created to read:

25 255.06 (1) (f) 2. An advanced practice registered nurse.

1 **SECTION 63.** 255.06 (2) (d) of the statutes is amended to read:

2 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*
3 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for
4 the provision of specialized training of ~~nurse-practitioners~~ women's health nurse
5 clinicians to perform, in rural areas, colposcopic examinations and follow-up
6 activities for the treatment of cervical cancer.

7 **SECTION 64.** 255.07 (1) (d) of the statutes is amended to read:

8 255.07 (1) (d) "Health care practitioner" means a physician, a physician
9 assistant licensed under s. 448.04 (1) (f), or an advanced practice registered nurse
10 who is ~~certified~~ holds a permit to issue prescription orders under s. ~~441.16~~ 441.09 (2).

11 **SECTION 65.** 257.01 (5) (a) and (b) of the statutes are amended to read:

12 257.01 (5) (a) An individual who is licensed as a physician, a physician
13 assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed
14 practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441,
15 licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed
16 as a veterinarian or certified as a veterinary technician under ch. 89, or certified as
17 a respiratory care practitioner under ch. 448.

18 (b) An individual who was at any time within the previous 10 years, but is not
19 currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448,
20 licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced
21 practice registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441,
22 2017 stats., licensed as a dentist under ch. 447, licensed as a pharmacist under ch.
23 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89,
24 or certified as a respiratory care practitioner under ch. 448, if the individual's license
25 or certification was never revoked, limited, suspended, or denied renewal.

1 **SECTION 66.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended to
2 read:

3 **341.14 (1a)** If any resident of this state, who is registering or has registered an
4 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
5 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
6 gross weight of not more than 12,000 pounds or a motor home, submits a statement
7 once every 4 years, as determined by the department, from a physician licensed to
8 practice medicine in any state, from an advanced practice registered nurse licensed
9 to practice nursing in any state, from a public health nurse certified or licensed to
10 practice in any state, from a physician assistant licensed or certified to practice in
11 any state, from a podiatrist licensed to practice in any state, from a chiropractor
12 licensed to practice chiropractic in any state, or from a Christian Science practitioner
13 residing in this state and listed in the Christian Science journal certifying to the
14 department that the resident is a person with a disability that limits or impairs the
15 ability to walk, the department shall procure, issue and deliver to the disabled
16 person plates of a special design in lieu of plates which ordinarily would be issued
17 for the vehicle, and shall renew the plates. The plates shall be so designed as to
18 readily apprise law enforcement officers of the fact that the vehicle is owned by a
19 nonveteran disabled person and is entitled to the parking privileges specified in s.
20 346.50 (2a). No charge in addition to the registration fee shall be made for the
21 issuance or renewal of such plates.

22 **(1e) (a)** If any resident of this state, who is registering or has registered a
23 motorcycle, submits a statement once every 4 years, as determined by the
24 department, from a physician licensed to practice medicine in any state, from an
25 advanced practice registered nurse licensed to practice nursing in any state, from a

1 public health nurse certified or licensed to practice in any state, from a physician
2 assistant licensed or certified to practice in any state, from a podiatrist licensed to
3 practice in any state, from a chiropractor licensed to practice chiropractic in any
4 state, from a Christian Science practitioner residing in this state and listed in the
5 Christian Science journal, or from the U.S. department of veterans affairs certifying
6 to the department that the resident is a person with a disability that limits or impairs
7 the ability to walk, the department shall procure, issue and deliver to the disabled
8 person a plate of a special design in lieu of the plate which ordinarily would be issued
9 for the motorcycle, and shall renew the plate. The statement shall state whether the
10 disability is permanent or temporary and, if temporary, the opinion of the physician,
11 advanced practice registered nurse, public health nurse, physician assistant,
12 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the
13 duration of the disability. The plate shall be so designed as to readily apprise law
14 enforcement officers of the fact that the motorcycle is owned by a disabled person and
15 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
16 to the registration fee may be made for the issuance or renewal of the plate.

17 **(1m)** If any licensed driver submits to the department a statement once every
18 4 years, as determined by the department, from a physician licensed to practice
19 medicine in any state, from a public health nurse certified or licensed to practice in
20 any state, from an advanced practice registered nurse licensed to practice nursing
21 in any state, from a physician assistant licensed or certified to practice in any state,
22 from a podiatrist licensed to practice in any state, from a chiropractor licensed to
23 practice chiropractic in any state, or from a Christian Science practitioner residing
24 in this state and listed in the Christian Science journal certifying that another
25 person who is regularly dependent on the licensed driver for transportation is a

1 person with a disability that limits or impairs the ability to walk, the department
2 shall issue and deliver to the licensed driver plates of a special design in lieu of the
3 plates which ordinarily would be issued for the automobile or motor truck, dual
4 purpose motor home or dual purpose farm truck having a gross weight of not more
5 than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds
6 or motor home, and shall renew the plates. The plates shall be so designed as to
7 readily apprise law enforcement officers of the fact that the vehicle is operated by a
8 licensed driver on whom a disabled person is regularly dependent and is entitled to
9 the parking privileges specified in s. 346.50 (2a). No charge in addition to the
10 registration fee may be made for the issuance or renewal of the plates. The plates
11 shall conform to the plates required in sub. (1a).

12 (1q) If any employer who provides an automobile, or a motor truck, dual
13 purpose motor home or dual purpose farm truck which has a gross weight of not more
14 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000
15 pounds or a motor home, for an employee's use submits to the department a
16 statement once every 4 years, as determined by the department, from a physician
17 licensed to practice medicine in any state, from an advanced practice registered
18 nurse licensed to practice nursing in any state, from a public health nurse certified
19 or licensed to practice in any state, from a physician assistant licensed or certified
20 to practice in any state, from a podiatrist licensed to practice in any state, from a
21 chiropractor licensed to practice chiropractic in any state, or from a Christian
22 Science practitioner residing in this state and listed in the Christian Science journal
23 certifying that the employee is a person with a disability that limits or impairs the
24 ability to walk, the department shall issue and deliver to such employer plates of a
25 special design in lieu of the plates which ordinarily would be issued for the vehicle,

1 and shall renew the plates. The plates shall be so designed as to readily apprise law
2 enforcement officers of the fact that the vehicle is operated by a disabled person and
3 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
4 to the registration fee may be made for the issuance or renewal of the plates. The
5 plates shall conform to the plates required in sub. (1a).

6 **SECTION 67.** 343.16 (5) (a) of the statutes is amended to read:

7 343.16 (5) (a) The secretary may require any applicant for a license or any
8 licensed operator to submit to a special examination by such persons or agencies as
9 the secretary may direct to determine incompetency, physical or mental disability,
10 disease, or any other condition that might prevent such applicant or licensed person
11 from exercising reasonable and ordinary control over a motor vehicle. If the
12 department requires the applicant to submit to an examination, the applicant shall
13 pay for the examination. If the department receives an application for a renewal or
14 duplicate license after voluntary surrender under s. 343.265 or receives a report from
15 a physician, physician assistant, as defined in s. 448.01 (6), advanced practice
16 registered nurse prescriber certified under s. 441.16 (2) licensed under s. 441.09, or
17 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
18 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
19 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
20 recognized American Indian tribe or band in this state in conformity with s. 346.63
21 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
22 where the offense involved the use of a vehicle, the department shall determine, by
23 interview or otherwise, whether the operator should submit to an examination under
24 this section. The examination may consist of an assessment. If the examination
25 indicates that education or treatment for a disability, disease or condition concerning

1 the use of alcohol, a controlled substance or a controlled substance analog is
2 appropriate, the department may order a driver safety plan in accordance with s.
3 343.30 (1q). If there is noncompliance with assessment or the driver safety plan, the
4 department shall revoke the person's operating privilege in the manner specified in
5 s. 343.30 (1q) (d).

6 **SECTION 68.** 343.51 (1) of the statutes is amended to read:

7 343.51 (1) Any person who qualifies for registration plates of a special design
8 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits
9 or impairs the ability to walk may request from the department a special
10 identification card that will entitle any motor vehicle parked by, or under the
11 direction of, the person, or a motor vehicle operated by or on behalf of the
12 organization when used to transport such a person, to parking privileges under s.
13 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined
14 by the department, upon submission by the applicant, if the applicant is an
15 individual rather than an organization, of a statement from a physician licensed to
16 practice medicine in any state, from an advanced practice registered nurse licensed
17 to practice nursing in any state, from a public health nurse certified or licensed to
18 practice in any state, from a physician assistant licensed or certified to practice in
19 any state, from a podiatrist licensed to practice in any state, from a chiropractor
20 licensed to practice chiropractic in any state, or from a Christian Science practitioner
21 residing in this state and listed in the Christian Science journal that the person is
22 a person with a disability that limits or impairs the ability to walk. The statement
23 shall state whether the disability is permanent or temporary and, if temporary, the
24 opinion of the physician, advanced practice registered nurse, public health nurse,
25 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the

1 disability. The department shall issue the card upon application by an organization
2 on a form prescribed by the department if the department believes that the
3 organization meets the requirements under this subsection.

4 **SECTION 69.** 343.62 (4) (a) 4. of the statutes is amended to read:

5 343.62 (4) (a) 4. The applicant submits with the application a statement
6 completed within the immediately preceding 24 months, except as provided by rule,
7 by a physician licensed to practice medicine in any state, from an advanced practice
8 registered nurse licensed to practice nursing in any state, from a physician assistant
9 licensed or certified to practice in any state, from a podiatrist licensed to practice in
10 any state, from a chiropractor licensed to practice chiropractic in any state, or from
11 a Christian Science practitioner residing in this state, and listed in the Christian
12 Science journal certifying that, in the medical care provider's judgment, the
13 applicant is physically fit to teach driving.

14 **SECTION 70.** 440.03 (13) (b) 3. of the statutes is amended to read:

15 440.03 (13) (b) 3. Advanced practice registered nurse prescriber.

16 **SECTION 71.** 440.03 (13) (b) 39m. of the statutes is created to read:

17 440.03 (13) (b) 39m. Nurse, advanced practice registered.

18 **SECTION 72.** 440.03 (13) (b) 42. of the statutes is repealed.

19 **SECTION 73.** 440.08 (2) (a) 4m. of the statutes is amended to read:

20 440.08 (2) (a) 4m. Advanced practice registered nurse prescriber: ~~October~~
21 March 1 of each even-numbered year.

22 **SECTION 74.** 440.08 (2) (a) 47. of the statutes is created to read:

23 440.08 (2) (a) 47. Nurse, advanced practice registered: March 1 of each
24 even-numbered year.

25 **SECTION 75.** 440.08 (2) (a) 50. of the statutes is repealed.

1 **SECTION 76.** 440.981 (1) of the statutes is amended to read:

2 440.981 (1) No person may use the title “licensed midwife,” describe or imply
3 that he or she is a licensed midwife, or represent himself or herself as a licensed
4 midwife unless the person is granted a license under this subchapter or is licensed
5 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and
6 possesses a certified nurse-midwife specialty designation under s. 441.09.

7 **SECTION 77.** 440.982 (1) of the statutes is amended to read:

8 440.982 (1) No person may engage in the practice of midwifery unless the
9 person is granted a license under this subchapter, is granted a temporary permit
10 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~
11 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses
12 a certified nurse-midwife specialty designation under s. 441.09.

13 **SECTION 78.** 440.987 (2) of the statutes is amended to read:

14 440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~
15 an advanced practice registered nurse and possesses a certified nurse-midwife
16 specialty designation under s. 441.09 and who practices in an out-of-hospital
17 setting.

18 **SECTION 79.** 441.001 (1c) of the statutes is created to read:

19 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice
20 registered nursing” means the advanced practice of nursing in one of the 4 recognized
21 roles based on advanced clinical knowledge and skills focusing on direct care of
22 individuals, greater responsibility, autonomy, and accountability for the provision of
23 care, health promotion and maintenance, including prescribing pharmacological
24 agents and therapeutics, and management of patient conditions.

25 **SECTION 80.** 441.001 (1m) of the statutes is created to read:

1 441.001 (1m) CLINICAL PHARMACOLOGY OR THERAPEUTICS. “Clinical
2 pharmacology or therapeutics” means the identification of individual and classes of
3 drugs, their indications and contraindications, their efficacy, their side effects, and
4 their interactions, as well as clinical judgment skills and decision-making based on
5 thorough interviewing, history taking, physical assessment, test selection and
6 interpretation, pathophysiology, epidemiology, diagnostic reasoning, differentiation
7 of conditions, treatment decisions, case evaluation, and nonpharmacological
8 interventions.

9 **SECTION 81.** 441.001 (5) of the statutes is created to read:

10 441.001 (5) RECOGNIZED ROLE. “Recognized role” means one of the following
11 roles:

12 (a) Certified nurse-midwife.

13 (b) Certified registered nurse anesthetist.

14 (c) Clinical nurse specialist.

15 (d) Nurse practitioner.

16 **SECTION 82.** 441.01 (3) of the statutes is amended to read:

17 441.01 (3) The board may promulgate rules to establish minimum standards
18 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and
19 schools for advanced practice registered nurses, including all related clinical units
20 and facilities, and make and provide periodic surveys and consultations to such
21 schools. ~~It~~ The board may also ~~establish~~ promulgate rules to prevent unauthorized
22 persons from practicing professional nursing. ~~It shall approve all rules for the~~
23 ~~administration of this chapter in accordance with ch. 227.~~

24 **SECTION 83.** 441.01 (4) of the statutes is amended to read:

1 441.01 (4) The board shall direct that those schools that qualify be placed on
2 a list of schools the board has approved for professional nurses ~~or~~, of schools the board
3 has approved for licensed practical nurses, or of schools the board has approved for
4 advanced practice registered nurses on application and proof of qualifications, and
5 the board shall make a study of nursing education and ~~initiate~~ promulgate rules and
6 policies to improve it.

7 **SECTION 84.** 441.01 (7) (a) (intro.) of the statutes is amended to read:

8 441.01 (7) (a) (intro.) The board shall require each applicant for the renewal
9 of a registered nurse ~~or~~, licensed practical nurse, or advanced practice registered
10 license issued under this chapter to do all of the following as a condition for renewing
11 the license:

12 **SECTION 85.** 441.01 (7) (b) of the statutes is amended to read:

13 441.01 (7) (b) The board may not renew a registered nurse ~~or~~, licensed practical
14 nurse, or advanced practice registered license under this chapter unless the renewal
15 applicant has completed the nursing workforce survey to the satisfaction of the
16 board. The board shall establish standards to determine whether the survey has
17 been completed. The board shall, by no later than June 30 of each odd-numbered
18 year, submit all completed nursing workforce survey forms to the department of
19 workforce development.

20 **SECTION 86.** 441.01 (7) (c) of the statutes is created to read:

21 441.01 (7) (c) An applicant who is renewing both a registered nurse and
22 advanced practice registered nurse license under s. 441.09 (1) (d) is only required to
23 pay a single fee under par. (a) 2.

24 **SECTION 87.** 441.06 (title) of the statutes is repealed and recreated to read:

25 **441.06 (title) Registered nurses; civil liability exemption.**

1 **SECTION 88.** 441.06 (3) of the statutes is amended to read:

2 441.06 (3) ~~A~~ Except as provided in s. 441.09 (1) (d), a registered nurse
3 practicing for compensation shall, on or before the applicable renewal date specified
4 under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving
5 name, residence, and other facts that the board requires, with the nursing workforce
6 survey and fee required under s. 441.01 (7) and the applicable renewal fee
7 determined by the department under s. 440.03 (9) (a).

8 **SECTION 89.** 441.06 (4) of the statutes is amended to read:

9 441.06 (4) Except as provided in s. 257.03, no person may practice or attempt
10 to practice professional nursing, nor use the title, letters, or anything else to indicate
11 that he or she is a registered or professional nurse unless he or she is licensed under
12 this section. Except as provided in s. 257.03, no person not so licensed may use in
13 connection with his or her nursing employment or vocation any title or anything else
14 to indicate that he or she is a trained, certified or graduate nurse. This subsection
15 does not apply to any registered nurse who holds a multistate license, as defined in
16 s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted the
17 ~~enhanced nurse licensure compact under s. 441.51.~~

18 **SECTION 90.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended
19 to read:

20 441.09 (7) CIVIL LIABILITY. No person ~~certified licensed~~ as an advanced practice
21 registered nurse prescriber under s. 441.16 (2) this section is liable for civil damages
22 for any of the following:

23 (a) Reporting in good faith to the department of transportation under s. 146.82
24 (3) a patient's name and other information relevant to a physical or mental condition
25 of the patient that in the advanced practice ~~nurse-prescriber's~~ registered nurse's

1 judgment impairs the patient's ability to exercise reasonable and ordinary control
2 over a motor vehicle.

3 (b) In good faith, not reporting to the department of transportation under s.
4 146.82 (3) a patient's name and other information relevant to a physical or mental
5 condition of the patient that in the advanced practice ~~nurse prescriber's~~ registered
6 nurse's judgment does not impair the patient's ability to exercise reasonable and
7 ordinary control over a motor vehicle.

8 **SECTION 91.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended to
9 read:

10 441.07 (1g) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
11 board may deny an initial license or revoke, limit, suspend, or deny the renewal of
12 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
13 or licensed practical nurse; deny an initial ~~certificate permit to issue prescription~~
14 orders under s. 441.09 (2) or revoke, limit, suspend, or deny the renewal of a
15 ~~certificate permit to prescribe drugs or devices granted under s. 441.16~~ issue
16 prescription orders; or reprimand a registered nurse, ~~nurse-midwife~~ advanced
17 practice registered nurse, or licensed practical nurse, if the board finds that the
18 applicant or licensee committed any of the following:

19 (a) Fraud in the procuring or renewal of the ~~certificate~~ permit or license.

20 (c) Acts ~~which~~ that show the registered nurse, ~~nurse-midwife~~ advanced
21 practice registered nurse, or licensed practical nurse to be unfit or incompetent by
22 reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

23 (e) A violation of any state or federal law that regulates prescribing or
24 dispensing drugs or devices, if the person has holds a ~~certificate permit to prescribe~~
25 ~~drugs or devices under s. 441.16~~ issue prescription orders under s. 441.09 (2).

1 **SECTION 92.** 441.09 of the statutes is created to read:

2 **441.09 Advanced practice registered nurses; civil liability exemption.**

3 **(1) LICENSE.** (a) An applicant who satisfies all of the following requirements may
4 apply to the board for initial licensure by the board as an advanced practice
5 registered nurse:

6 1. The applicant satisfies one of the following criteria:

7 a. The applicant holds a valid license to practice as a registered nurse issued
8 under s. 441.06 (1), (1c), or (1m).

9 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or
10 (1m) with the application for a license under this paragraph.

11 c. The applicant is a registered nurse who holds a multistate license, as defined
12 in s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted
13 the nurse licensure compact.

14 2. The applicant provides evidence satisfactory to the board that he or she
15 satisfies one of the following criteria:

16 a. The applicant has completed a graduate-level or postgraduate-level
17 education program that is approved by the board and that prepares the applicant for
18 the practice of advanced practice registered nursing in one of the 4 recognized roles,
19 and the applicant holds a current certification by a national certifying body approved
20 by the board.

21 b. On January 1, 2017, the applicant was licensed as a registered nurse in this
22 state and was practicing in a recognized role, and the applicant satisfies additional
23 criteria established by the board by rule under this subd. 2. b. relating to practice,
24 education, or certification.

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

1 4. The applicant provides evidence of any malpractice liability insurance
2 coverage required under sub. (5).

3 5. If the applicant is applying to receive a certified nurse-midwife specialty
4 designation under par. (c) 1. a., the applicant provides evidence satisfactory to the
5 board that the applicant is currently certified by a national certifying body approved
6 by the board.

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

9 7. The applicant meets any other criteria established by the board by rule
10 relating to the education, training, or experience required for each recognized role.

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

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

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

23 b. A permit to issue prescription orders under sub. (2), if the applicant applies
24 for a permit under par. (b) and the board determines the applicant satisfies the
25 requirements under sub. (6) (c).

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

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

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

8 (d) On or before the applicable renewal date specified under s. 440.08 (2) (a),
9 an advanced practice registered nurse shall submit to the board on a form furnished
10 by the board a statement giving his or her name and residence, the nursing workforce
11 survey and fee required under s. 441.01 (7), evidence of having satisfied the
12 continuing education requirements under sub. (4), evidence of any malpractice
13 liability insurance coverage required under sub. (5), current evidence that the person
14 satisfies each of the requirements under par. (a) 1., 2., 5., and 7. that apply with
15 respect to the person, and any other information that the board requires by rule, with
16 the applicable renewal fee determined by the department under s. 440.03 (9) (a). The
17 board shall grant to a person who satisfies the requirements under this paragraph
18 the renewal of his or her advanced practice registered nurse license and specialty
19 designations granted under par. (c) 1. a. and shall, if the person holds a license under
20 s. 441.06 (1), (1c), or (1m), also grant the renewal of that license.

21 **(2) PERMIT TO ISSUE PRESCRIPTION ORDERS.** (a) In this subsection, "prescription
22 order" has the meaning given in s. 450.01 (21).

23 (b) Subject to s. 441.07 (1g), the board shall grant a permit to issue prescription
24 orders to an applicant who satisfies all of the following:

1 1. The applicant is licensed as an advanced practice registered nurse under
2 sub. (1) or the applicant applies for the permit under sub. (1) (b) concurrently with
3 his or her application for a license under sub. (1) (a) and is granted the license under
4 sub. (1) (c).

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

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

8 (c) On or before the applicable renewal date specified under s. 440.08 (2) (a),
9 a person issued a permit under par. (b) shall submit to the board on a form furnished
10 by the board a statement giving his or her name and residence and any other
11 information that the board requires by rule with the applicable renewal fee
12 determined by the department under s. 440.03 (9) (a). The board shall grant to a
13 person who satisfies the requirements under this paragraph the renewal of his or her
14 permit to issue prescription orders.

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

19 **(3) PRACTICE; TITLES.** (a) 1. The holder of a license issued under this section is
20 an “advanced practice registered nurse,” may append to his or her name the title
21 “A.P.R.N.,” and is authorized to practice advanced practice registered nursing.

22 2. The holder of a specialty designation for a recognized role granted under sub.
23 (1) (c) 1. a. may append to his or her name the title and an abbreviation corresponding
24 to that recognized role.

1

(b) 1. Except as provided in par. (c) and s. 257.03, no person may practice or attempt to practice advanced practice registered nursing, nor use the title "advanced practice registered nurse," the title "A.P.R.N.," or anything else to indicate that he or she is an advanced practice registered nurse unless he or she is licensed under this section.

2

2. Except as provided in s. 257.03, no person may do any of the following:

3

a. Use the title "certified nurse-midwife," the title "C.N.M.," or anything else to indicate that he or she is a certified nurse-midwife unless he or she has been granted a certified nurse-midwife specialty designation under sub. (1) (c) 1. a.

4

b. Use the title "certified registered nurse anesthetist," the title "C.R.N.A.," or anything else to indicate that he or she is a certified registered nurse anesthetist unless he or she has been granted a certified registered nurse anesthetist specialty designation under sub. (1) (c) 1. a.

5

c. Use the title "clinical nurse specialist," the title "C.N.S.," or anything else to indicate that he or she is a clinical nurse specialist unless he or she has been granted a clinical nurse specialist specialty designation under sub. (1) (c) 1. a.

6

d. Use the title "nurse practitioner," the title "N.P.," or anything else to indicate that he or she is a nurse practitioner unless he or she has been granted a nurse practitioner specialty designation under sub. (1) (c) 1. a.

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(c) An advanced practice registered nurse licensed under this section may delegate a task or order to another clinically trained health care worker if the task or order is within the scope of the advanced practice registered nurse's practice, the advanced practice registered nurse is competent to perform the task or issue the order, and the advanced practice registered nurse has reasonable evidence that the

1 health care worker is minimally competent to perform the task or issue the order
2 under the circumstances.

3 (4) CONTINUING EDUCATION. Every advanced practice registered nurse shall
4 submit to the board evidence of having completed at least 16 contact hours per
5 biennium in clinical pharmacology or therapeutics relevant to the advanced practice
6 registered nurse's area of practice. The board may promulgate rules regarding the
7 continuing education requirements under this subsection.

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

17 (6) RULES. The board shall promulgate rules necessary to administer this
18 section, including rules for all of the following:

19 (a) Further defining the scope of practice of an advanced practice registered
20 nurse; defining the scope of practice for each recognized role, and defining the scope
21 of practice within which an advanced practice registered nurse who holds a permit
22 issued under sub. (2) may issue prescription orders.

23 (b) Determining acceptable national certification for purposes of sub. (1) (a) 2.

24 a.

1 (c) Establishing the appropriate education, training, or experience
2 requirements that a registered nurse must satisfy to be an advanced practice
3 registered nurse and to qualify to be granted a permit to issue prescription orders
4 under sub. (2).

5 (d) Specifying the classes of drugs, individual drugs, or devices that may not
6 be prescribed by an advanced practice registered nurse who holds a permit to issue
7 prescription orders under sub. (2).

8 (e) Specifying the conditions to be met for registered nurses to do the following:

- 9 1. Administer a drug prescribed by an advanced practice registered nurse.
10 2. Administer a drug at the direction of an advanced practice registered nurse.

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

15 **SECTION 93.** 441.10 (7) of the statutes is amended to read:

16 441.10 (7) No license is required for practical nursing, but, except as provided
17 in s. 257.03, no person without a license may hold himself or herself out as a licensed
18 practical nurse or licensed attendant, use the title or letters "Trained Practical
19 Nurse" or "T.P.N.", "Licensed Practical Nurse" or "L.P.N.", "Licensed Attendant" or
20 "L.A.", "Trained Attendant" or "T.A.", or otherwise seek to indicate that he or she is
21 a licensed practical nurse or licensed attendant. No licensed practical nurse or
22 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
23 graduate or professional nurse. Anyone violating this subsection shall be subject to
24 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~
25 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~

1 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds
2 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than
3 this state, that has adopted the ~~enhanced~~ nurse licensure compact ~~under s. 441.51.~~

4 **SECTION 94.** 441.11 (title) of the statutes is repealed.

5 **SECTION 95.** 441.11 (1) of the statutes is repealed.

6 **SECTION 96.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and amended
7 to read:

8 441.09 (5m) NURSE ANESTHETISTS. The provisions of s. 448.04 (1) (g) do not apply
9 to ~~a~~ an advanced practice registered nurse licensed under this section who possesses
10 a certified registered nurse anesthetist specialty designation under sub. (1) (c) 1. a.

11 **SECTION 97.** 441.11 (3) of the statutes is repealed.

12 **SECTION 98.** 441.15 of the statutes is repealed.

13 **SECTION 99.** 441.16 of the statutes is repealed.

14 **SECTION 100.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

15 441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified~~ who holds
16 a permit to issue prescription orders under s. ~~441.16~~ 441.09 (2) may do any of the
17 following:

18 **SECTION 101.** 441.18 (2) (b) of the statutes is amended to read:

19 441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers
20 an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid
21 antagonist is prescribed has or has the capacity to provide the knowledge and
22 training necessary to safely administer the opioid antagonist to an individual
23 undergoing an opioid-related overdose and that the person demonstrates the
24 capacity to ensure that any individual to whom the person further delivers the opioid
25 antagonist has or receives that knowledge and training.

SECTION 106

1 ~~registered nursing or nurse-midwifery~~ under ch. 441, to practice chiropractic under
2 ch. 446, to practice dentistry or dental hygiene under ch. 447, to practice optometry
3 under ch. 449, to practice acupuncture under ch. 451 or under any other statutory
4 provision, or as otherwise provided by statute.

5 **SECTION 107.** 448.035 (1) (a) of the statutes is repealed.

6 **SECTION 108.** 448.035 (2), (3) and (4) of the statutes are amended to read:

7 448.035 (2) Notwithstanding the requirements of s. 448.30, a physician, a
8 physician assistant, or ~~certified~~ an advanced practice registered nurse ~~prescriber~~
9 who holds a permit to issue prescription orders under s. 441.09 (2) may provide
10 expedited partner therapy if the patient is diagnosed as infected with a chlamydial
11 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with
12 a sexual partner during which the chlamydial infection, gonorrhea, or
13 trichomoniasis may have been transmitted to or from the sexual partner. The
14 physician, physician assistant, or ~~certified~~ advanced practice registered nurse
15 ~~prescriber~~ shall attempt to obtain the name of the patient's sexual partner. A
16 prescription order for an antimicrobial drug prepared under this subsection shall
17 include the name and address of the patient's sexual partner, if known. If the
18 physician, physician assistant, or ~~certified~~ advanced practice registered nurse
19 ~~prescriber~~ is unable to obtain the name of the patient's sexual partner, the
20 prescription order shall include, in ordinary bold-faced capital letters, the words,
21 "expedited partner therapy" or the letters "EPT."

22 (3) The physician, physician assistant, or ~~certified~~ advanced practice
23 registered nurse ~~prescriber~~ shall provide the patient with a copy of the information
24 sheet prepared by the department of health services under s. 46.03 (44) and shall

1 request that the patient give the information sheet to the person with whom the
2 patient had sexual contact.

3 (4) (a) Except as provided in par. (b), a physician, physician assistant, or
4 ~~certified advanced practice registered nurse prescriber~~ is immune from civil liability
5 for injury to or the death of a person who takes any antimicrobial drug if the
6 antimicrobial drug is prescribed, dispensed, or furnished under this section and if
7 expedited partner therapy is provided as specified under this section.

8 (b) The immunity under par. (a) does not extend to the donation, distribution,
9 furnishing, or dispensing of an antimicrobial drug by a physician, physician
10 assistant, or ~~certified advanced practice registered nurse prescriber~~ whose act or
11 omission involves reckless, wanton, or intentional misconduct.

12 **SECTION 109.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

13 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
14 448.52, a person may practice physical therapy only upon the written referral of a
15 physician, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
16 ~~registered nurse prescriber certified under s. 441.16 (2)~~. Written referral is not
17 required if a physical therapist provides services in schools to children with
18 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the
19 department of public instruction; provides services as part of a home health care
20 agency; provides services to a patient in a nursing home pursuant to the patient's
21 plan of care; provides services related to athletic activities, conditioning, or injury
22 prevention; or provides services to an individual for a previously diagnosed medical
23 condition after informing the individual's physician, physician assistant,
24 chiropractor, dentist, podiatrist, or advanced practice ~~registered nurse prescriber~~
25 ~~certified under s. 441.16 (2)~~ who made the diagnosis. The examining board may

1 promulgate rules establishing additional services that are excepted from the written
2 referral requirements of this subsection.

3 (1m) (b) The examining board shall promulgate rules establishing the
4 requirements that a physical therapist must satisfy if a physician, physician
5 assistant, chiropractor, dentist, podiatrist, or advanced practice registered nurse
6 ~~prescriber~~ makes a written referral under sub. (1). The purpose of the rules shall be
7 to ensure continuity of care between the physical therapist and the health care
8 practitioner.

9 SECTION 110. 448.62 (2m) of the statutes is amended to read:

10 448.62 (2m) An advanced practice registered nurse ~~who is certified to issue~~
11 ~~prescription orders under s. 441.16 and~~ who is providing nonsurgical patient services
12 as directed, supervised, and inspected by a podiatrist who has the power to direct,
13 decide, and oversee the implementation of the patient services rendered.

14 SECTION 111. 448.67 (2) of the statutes is amended to read:

15 448.67 (2) SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a licensee
16 who renders any podiatric service or assistance, or gives any podiatric advice or any
17 similar advice or assistance, to any patient, podiatrist, physician, physician
18 assistant, advanced practice registered nurse ~~prescriber certified under s. 441.16 (2),~~
19 partnership, or corporation, or to any other institution or organization, including a
20 hospital, for which a charge is made to a patient, shall, except as authorized by
21 Title 18 or Title 19 of the federal Social Security Act, render an individual statement
22 or account of the charge directly to the patient, distinct and separate from any
23 statement or account by any other podiatrist, physician, physician assistant,
24 advanced practice registered nurse ~~prescriber~~, or other person.

25 SECTION 112. 448.956 (1m) of the statutes is amended to read:

1 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training
2 to an individual without a referral, except that a licensee may not provide athletic
3 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
4 setting unless the licensee has obtained a written referral for the individual from a
5 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
6 under ch. 446; or under s. ~~441.16 (2)~~ 441.09.

7 **SECTION 113.** 450.01 (1m) of the statutes is repealed.

8 **SECTION 114.** 450.01 (16) (h) 2. of the statutes is amended to read:

9 450.01 (16) (h) 2. The patient's advanced practice registered nurse ~~prescriber~~,
10 if the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
11 ~~agreement to collaborate with a physician~~ holds a permit to issue prescription orders
12 under s. 441.09 (2).

13 **SECTION 115.** 450.01 (16) (hr) 2. of the statutes is amended to read:

14 450.01 (16) (hr) 2. An advanced practice registered nurse ~~prescriber~~ who holds
15 a permit to issue prescription orders under s. 441.09 (2).

16 **SECTION 116.** 450.03 (1) (e) of the statutes is amended to read:

17 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
18 permit, registration, certificate, or certification granted to provide home medical
19 oxygen under s. 450.076, to practice professional ~~or~~ practical, or advanced practice
20 registered nursing or nurse-midwifery under ch. 441, to practice dentistry or dental
21 hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice
22 optometry under ch. 449 or to practice veterinary medicine under ch. 89, or as
23 otherwise provided by statute.

24 **SECTION 117.** 450.11 (1i) (a) 1. of the statutes is amended to read:

1 450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the
2 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
3 441.18 (2) (a) 1., or of a physician or physician assistant under s. 448.037 (2) (a) 1.,
4 that complies with the requirements of sub. (1), deliver an opioid antagonist to a
5 person specified in the prescription order and may, upon and in accordance with the
6 standing order of an advanced practice registered nurse ~~prescriber~~ under s. 441.18
7 (2) (a) 2., or of a physician or physician assistant under s. 448.037 (2) (a) 2., that
8 complies with the requirements of sub. (1), deliver an opioid antagonist to an
9 individual in accordance with the order. The pharmacist shall provide a consultation
10 in accordance with rules promulgated by the board for the delivery of a prescription
11 to the person to whom the opioid antagonist is delivered.

12 **SECTION 118.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

13 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only
14 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in
15 accordance with his or her other legal authority to dispense prescription drugs.

16 **SECTION 119.** 450.11 (7) (b) of the statutes is amended to read:

17 450.11 (7) (b) Information communicated to a physician, physician assistant,
18 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
19 a prescription drug or the administration of a prescription drug is not a privileged
20 communication.

21 **SECTION 120.** 450.11 (8) (e) of the statutes is amended to read:

22 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
23 practice ~~nurse-prescribers~~ registered nurses.

24 **SECTION 121.** 450.13 (5) (b) of the statutes is amended to read:

1 450.13 (5) (b) The patient's advanced practice registered nurse prescriber, if the
2 advanced practice registered nurse prescriber has entered into a written agreement
3 to collaborate with a physician holds a permit to issue prescription orders under s.
4 441.09 (2).

5 **SECTION 122.** 450.135 (7) (b) of the statutes is amended to read:

6 450.135 (7) (b) The patient's advanced practice registered nurse prescriber, if
7 the advanced practice registered nurse prescriber ~~has entered into a written~~
8 ~~agreement to collaborate with a physician~~ holds a permit to issue prescription orders
9 under s. 441.09 (2).

10 **SECTION 123.** 462.04 of the statutes is amended to read:

11 **462.04 Prescription or order required.** A person who holds a license or
12 limited X-ray machine operator permit under this chapter may not use diagnostic
13 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
14 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed
15 under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed
16 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.
17 ~~441.16 (2)~~ 441.09, a physician assistant licensed under s. 448.04 (1) (f), or, subject to
18 s. 448.56 (7) (a), a physical therapist licensed under s. 448.53.

19 **SECTION 124.** 655.001 (7t) of the statutes is amended to read:

20 655.001 (7t) "Health care practitioner" means a health care professional, as
21 defined in s. 180.1901 (1m), who is an employee of a health care provider described
22 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care
23 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b)~~ or under
24 the direction and supervision of a physician or nurse anesthetist.

25 **SECTION 125.** 655.001 (9) of the statutes is amended to read:

1 655.001 (9) "Nurse anesthetist" means ~~a nurse~~ an individual who is licensed
2 under ~~ch. 441 or who holds a multistate license, as defined in s. 441.51 (2) (h), issued~~
3 ~~in a party state, as defined in s. 441.51 (2) (k), and who is certified as a nurse~~
4 ~~anesthetist by the American association of nurse anesthetists~~ as an advanced
5 practice registered nurse and possesses a certified registered nurse anesthetist
6 specialty designation under s. 441.09.

7 **SECTION 126.** 655.005 (2) (a) of the statutes is amended to read:

8 655.005 (2) (a) An employee of a health care provider if the employee is a
9 physician or a nurse anesthetist or is a health care practitioner who is providing
10 health care services that are not ~~in collaboration with a physician under s. 441.15 (2)~~
11 ~~(b) or~~ under the direction and supervision of a physician or nurse anesthetist.

12 **SECTION 127.** 961.01 (19) (a) of the statutes is amended to read:

13 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
14 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.21
15 (3), a physician assistant, or other person licensed, registered, certified or otherwise
16 permitted to distribute, dispense, conduct research with respect to, administer or use
17 in teaching or chemical analysis a controlled substance in the course of professional
18 practice or research in this state.

19 **SECTION 128.** 961.395 of the statutes is amended to read:

20 **961.395 Limitation on advanced practice registered nurses.** (1) An
21 advanced practice registered nurse who is ~~certified~~ holds a permit to issue
22 prescription orders under s. 441.16 ~~441.09 (2)~~ may prescribe controlled substances
23 only as permitted by the rules promulgated under s. 441.16 ~~(3)~~ 441.09 (6) (d).

24 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ who holds
25 a permit to issue prescription orders under s. 441.09 (2) shall include with each

1 prescription order the advanced practice nurse prescriber certification permit
2 number issued to him or her by the board of nursing.

3 (3) An advanced practice registered nurse certified under s. 441.16 who holds
4 a permit to issue prescription orders under s. 441.09 (2) may dispense a controlled
5 substance only by prescribing or administering the controlled substance or as
6 otherwise permitted by the rules promulgated under s. 441.16 (3) 441.09 (6) (d).

7 **SECTION 129. Nonstatutory provisions.**

8 (1) Using the procedure under s. 227.24, the board of nursing may promulgate
9 rules under ch. 441 that are necessary to implement the changes in this act.
10 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
11 evidence that promulgating a rule under this subsection as an emergency rule is
12 necessary for the preservation of the public peace, health, safety, or welfare and is
13 not required to provide a finding of emergency for a rule promulgated under this
14 subsection. Notwithstanding s. 227.24 (1) (c) and (2), the effective period of a rule
15 promulgated under this subsection is for 2 years after its promulgation, or until
16 permanent rules take effect, whichever is sooner, and the effective period may not
17 be further extended under s. 227.24 (2).

18 **SECTION 130. Effective dates.** This act takes effect on March 1, 2022, except
19 as follows:

20 (1) SECTION 129 (1) of this act takes effect on the day after publication.

21 (END)

**2019-2020 DRAFTING INSERT
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INSERT 45-19

1 (c) An advanced practice registered nurse who is working without an affiliation
2 with an organization offering inpatient services shall maintain a written plan for the
3 management of situations that are beyond the advanced practice registered nurse's
4 expertise, including options for consultation and referral for the advanced practice
5 registered nurse's patient population. Those options may not be limited to
6 consultation or referral to a hospital emergency room.