

1           253.06 (1) (cm) “Food Direct distribution center” means an entity, other than  
2 a vendor, that is under contract with the department under sub. (3m) to distribute  
3 authorized approved food to participants.

4           **SECTION 1872.** 253.06 (1) (cp), (cr), (ct) and (cv) of the statutes are created to  
5 read:

6           253.06 (1) (cp) “Electronic benefit transfer” means a method that permits  
7 electronic access to Women, Infants, and Children program benefits using a device,  
8 approved by the department, with payments made in accordance with ch. 410.

9           (cr) “Food instrument” means a voucher, check, electronic benefit transfer card,  
10 electronic benefit transfer card number and personal identification number, coupon,  
11 or other method used by a participant to obtain Women, Infants, and Children  
12 program approved foods.

13           (ct) “Infant formula supplier” means a wholesaler, distributor, retailer, or  
14 manufacturer of infant formula.

15           (cv) “Local agency” means an entity that has a contract with the department  
16 to provide services under the Women, Infants, and Children program such as  
17 eligibility determination, benefit issuance, and nutritional counseling for  
18 participants.

19           **SECTION 1873.** 253.06 (1) (dm) of the statutes is repealed.

20           **SECTION 1874.** 253.06 (1) (dr) and (dv) of the statutes are created to read:

21           253.06 (1) (dr) “Summary suspension” means an emergency action taken by the  
22 department to suspend an authorization under the Women, Infants, and Children  
23 program.

24           (dv) “Trafficking” means doing any of the following:

1           1. Buying, selling, stealing, or otherwise exchanging for cash or consideration  
2 other than approved food Women, Infants, and Children program food instruments  
3 or benefits that are issued and accessed via a food instrument.

4           2. Exchanging firearms, ammunition, explosives, or controlled substances, as  
5 defined in 21 USC 802, for a food instrument.

6           3. Intentionally purchasing and reselling for cash or consideration other than  
7 approved food a product that is purchased with a food instrument.

8           4. Intentionally purchasing with cash or consideration other than approved  
9 food a product that was originally purchased with a food instrument.

10           **SECTION 1875.** 253.06 (1) (e) of the statutes is amended to read:

11           253.06 (1) (e) “Vendor” means a ~~grocery store or pharmacy that sells authorized~~  
12 person that operates one or more stores or pharmacies authorized by the department  
13 under sub. (3) to provide approved foods under a retail food delivery system.

14           **SECTION 1876.** 253.06 (1) (f) of the statutes is repealed.

15           **SECTION 1877.** 253.06 (1) (g) of the statutes is created to read:

16           253.06 (1) (g) “Women, Infants, and Children program” means the federal  
17 special supplemental nutrition program for women, infants and children under 42  
18 USC 1786 and this section.

19           **SECTION 1878.** 253.06 (1m) of the statutes is created to read:

20           253.06 (1m) PROGRAM ADMINISTRATION. (a) The department may identify an  
21 alternate participant as the Women, Infants, and Children program cardholder for  
22 purposes of electronic administration of the Women, Infants, and Children program.

23           **SECTION 1879.** 253.06 (3) (a) (intro.) of the statutes is amended to read:

24           253.06 (3) (a) (intro.) The department may authorize a vendor ~~to accept drafts~~  
25 only if the vendor meets all of the following conditions:

1           **SECTION 1880.** 253.06 (3) (a) 5. of the statutes is created to read:

2           253.06 (3) (a) 5. The vendor has an electronic benefit transfer-capable cash  
3 register system or payment device, approved by the department, that is able to  
4 accurately and securely obtain Women, Infants, and Children program food balances  
5 associated with the electronic benefit transfer card, maintain the necessary  
6 electronic files such as the approved food list, successfully complete Women, Infants,  
7 and Children program electronic benefit transfer purchases, and process Women,  
8 Infants, and Children program electronic benefit transfer payments.

9           **SECTION 1881.** 253.06 (3) (bg) of the statutes is amended to read:

10           253.06 (3) (bg) The department may limit the number of vendors that it  
11 authorizes under this subsection if the department determines that the number of  
12 vendors already authorized under this subsection is sufficient to permit participants  
13 to obtain ~~authorized~~ approved food conveniently.

14           **SECTION 1882.** 253.06 (3) (c) of the statutes is amended to read:

15           253.06 (3) (c) The department may ~~not~~ redeem ~~drafts~~ food instruments only  
16 when submitted by a person who is ~~not~~ an authorized vendor under this subsection  
17 except as provided in sub. (3m).

18           **SECTION 1883.** 253.06 (3) (d) of the statutes is created to read:

19           253.06 (3) (d) Each store operated by a business entity is a separate vendor for  
20 purposes of this section and is required to have a single, fixed location, except when  
21 the authorization of mobile stores is necessary to meet special needs in accordance  
22 with 7 CFR 246.4 (1) (14) (xiv). The department shall require that each store be  
23 authorized as a vendor separately from other stores operated by the business entity.

24           **SECTION 1884.** 253.06 (3m) (title) and (a) (intro.) of the statutes are amended  
25 to read:

1           253.06 (3m) (title) ~~FOOD~~ DIRECT DISTRIBUTION CENTERS. (a) (intro.) The  
2 department may contract for an alternative system of ~~authorized~~ approved food  
3 distribution with an entity other than a vendor only if the entity meets all of the  
4 following requirements:

5           **SECTION 1885.** 253.06 (3m) (a) 4. of the statutes is created to read:

6           253.06 (3m) (a) 4. The entity has an electronic benefit transfer-capable cash  
7 register system or payment device, approved by the department, that is able to  
8 accurately and securely obtain Women, Infants, and Children program food balances  
9 associated with the electronic benefit transfer card, maintain the necessary files,  
10 successfully complete Women, Infants, and Children program electronic benefit  
11 transfer purchases, and process Women, Infants, and Children program electronic  
12 benefit transfer payments.

13           **SECTION 1886.** 253.06 (3m) (b) of the statutes is amended to read:

14           253.06 (3m) (b) The department ~~shall redeem valid drafts~~ may process a  
15 payment if submitted by a food direct distribution center that is authorized by the  
16 department under this subsection.

17           **SECTION 1887.** 253.06 (4) (a) 1. of the statutes is amended to read:

18           253.06 (4) (a) 1. ~~Accept drafts or submit drafts~~ a food instrument or submit a  
19 request to the department for redemption without authorization.

20           **SECTION 1888.** 253.06 (4) (a) 2. of the statutes is repealed.

21           **SECTION 1889.** 253.06 (4) (a) 2m. of the statutes is created to read:

22           253.06 (4) (a) 2m. Engage in trafficking.

23           **SECTION 1890.** 253.06 (4) (a) 3. to 4. of the statutes are amended to read:

1           253.06 (4) (a) 3. Accept a draft food instrument other than in exchange for  
2 authorized approved food that is ~~provided by the person selected by the electronic~~  
3 benefit transfer cardholder.

4           3m. Provide authorized approved food or other commodities to ~~a participant~~  
5 ~~or proxy~~ an electronic benefit transfer cardholder in exchange for a draft food  
6 instrument accepted by a 3rd party.

7           4. ~~Enter on a draft~~ Submit a payment request for a dollar amount that is higher  
8 than the actual retail price of the item for which ~~the draft~~ a food instrument was used.

9           **SECTION 1891.** 253.06 (4) (a) 5. of the statutes is repealed.

10          **SECTION 1892.** 253.06 (4) (a) 5m. of the statutes is created to read:

11          253.06 (4) (a) 5m. Confiscate a food instrument or ask for or enter the electronic  
12 benefit transfer cardholder's personal identification number.

13          **SECTION 1893.** 253.06 (4) (a) 6. and 8. of the statutes are repealed.

14          **SECTION 1894.** 253.06 (4) (a) 9. of the statutes is amended to read:

15          253.06 (4) (a) 9. ~~Submit for redemption a draft~~ Provide to someone other than  
16 the department a food instrument; a Women, Infants, and Children program  
17 electronic benefit transfer card; or food purchased with a food instrument for  
18 something of value.

19          **SECTION 1895.** 253.06 (4) (a) 10. of the statutes is repealed.

20          **SECTION 1896.** 253.06 (5) (a) 1. and 2. of the statutes are amended to read:

21          253.06 (5) (a) 1. Minimum qualification standards for the authorization of  
22 vendors and infant formula suppliers and for the awarding of a contract to an entity  
23 under sub. (3m).

24          2. Standards of operation for authorized vendors and infant formula suppliers  
25 and food direct distribution centers, including prohibited practices.

1           **SECTION 1897.** 253.06 (5) (b) 1. to 3. of the statutes are amended to read:

2           253.06 (5) (b) 1. Denial of the application to be a participant or authorized  
3 vendor or infant formula supplier.

4           2. ~~Suspension~~ Summary suspension or termination of authorization for an  
5 authorized vendor or infant formula supplier or, in the case of a ~~food~~ direct  
6 distribution center, termination of the contract.

7           3. Disqualification from the program under this section for a vendor, infant  
8 formula supplier, or participant.

9           **SECTION 1898.** 253.06 (5) (b) 6. to 8. of the statutes are created to read:

10          253.06 (5) (b) 6. Civil monetary penalty.

11          7. Warning letter.

12          8. Implementation of a corrective action plan.

13          **SECTION 1899.** 253.06 (5) (d) (intro.) and 6. of the statutes are amended to read:

14          253.06 (5) (d) (intro.) The department may directly assess a forfeiture provided  
15 for under par. (b) 4., recoupment provided for under par. (b) 5. and an enforcement  
16 assessment provided for under par. (c). If the department determines that a  
17 forfeiture, recoupment or enforcement assessment should be levied, or that  
18 authorization or eligibility should be summarily suspended or terminated, for a  
19 particular violation or for failure to correct it, the department shall send a notice of  
20 assessment, summary suspension or termination to the vendor, ~~food~~ infant formula  
21 supplier, direct distribution center or participant. The notice shall inform the  
22 vendor, ~~food~~ infant formula supplier, direct distribution center or participant of the  
23 right to a hearing under sub. (6) and shall specify all of the following:

1           6. If applicable, ~~that the suspension or termination of authorization of the~~  
2 ~~vendor or eligibility of the participant is effective beginning on the 15th day after~~  
3 ~~receipt date of the notice of summary suspension or termination.~~

4           **SECTION 1900.** 253.06 (5) (e) of the statutes is renumbered 253.06 (5) (e) 1. and  
5 amended to read:

6           253.06 (5) (e) 1. The ~~suspension or termination of authorization of a vendor,~~  
7 infant formula supplier, or direct distribution center or eligibility of a participant  
8 shall be effective beginning on the 15th day after receipt of the notice of ~~suspension~~  
9 ~~or termination.~~

10           2. All forfeitures, recoupments, and enforcement assessments shall be paid to  
11 the department within 15 days after receipt of notice of assessment or, if the  
12 forfeiture, recoupment, or enforcement assessment is contested under sub. (6),  
13 within 10 days after receipt of the final decision after exhaustion of administrative  
14 review, unless the final decision is adverse to the department or unless the final  
15 decision is appealed and the decision is stayed by court order under sub. (7). The  
16 department shall remit all forfeitures paid to the secretary of administration for  
17 deposit in the school fund. The department shall deposit all enforcement  
18 assessments in the appropriation under s. 20.435 (1) (gr).

19           **SECTION 1901.** 253.06 (5) (e) 3. of the statutes is created to read:

20           253.06 (5) (e) 3. The summary suspension of authorization of a vendor, infant  
21 formula supplier, or direct distribution center shall be effective immediately upon  
22 receipt of the notice under par. (d).

23           **SECTION 1902.** 253.06 (6) (b) of the statutes is amended to read:

24           253.06 (6) (b) A person may contest an assessment of forfeiture, recoupment or  
25 enforcement assessment, a denial, ~~suspension or termination of authorization,~~ a civil

1 monetary penalty assessed in lieu of disqualification, a summary suspension, or a  
2 suspension or termination of eligibility by sending a written request for hearing  
3 under s. 227.44 to the division of hearings and appeals in the department of  
4 administration within 10 days after the receipt of the notice issued under sub. (3)  
5 (bm) or (5) (d). The administrator of the division of hearings and appeals may  
6 designate a hearing examiner to preside over the case and recommend a decision to  
7 the administrator under s. 227.46. The decision of the administrator of the division  
8 of hearings and appeals shall be the final administrative decision. The division of  
9 hearings and appeals shall commence the hearing and issue a final decision within  
10 60 days after receipt of the request for hearing unless all of the parties consent to a  
11 later date. Proceedings before the division of hearings and appeals are governed by  
12 ch. 227. In any petition for judicial review of a decision by the division of hearings  
13 and appeals, the department, if not the petitioner who was in the proceeding before  
14 the division of hearings and appeals, shall be the named respondent.

15 **SECTION 1903.** 253.06 (8) of the statutes is amended to read:

16 253.06 (8) INSPECTION OF PREMISES. The department may visit and inspect each  
17 authorized vendor and infant formula supplier and each food direct distribution  
18 center, and for such purpose shall be given unrestricted access to the premises  
19 described in the authorization or contract.

20 **SECTION 1904.** 253.06 (9) and (10) of the statutes are created to read:

21 253.06 (9) CONFIDENTIALITY OF APPLICANT AND PARTICIPANT INFORMATION. (a) Any  
22 information about an applicant or participant, whether it is obtained from the  
23 applicant or participant or another source or is generated as a result of application  
24 for the Women, Infants, and Children program, that identifies the applicant or  
25 participant or a family member of the applicant or participant is confidential.



1 (b) Except as explicitly permitted under this section, the department shall  
2 restrict the use and disclosure of confidential applicant and participant information  
3 to any person directly connected with the administration or enforcement of the  
4 Women, Infants, and Children program that the department determines has a need  
5 to know the information for Women, Infants, and Children program purposes.  
6 Persons who may be allowed to access confidential information under this paragraph  
7 include personnel from the local agencies, persons under contract with the  
8 department to perform research regarding the Women, Infants, and Children  
9 program, and persons that are investigating or prosecuting Women, Infants, and  
10 Children program violations of federal, state, or local law.

\*\*\*\*NOTE: The phrase "local agencies" comes directly from the federal rule, but  
should it be defined in subs. (9) and (10) here to clarify who has access to confidential  
information.

11 (c) The department or any local agency may use or disclose to public  
12 organizations confidential applicant and participant information for the  
13 administration of other programs that serve individuals eligible for the Women,  
14 Infants, and Children program in accordance with 7 CFR 246.26 (h).

15 (d) Staff of the department and local agencies who are required by state law to  
16 report known or suspected child abuse or neglect may disclose confidential applicant  
17 and participant information without the consent of the participant or applicant to  
18 the extent necessary to comply with the law.

19 (e) Except in the case of subpoenas or search warrants, the department and  
20 local agencies may disclose confidential applicant and participant information to  
21 individuals or entities not listed in this section only if the affected applicant or  
22 participant signs a release form authorizing the disclosure and specifying the parties  
23 to which the information may be disclosed. The department or local agency shall

1 allow applicants and participants to refuse to sign the release form and shall notify  
2 the applicant or participant that signing the form is not a condition of eligibility and  
3 refusing to sign the form will not affect the applicant's or participant's application  
4 or participation in the Women, Infants, and Children program. Release forms  
5 authorizing disclosure to private physicians or other health care providers may be  
6 included as part of the Women, Infants, and Children program application or  
7 certification process. All other requests for applicants or participants to sign  
8 voluntary release forms may occur only after the application and certification  
9 process is complete.

10 (f) The department or local agency shall provide to an applicant or participant  
11 access to all information he or she has provided to the Women, Infants, and Children  
12 program. In the case of an applicant or participant who is an infant or child, the  
13 access may be provided to a parent or guardian of the infant or child, assuming that  
14 any issues regarding custody or guardianship have been settled. The department or  
15 local agency is not required to provide the applicant or participant or parent or  
16 guardian of an infant or child applicant or participant access to any other  
17 information in the file or record, including documentation of income provided by a  
18 3rd party and staff assessments of an applicant or participant's condition or  
19 behavior, unless required by law or unless the information supports a state or local  
20 agency decision being appealed under 7 CFR 246.9.

21 **(10) CONFIDENTIALITY OF VENDOR INFORMATION.** (a) Any information about a  
22 vendor, whether it is obtained from the vendor or another source, that individually  
23 identifies the vendor except for the vendor's name, address, telephone number,  
24 Internet or electronic mail address, store type, and Women, Infants, and Children

1 program authorization status is confidential. The department shall restrict the use  
2 or disclosure of confidential vendor information to any of the following:

3 1. Persons directly connected with the administration or enforcement of the  
4 Women, Infants, and Children program or the food stamp program under s. 49.79  
5 that the department determines has a need to know the information for purposes of  
6 these programs. These persons may include personnel from local agencies and  
7 persons investigating or prosecuting violations of Women, Infants, and Children  
8 program or food stamp program federal, state, or local laws.

9 2. Persons directly connected with the administration or enforcement of any  
10 federal or state law or local ordinance. Before releasing information to a state or local  
11 entity, the department shall enter into a written agreement with the requesting  
12 party specifying that the information may not be used or redisclosed except for  
13 purposes directly connected with the administration or enforcement of the federal or  
14 state law or local ordinance.

15 3. A vendor that is subject to an adverse action under sub. (5), including a claim,  
16 to the extent that the confidential information concerns the vendor that is subject to  
17 the adverse action and is related to the adverse action.

18 (b) The department may disclose to all authorized vendors and applicants to  
19 be a vendor sanctions that have been imposed on vendors if the disclosure identifies  
20 only the vendor's name, address, length of the disqualification or amount of the  
21 monetary penalty, and a summary of the reason for the sanction provided in the  
22 notice of adverse action under sub. (5). The information under this paragraph may  
23 be disclosed only after all administrative and judicial review is exhausted and the  
24 department has prevailed regarding the sanction imposed on the vendor or after the  
25 time period for requesting administrative and judicial review has expired.

1       **SECTION 1905.** 253.07 (1) (a) 3. of the statutes is created to read:

2       253.07 (1) (a) 3. Pregnancy termination.

3       **SECTION 1906.** 253.07 (1) (b) 3. of the statutes is created to read:

4       253.07 (1) (b) 3. Pregnancy termination.

5       **SECTION 1907.** 253.07 (5) (b) (intro.) of the statutes is renumbered 253.07 (5)  
6 (b) and amended to read:

7       253.07 (5) (b) ~~Subject to par. (e), a~~ A public entity that receives women's health  
8 funds under this section may provide some or all of the funds to other public or  
9 private entities ~~provided that the recipient of the funds does not do any of the~~  
10 ~~following.~~

11       **SECTION 1908.** 253.07 (5) (b) 1. to 3. of the statutes are repealed.

12       **SECTION 1909.** 253.07 (5) (c) of the statutes is repealed.

13       **SECTION 1910.** 253.075 of the statutes is repealed.

14       **SECTION 1911.** 254.151 (intro.) of the statutes is amended to read:

15       **254.151 Lead poisoning or lead exposure prevention grants.** (intro.)  
16 From the appropriation account under s. 20.435 (1) (ef), the department shall award:  
17       (1m) Award the following grants under criteria that the department shall  
18 establish in rules promulgated under this ~~section~~ subsection:

19       **SECTION 1912.** 254.151 (1) of the statutes is renumbered 254.151 (1m) (a).

20       **SECTION 1913.** 254.151 (2) of the statutes is renumbered 254.151 (1m) (b).

21       **SECTION 1914.** 254.151 (2m) of the statutes is created to read:

22       254.151 (2m) Award grants for residential lead hazard abatement, residential  
23 lead hazard reduction, and lead abatement worker training.

24       **SECTION 1915.** 254.151 (3) of the statutes is renumbered 254.151 (1m) (c).

25       **SECTION 1916.** 254.151 (4) of the statutes is renumbered 254.151 (1m) (d).

1           **SECTION 1917.** 254.151 (5) of the statutes is renumbered 254.151 (1m) (e) and  
2 amended to read:

3           254.151 **(1m)** (e) To fund any combination of the purposes under ~~subs. (1)~~ pars.  
4 (a) to (4) (d).

5           **SECTION 1918.** 254.151 (6) of the statutes is renumbered 254.151 (1m) (f).

6           **SECTION 1919.** 254.151 (7) of the statutes is renumbered 254.151 (1m) (g).

7           **SECTION 1920.** 255.06 (2) (i) of the statutes is amended to read:

8           255.06 **(2)** (i) *Multiple sclerosis services.* Allocate and expend at least up to  
9 \$60,000 as reimbursement for the provision of multiple sclerosis services to women.

10          **SECTION 1921.** 256.35 (1) (em) of the statutes is amended to read:

11          256.35 **(1)** (em) “Emergency number system” means any basic system,  
12 sophisticated system, or Next Generation 911, as defined in ~~sub. (3s) (a) 3.~~ s. 85.125  
13 (1) (c), regardless of technology platform.

14          **SECTION 1922.** 256.35 (3s) (except 256.35 (3s) (a) 1.) of the statutes is  
15 renumbered 85.125, and 85.125 (1) (intro.), (e) and (f), (2), (3) and (4) (a), as  
16 renumbered, are amended to read:

17          85.125 **(1)** DEFINITIONS. (intro.) In this ~~subsection~~ section:

18          (e) “Service supplier” has the meaning given in ~~sub. s. 256.35~~ (3) (a) 3.

19          (f) “Service user” has the meaning given in ~~sub. s. 256.35~~ (3) (a) 4.

20          **(2)** EMERGENCY SERVICES IP NETWORK CONTRACTS. The department shall invite  
21 bids to be submitted under s. 16.75 and, from the appropriation under s. ~~20.465 (3)~~  
22 20.395 (5) (qm), contract for the creation, operation, and maintenance of an  
23 emergency services IP network that to the greatest extent feasible relies on industry  
24 standards and existing infrastructure to provide all public safety answering points  
25 with the network necessary to implement Next Generation 911.

1           **(3) EXISTING CONTRACTS AND CHARGES.** (a) The department shall determine the  
2 operational date for each county. If a contract under ~~sub. s. 256.35~~ (3) (b) 3. between  
3 a service supplier and a county is in effect immediately before the operational date  
4 determined for the county, the contract shall expire on the operational date and,  
5 except as provided in ~~subd. 2. par. (b)~~, beginning on the operational date, the service  
6 supplier may not bill any service user for a charge levied by the county under ~~sub.~~  
7 s. 256.35 (3) (b) or impose a surcharge approved under ~~sub. s. 256.35~~ (3) (f). At least  
8 30 days before a contract expires under this ~~subdivision~~ paragraph, the department  
9 shall provide written notice of the expiration to the county and service supplier.

10           (b) If a contract terminates under ~~subd. 1. par. (a)~~ before a service supplier has  
11 been fully compensated for nonrecurring services described in ~~sub. s. 256.35~~ (3) (b)  
12 3. a., the service supplier may continue to bill service users for the charge levied by  
13 the county under ~~sub. s. 256.35~~ (3) (b) or impose a surcharge approved under ~~sub. s.~~  
14 256.35 (3) (f) until the service supplier is fully compensated for those nonrecurring  
15 services.

16           **(4) (a)** Advise the department on the contracts required under ~~par. (b) sub. (2)~~.

17           **SECTION 1923.** 256.35 (3s) (a) 1. of the statutes is repealed.

18           **SECTION 1924.** 257.01 (5) (a) of the statutes is amended to read:

19           **257.01 (5) (a)** An individual who is licensed as a physician, a physician  
20 assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed  
21 practical nurse, or nurse-midwife under ch. 441, licensed as a dentist or dental  
22 therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a  
23 veterinarian or certified as a veterinary technician under ch. 89, or certified as a  
24 respiratory care practitioner under ch. 448.

25           **SECTION 1925.** 257.01 (5) (b) of the statutes is amended to read:

1           257.01 (5) (b) An individual who was at any time within the previous 10 years,  
2 but is not currently, licensed as a physician, a physician assistant, or a podiatrist  
3 under ch. 448, licensed as a registered nurse, licensed practical nurse or  
4 nurse-midwife, under ch. 441, licensed as a dentist or dental therapist under ch. 447,  
5 licensed as a pharmacist under ch. 450, licensed as a veterinarian or certified as a  
6 veterinary technician under ch. 89, or certified as a respiratory care practitioner  
7 under ch. 448, if the individual's license or certification was never revoked, limited,  
8 suspended, or denied renewal.

9           **SECTION 1926.** 281.54 of the statutes is created to read:

10           **281.54 Local pollution control grants in TMDL watersheds.** The  
11 department shall award grants from the appropriation under s. 20.866 (2) (tj) to  
12 municipalities and counties for water pollution control infrastructure projects  
13 within watersheds for which a federally approved total maximum daily load under  
14 33 USC 1313 (d) (1) (C) is in effect. The department shall promulgate rules for the  
15 administration of the program under this section.

16           **SECTION 1927.** 281.59 (4) (a) of the statutes is amended to read:

17           281.59 (4) (a) The clean water fund program and the safe drinking water loan  
18 program are revenue-producing enterprises or programs, as defined in s. 18.52 (6).

19           **SECTION 1928.** 281.59 (4) (am) of the statutes is amended to read:

20           281.59 (4) (am) Deposits, appropriations or transfers to the environmental  
21 improvement fund for the purposes of the clean water fund program or the safe  
22 drinking water loan program may be funded with the proceeds of revenue obligations  
23 issued subject to and in accordance with subch. II of ch. 18 or in accordance with  
24 subch. IV of ch. 18 if designated a higher education bond.

25           **SECTION 1929.** 281.59 (4) (c) of the statutes is amended to read:

1           281.59 (4) (c) The building commission may pledge any portion of revenues  
2 received or to be received in the fund established in par. (b) or the environmental  
3 improvement fund to secure revenue obligations issued under this subsection. The  
4 pledge shall provide for the transfer to the environmental improvement fund of all  
5 pledged revenues, including any interest earned on the revenues, which are in excess  
6 of the amounts required to be paid under s. 20.320 (1) (c) and (u) and (2) (c) and (u)  
7 for the purposes of the clean water fund program and the safe drinking water loan  
8 program. The pledge shall provide that the transfers be made at least twice yearly,  
9 that the transferred amounts be deposited in the environmental improvement fund  
10 and that the transferred amounts are free of any prior pledge.

11           **SECTION 1930.** 281.59 (4) (f) of the statutes is amended to read:

12           281.59 (4) (f) Revenue obligations may be contracted by the building  
13 commission when it reasonably appears to the building commission that all  
14 obligations incurred under this subsection, and all payments under an agreement or  
15 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue  
16 obligations issued under this subsection, can be fully paid on a timely basis from  
17 moneys received or anticipated to be received. Revenue obligations issued under this  
18 subsection for the clean water fund program and safe drinking water loan program  
19 shall not exceed \$2,526,700,000 in principal amount, excluding obligations issued to  
20 refund outstanding revenue obligation notes.

21           **SECTION 1931.** 281.61 (8) (b) of the statutes is created to read:

22           281.61 (8) (b) The department of administration shall allocate not more than  
23 \$40,000,000 from proceeds of public debt authorized under s. 20.866 (2) (td) to  
24 projects involving forgivable loans to private users of public water systems to cover  
25 not more than 50 percent of the cost to replace lead service lines.



1           **SECTION 1932.** 281.75 (1) (b) (intro.), 1. and 2. of the statutes are amended to  
2 read:

3           281.75 (1) (b) (intro.) “Contaminated well” or “contaminated private water  
4 supply” means a well or private water supply which does any of the following:

5           1. Produces water containing one or more substances of public health concern  
6 in excess of a primary maximum contaminant level promulgated in the national  
7 drinking water standards in 40 CFR 141 and 143;

8           2. Produces water containing one or more substances of public health concern  
9 in excess of an enforcement standard under ch. 160; ~~or.~~

10          **SECTION 1933.** 281.75 (1) (b) 4. of the statutes is created to read:

11          281.75 (1) (b) 4. Produces water containing at least 10 parts per billion of  
12 arsenic or at least 10 parts per million of nitrate nitrogen.

13          **SECTION 1934.** 281.75 (4m) (a) of the statutes is amended to read:

14          281.75 (4m) (a) In order to be eligible for an award under this section, the  
15 annual family income of the landowner or lessee of property on which is located a  
16 contaminated water supply or a well subject to abandonment may not exceed ~~\$65,000~~  
17 \$100,000.

18          **SECTION 1935.** 281.75 (5) (f) of the statutes is amended to read:

19          281.75 (5) (f) The Except as provided in par. (g), the department shall allocate  
20 money for the payment of claims according to the order in which completed claims  
21 are received. The department may conditionally approve a completed claim even if  
22 the appropriation under s. 20.370 (6) (cr) is insufficient to pay the claim. The  
23 department shall allocate money for the payment of a claim which is conditionally  
24 approved as soon as funds become available.

25          **SECTION 1936.** 281.75 (5) (g) of the statutes is created to read:

1           281.75 (5) (g) If the appropriation under s. 20.370 (6) (cr) is insufficient to pay  
2 claims, the department may, for claims based on nitrate levels, allocate money for the  
3 payment of those claims in the following order of priority:

4           1. Claims based on water containing more than 40 parts per million nitrate  
5 nitrogen.

6           2. Claims based on water containing more than 30 but not more than 40 parts  
7 per million nitrate nitrogen.

8           3. Claims based on water containing more than 25 but not more than 30 parts  
9 per million nitrate nitrogen.

10          4. Claims based on water containing more than 20 but not more than 25 parts  
11 per million nitrate nitrogen.

12          5. Claims based on water containing more than 10 but not more than 20 parts  
13 per million nitrate nitrogen.

14           **SECTION 1937.** 281.75 (7) (a) of the statutes is amended to read:

15           281.75 (7) (a) If the department finds that the claimant meets all the  
16 requirements of this section and rules promulgated under this section and that the  
17 private water supply is contaminated or that the well is a well subject to  
18 abandonment, the department shall issue an award. The Except as provided under  
19 par. (am), the award may not pay more than 75 percent of the eligible costs. The  
20 award may not pay any portion of eligible costs in excess of \$16,000.

21           **SECTION 1938.** 281.75 (7) (am) of the statutes is created to read:

22           281.75 (7) (am) An award under this subsection may pay up to 100 percent of  
23 the eligible costs if the annual family income of the claimant is below the median  
24 family income for the state, as determined by U.S. Bureau of the Census.

25           **SECTION 1939.** 281.75 (7) (b) of the statutes is repealed.

1           **SECTION 1940.** 281.75 (9) of the statutes is repealed.

2           **SECTION 1941.** 283.31 (8) (a) of the statutes is amended to read:

3           283.31 **(8)** (a) The holder of a permit under this section for a concentrated  
4 animal feeding operation shall annually pay to the department a fee of ~~\$345~~ \$660.

5           **SECTION 1942.** 283.31 (8) (am) of the statutes is created to read:

6           283.31 **(8)** (am) In addition to the fee under par. (a), the holder of a permit under  
7 this section for a concentrated animal feeding operation shall pay to the department  
8 an initial fee of \$3,270 and a fee of \$3,270 every 5 years thereafter.

9           **SECTION 1943.** 283.31 (8) (b) of the statutes is amended to read:

10           283.31 **(8)** (b) Of each fee paid under par. (a), \$95 shall be credited to the  
11 appropriation account under s. 20.370 (4) ~~(9)~~ (mi) and \$315 shall be credited to the  
12 appropriation account under s. 20.370 (9) (ag).

13           **SECTION 1944.** 289.33 (3) (d) of the statutes is amended to read:

14           289.33 **(3)** (d) "Local approval" includes any requirement for a permit, license,  
15 authorization, approval, variance or exception or any restriction, condition of  
16 approval or other restriction, regulation, requirement or prohibition imposed by a  
17 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by  
18 a town, city, village, county or special purpose district, including without limitation  
19 because of enumeration any ordinance, resolution or regulation adopted under s.  
20 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),  
21 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),  
22 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),  
23 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),  
24 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3),  
25 (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16),

1 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70  
2 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8),  
3 and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,  
4 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415,  
5 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III  
6 of ch. 91.

7 **SECTION 1945.** 292.63 (3) (ac) 3. of the statutes is amended to read:

8 292.63 (3) (ac) 3. An owner or operator or person owning a home oil tank system  
9 is not eligible for an award under this section if the owner or operator or person does  
10 not submit a claim for the costs before July 1, ~~2020~~ 2021.

11 **SECTION 1946.** 292.64 of the statutes is renumbered 168.225, and 168.225 (2)

12 (b), as renumbered, is amended to read:

13 168.225 (2) (b) Using the method that the department of natural resources uses  
14 to determine inability to pay under s. 292.63 (4) (ee), the department determines that  
15 the owner of the underground petroleum product storage tank system is unable to  
16 pay to empty, clean, remove, and dispose of the underground petroleum product  
17 storage tank system; to assess the site on which the underground petroleum product  
18 storage tank system is located; and to backfill the excavation.

19 **SECTION 1947.** 301.03 (16) of the statutes is repealed.

20 **SECTION 1948.** 301.12 (2m) of the statutes is amended to read:

21 301.12 (2m) The liability specified in sub. (2) shall not apply to persons ~~17 and~~  
22 older adults receiving care, maintenance, services, and supplies provided by prisons  
23 named in s. 302.01.

24 **SECTION 1949.** 301.12 (14) (a) of the statutes is amended to read:

1           301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person  
2 specified in sub. (2) or s. 301.03 (18) for care and maintenance of ~~persons under 17~~  
3 ~~years of age~~ minors in residential, nonmedical facilities such as group homes, foster  
4 homes, residential care centers for children and youth, and juvenile correctional  
5 institutions is determined in accordance with the cost-based fee established under  
6 s. 301.03 (18). The department shall bill the liable person up to any amount of  
7 liability not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd-party  
8 benefits, subject to rules that include formulas governing ability to pay promulgated  
9 by the department under s. 301.03 (18). Any liability of the resident not payable by  
10 any other person terminates when the resident ~~reaches age 17~~ becomes an adult,  
11 unless the liable person has prevented payment by any act or omission.

12           **SECTION 1950.** 301.26 (4) (d) 2. of the statutes is amended to read:

13           301.26 (4) (d) 2. Beginning on July 1, ~~2017~~ 2019, and ending on June 30, ~~2018~~  
14 2020, the per person daily cost assessment to counties shall be ~~\$390~~ \$501 for care in  
15 a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$390~~ \$501 for  
16 care for juveniles transferred from a juvenile correctional institution under s. 51.35  
17 (3).

18           **SECTION 1951.** 301.26 (4) (d) 3. of the statutes is amended to read:

19           301.26 (4) (d) 3. Beginning on July 1, ~~2018~~ 2020, and ending on ~~June 30, 2019~~  
20 December 31, 2020, the per person daily cost assessment to counties shall be \$513  
21 for care in a Type 1 juvenile correctional facility, as defined in s. 938.02 (19), and \$513  
22 for care for juveniles transferred from a juvenile correctional institution under s.  
23 51.35 (3). Beginning on January 1, 2021, the per person daily cost assessment to  
24 counties shall be ~~\$397~~ \$588 for care in a Type 1 juvenile correctional facility, as

1 defined in s. 938.02 (19), and ~~\$397~~ \$588 for care for juveniles transferred from a  
2 juvenile correctional institution under s. 51.35 (3).

3 **SECTION 1952.** 302.31 (7) of the statutes is amended to read:

4 302.31 (7) The temporary placement of persons in the custody of the  
5 department, other than persons under 17 years of age minors, and persons who have  
6 attained the age of 17 years but have not attained adults under the age of 25 years  
7 who are under the supervision of the department under s. 938.355 (4) and who have  
8 been taken into custody pending revocation of community supervision or aftercare  
9 supervision under s. 938.357 (5) (e).

10 **SECTION 1953.** 323.29 (title), (1) (a), (b), (c) and (d), (2), (3) (title) and (b) and  
11 (4) of the statutes are renumbered 85.127 (title), (1) (a), (b), (c) and (d), (2), (3) (title)  
12 and (b) and (4), and 85.127 (1) (a) and (4), as renumbered, are amended to read:

13 85.127 (1) (a) "Council" means the interoperability council created under s.  
14 ~~15.315~~ 15.467 (1) (a).

15 (4) DIRECTOR OF EMERGENCY COMMUNICATIONS. The ~~adjutant general secretary~~  
16 shall appoint a director of emergency communications within the ~~division~~  
17 department to serve at the pleasure of the ~~adjutant general secretary~~ outside the  
18 classified service. The position shall be funded from the appropriation under s.  
19 ~~20.465 (3)~~ 20.395 (5) (q).

20 **SECTION 1954.** 323.29 (1) (am) of the statutes is repealed.

21 **SECTION 1955.** 323.29 (3) (a) (intro.) and 1. of the statutes are consolidated,  
22 renumbered 85.127 (3) (a) and amended to read:

23 85.127 (3) (a) The department shall ~~do all of the following:~~ 1. Provide ~~provide~~  
24 staff support for the council and oversight of the development and operation of a  
25 statewide public safety interoperable communication system.

1 SECTION 1956. 323.29 (3) (a) 2. of the statutes is repealed.

2 SECTION 1957. 341.25 (1) (L) 1. b. of the statutes is amended to read:

3 341.25 (1) (L) 1. b. "Hybrid electric vehicle" means a vehicle that is capable of  
4 using both electricity and gasoline, diesel fuel, or alternative fuel to propel the  
5 vehicle but that is propelled to a significant extent by an electric motor that draws  
6 electricity from a battery that has a capacity of not less than 4 kilowatt hours and  
7 may be capable of being recharged from an external source of electricity.

8 SECTION 1958. 341.25 (2) (a) to (q) of the statutes are amended to read:

9	341.25 (2) (a) Not more than 4,500 .....	\$ <del>75.00</del> <u>96.00</u>
10	(b) Not more than 6,000 .....	<del>84.00</del> <u>107.00</u>
11	(c) Not more than 8,000 .....	<del>106.00</del> <u>135.00</u>
12	(cm) Not more than 10,000 .....	<del>155.00</del> <u>197.00</u>
13	(d) Not more than 12,000 .....	<del>209.00</del> <u>266.00</u>
14	(e) Not more than 16,000 .....	<del>283.00</del> <u>360.00</u>
15	(f) Not more than 20,000 .....	<del>356.00</del> <u>453.00</u>
16	(g) Not more than 26,000 .....	<del>475.00</del> <u>604.00</u>
17	(h) Not more than 32,000 .....	<del>609.00</del> <u>774.00</u>
18	(i) Not more than 38,000 .....	<del>772.00</del> <u>981.00</u>
19	(j) Not more than 44,000 .....	<del>921.00</del> <u>1,170.00</u>
20	(k) Not more than 50,000 .....	<del>1,063.00</del> <u>1,351.00</u>
21	(km) Not more than 54,000 .....	<del>1,135.00</del> <u>1,442.00</u>
22	(L) Not more than 56,000 .....	<del>1,209.00</del> <u>1,536.00</u>
23	(m) Not more than 62,000 .....	<del>1,367.00</del> <u>1,737.00</u>
24	(n) Not more than 68,000 .....	<del>1,543.00</del> <u>1,960.00</u>
25	(o) Not more than 73,000 .....	<del>1,755.00</del> <u>2,229.00</u>

1 (p) Not more than 76,000 ..... ~~2,081.00~~ 2,643.00

2 (q) Not more than 80,000 ..... ~~2,560.00~~ 3,252.00

3 SECTION 1959. 342.07 (5) of the statutes is created to read:

4 342.07 (5) If the department establishes requirements for certification to  
5 conduct inspections under this section, the department may not require that an  
6 inspector be employed by the department or by a law enforcement agency.

7 SECTION 1960. 342.14 (1) of the statutes is amended to read:

8 342.14 (1) For filing an application for the first certificate of title, ~~\$62~~ \$72, by  
9 the owner of the vehicle.

10 SECTION 1961. 342.14 (3) of the statutes is amended to read:

11 342.14 (3) For a certificate of title after a transfer, ~~\$62~~ \$72, by the owner of the  
12 vehicle.

13 SECTION 1962. 343.085 (2) (d) of the statutes is created to read:

14 343.085 (2) (d) Any person providing the department with proof that the person  
15 is enlisted in the U.S. armed forces is exempt from this section.

16 SECTION 1963. 343.14 (2p) of the statutes is created to read:

17 343.14 (2p) (a) The forms for application for a license or identification card or  
18 for renewal thereof shall inform the applicant of the department's duty to make  
19 available to the elections commission the information described in s. 6.256 (2) for the  
20 purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an  
21 opportunity to elect not to have this information made available for these purposes.

22 (b) If the applicant elects not to have the information described in s. 6.256 (2)  
23 made available for the purposes specified in s. 6.256 (1) and (3), the department shall  
24 not make this information available for these purposes. This paragraph does not  
25 preclude the department from making available to the elections commission

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1 information for the purposes specified in s. 6.34 (2m) or for any purpose other than  
2 those specified in s. 6.256 (1) and (3).

3 **SECTION 1964.** 343.50 (1) (c) 1. of the statutes is amended to read:

4 343.50 (1) (c) 1. The department may issue a receipt to any applicant for an  
5 identification card, and shall issue a receipt to an applicant requesting an  
6 identification card under sub. (5) (a) 3., which receipt shall constitute a temporary  
7 identification card while the application is being processed and shall be valid for a  
8 period not to exceed ~~60~~ 180 days. If the application for an identification card is  
9 processed under the exception specified in s. 343.165 (7) or (8), the receipt shall  
10 include the marking specified in sub. (3) (b).

11 **SECTION 1965.** 349.02 (2) (b) 4. of the statutes is amended to read:

12 349.02 (2) (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or  
13 66.0107 (1) (bm).

14 **SECTION 1966.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

15 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The  
16 moneys appropriated from s. 20.370 (3) ~~(ak) and (aq)~~ and (ma), (5) (es) and (9) (mu)  
17 and (mw) may be used for the following:

18 **SECTION 1967.** 350.12 (4) (a) 3m. of the statutes is amended to read:

19 350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated  
20 under s. 20.370 (3) ~~(ak) and (aq)~~ and (ma); and

21 **SECTION 1968.** 350.12 (4) (am) of the statutes is amended to read:

22 350.12 (4) (am) *Enforcement aids to department.* Of the amounts appropriated  
23 under s. 20.370 (3) ~~(ak) and (aq)~~ and (ma), the department shall allocate \$26,000 in  
24 each fiscal year to be used exclusively for the purchase of snowmobiles or trailers to  
25 carry snowmobiles, or both, to be used in state law enforcement efforts.

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1           **SECTION 1969.** 440.03 (13) (b) 20m. of the statutes is created to read:

2           440.03 (13) (b) 20m. Dental therapist.

3           **SECTION 1970.** 440.08 (2) (a) 25m. of the statutes is created to read:

4           440.08 (2) (a) 25m. Dental therapist: October 1 of each odd-numbered year.

5           **SECTION 1971.** 447.01 (6g) of the statutes is created to read:

6           447.01 (6g) "Dental therapist" means an individual who practices dental  
7 therapy.

8           **SECTION 1972.** 447.01 (6r) of the statutes is created to read:

9           447.01 (6r) "Dental therapy" means the limited practice of dentistry, consisting  
10 of the services, treatments, and procedures specified in s. 447.06 (3) (b).

11           **SECTION 1973.** 447.02 (1) (a) of the statutes is amended to read:

12           447.02 (1) (a) Governing the reexamination of an applicant who fails an  
13 examination specified in s. 447.04 (1) (a) 5., (1m) (a) 5., or (2) (a) 5. The rules may  
14 specify additional educational requirements for those applicants and may specify the  
15 number of times an applicant may be examined.

16           **SECTION 1974.** 447.02 (1) (b) of the statutes is amended to read:

17           447.02 (1) (b) Governing the standards and conditions for the use of radiation  
18 and ionizing equipment in the practice of dentistry or dental therapy.

19           **SECTION 1975.** 447.02 (1) (g) of the statutes is created to read:

20           447.02 (1) (g) Specifying services, treatments, or procedures, in addition to  
21 those specified under s. 447.06 (3) (b) 1. to 28., that are included within the practice  
22 of dental therapy.

23           **SECTION 1976.** 447.02 (2) (a) of the statutes is amended to read:

24           447.02 (2) (a) The conditions for supervision and the degree of supervision  
25 required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

1           **SECTION 1977.** 447.02 (3) (a) (intro.) of the statutes is amended to read:

2           447.02 (3) (a) (intro.) The examining board may issue a permit authorizing the  
3 practice in this state, without compensation, of dentistry, dental therapy, or dental  
4 hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental  
5 hygiene in another state, if all of the following apply:

6           **SECTION 1978.** 447.02 (3) (a) 2. of the statutes is amended to read:

7           447.02 (3) (a) 2. The examining board determines that the applicant is qualified  
8 and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the  
9 examining board may not require the applicant to pass an examination of state  
10 statutes and rules relating to dentistry, dental therapy, or dental hygiene.

11           **SECTION 1979.** 447.02 (3) (b) of the statutes is amended to read:

12           447.02 (3) (b) A permit under this subsection shall authorize the practice of  
13 dentistry, dental therapy, or dental hygiene in a specified area of the state for a period  
14 of time not more than 10 days in a year and may be renewed by the examining board.  
15 The examining board may not require an applicant to pay a fee for the issuance or  
16 renewal of a permit under this subsection.

17           **SECTION 1980.** 447.02 (5) of the statutes is amended to read:

18           447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this  
19 chapter may be construed as authorizing the examining board to regulate business  
20 or administrative support functions or services, that do not constitute the practice  
21 of dentistry, dental therapy, or dental hygiene, provided to a business that provides  
22 dental or dental hygiene services.

23           **SECTION 1981.** 447.03 (1m) of the statutes is created to read:

1           447.03 (1m) DENTAL THERAPISTS. Except as provided under sub. (3) and s.  
2 447.02 (3), no person may do any of the following unless he or she is licensed to  
3 practice dental therapy under this chapter:

4           (a) Practice or offer to practice dental therapy.

5           (b) Represent himself or herself to the public as a dental therapist or use, in  
6 connection with his or her name, any title or description that may convey the  
7 impression that he or she is a dental therapist.

8           **SECTION 1982.** 447.03 (3) (am) of the statutes is created to read:

9           447.03 (3) (am) A dental therapy student who practices dental therapy under  
10 the supervision of a dentist in an infirmary, clinic, hospital or other institution  
11 connected or associated for training purposes with an accredited dental therapy  
12 school.

13           **SECTION 1983.** 447.03 (3) (c) of the statutes is amended to read:

14           447.03 (3) (c) An individual licensed to practice dentistry, dental therapy, or  
15 dental hygiene in another state or country who practices dentistry, dental therapy,  
16 or dental hygiene in a program of dental education or research at the invitation of  
17 a group of dentists or practices dentistry, dental therapy, or dental hygiene under the  
18 jurisdiction of the army, navy, air force, U.S. public health service, or veterans  
19 bureau.

20           **SECTION 1984.** 447.04 (1m) of the statutes is created to read:

21           447.04 (1m) DENTAL THERAPISTS. (a) The examining board shall grant a license  
22 to practice dental therapy to an individual who does all of the following:

23           1. Submits an application for the license to the department on a form provided  
24 by the department.

25           2. Pays the fee specified in s. 440.05 (1).

1           3. Submits evidence satisfactory to the examining board that he or she has done  
2 one of the following:

3           a. Graduated from an accredited dental therapy education program.

4           b. Graduated from a dental therapy education program that was not accredited  
5 at the time of graduation, but was accredited or approved by a state dental licensing  
6 board, was certified as a community health aide program dental therapy education  
7 program under U.S. Indian health service standards, or is otherwise approved by the  
8 examining board as being substantially comparable to an accredited program.

9           4. Submits evidence satisfactory to the examining board that he or she has  
10 passed a national board dental therapy examination and a dental therapy clinical  
11 examination administered by a regional testing service that has been approved by  
12 the examining board to administer clinical examinations for dental professionals.  
13 If a national board examination or a regional testing service examination for dental  
14 therapy does not exist, the examining board shall accept evidence of passing an  
15 alternative examination administered by another entity or testing service that is  
16 approved by the examining board.

17           5. Passes an examination administered by the examining board on the statutes  
18 and rules relating to dental therapy.

19           5m. Submits evidence satisfactory to the examining board that he or she has  
20 current proficiency in cardiopulmonary resuscitation, including the use of an  
21 automated external defibrillator achieved through instruction provided by an  
22 individual, organization, or institution of higher education approved under s. 46.03  
23 (38) to provide such instruction.

24           6. Completes any other requirements established by the examining board by  
25 rule that are comparable to and no more restrictive than the requirements

1 established by the board for dentists under sub. (1) (a) 6. and dental hygienists under  
2 sub. (2) (a) 6.

3 (b) The examining board may grant a license to practice dental therapy to an  
4 individual who is licensed or certified in good standing to practice dental therapy in  
5 another state or territory of the United States or in another country, or by the U.S.  
6 Indian health service community health aide program, if the applicant complies with  
7 all of the following requirements:

8 1. Meets the requirements for licensure established by the examining board by  
9 rule. The board shall establish requirements under this subdivision that are  
10 comparable to and no more restrictive than the requirements established by the  
11 board for dentists under sub. (1) (b) 1. and dental hygienists under sub. (2) (b) 1.

12 2. Submits evidence satisfactory to the examining board that the person has  
13 current proficiency in cardiopulmonary resuscitation, including the use of an  
14 automated external defibrillator achieved through instruction provided by an  
15 individual, organization, or institution of higher education qualified to provide such  
16 instruction. The examining board shall consult with the department of health  
17 services to determine whether an individual, organization, or institution of higher  
18 education is qualified to provide instruction under this subdivision.

19 3. Presents the license or certification to the examining board and pays the fee  
20 specified under s. 440.05 (2).

21 **SECTION 1985.** 447.05 of the statutes is amended to read:

22 **447.05 Expiration and renewal.** Renewal applications shall be submitted  
23 to the department on a form provided by the department on or before the applicable  
24 renewal date specified under s. 440.08 (2) (a) and shall include the applicable  
25 renewal fee determined by the department under s. 440.03 (9) (a). The examining

1 board may not renew a license to practice dentistry unless the applicant for renewal  
2 attests that he or she has complied with s. 447.056, that he or she has current  
3 proficiency in cardiopulmonary resuscitation, including and that he or she has  
4 current proficiency in the use of an automated external defibrillator achieved  
5 through instruction provided by an individual, organization, or institution of higher  
6 education approved under s. 46.03 (38) to provide such instruction. The examining  
7 board may not renew a license to practice dental therapy unless the applicant for  
8 renewal attests that he or she has complied with s. 447.057 and any rules  
9 promulgated under s. 447.057, that he or she has current proficiency in  
10 cardiopulmonary resuscitation, and that he or she has current proficiency in the use  
11 of an automated external defibrillator achieved through instruction provided by an  
12 individual, organization, or institution of higher education approved under s. 46.03  
13 (38) to provide such instruction. The examining board may not renew a license to  
14 practice dental hygiene unless the applicant for renewal attests that he or she has  
15 complied with s. 447.055 and any rules promulgated by the examining board under  
16 s. 447.055, that he or she has a current certification in cardiopulmonary  
17 resuscitation, and that he or she has current proficiency in the use of an automated  
18 external defibrillator achieved through instruction provided by an individual,  
19 organization, or institution of higher education approved under s. 46.03 (38) to  
20 provide such instruction.

21 **SECTION 1986.** 447.057 of the statutes is created to read:

22 **447.057 Continuing education; dental therapists.** (1) (a) Except as  
23 provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice  
24 dental therapy, other than a permit issued under s. 447.02 (3), unless the person has  
25 taught, prepared, attended, or otherwise completed, during the 2-year period

1 immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit  
2 hours of continuing education relating to the clinical practice of dental therapy that  
3 is sponsored or recognized by a local, state, regional, national, or international  
4 dental, dental therapy, dental hygiene, dental assisting, or medical-related  
5 professional organization.

6 (b) Continuing education required under par. (a) may include training in all of  
7 the following:

8 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the  
9 credit hours required under par. (a) may be satisfied by such training.

10 2. Infection control. Not less than 2 of the credit hours required under par. (a)  
11 must be satisfied by such training.

12 (d) After consultation with the department of health services, the examining  
13 board may promulgate rules requiring that continuing education credit hours under  
14 par. (a) include courses in specific clinical subjects.

15 (2) The credit hours required under sub. (1) (a) may be satisfied by independent  
16 study, correspondence, or Internet programs or courses.

17 (3) Subsection (1) (a) does not apply to an applicant for renewal of a license that  
18 expires on the first renewal date after the date on which the examining board  
19 initially granted the license.

20 (4) A person may substitute credit hours of college level courses related to the  
21 practice of dental therapy for the credit hours required under sub. (1) (a). For  
22 purposes of this subsection, one credit hour of a college level course is equivalent to  
23 6 credit hours of continuing education.

24 (5) For purposes of sub. (1) (a), one hour of teaching or preparing a continuing  
25 education program is equivalent to one credit hour of continuing education, but a



1 person who teaches or prepares a continuing education program may obtain credit  
2 for the program only once.

3 (6) The examining board may require applicants for renewal of a license to  
4 practice dental therapy to submit proof of compliance with the requirements of this  
5 section.

6 SECTION 1987. 447.06 (1) of the statutes is amended to read:

7 447.06 (1) No contract of employment entered into between a dentist or dental  
8 therapist and any other party under which the dentist or dental therapist renders  
9 dental services may require the dentist or dental therapist to act in a manner ~~which~~  
10 that violates the professional standards for dentistry or dental therapy set forth in  
11 this chapter. Nothing in this subsection limits the ability of the other party to control  
12 the operation of the dental practice in a manner in accordance with the professional  
13 standards for dentistry or dental therapy set forth in this chapter.

14 SECTION 1988. 447.06 (1m) of the statutes is created to read:

15 447.06 (1m) No contract of employment entered into between a dental  
16 therapist and any other party under which the dental therapist is employed to  
17 practice dental therapy may require a dental therapist to meet a minimum quota for  
18 the number of patients seen or the number of procedures performed.

19 SECTION 1989. 447.06 (2) (a) 3. of the statutes is amended to read:

20 447.06 (2) (a) 3. For a school for the education of dentists, dental therapists,  
21 or dental hygienists.

22 SECTION 1990. 447.06 (2) (b) of the statutes is amended to read:

23 447.06 (2) (b) A dental hygienist may practice dental hygiene or perform  
24 remediable procedures under par. (a) 1. only as authorized by a dentist or dental  
25 therapist who is licensed to practice dentistry or dental therapy under this chapter

1 and who is present in the facility in which those practices or procedures are  
2 performed, except as provided in par. (c).

3 **SECTION 1991.** 447.06 (2) (c) (intro.) of the statutes is amended to read:

4 447.06 (2) (c) (intro.) A dental hygienist may practice dental hygiene or perform  
5 remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed  
6 to practice dentistry or dental therapy under this chapter is not present in the facility  
7 in which those practices or procedures are performed only if all of the following  
8 conditions are met:

9 **SECTION 1992.** 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

10 447.06 (2) (c) 2. (intro.) The dentist or dental therapist who made the written  
11 or oral prescription has examined the patient at least once during the 12-month  
12 period immediately preceding:

13 **SECTION 1993.** 447.06 (3) of the statutes is created to read:

14 447.06 (3) (a) In this subsection:

15 1. "Collaborative management agreement" means an agreement under par. (d).

16 2. "Qualifying dentist" means a dentist who is licensed in this state and who  
17 is actively practicing in this state.

18 (b) The scope of practice of a dental therapist shall, subject to the terms of a  
19 collaborative management agreement, be limited to providing the following services,  
20 treatments, and procedures:

21 1. Oral evaluation and assessment of dental disease and formulation of an  
22 individualized treatment plan.

23 2. Identification of oral and systemic conditions requiring evaluation or  
24 treatment by dentists, physicians, or other health care providers and managing  
25 referrals.

- 1           3. Comprehensive charting of the oral cavity.
- 2           4. Oral health instruction and disease prevention education, including
- 3           nutritional counseling and dietary analysis.
- 4           5. Exposure and evaluation of radiographic images.
- 5           6. Dental prophylaxis, including subgingival scaling and polishing procedures.
- 6           7. Dispensing and administration via the oral or topical route of nonnarcotic
- 7           analgesic, anti-inflammatory, and antibiotic medications as prescribed by a licensed
- 8           health care provider.
- 9           8. Application of topical preventive or prophylactic agents, including fluoride
- 10          varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure
- 11          sealants.
- 12          9. Pulp vitality testing.
- 13          10. Application of desensitizing medications or resins.
- 14          11. Fabrication of athletic mouth guards and soft occlusal guards.
- 15          12. Changing of periodontal dressings.
- 16          13. Administration of local anesthetic and nitrous oxide.
- 17          14. Simple extraction of erupted primary teeth.
- 18          15. Nonsurgical extraction of periodontally diseased permanent teeth with
- 19          tooth mobility of +3 to +4 to the extent authorized in the dental therapist's
- 20          collaborative management agreement, except that "dental therapy" does not include
- 21          the extraction of a tooth that is unerupted, impacted, or fractured or that needs to
- 22          be sectioned for removal.
- 23          16. Emergency palliative treatment of dental pain limited to the procedures in
- 24          this paragraph.

1           17. Preparation and placement of direct restoration in primary and permanent  
2 teeth.

3           18. Fabrication and placement of single-tooth temporary crowns.

4           19. Preparation and placement of preformed crowns on primary teeth.

5           20. Indirect and direct pulp capping on permanent teeth.

6           21. Indirect pulp capping on primary teeth.

7           22. Intraoral suture placement and removal.

8           23. Minor adjustment and repair of removable prostheses.

9           24. Placement and removal of space maintainers.

10          25. Pulpotomy on primary teeth.

11          26. Tooth reimplantation and stabilization.

12          27. Recementing of a permanent crown.

13          28. Any additional services, treatments, or procedures specified in the rules  
14 promulgated under s. 447.02 (1) (g).

15           (c) 1. A dental therapist licensed under this chapter may provide dental  
16 therapy services only under the general supervision of a qualifying dentist with  
17 whom the dental therapist has entered into a collaborative management agreement.  
18 For purposes of this subdivision, general supervision of a dental therapist by a  
19 dentist requires that a task or procedure be performed by a dental therapist with the  
20 prior knowledge and consent of the dentist, but does not require the presence of the  
21 dentist in the office or on the premises at the time a task or procedure is being  
22 performed by the dental therapist and does not require prior examination or  
23 diagnosis of a patient by the dentist before the dental therapist provides dental  
24 therapy services to the patient.

1           2. A supervising dentist shall accept responsibility for all services performed  
2 by a dental therapist pursuant to a collaborative management agreement. If services  
3 needed by a patient are beyond the dental therapist's scope of practice or  
4 authorization under the collaborative management agreement, the dental therapist  
5 shall, to the extent required under the collaborative management agreement,  
6 consult with the supervising dentist as needed to arrange for those services to be  
7 provided by a dentist or another qualified health care professional.

8           (d) 1. Prior to providing any dental therapy services, a dental therapist shall  
9 enter into a written collaborative management agreement with a qualifying dentist  
10 who will serve as a supervising dentist under par. (c). The agreement must be signed  
11 by the dental therapist and the qualifying dentist and address all of the following:

12           a. The practice settings where services may be provided and the patient  
13 populations that may be served.

14           b. Any conditions or limitations on the services that may be provided by the  
15 dental therapist, the level of supervision required, and any circumstances requiring  
16 consultation prior to performing services.

17           c. Age-specific and procedure-specific practice protocols.

18           d. Dental record-keeping procedures.

19           e. Plans for managing dental or medical emergencies.

20           f. A quality assurance plan for monitoring care provided by the dental  
21 therapist.

22           g. Protocols for administering and dispensing medications.

23           h. Criteria or protocols relating to the provision of care to patients with specific  
24 medical conditions, treatments, or medications.

25           i. Policies relating to supervision of dental hygienists and other staff.

1 j. A plan for the referral of patients to other dental or health care professionals  
2 or clinics when services needed are beyond the scope of practice or authorization of  
3 the dental therapist.

4 k. Whether and to what extent the dental therapist may perform services  
5 described in par. (b) 15.

6 2. a. A collaborative management agreement shall be limited to covering one  
7 qualifying dentist and one dental therapist.

8 b. A dental therapist may enter into multiple collaborative management  
9 agreements.

10 c. No dentist may have collaborative management agreements with more than  
11 5 dental therapists at any time.

12 **SECTION 1994.** 447.065 of the statutes is amended to read:

13 **447.065 Delegation of remediable procedures and dental practices. (1)**

14 A dentist or dental therapist who is licensed to practice dentistry under this chapter  
15 may delegate to an individual who is not licensed under this chapter only the  
16 performance of remediable procedures, and only if all of the following conditions are  
17 met:

18 (a) The unlicensed individual performs the remediable procedures in  
19 accordance with a treatment plan approved by the dentist or dental therapist.

20 (b) The dentist or dental therapist is on the premises when the unlicensed  
21 individual performs the remediable procedures.

22 (c) The unlicensed individual's performance of the remediable procedures is  
23 subject to inspection by the dentist or dental therapist.

24 **(2)** Subject to the requirements under s. 447.06 (2), a dentist or dental therapist  
25 who is licensed to practice dentistry under this chapter may delegate to a dental

1     hygienist who is licensed to practice dental hygiene under this chapter the  
2     performance of remediable procedures and the administration of oral systemic  
3     premedications, local anesthesia, nitrous oxide inhalation analgesia, and  
4     subgingival sustained release chemotherapeutic agents, to the extent the dentist or  
5     dental therapist has the authority to perform the activity personally.

6           (3) A dentist or dental therapist who delegates to another individual the  
7     performance of any practice or remediable procedure is responsible for that  
8     individual's performance of that delegated practice or procedure.

9           **SECTION 1995.** 447.07 (1) of the statutes is amended to read:

10           447.07 (1) The examining board may, without further notice or process, limit,  
11     suspend, or revoke the license or certificate of any dentist, dental therapist, or dental  
12     hygienist, or the registration of a mobile dentistry program registrant, who fails,  
13     within 60 days after the mailing of written notice to the dentist's, dental therapist's,  
14     dental hygienist's, or registrant's last-known address, to renew the license,  
15     certificate, or registration.

16           **SECTION 1996.** 447.07 (3) (intro.) of the statutes is amended to read:

17           447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
18     examining board may make investigations and conduct hearings in regard to any  
19     alleged action of any dentist, dental therapist, or dental hygienist, of a mobile  
20     dentistry program registrant, or of any other person it has reason to believe is  
21     engaged in or has engaged in the practice of dentistry, dental therapy, or dental  
22     hygiene, or the operation of a mobile dentistry program, in this state, and may, on  
23     its own motion, or upon complaint in writing, reprimand any dentist, dental  
24     therapist, or dental hygienist who is licensed or certified under this chapter, or any  
25     mobile dentistry program registrant, or deny, limit, suspend, or revoke his or her

1 license or certificate, or the registration of the mobile dentistry program registrant,  
2 if it finds that the dentist, dental therapist, dental hygienist, or mobile dentistry  
3 program registrant has done any of the following:

4 **SECTION 1997.** 447.07 (3) (e) to (h) of the statutes are amended to read:

5 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a  
6 crime, the circumstances of which substantially relate to the practice of dentistry,  
7 dental therapy, or dental hygiene or the operation of a mobile dentistry program.

8 (f) Violated this chapter or any federal or state statute or rule that relates to  
9 the practice of dentistry, dental therapy, or dental hygiene, or the operation of a  
10 mobile dentistry program.

11 (g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental  
12 therapy, or dental hygiene while his or her ability was impaired by alcohol or other  
13 drugs.

14 (h) Engaged in conduct that indicates a lack of knowledge of, an inability to  
15 apply or the negligent application of, principles or skills of dentistry, dental therapy,  
16 or dental hygiene.

17 **SECTION 1998.** 447.40 (intro.) of the statutes is amended to read:

18 **447.40 Informed consent.** (intro.) Any dentist or dental therapist who treats  
19 a patient shall inform the patient about the availability of reasonable alternate  
20 modes of treatment and about the benefits and risks of these treatments. The  
21 reasonable dentist standard is the standard for informing a patient under this  
22 section. The reasonable dentist standard requires disclosure only of information  
23 that a reasonable dentist would know and disclose under the circumstances. The  
24 dentist's or dental therapist's duty to inform the patient under this section does not  
25 require disclosure of any of the following:



1           **SECTION 1999.** 447.40 (6) of the statutes is amended to read:

2           447.40 (6) Information about alternate modes of treatment for any condition  
3           the dentist or dental therapist has not included in his or her diagnosis, assessment,  
4           or treatment plan at the time the dentist or dental therapist informs the patient.

5           **SECTION 2000.** 448.03 (2) (a) of the statutes is amended to read:

6           448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
7           permit, registration, certificate or certification granted to practice midwifery under  
8           subch. XIII of ch. 440, to practice professional or practical nursing or  
9           nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice  
10          dentistry, dental therapy, or dental hygiene under ch. 447, to practice optometry  
11          under ch. 449, to practice acupuncture under ch. 451 or under any other statutory  
12          provision, or as otherwise provided by statute.

13          **SECTION 2001.** 448.21 (1) (a) of the statutes is amended to read:

14          448.21 (1) (a) The practice of dentistry, dental therapy, or dental hygiene within  
15          the meaning of ch. 447.

16          **SECTION 2002.** 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 nursing or  
20          nurse-midwifery under ch. 441, to practice dentistry, dental therapy, 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 2003.** 450.10 (3) (a) 4. of the statutes is amended to read:

25          450.10 (3) (a) 4. A dentist or dental therapist licensed under ch. 447.

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1           **SECTION 2004.** 462.02 (2) (d) of the statutes is amended to read:

2           462.02 (2) (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed  
3 under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), or a person  
4 under the direct supervision of a dentist.

5           **SECTION 2005.** 462.04 of the statutes is amended to read:

6           **462.04 Prescription or order required.** A person who holds a license or  
7 limited X-ray machine operator permit under this chapter may not use diagnostic  
8 X-ray equipment on humans for diagnostic purposes unless authorized to do so by  
9 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed  
10 under s. 447.04 (1), a dental therapist licensed under s. 447.04 (1m), a podiatrist  
11 licensed under s. 448.63, a chiropractor licensed under s. 446.02, an advanced  
12 practice nurse certified under s. 441.16 (2), a physician assistant licensed under s.  
13 448.04 (1) (f), or, subject to s. 448.56 (7) (a), a physical therapist licensed under s.  
14 448.53.

15           **SECTION 2006.** 463.10 (5) of the statutes is amended to read:

16           463.10 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist ~~who is~~  
17 ~~licensed under s. 447.03 (1) or to a~~, dental therapist, or physician who tattoos or  
18 offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's  
19 professional practice.

20           **SECTION 2007.** 463.12 (5) of the statutes is amended to read:

21           463.12 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist ~~who is~~  
22 ~~licensed under s. 447.03 (1) or to a~~, dental therapist, or physician who pierces the  
23 body of or offers to pierce the body of a person in the course of the dentist's, dental  
24 therapist's, or physician's professional practice.

25           **SECTION 2008.** 565.10 (17) of the statutes is created to read:

1           565.10 (17) SETOFF AGAINST RETAILER COMPENSATION. The department shall  
2       setoff any debt or other amount owed to the department, regardless of the origin,  
3       nature, or date of the debt or amount, against any compensation or payment owed  
4       to a lottery retailer under this chapter, whether owed by statute, rule, or contract.  
5       If, after the setoff, additional compensation or payment is due, the department shall  
6       setoff the remaining amount against all certified debts owed by the lottery retailer  
7       under ss. 71.93 and 71.935.

8           **SECTION 2009.** 565.12 (1) (intro.) of the statutes is amended to read:

9           565.12 (1) (intro.) A lottery retailer contract entered into under s. 565.10 may  
10       be terminated or suspended for a specified period if the department finds that the  
11       retailer has done any of the following before or after the contract was entered into:

12          **SECTION 2010.** 565.30 (5) of the statutes is amended to read:

13          565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS  
14       OWED THE STATE. The administrator shall report the name, address and social security  
15       number or federal income tax number of each winner of a lottery prize equal to or  
16       greater than \$600 and the name, address and social security number or federal  
17       income tax number of each person to whom a lottery prize equal to or greater than  
18       \$600 has been assigned to the department of revenue to determine whether the  
19       payee or assignee of the prize is delinquent in the payment of state taxes under ch.  
20       71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child  
21       support or has a debt owing to the state under s. 71.93 or 71.935. Upon receipt of a  
22       report under this subsection, the department of revenue shall first ascertain based  
23       on ~~certifications by the department of children and families or its designee under s.~~  
24       ~~49.855 (1) whether any person named in the report is currently delinquent in~~  
25       ~~court-ordered payment of child support, and shall next certify to the administrator,~~

1 whether any person named in the report is delinquent in court-ordered payment of  
2 child support ~~or based on certifications by the department of children and families~~  
3 under s. 49.855 (1), is delinquent in the payment of state taxes under ch. 71, 72, 76,  
4 77, 78 or 139, or has a debt under s. 71.93 or 71.935. Upon this certification by the  
5 department of revenue or upon court order the administrator shall withhold the  
6 certified amount and send it to the department of revenue for remittance to the  
7 appropriate agency or person. The department of revenue shall charge the winner  
8 or assignee of the lottery prize ~~for the department of revenue's administrative~~  
9 ~~expenses associated with withholding and remitting debt owed to a state agency a~~  
10 collection fee and may withhold the amount of the ~~administrative expenses~~ collection  
11 fee from the prize payment. The ~~administrative expenses~~ collection fee received or  
12 withheld by the department of revenue shall be credited to the appropriation under  
13 s. 20.566 (1) (h). In instances in which the payee or assignee of the prize is delinquent  
14 both in payments for state taxes and in court-ordered payments of child support, or  
15 is delinquent in one or both of these payments and has a debt ~~owing to the state under~~  
16 s. 71.93 or 71.935, the amount remitted to the appropriate agency or person shall be  
17 ~~in proportion to the prize amount as is the delinquency or debt owed by the payee or~~  
18 assignee setoff under s. 71.93 (3) (a).

19 **SECTION 2011.** 601.31 (1) (n) of the statutes is amended to read:

20 601.31 (1) (n) For appointing, or renewing an appointment of, an agent under  
21 s. 628.11, \$16 annually for resident agents or ~~\$30~~ \$40 annually for nonresident  
22 agents, unless the commissioner sets a higher fee by rule, to be paid at times and  
23 under procedures set by the commissioner.

24 **SECTION 2012.** 601.83 (1) (a) of the statutes is amended to read:

1           601.83 (1) (a) The commissioner shall administer a state-based reinsurance  
2 program known as the healthcare stability plan in accordance with the specific terms  
3 and conditions approved by the federal department of health and human services  
4 dated July 29, 2018. Before December 31, 2023, the commissioner may not request  
5 from the federal department of health and human services a modification,  
6 suspension, withdrawal, or termination of the waiver under 42 USC 18052 under  
7 which the healthcare stability plan under this subchapter operates unless  
8 legislation has been enacted specifically directing the modification, suspension,  
9 withdrawal, or termination. Before December 31, 2023, the commissioner may  
10 request renewal, without substantive change, of the waiver under 42 USC 18052  
11 under which the health care stability plan operates ~~in accordance with s. 20.940 (4)~~  
12 unless legislation has been enacted that is contrary to such a renewal request. The  
13 ~~commissioner shall comply with applicable timing in and requirements of s. 20.940.~~

14           **SECTION 2013.** 609.713 of the statutes is created to read:

15           **609.713 Essential health benefits; preventive services.** Defined network  
16 plans and preferred provider plans are subject to s. 632.895 (13m) and (14m).

17           **SECTION 2014.** 609.847 of the statutes is created to read:

18           **609.847 Preexisting condition discrimination and certain benefit**  
19 **limits prohibited.** Limited service health organizations, preferred provider plans,  
20 and defined network plans are subject to s. 632.728.

21           **SECTION 2015.** 625.12 (1) (a) of the statutes is amended to read:

22           625.12 (1) (a) Past and prospective loss and expense experience within and  
23 outside of this state, except as provided in s. 632.728.

24           **SECTION 2016.** 625.12 (1) (e) of the statutes is amended to read:

1 625.12 (1) (e) Subject to ~~s. ss. 632.365 and 632.728~~, all other relevant factors,  
2 including the judgment of technical personnel.

3 SECTION 2017. 625.12 (2) of the statutes is amended to read:

4 625.12 (2) CLASSIFICATION. Risks Except as provided in s. 632.728, risks may  
5 be classified in any reasonable way for the establishment of rates and minimum  
6 premiums, except that no classifications may be based on race, color, creed or  
7 national origin, and classifications in automobile insurance may not be based on  
8 physical condition or developmental disability as defined in s. 51.01 (5). Subject to  
9 ~~s. ss. 632.365 and 632.728~~, rates thus produced may be modified for individual risks  
10 in accordance with rating plans or schedules that establish reasonable standards for  
11 measuring probable variations in hazards, expenses, or both. Rates may also be  
12 modified for individual risks under s. 625.13 (2).

13 SECTION 2018. 625.15 (1) of the statutes is amended to read:

14 625.15 (1) RATE MAKING. ~~An~~ Except as provided in s. 632.728, an insurer may  
15 itself establish rates and supplementary rate information for one or more market  
16 segments based on the factors in s. 625.12 and, if the rates are for motor vehicle  
17 liability insurance, subject to s. 632.365, or the insurer may use rates and  
18 supplementary rate information prepared by a rate service organization, with  
19 average expense factors determined by the rate service organization or with such  
20 modification for its own expense and loss experience as the credibility of that  
21 experience allows.

22 SECTION 2019. 628.34 (3) (a) of the statutes is amended to read:

23 628.34 (3) (a) No insurer may unfairly discriminate among policyholders by  
24 charging different premiums or by offering different terms of coverage except on the  
25 basis of classifications related to the nature and the degree of the risk covered or the

1 expenses involved, subject to ss. 632.365, 632.728, 632.746 and 632.748. Rates are  
2 not unfairly discriminatory if they are averaged broadly among persons insured  
3 under a group, blanket or franchise policy, and terms are not unfairly discriminatory  
4 merely because they are more favorable than in a similar individual policy.

5 **SECTION 2020.** 632.697 of the statutes is amended to read:

6 **632.697 Benefits subject to department's right to recover.** Death  
7 benefits payable under a life insurance policy or an annuity are subject to the right  
8 of the department of health services to recover under s. 46.27 (7g), 2017 stats.,  
9 49.496, 49.682, or 49.849 an amount equal to the medical assistance that is  
10 recoverable under s. 49.496 (3) (a), an amount equal to aid under s. 49.68, 49.683,  
11 49.685, or 49.785 that is recoverable under s. 49.682 (2) (a) or (am), or an amount  
12 equal to long-term community support services under s. 46.27, 2017 stats., that is  
13 recoverable under s. 46.27 (7g) (c) 1., 2017 stats., and that was paid on behalf of the  
14 deceased policyholder or annuitant.

15 **SECTION 2021.** 632.728 of the statutes is created to read:

16 **632.728 Coverage of persons with preexisting conditions; guaranteed**  
17 **issue; benefit limits. (1) DEFINITIONS.** In this section:

18 (a) "Health benefit plan" has the meaning given in s. 632.745 (11).

19 (b) "Self-insured health plan" has the meaning given in s. 632.85 (1) (c).

20 **(2) GUARANTEED ISSUE.** (a) Every individual health benefit plan shall accept  
21 every individual in this state who, and every group health benefit plan shall accept  
22 every employer in this state that, applies for coverage, regardless of sexual  
23 orientation, gender identity, or whether or not any employee or individual has a  
24 preexisting condition. A health benefit plan may restrict enrollment in coverage  
25 described in this paragraph to open or special enrollment periods.

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1 (b) The commissioner shall establish a statewide open enrollment period of no  
2 shorter than 30 days for every individual health benefit plan to allow individuals,  
3 including individuals who do not have coverage, to enroll in coverage.

4 (3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS. (a) An individual  
5 health benefit plan or a self-insured health plan may not establish rules for the  
6 eligibility of any individual to enroll, or for the continued eligibility of any individual  
7 to remain enrolled, under the plan based on any of the following health  
8 status-related factors in relation to the individual or a dependent of the individual:

- 9 1. Health status.
- 10 2. Medical condition, including both physical and mental illnesses.
- 11 3. Claims experience.
- 12 4. Receipt of health care.
- 13 5. Medical history.
- 14 6. Genetic information.
- 15 7. Evidence of insurability, including conditions arising out of acts of domestic  
16 violence.
- 17 8. Disability.

18 (b) An insurer offering an individual health benefit plan or a self-insured  
19 health plan may not require any individual, as a condition of enrollment or continued  
20 enrollment under the plan, to pay, on the basis of any health status-related factor  
21 under par. (a) with respect to the individual or a dependent of the individual, a  
22 premium or contribution or a deductible, copayment, or coinsurance amount that is  
23 greater than the premium or contribution or deductible, copayment, or coinsurance  
24 amount respectively for a similarly situated individual enrolled under the plan.



1 (c) Nothing in this subsection prevents an insurer offering an individual health  
2 benefit plan or a self-insured health plan from establishing premium discounts or  
3 rebates or modifying otherwise applicable cost sharing in return for adherence to  
4 programs of health promotion and disease prevention.

5 (4) PREMIUM RATE VARIATION. A health benefit plan offered on the individual or  
6 small employer market or a self-insured health plan may vary premium rates for a  
7 specific plan based only on the following considerations:

8 (a) Whether the policy or plan covers an individual or a family.

9 (b) Rating area in the state, as established by the commissioner.

10 (c) Age, except that the rate may not vary by more than 3 to 1 for adults over  
11 the age groups and the age bands shall be consistent with recommendations of the  
12 National Association of Insurance Commissioners.

13 (d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

14 (5) ANNUAL AND LIFETIME LIMITS. An individual or group health benefit plan or  
15 a self-insured health plan may not establish any of the following:

16 (a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent  
17 of an enrollee under the plan.

18 (b) Annual limits on the dollar value of benefits for an enrollee or a dependent  
19 of an enrollee under the plan.

20 (6) SHORT-TERM PLANS. This section and s. 632.76 apply to every short-term,  
21 limited-duration health insurance policy. In this subsection, "short-term,  
22 limited-duration health insurance policy" means health coverage that is provided  
23 under a contract with an insurer, has an expiration date specified in the contract that  
24 is less than 12 months after the original effective date of the contract, and, taking  
25 into account renewals or extensions, has a duration of no longer than 36 months in

1 total. "Short-term, limited-duration health insurance policy" includes any  
2 short-term policy subject to s. 632.7495 (4).

3 **SECTION 2022.** 632.746 (1) (a) of the statutes is renumbered 632.746 (1) and  
4 amended to read:

5 ~~632.746 (1) Subject to subs. (2) and (3), an An insurer that offers a group health~~  
6 ~~benefit plan may, with respect to a participant or beneficiary under the plan, not~~  
7 ~~impose a preexisting condition exclusion only if the exclusion relates to a condition,~~  
8 ~~whether physical or mental, regardless of the cause of the condition, for which~~  
9 ~~medical advice, diagnosis, care or treatment was recommended or received within~~  
10 ~~the 6-month period ending on the participant's or beneficiary's enrollment date~~  
11 ~~under the plan on a participant or beneficiary under the plan.~~

12 **SECTION 2023.** 632.746 (1) (b) of the statutes is repealed.

13 **SECTION 2024.** 632.746 (2) (a) of the statutes is amended to read:

14 632.746 (2) (a) An insurer offering a group health benefit plan may not treat  
15 impose a preexisting condition exclusion based on genetic information as a  
16 preexisting condition under sub. (1) without a diagnosis of a condition related to the  
17 information.

18 **SECTION 2025.** 632.746 (2) (c), (d) and (e) of the statutes are repealed.

19 **SECTION 2026.** 632.746 (3) (a) of the statutes is repealed.

20 **SECTION 2027.** 632.746 (3) (d) 1. of the statutes is renumbered 632.746 (3) (d).

21 **SECTION 2028.** 632.746 (3) (d) 2. and 3. of the statutes are repealed.

22 **SECTION 2029.** 632.746 (5) of the statutes is repealed.

23 **SECTION 2030.** 632.746 (8) (a) (intro.) of the statutes is amended to read:

24 632.746 (8) (a) (intro.) A health maintenance organization that offers a group  
25 health benefit plan and that does not impose any preexisting condition exclusion