

2019 DRAFTING REQUEST**Bill**

For: **Legislative Fiscal Bureau** Drafter: **kpaczusk**
 By: **Whitaker** Secondary Drafters:
 Date: **4/1/2020** May Contact:

Same as LRB:

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Pre Topic:

No specific pre topic given

Topic:

Allowing retired health care providers to practice during emergency (Pg. 24, DSPTS, Item 2)

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kpaczusk 4/1/2020	wjackson 4/1/2020			
/1			wjackson 4/1/2020		State

FE Sent For: **<END>**

Barman, Mike

From: Champagne, Rick
Sent: Wednesday, April 01, 2020 11:16 AM
To: Hanaman, Cathlene; Lunder, Erika; Wheeler, Elizabeth; Knepp, Fern; Gallagher, Michael; Dodge, Tamara; Walkenhorst Barber, Sarah; Paczuski, Konrad; McGreevy, Mary Alice; Shovers, Marc; Pleviak, Krista; Gary, Aaron; Kreye, Joseph; Pfothenauer, Mary; Duchek, Michael; Shea, Elisabeth; Wyatt, Zachary; Johns, Melinda
Cc: Jackson, Wendy
Subject: More LFB Requests

Using the LFB Summary of the Governor's bill, please draft the following items for the LFB:

http://docs.legis.wisconsin.gov/misc/lfb/misc/109_summary_of_provisions_of_lrb_5904_1_and_lrb_5920_p2_3_24_20.pdf

Pg. 5, DOA, Item 6

Pg. 6, DOA, Item 9

Pg. 6 BLDG COMM, Item 1 (RAC)

Pg. 11, ETF, Item 1

Pg. 12, ETF, Item 2

Pg. 13, GEN PROV, Item 2

Pg. 16, HEALTH, Item 4

Pg. 18, INS, Item 2

Pg. 19, INS, Item 5

Pg. 19, INS, Item 6

Pg. 22, DPI, Item 3

Pg. 24, DSPS, Item 2

Pg. 25, DSPS, Item 3

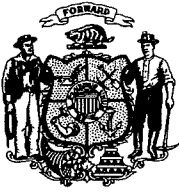
Pg. 26, DSPS, Item 4

Pg. 28, DWD, Item 1, but only for calendar year 2020

Pg. 29, DWD, Item 2

Cathlene can coordinate and make sure drafts are accounted for.

Rick



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6073/1
KP:wlj

2019 BILL

1 **AN ACT relating to:** temporary credentials for former health care providers and
2 waiving certain credential fees.

Analysis by the Legislative Reference Bureau

OCCUPATIONAL REGULATION

Temporary credentials for former health care providers

This bill authorizes former health care providers to obtain a temporary credential granted by the Department of Safety and Professional Services and provide health care services for which they have been previously licensed or certified. Under the bill, DSPS may grant a temporary credential to a person who applies and was at any time during the previous five years, but is not currently, any of the following, if the person's credential was never revoked, limited, suspended, or denied renewal: 1) a physician, physician assistant, or perfusionist; 2) a registered nurse, licensed practical nurse, or nurse-midwife; 3) a dentist; 4) a pharmacist; 5) a psychologist; 6) a social worker; 7) a marriage and family therapist; 8) a professional counselor; 9) a clinical substance abuse counselor; or 10) a practitioner holding a credential to practice a profession identified by the Department of Health Services. A temporary credential granted under the bill expires 90 days after the conclusion of the public health emergency declared on March 12, 2020, by executive order 72.

Current law generally prohibits a person from engaging in certain health care-related practices without holding a required credential.

The bill also authorizes DSPS, during the public health emergency, to waive fees for applications for an initial credential and renewal of a credential for

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physicians, physician assistants, nurses, dentists, pharmacists, psychologists, and certain behavioral health providers.

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

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

1 **SECTION 1. Nonstatutory provisions.**

2 (1) TEMPORARY CREDENTIALS FOR FORMER HEALTH CARE PROVIDERS DURING
3 EMERGENCY.

4 (a) *Definitions.* In this subsection:

5 1. "Credential" means a license or certificate.

6 2. "Department" means the department of safety and professional services.

7 3. "Health care provider" means an individual who was at any time within the
8 previous 5 years, but is not currently, any of the following, if the individual's
9 credential was never revoked, limited, suspended, or denied renewal:

10 a. Licensed as a registered nurse, licensed practical nurse, or nurse-midwife
11 under ch. 441.

12 b. Licensed as a dentist under ch. 447.

13 c. Licensed as a physician, physician assistant, or perfusionist under ch. 448
14 or certified as a respiratory care practitioner under ch. 448.

15 d. Licensed as a pharmacist under ch. 450.

16 e. Licensed as a psychologist under ch. 455.

17 f. A clinical social worker, marriage and family therapist, or professional
18 counselor licensed under ch. 457 or an independent social worker or social worker
19 certified under ch. 457.

20 g. A clinical substance abuse counselor certified under s. 440.88.

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1 h. Any practitioner holding a credential to practice a profession that is
2 identified by the department of health services during the period covered by the
3 public health emergency declared on March 12, 2020, by executive order 72,
4 including any extension under s. 323.10.

5 (b) *Temporary emergency credentials.*

6 1. The department may grant a temporary credential to a health care provider
7 if all of the following apply:

8 a. The health care provider submits an application to the department.

9 b. The department determines that the health care provider satisfies the
10 eligibility requirements for the credential and is fit to practice after conducting an
11 investigation of the health care provider's arrest or conviction record and record of
12 professional discipline.

13 2. If the department denies a health care provider's application for a temporary
14 credential under this paragraph, the department shall notify the health care
15 provider of the reason for denial.

16 3. Notwithstanding ss. 441.06 (4), 441.15 (2), 447.03 (1) and (2), 448.03 (1) (a),
17 (b), and (c) and (1m), and 450.03 (1), a health care provider granted a temporary
18 credential under this paragraph may provide services for which the health care
19 provider has been licensed or certified.

20 4. A health care provider who provides services authorized by a temporary
21 credential granted under this paragraph shall maintain malpractice insurance that
22 satisfies the requirements of the profession for which the health care provider has
23 been licensed or certified.

