



Appendix A ... segment II


STATE OF WISCONSIN
LEGISLATIVE REFERENCE BUREAU
DRAFTING HISTORY RESEARCH APPENDIX

 The drafting file for 2017 LRB-5823/P1 (For: Rep. Rohrkaste)
has been transferred to the drafting file for
2019 LRB-0429 (For: Rep. Rohrkaste)



RESEARCH APPENDIX -
PLEASE KEEP WITH THE DRAFTING FILE

 Request Made By: MED

 Date: 10/11/2018

ASSEMBLY BILL 568**SECTION 42**

1 ~~under s. 441.16 (2) prescribing authority under s. 441.09 (2) (c)~~ is not required to
2 maintain in effect malpractice insurance.

3 **SECTION 43.** 252.01 (1c) of the statutes is repealed.

4 **SECTION 44.** 252.07 (8) (a) 2. of the statutes is amended to read:

5 252.07 (8) (a) 2. The department or local health officer provides to the court a
6 written statement from a physician, physician assistant, or advanced practice
7 registered nurse prescriber that the individual has infectious tuberculosis or suspect
8 tuberculosis.

9 **SECTION 45.** 252.07 (9) (c) of the statutes is amended to read:

10 252.07 (9) (c) If the court orders confinement of an individual under this
11 subsection, the individual shall remain confined until the department or local health
12 officer, with the concurrence of a treating physician, physician assistant, or advanced
13 practice registered nurse prescriber, determines that treatment is complete or that
14 the individual is no longer a substantial threat to himself or herself or to the public
15 health. If the individual is to be confined for more than 6 months, the court shall
16 review the confinement every 6 months.

17 **SECTION 46.** 252.10 (7) of the statutes is amended to read:

18 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
19 shall be purchased by the department from the appropriation account under s.
20 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local
21 health departments, physicians, or advanced practice ~~nurse prescribers~~ registered
22 nurses who have prescribing authority under s. 441.09 (2) (c).

23 **SECTION 47.** 252.11 (2), (4), (5), (7) and (10) of the statutes are amended to read:

24 252.11 (2) An officer of the department or a local health officer having
25 knowledge of any reported or reasonably suspected case or contact of a sexually

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1 transmitted disease for which no appropriate treatment is being administered, or of
2 an actual contact of a reported case or potential contact of a reasonably suspected
3 case, shall investigate or cause the case or contact to be investigated as necessary.
4 If, following a request of an officer of the department or a local health officer, a person
5 reasonably suspected of being infected with a sexually transmitted disease refuses
6 or neglects examination by a physician, physician assistant, or advanced practice
7 registered nurse ~~prescriber~~ or treatment, an officer of the department or a local
8 health officer may proceed to have the person committed under sub. (5) to an
9 institution or system of care for examination, treatment, or observation.

10 (4) If a person infected with a sexually transmitted disease ceases or refuses
11 treatment before reaching what in a physician's, physician assistant's, or advanced
12 practice nurse ~~prescriber's~~ registered nurse's opinion is the noncommunicable stage,
13 the physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
14 shall notify the department. The department shall without delay take the necessary
15 steps to have the person committed for treatment or observation under sub. (5), or
16 shall notify the local health officer to take these steps.

17 (5) Any court of record may commit a person infected with a sexually
18 transmitted disease to any institution or may require the person to undergo a system
19 of care for examination, treatment, or observation if the person ceases or refuses
20 examination, treatment, or observation under the supervision of a physician,
21 physician assistant, or advanced practice registered nurse ~~prescriber~~. The court
22 shall summon the person to appear on a date at least 48 hours, but not more than
23 96 hours, after service if an officer of the department or a local health officer petitions
24 the court and states the facts authorizing commitment. If the person fails to appear
25 or fails to accept commitment without reasonable cause, the court may cite the

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1 person for contempt. The court may issue a warrant and may direct the sheriff, any
2 constable, or any police officer of the county immediately to arrest the person and
3 bring the person to court if the court finds that a summons will be ineffectual. The
4 court shall hear the matter of commitment summarily. Commitment under this
5 subsection continues until the disease is no longer communicable or until other
6 provisions are made for treatment that satisfy the department. The certificate of the
7 petitioning officer is prima facie evidence that the disease is no longer communicable
8 or that satisfactory provisions for treatment have been made.

9 (7) Reports, examinations and inspections, and all records concerning sexually
10 transmitted diseases are confidential and not open to public inspection, and may not
11 be divulged except as may be necessary for the preservation of the public health, in
12 the course of commitment proceedings under sub. (5), or as provided under s. 938.296
13 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered
14 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the
15 department under sub. (4), information regarding the presence of the disease and
16 treatment is not privileged when the patient, physician, physician assistant, or
17 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts
18 before any court of record.

19 (10) The state laboratory of hygiene shall examine specimens for the diagnosis
20 of sexually transmitted diseases for any physician, physician assistant, advanced
21 practice registered nurse ~~prescriber~~, or local health officer in the state, and shall
22 report the positive results of the examinations to the local health officer and to the
23 department. All laboratories performing tests for sexually transmitted diseases
24 shall report all positive results to the local health officer and to the department, with

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1 the name of the physician, physician assistant, or advanced practice registered nurse
2 ~~prescriber~~ to whom reported.

3 **SECTION 48.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3.
4 and (7m) (intro.) and (b) of the statutes are amended to read:

5 252.15 **(3m)** (d) 11. b. The coroner, medical examiner, or appointed assistant
6 is investigating the cause of death of the subject of the HIV test and has contact with
7 the body fluid of the subject of the HIV test that constitutes a significant exposure,
8 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,
9 based on information provided to the physician, physician assistant, or advanced
10 practice registered nurse ~~prescriber~~, determines and certifies in writing that the
11 coroner, medical examiner, or appointed assistant has had a contact that constitutes
12 a significant exposure and if the certification accompanies the request for disclosure.

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

18 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse
19 ~~prescriber~~, based on information provided to the physician, physician assistant, or
20 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing
21 that the person has had contact that constitutes a significant exposure. The
22 certification shall accompany the request for HIV testing and disclosure. If the
23 person is a physician, physician assistant, or advanced practice registered nurse
24 ~~prescriber~~, he or she may not make this determination or certification. The
25 information that is provided to a physician, physician assistant, or advanced practice

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1 registered nurse ~~prescriber~~ to document the occurrence of the contact that
2 constitutes a significant exposure and the physician's, physician assistant's, or
3 advanced practice ~~nurse prescriber's~~ registered nurse's certification that the person
4 has had contact that constitutes a significant exposure, shall be provided on a report
5 form that is developed by the department of safety and professional services under
6 s. 101.02 (19) (a) or on a report form that the department of safety and professional
7 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report
8 form that is developed under s. 101.02 (19) (a).

9 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered
10 nurse ~~prescriber~~, based on information provided to the physician, physician
11 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies
12 in writing that the contact under subd. 1. constitutes a significant exposure. A health
13 care provider who has a contact under subd. 1. c. may not make the certification
14 under this subdivision for himself or herself.

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

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

21 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,
22 validated HIV test result is obtained from a test subject, the test subject's physician,
23 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains
24 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist
25 the name of any person known to the physician, physician assistant, or advanced

1 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test
2 subject that constitutes a significant exposure, only after the physician, physician
3 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the
4 following:

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

9 **SECTION 49.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

10 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
11 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
12 registered nurse ~~prescriber~~ of all of the following:

13 **SECTION 50.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

14 252.17 (3) (c) (intro.) Has submitted to the department a certification from a
15 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
16 registered nurse ~~prescriber~~ of all of the following:

17 **SECTION 51.** 253.07 (4) (d) of the statutes is amended to read:

18 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
19 communities of licensed registered nurses, licensed practical nurses, ~~certified~~
20 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
21 assistants who are members of a racial minority.

22 **SECTION 52.** 253.115 (1) (f) of the statutes is created to read:

23 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an
24 advanced practice registered nurse and possesses a certified nurse-midwife

25 endorsement under s. 441.09.

↳ specialty designation ↓

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SECTION 53

1 **SECTION 53.** 253.115 (4) of the statutes is amended to read:

2 253.115 (4) **SCREENING REQUIRED.** Except as provided in sub. (6), the physician,
3 nurse-midwife licensed under s. 441.15, or certified professional midwife licensed
4 under s. 440.982 who attended the birth shall ensure that the infant is screened for
5 hearing loss before being discharged from a hospital, or within 30 days of birth if the
6 infant was not born in a hospital.

7 **SECTION 54.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

8 253.115 (7) (a) (intro.) The physician, nurse-midwife licensed under s. 441.15,
9 or certified professional midwife licensed under s. 440.982 who is required to ensure
10 that the infant is screened for hearing loss under sub. (4) shall do all of the following:

11 **SECTION 55.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
12 amended to read:

13 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
14 nurse-midwife shall cause every infant born in each hospital or maternity home,
15 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
16 disorders, as specified in rules promulgated by the department. If the infant is born
17 elsewhere than in a hospital or maternity home, the attending physician, nurse
18 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth
19 shall cause the infant, within one week of birth, to be subjected to these tests.

20 **SECTION 56.** 253.13 (1) (a) of the statutes is created to read:

21 253.13 (1) (a) In this subsection, "nurse-midwife" means an individual who is
22 licensed as an advanced practice registered nurse and possesses a certified
23 nurse-midwife endorsement under s. 441.09.

24 **SECTION 57.** 253.15 (1) (em) of the statutes is created to read:

specialty designation

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Specialty designation ✓

1 253.15 (1) (em) "Nurse-midwife" means an individual who is licensed as an
2 advanced practice registered nurse and possesses a certified nurse-midwife
3 endorsement under s. 441.09.

4 **SECTION 58.** 253.15 (2) of the statutes is amended to read:

5 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
6 arrange with a nonprofit organization to prepare printed and audiovisual materials
7 relating to shaken baby syndrome and impacted babies. The materials shall include
8 information regarding the identification and prevention of shaken baby syndrome
9 and impacted babies, the grave effects of shaking or throwing on an infant or young
10 child, appropriate ways to manage crying, fussing, or other causes that can lead a
11 person to shake or throw an infant or young child, and a discussion of ways to reduce
12 the risks that can lead a person to shake or throw an infant or young child. The
13 materials shall be prepared in English, Spanish, and other languages spoken by a
14 significant number of state residents, as determined by the board. The board shall
15 make those written and audiovisual materials available to all hospitals, maternity
16 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
17 make available materials to parents under sub. (3) (a) 1., to the department and to
18 all county departments and nonprofit organizations that are required to provide the
19 materials to child care providers under sub. (4) (d), and to all school boards and
20 nonprofit organizations that are permitted to provide the materials to pupils in one
21 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make
22 those written materials available to all county departments and Indian tribes that
23 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers
24 of prenatal, postpartum, and young child care coordination services under s. 49.45
25 (44). The board may make available the materials required under this subsection

all plain
who holds a multistate license, as defined in s. 441.51(2)(h), issued

1 to be made available by making those materials available at no charge on the board's
2 Internet site.

as affected by 2017 Wisconsin Act 135

3 SECTION 59. 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
4 and amended to read:

5 255.06 (1) (f) (intro.) "~~Nurse practitioner~~" "Women's health nurse clinician"
6 means -a- any of the following:

who is

7 1. A registered nurse licensed under ch. 441 or in a party state, as defined in
8 s. 441.50 (2) (j), ^{9-441.51} and ^{e(k)} whose practice of professional nursing under s. 441.001 (4) includes
9 performance of delegated medical services under the supervision of a physician,
10 dentist, ~~or~~ podiatrist, or advanced practice registered nurse.

11 SECTION 60. 255.06 (1) (f) 2. of the statutes is created to read:

12 255.06 (1) (f) 2. An advanced practice registered nurse.

13 SECTION 61. 255.06 (2) (d) of the statutes is amended to read:

14 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*
15 *activities*. Provide not more than \$25,000 in each fiscal year as reimbursement for
16 the provision of specialized training of ~~nurse practitioners~~ women's health nurse
17 clinicians to perform, in rural areas, colposcopic examinations and follow-up
18 activities for the treatment of cervical cancer.

19 SECTION 62. 255.07 (1) (d) of the statutes is amended to read:

20 255.07 (1) (d) "Health care practitioner" means a physician, a physician
21 assistant licensed under s. 448.04 (1) (f), or an advanced practice registered nurse
22 who is ~~certified to issue prescription orders under s. 441.16~~ has prescribing authority
23 under s. 441.09 (2) (c).

24 SECTION 63. 257.01 (5) (a) and (b) of the statutes are amended to read:

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1 257.01 (5) (a) An individual who is licensed as a physician, a physician
2 assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed
3 practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441,
4 licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed
5 as a veterinarian or certified as a veterinary technician under ch. 89, or certified as
6 a respiratory care practitioner under ch. 448.

7 (b) An individual who was at any time within the previous 10 years, but is not
8 currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448,
9 licensed as a registered nurse, licensed practical nurse, ~~or nurse-midwife,~~ advanced
10 practice registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441,
11 2015 stats., licensed as a dentist under ch. 447, licensed as a pharmacist under ch.
12 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89,
13 or certified as a respiratory care practitioner under ch. 448, if the individual's license
14 or certification was never revoked, limited, suspended, or denied renewal.

15 **SECTION 64.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended to
16 read:

17 341.14 (1a) If any resident of this state, who is registering or has registered an
18 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
19 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
20 gross weight of not more than 12,000 pounds or a motor home, submits a statement
21 once every 4 years, as determined by the department, from a physician licensed to
22 practice medicine in any state, from an advanced practice registered nurse licensed
23 to practice nursing in any state, from a public health nurse certified or licensed to
24 practice in any state, from a physician assistant licensed or certified to practice in
25 any state, from a podiatrist licensed to practice in any state, from a chiropractor

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1 licensed to practice chiropractic in any state, or from a Christian Science practitioner
2 residing in this state and listed in the Christian Science journal certifying to the
3 department that the resident is a person with a disability that limits or impairs the
4 ability to walk, the department shall procure, issue and deliver to the disabled
5 person plates of a special design in lieu of plates which ordinarily would be issued
6 for the vehicle, 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 owned by a
8 nonveteran disabled person and is entitled to the parking privileges specified in s.
9 346.50 (2a). No charge in addition to the registration fee shall be made for the
10 issuance or renewal of such plates.

11 (1e) (a) If any resident of this state, who is registering or has registered a
12 motorcycle, submits a statement once every 4 years, as determined by the
13 department, from a physician licensed to practice medicine in any state, from an
14 advanced practice registered nurse licensed to practice nursing in any state, from a
15 public health nurse certified or licensed to practice in any state, from a physician
16 assistant licensed or certified to practice in any state, from a podiatrist licensed to
17 practice in any state, from a chiropractor licensed to practice chiropractic in any
18 state, from a Christian Science practitioner residing in this state and listed in the
19 Christian Science journal, or from the U.S. department of veterans affairs certifying
20 to the department that the resident is a person with a disability that limits or impairs
21 the ability to walk, the department shall procure, issue and deliver to the disabled
22 person a plate of a special design in lieu of the plate which ordinarily would be issued
23 for the motorcycle, and shall renew the plate. The statement shall state whether the
24 disability is permanent or temporary and, if temporary, the opinion of the physician,
25 advanced practice registered nurse, public health nurse, physician assistant,

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1 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the
2 duration of the disability. The plate shall be so designed as to readily apprise law
3 enforcement officers of the fact that the motorcycle is owned by a disabled person and
4 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
5 to the registration fee may be made for the issuance or renewal of the plate.

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

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

20 **SECTION 65.** 343.16 (5) (a) of the statutes is amended to read:

21 343.16 **(5)** (a) The secretary may require any applicant for a license or any
22 licensed operator to submit to a special examination by such persons or agencies as
23 the secretary may direct to determine incompetency, physical or mental disability,
24 disease, or any other condition that might prevent such applicant or licensed person
25 from exercising reasonable and ordinary control over a motor vehicle. If the

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1 department requires the applicant to submit to an examination, the applicant shall
2 pay for the examination. If the department receives an application for a renewal or
3 duplicate license after voluntary surrender under s. 343.265 or receives a report from
4 a physician, physician assistant, as defined in s. 448.01 (6), advanced practice
5 registered nurse prescriber certified under s. 441.16 (2) licensed under s. 441.09, or
6 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
7 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
8 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
9 recognized American Indian tribe or band in this state in conformity with s. 346.63
10 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
11 where the offense involved the use of a vehicle, the department shall determine, by
12 interview or otherwise, whether the operator should submit to an examination under
13 this section. The examination may consist of an assessment. If the examination
14 indicates that education or treatment for a disability, disease or condition concerning
15 the use of alcohol, a controlled substance or a controlled substance analog is
16 appropriate, the department may order a driver safety plan in accordance with s.
17 343.30 (1q). If there is noncompliance with assessment or the driver safety plan, the
18 department shall revoke the person's operating privilege in the manner specified in
19 s. 343.30 (1q) (d).

20 **SECTION 66.** 343.51 (1) of the statutes is amended to read:

21 343.51 (1) Any person who qualifies for registration plates of a special design
22 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits
23 or impairs the ability to walk may request from the department a special
24 identification card that will entitle any motor vehicle parked by, or under the
25 direction of, the person, or a motor vehicle operated by or on behalf of the

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1 organization when used to transport such a person, to parking privileges under s.
2 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined
3 by the department, upon submission by the applicant, if the applicant is an
4 individual rather than an organization, of a statement from a physician licensed to
5 practice medicine in any state, from an advanced practice registered nurse licensed
6 to practice nursing in any state, from a public health nurse certified or licensed to
7 practice in any state, from a physician assistant licensed or certified to practice in
8 any state, from a podiatrist licensed to practice in any state, from a chiropractor
9 licensed to practice chiropractic in any state, or from a Christian Science practitioner
10 residing in this state and listed in the Christian Science journal that the person is
11 a person with a disability that limits or impairs the ability to walk. The statement
12 shall state whether the disability is permanent or temporary and, if temporary, the
13 opinion of the physician, advanced practice registered nurse, public health nurse,
14 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the
15 disability. The department shall issue the card upon application by an organization
16 on a form prescribed by the department if the department believes that the
17 organization meets the requirements under this subsection.

18 **SECTION 67.** 343.62 (4) (a) 4. of the statutes is amended to read:

19 343.62 (4) (a) 4. The applicant submits with the application a statement
20 completed within the immediately preceding 24 months, except as provided by rule,
21 by a physician licensed to practice medicine in any state, from an advanced practice
22 registered nurse licensed to practice nursing in any state, from a physician assistant
23 licensed or certified to practice in any state, from a podiatrist licensed to practice in
24 any state, from a chiropractor licensed to practice chiropractic in any state, or from
25 a Christian Science practitioner residing in this state, and listed in the Christian

1 Science journal certifying that, in the medical care provider's judgment, the
2 applicant is physically fit to teach driving.

3 SECTION 68. 440.03 (13) (b) 3. of the statutes is repealed.

4 SECTION 69. 440.03 (13) (b) 39m. of the statutes is created to read:

5 440.03 (13) (b) 39m. Nurse, advanced practice registered.

6 SECTION 70. 440.03 (13) (b) 42. of the statutes is repealed.

7 SECTION 71. 440.08 (2) (a) 4m. of the statutes is repealed.

8 SECTION 72. 440.08 (2) (a) 47. of the statutes is created to read:

9 440.08 (2) (a) 47. Nurse, advanced practice registered: March 1 of each
10 even-numbered year.

11 SECTION 73. 440.08 (2) (a) 50. of the statutes is repealed.

12 SECTION 74. 440.981 (1) of the statutes is amended to read:

13 440.981 (1) No person may use the title "licensed midwife," describe or imply
14 that he or she is a licensed midwife, or represent himself or herself as a licensed
15 midwife unless the person is granted a license under this subchapter or is licensed
16 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and
17 possesses a certified nurse-midwife endorsement under s. 441.09.

18 SECTION 75. 440.982 (1) of the statutes is amended to read:

19 440.982 (1) No person may engage in the practice of midwifery unless the
20 person is granted a license under this subchapter, is granted a temporary permit
21 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~
22 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses
23 a certified nurse-midwife endorsement under s. 441.09.

24 SECTION 76. 440.987 (2) of the statutes is amended to read:

specialty designation ✓

specialty designation ✓

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SECTION 76

specialty designation ✓

1 440.987 (2) One member who is licensed as ~~a nurse-midwife~~ under s. 441.15
2 an advanced practice registered nurse and possesses a certified nurse-midwife
3 endorsement under s. 441.09 and who practices in an out-of-hospital setting.

4 **SECTION 77.** 441.01 (7) (a) (intro.) and 1. of the statutes are amended to read:

5 441.01 (7) (a) (intro.) The board shall require each applicant for the renewal
6 of a license, ~~certificate~~, or permit issued under this chapter to do all of the following
7 as a condition for renewing the license, ~~certificate~~, or permit:

8 1. Complete and submit to the department with the application for renewal of
9 the license, ~~certificate~~, or permit a nursing workforce survey developed by the
10 department of workforce development under s. 106.30 (2).

11 **SECTION 78.** 441.01 (7) (b) of the statutes is amended to read:

12 441.01 (7) (b) The board may not renew a license, ~~certificate~~, or permit under
13 this chapter unless the renewal applicant has completed the nursing workforce
14 survey to the satisfaction of the board. The board shall establish standards to
15 determine whether the survey has been completed. The board shall, by no later than
16 June 30 of each odd-numbered year, submit all completed nursing workforce survey
17 forms to the department of workforce development.

18 **SECTION 79.** 441.06 (3) of the statutes is amended to read:

19 441.06 (3) ~~A~~ Except as provided in s. 441.09 (3), a registered nurse practicing
20 for compensation shall, on or before the applicable renewal date specified under s.
21 440.08 (2) (a), submit to the board on furnished forms a statement giving name,
22 residence, and other facts that the board requires, with the applicable renewal fee
23 determined by the department under s. 440.03 (9) (a).

24 **SECTION 80.** 441.06 (7) of the statutes is renumbered 441.09 (5) and amended
25 to read:

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1 441.09 (5) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced practice
2 registered nurse prescriber under s. ~~441.16 (2)~~ this section is liable for civil damages
3 for any of the following:

4 (a) Reporting in good faith to the department of transportation under s. 146.82
5 (3) a patient's name and other information relevant to a physical or mental condition
6 of the patient that in the advanced practice ~~nurse prescriber's~~ registered nurse's
7 judgment impairs the patient's ability to exercise reasonable and ordinary control
8 over a motor vehicle.

9 (b) In good faith, not reporting to the department of transportation under s.
10 146.82 (3) a patient's name and other information relevant to a physical or mental
11 condition of the patient that in the advanced practice ~~nurse prescriber's~~ registered
12 nurse's judgment does not impair the patient's ability to exercise reasonable and
13 ordinary control over a motor vehicle.

14 **SECTION 81.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended to
15 read:

16 441.07 (1g) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
17 board may deny an initial license or revoke, limit, suspend, or deny the renewal of
18 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
19 or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~
20 ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~
21 441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice
22 registered nurse, or licensed practical nurse, if the board finds that the applicant or
23 licensee committed any of the following:

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

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SECTION 81

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

4 (e) A violation of any state or federal law that regulates prescribing or
5 dispensing drugs or devices, if the person has ~~a certificate to prescribe drugs or~~
6 devices under s. 441.16 is authorized to issue prescription orders under s. 441.09. (2)(c) ✓

7 **SECTION 82.** 441.09 of the statutes is created to read:

8 **441.09 Advanced practice registered nurses. (1) DEFINITIONS.** In this
9 section:

10 (a) "Advanced practice registered nursing" means practicing in one of the 4
11 recognized roles based on advanced clinical knowledge and skills focusing on direct
12 care of individuals, greater responsibility, autonomy, and accountability for the
13 provision of care, health promotion and maintenance, management of patient
14 conditions, and the use and prescription of pharmacological interventions.

15 (b) "Clinical pharmacology or therapeutics" means the identification of
16 individual and classes of drugs, their indications and contraindications, their
17 efficacy, their side effects and their interactions, as well as, clinical judgment skills
18 and decision-making based on thorough interviewing, history-taking, physical
19 assessment, test selection and interpretation, pathophysiology, epidemiology,
20 diagnostic reasoning, differentiation of conditions, treatment decisions, case
21 evaluation, and nonpharmacological interventions.

22 (c) "Practice of nurse-midwifery" means the management of women's health
23 care, pregnancy, childbirth, postpartum care for newborns, family planning, and
24 gynecological services consistent with the standards of practice of the American

1 College of Nurse-Midwives and the education, training, and experience of the
2 nurse-midwife.

3 (d) "Recognized role" means one of the following roles:

- 4 1. Certified nurse-midwife.
- 5 2. Certified registered nurse anesthetist.
- 6 3. Clinical nurse specialist.
- 7 4. Nurse practitioner.

8 (2) INITIAL LICENSE. (a) Any person who satisfies all of the following
9 requirements may apply to the department for initial licensure by the board as an
10 advanced practice registered nurse:

11 1. The person holds a valid license to practice as a registered nurse issued under
12 s. 441.06 (1) or (1m) or applies concurrently for a license under s. 441.06 (1) or (1m)
13 with the application for a license under this paragraph.

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

16 a. The person has completed an accredited graduate-level or
17 postgraduate-level education program that prepares the person for the practice of
18 advanced practice registered nursing.

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

23 3. The person pays the fee specified under s. 440.05 (1).

24 4. The person provides evidence of malpractice liability insurance coverage as
25 provided in sub. (7).

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that is approved by the board and

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in one of the 4 recognized roles, and the person holds a current certification by a national certifying body approved by the board

or (A)

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SECTION 82

specialty designation

1 5. If the person is applying to receive a certified nurse-midwife endorsement

2 under par. (b), the person provides evidence satisfactory to the board that the person

3 is ^{currently} certified by the American Midwifery Certification Board. *a national certifying body approved by the board*

4 (b) The board shall grant an advanced practice registered nurse license to a

5 person the board determines meets the requirements under par. (a). The board shall

6 also grant a person who receives a license under this paragraph one or more

7 endorsements ^{specialty designations} corresponding to the recognized roles for which the board determines

8 that the person qualifies based on the person's education and experience ^{qualifications} under par.

9 (a) 2. a. or b. and, if applicable, the person's certification under par. (a) 5. The board

10 may not grant a license under this paragraph to a person applying concurrently for

11 a license under s. 441.06 (1) ^{(b)(c)} or (1m), unless the board also grants the person a license

12 to practice as a registered nurse. *Ins 40-12*

13 (c) The board, upon application, shall also grant authority to issue prescription

14 orders to a person who is granted a license under this subsection and who meets the

15 education, training, and examination requirements established by the board for

16 authority to issue prescription orders. The board shall maintain a register of all *Ins 40-16*

17 advanced practice registered nurses authorized to issue prescription orders under

18 this paragraph. An advanced practice registered nurse with the authority to issue

19 prescription orders under this paragraph may provide expedited partner therapy in

20 the manner described in s. 448.035.

21 (3) LICENSE RENEWAL. On or before the applicable renewal date specified under

22 s. 440.08 (2) (a), a person issued a license under sub. (2) shall submit to the board on

23 a form furnished by the board a statement giving his or her name and residence, the

24 nursing workforce survey and fee required under s. 441.01 (7), evidence of having

25 satisfied the continuing education requirements under sub. (6), evidence of

Ins 40-3

Ins 40-9

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specialty designations

if the person holds a license under s. 441.06 (1), (1c), or (1m), also

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malpractice liability insurance coverage as provided in sub. (7), and other information that the board requires by rule, with the applicable renewal fee determined by the department under s. 440.03 (9) (a). The board shall grant to a person who satisfies the requirements under this subsection the renewal of his or her advanced practice registered nurse license and endorsements granted under sub. (2) (b) and shall grant the renewal of his or her license to practice as a registered nurse.

(4) PRACTICE; TITLES. (a) 1. The holder of a license issued under this section is an "advanced practice registered nurse" and may append to his or her name the title "A.P.R.N." and is authorized to practice advanced practice registered nursing.

2. The holder of an endorsement for a recognized role granted under sub. (2) (b) may append to his or her name the title and an abbreviation corresponding to that recognized role.

3. The holder of a certified nurse-midwife endorsement granted under sub. (2) (b) is a certified nurse-midwife and is authorized to engage in the practice of nurse-midwifery.

(b) 1. Except as provided in 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. Except as provided in s. 257.03, no person may do any of the following:

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 endorsement under sub. (2) (b).

b. Engage in the practice of nurse-midwifery unless he or she has been granted a certified nurse-midwife endorsement under sub. (2) (b).

specialty designation (use 2x)

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SECTION 82

(use 3x)

a specialty designation

1 c. Use the title "certified registered nurse anesthetist," the title "C.R.N.A.," or
2 anything else to indicate that he or she is a certified registered nurse anesthetist
3 unless he or she has been granted a certified registered nurse anesthetist
4 endorsement under sub. (2) (b).

5 d. Use the title "clinical nurse specialist," the title "C.N.S.," or anything else to
6 indicate that he or she is a clinical nurse specialist unless he or she has been granted
7 a clinical nurse specialist endorsement under sub. (2) (b).

8 e. Use the title "nurse practitioner," the title "N.P.," or anything else to indicate
9 that he or she is a nurse practitioner unless he or she has been granted a nurse
10 practitioner endorsement under sub. (2) (b).

11 (6) CONTINUING EDUCATION. Every advanced practice registered nurse shall
12 submit to the board evidence of having completed at least 16 contact hours per
13 biennium in clinical pharmacology or therapeutics relevant to the advanced practice
14 registered nurse's area of practice. The hours required under this subsection must
15 include at least 2 contact hours regarding best practices in prescribing controlled
16 substances.

lms
42-14

17 (7) MALPRACTICE LIABILITY INSURANCE. Every advanced practice registered
18 nurse shall at all times have in effect malpractice liability insurance coverage in the
19 minimum amounts required by the rules of the board. An advanced practice
20 registered nurse shall submit evidence of that coverage to the board when applying
21 for an initial license under this section or a renewal of a license under this section.
22 An advanced practice registered nurse shall also submit such evidence to the board
23 upon request of the board.

lms
42-21

24 (8) DELEGATION. An advanced practice registered nurse who has authority to
25 issue prescription orders may not delegate the act of issuing a prescription order to

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Ins 43-4

1 any nurse who is not authorized to issue prescription orders. Nothing in this section
2 prohibits a nurse from issuing a prescription order as an act delegated by a physician.

3 (9) RULES. The board shall promulgate rules necessary to administer this
4 section, including rules for all of the following:

5 (a)^{e (c)} Establishing the appropriate education, training, or experience
6 requirements that a registered nurse must satisfy to be an advanced practice
7 registered nurse and to qualify to be granted the authority to issue prescription
8 orders under sub. (2) (c).

9 (b)^{e (d)} Specifying the classes of drugs, individual drugs, or devices that may not
10 be prescribed by an advanced practice registered nurse authorized to issue
11 prescription orders under sub. (2) (c).

12 (c)^{e (e)} Specifying the conditions to be met for registered nurses to do the following:
13 1. Administer a drug prescribed by an advanced practice registered nurse.
14 2. Administer a drug at the direction of an advanced practice registered nurse.

15 SECTION 83. 441.11 (title) of the statutes is repealed.

16 SECTION 84. 441.11 (1) of the statutes is repealed.

17 SECTION 85. 441.11 (2) of the statutes is renumbered 441.09 (8m) and amended
18 to read:

19 441.09 (8m) NURSE ANESTHETISTS. The provisions of s. 448.04 (1) (g) do not apply
20 to a licensed advanced practice registered nurse who possesses a certified registered
21 nurse anesthetist endorsement/under this section^{e sub. (2) (b)}

22 SECTION 86. 441.11 (3) of the statutes is repealed.

23 SECTION 87. 441.15 of the statutes ^{as affected by 2017 Wisconsin Act 135,} is repealed.

24 SECTION 88. 441.16 of the statutes is repealed.

25 SECTION 89. 441.18 (2) (a) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 568**SECTION 89**

1 441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified to issue~~
2 ~~prescription orders under s. 441.16~~ who has prescribing authority under s. 441.09 (2)
3 (c) may do any of the following:

4 **SECTION 90.** 441.18 (2) (b) of the statutes is amended to read:

5 441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers
6 an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid
7 antagonist is prescribed has or has the capacity to provide the knowledge and
8 training necessary to safely administer the opioid antagonist to an individual
9 undergoing an opioid-related overdose and that the person demonstrates the
10 capacity to ensure that any individual to whom the person further delivers the opioid
11 antagonist has or receives that knowledge and training.

12 **SECTION 91.** 441.18 (3) of the statutes is amended to read:

13 441.18 (3) An advanced practice registered nurse who, acting in good faith,
14 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting
15 in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall
16 be immune from criminal or civil liability and may not be subject to professional
17 discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,
18 or dispensing the opioid antagonist.

19 **SECTION 92.** 448.03 (2) (a) of the statutes is amended to read:

20 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
21 permit, registration, certificate or certification granted to practice midwifery under
22 subch. XIII of ch. 440, to practice professional ~~or~~ practical, or advanced practice
23 registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice chiropractic under
24 ch. 446, to practice dentistry or dental hygiene under ch. 447, to practice optometry

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1 under ch. 449, to practice acupuncture under ch. 451 or under any other statutory
2 provision, or as otherwise provided by statute.

3 **SECTION 93.** 448.035 (1) (a) of the statutes is repealed.

4 **SECTION 94.** 448.035 (2), (3) and (4) of the statutes are amended to read:

5 448.035 (2) Notwithstanding the requirements of s. 448.30, a physician,
6 physician assistant, or ~~certified advanced practice~~ registered nurse ~~prescriber who~~
7 has prescribing authority under s. 441.09 (2) (c) may provide expedited partner
8 therapy if the patient is diagnosed as infected with a chlamydial infection,
9 gonorrhea, or trichomoniasis and the patient has had sexual contact with a sexual
10 partner during which the chlamydial infection, gonorrhea, or trichomoniasis may
11 have been transmitted to or from the sexual partner. The physician, physician
12 assistant, or ~~certified advanced practice~~ registered nurse ~~prescriber~~ shall attempt to
13 obtain the name of the patient's sexual partner. A prescription order for an
14 antimicrobial drug prepared under this subsection shall include the name and
15 address of the patient's sexual partner, if known. If the physician, physician
16 assistant, or ~~certified advanced practice~~ registered nurse ~~prescriber~~ is unable to
17 obtain the name of the patient's sexual partner, the prescription order shall include,
18 in ordinary bold-faced capital letters, the words, "expedited partner therapy" or the
19 letters "EPT."

20 (3) The physician, physician assistant, or ~~certified advanced practice~~
21 registered nurse ~~prescriber~~ shall provide the patient with a copy of the information
22 sheet prepared by the department of health services under s. 46.03 (44) and shall
23 request that the patient give the information sheet to the person with whom the
24 patient had sexual contact.

ASSEMBLY BILL 568**SECTION 94**

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

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

10 **SECTION 95.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

11 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
12 448.52, a person may practice physical therapy only upon the written referral of a
13 physician, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
14 registered nurse ~~prescriber~~ ~~certified under s. 441.16 (2)~~. Written referral is not
15 required if a physical therapist provides services in schools to children with
16 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the
17 department of public instruction; provides services as part of a home health care
18 agency; provides services to a patient in a nursing home pursuant to the patient's
19 plan of care; provides services related to athletic activities, conditioning, or injury
20 prevention; or provides services to an individual for a previously diagnosed medical
21 condition after informing the individual's physician, physician assistant,
22 chiropractor, dentist, podiatrist, or advanced practice registered nurse ~~prescriber~~
23 ~~certified under s. 441.16 (2)~~ who made the diagnosis. The examining board may
24 promulgate rules establishing additional services that are excepted from the written
25 referral requirements of this subsection.

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

7 **SECTION 96.** 448.67 (2) of the statutes is amended to read:

8 448.67 (2) **SEPARATE BILLING REQUIRED.** Except as provided in sub. (4), a licensee
9 who renders any podiatric service or assistance, or gives any podiatric advice or any
10 similar advice or assistance, to any patient, podiatrist, physician, physician
11 assistant, advanced practice registered nurse ~~prescriber certified under s. 441.16 (2),~~
12 partnership, or corporation, or to any other institution or organization, including a
13 hospital, for which a charge is made to a patient, shall, except as authorized by
14 Title 18 or Title 19 of the federal Social Security Act, render an individual statement
15 or account of the charge directly to the patient, distinct and separate from any
16 statement or account by any other podiatrist, physician, physician assistant,
17 advanced practice registered nurse ~~prescriber~~, or other person.

18 **SECTION 97.** 448.956 (1m) of the statutes is amended to read:

19 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training
20 to an individual without a referral, except that a licensee may not provide athletic
21 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
22 setting unless the licensee has obtained a written referral for the individual from a
23 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
24 under ch. 446; or under s. ~~441.16 (2)~~ 441.09.

25 **SECTION 98.** 450.01 (1m) of the statutes is repealed.

ASSEMBLY BILL 568**SECTION 99**

1 **SECTION 99.** 450.01 (16) (h) 2. of the statutes is amended to read:

2 450.01 **(16)** (h) 2. The patient's advanced practice registered nurse ~~prescriber,~~
3 if the advanced practice registered nurse ~~prescriber has entered into a written~~
4 ~~agreement to collaborate with a physician~~ has prescribing authority under s. 441.09
5 (2) (c).

6 **SECTION 100.** 450.01 (16) (hr) 2. of the statutes is amended to read:

7 450.01 **(16)** (hr) 2. An advanced practice registered nurse ~~prescriber~~ who has
8 prescribing authority under s. 441.09 (2) (c).

9 **SECTION 101.** 450.03 (1) (e) of the statutes is amended to read:

10 450.03 **(1)** (e) Any person lawfully practicing within the scope of a license,
11 permit, registration, certificate, or certification granted to provide home medical
12 oxygen under s. 450.076, to practice professional ~~or~~, practical, or advanced practice
13 registered nursing or nurse-midwifery under ch. 441, to practice dentistry or dental
14 hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice
15 optometry under ch. 449 or to practice veterinary medicine under ch. 89, or as
16 otherwise provided by statute.

17 **SECTION 102.** 450.11 (1i) (a) 1. of the statutes is amended to read:

18 450.11 **(1i)** (a) 1. A pharmacist may, upon and in accordance with the
19 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
20 441.18 (2) (a) 1., or of a physician or physician assistant under s. 448.037 (2) (a) 1.,
21 that complies with the requirements of sub. (1), deliver an opioid antagonist to a
22 person specified in the prescription order and may, upon and in accordance with the
23 standing order of an advanced practice registered nurse ~~prescriber~~ under s. 441.18
24 (2) (a) 2., or of a physician or physician assistant under s. 448.037 (2) (a) 2., that
25 complies with the requirements of sub. (1), deliver an opioid antagonist to an

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1 individual in accordance with the order. The pharmacist shall provide a consultation
2 in accordance with rules promulgated by the board for the delivery of a prescription
3 to the person to whom the opioid antagonist is delivered.

4 **SECTION 103.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

5 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only
6 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in
7 accordance with his or her other legal authority to dispense prescription drugs.

8 **SECTION 104.** 450.11 (7) (b) of the statutes is amended to read:

9 450.11 (7) (b) Information communicated to a physician, physician assistant,
10 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
11 a prescription drug or the administration of a prescription drug is not a privileged
12 communication.

13 **SECTION 105.** 450.11 (8) (e) of the statutes is amended to read:

14 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
15 practice nurse ~~prescribers~~ registered nurses.

16 **SECTION 106.** 450.13 (5) (b) of the statutes is amended to read:

17 450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the
18 advanced practice registered nurse ~~prescriber~~ ~~has entered into a written agreement~~
19 ~~to collaborate with a physician~~ has prescribing authority under s. 441.09 (2) (c).

20 **SECTION 107.** 462.04 of the statutes is amended to read:

21 **462.04 Prescription or order required.** A person who holds a license or
22 limited X-ray machine operator permit under this chapter may not use diagnostic
23 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
24 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed
25 under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed

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SECTION 107

1 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.
2 ~~441.16 (2)~~ 441.09, a physician assistant licensed under s. 448.04 (1) (f), or, subject to
3 s. 448.56 (7) (a), a physical therapist licensed under s. 448.53.

4 **SECTION 108.** 655.001 (7t) of the statutes is amended to read:

5 655.001 (7t) "Health care practitioner" means a health care professional, as
6 defined in s. 180.1901 (1m), who is an employee of a health care provider described
7 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care
8 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b) or~~ under
9 the direction and supervision of a physician or nurse anesthetist.

as affected by 2017 Wisconsin Act 135

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SECTION 109. 655.001 (9) of the statutes ^{is} amended to read:

11 655.001 (9) "Nurse anesthetist" means ~~a nurse~~ an individual who is licensed
12 ~~under ch. 441 or in a party state, as defined in s. 441.50 (2) (j),~~ ^{441.51} ~~who is certified as a~~ ^{and}
13 ~~nurse anesthetist by the American association of nurse anesthetists~~ as an advanced
14 practice registered nurse and possesses a certified registered nurse anesthetist
15 endorsement ^{a specialty designation} under s. 441.09.

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16 **SECTION 110.** 655.005 (2) (a) of the statutes is amended to read:

17 655.005 (2) (a) An employee of a health care provider if the employee is a
18 physician or a nurse anesthetist or is a health care practitioner who is providing
19 health care services that are not ~~in collaboration with a physician under s. 441.15 (2)~~
20 ~~(b) or~~ under the direction and supervision of a physician or nurse anesthetist.

21 **SECTION 111.** 961.01 (19) (a) of the statutes is amended to read:

22 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
23 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.21
24 (3), a physician assistant, or other person licensed, registered, certified or otherwise
25 permitted to distribute, dispense, conduct research with respect to, administer or use

who holds a multistate license, as defined in s. 441.51 (2) (h), issued

1 in teaching or chemical analysis a controlled substance in the course of professional
2 practice or research in this state.

3 **SECTION 112.** 961.395 of the statutes is amended to read:

4 **961.395 Limitation on advanced practice registered nurses.** (1) An
5 advanced practice registered nurse ~~who is certified under s. 441.16~~ who has
6 prescribing authority under s. 441.09 (2) (c) may prescribe controlled substances only
7 as permitted by the rules promulgated under s. 441.16 (3) 441.09 (9).

8 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ shall
9 include with each prescription order the advanced practice registered nurse
10 ~~prescriber certification number~~ identifier issued to him or her by the board of
11 nursing.

12 (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who has
13 prescribing authority under s. 441.09 (2) (c) may dispense a controlled substance only
14 by prescribing or administering the controlled substance or as otherwise permitted
15 by the rules promulgated under s. 441.16 (3) 441.09 (9).

16 **SECTION 113. Effective date.**

17 (1) This act takes effect on March 1, 2020.

18 (END)

Ins 51-16

2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

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INSERT 17-2

as created by 2017 Wisconsin Act 107,

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

2 118.25 (1) (a) "Practitioner" means a person licensed as a physician or as a
3 physician assistant in any state or licensed as an advanced practice registered nurse
4 or certified as an advanced practice registered nurse prescriber in any state. In this
5 paragraph, "physician" has the meaning given in s. 448.01 (5).

History: 1979 c. 221, 301; 1993 a. 27, 492; 1995 a. 27 ss. 9126 (19), 9145 (1); 1997 a. 27; 2007 a. 20 s. 9121 (6) (a); 2017 a. 107; s. 35.17 correction in (2) (c) 2.

INSERT 39-11

6 1. The person satisfies one of the following criteria: ✓

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

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

11 c. The person 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 enhanced nurse licensure compact under s. 441.51.

****NOTE: Instead of the requested language, I used this language, which I believe
says the same thing and more closely matches the language in 2017 Act 135 (the
enhanced compact bill). OK? Wisconsin

INSERT 40-3

14 6. The person meets any other criteria established by the board by rule relating
15 to the education, training, or experience required for each recognized role. ✓

INSERT 40-9

16 Each such specialty designation shall appear on the person's advanced practice
17 registered nurse license. ✓

INSERT 40-12

1 The board may place specific limitations on a person licensed as an advanced ✓
2 practice registered nurse as a condition of licensure.

INSERT 40-16

3 designate the authority to prescribe on the person's advanced practice
4 registered nurse license. The board may grant, deny, or limit the authority to ✓
5 prescribe separate from the advanced practice registered nurse license and shall
6 promulgate rules relating to the exercise of that authority.

INSERT 41-1

7 current evidence that the person satisfies each of the requirements under sub. ✓
8 (2) (a) 1., 2., 5., and 6. that apply with respect to the person,

INSERT 42-14

9 The board by rule may promulgate rules regarding the continuing education ✓
10 requirements under this subsection.

INSERT 42-21

11 Evidence of malpractice liability coverage of the advanced practice registered
12 nurse by his or her employer in the amounts specified under s. 655.23 (4) shall be ✓
13 considered as compliance with the requirement.

INSERT 43-4

14 (a) Defining the scope of practice of an advanced practice registered nurse, the
15 scope of practice for each recognized role, and the authorization to issue prescription
16 orders under sub. (2) (c). ✓

17 (b) Determining acceptable national certification for purposes of sub. (2) (a) 2. ✓

INSERT 51-16

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SECTION 2. Nonstatutory provisions.

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

SECTION 3. Effective dates. This act takes effect on March 1, 2020, except as follows:

#A.R. 1-2
(1) SECTION 2 (1) of this act takes effect on the day after publication.