2019 SENATE BILL 410

September 16, 2019 - Introduced by Senators PETROWSKI, BEWLEY, JACQUE, KAPENGA, KOYENGA, MARKLEIN, NASS, OLSEN, STROEBEL and TIFFANY, cosponsored by Representatives MAGNAFICI, EDMING, JAMES, OLDENBURG, FELZKOWSKI, BALLWEG, DITTRICH, HORNACHER, KNODL, KULP, MURSAU, PETRYK, QUINN, RAMTHUN, RODRIGUEZ, SKOWRONSKI, SPIROS, TUSLER and WICHEGERS. Referred to Committee on Elections, Ethics and Rural Issues.

AN ACT to create 441.115 (3) of the statutes; relating to: temporary practice by registered nurses at camps, providing an exemption from emergency rule procedures, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

The bill allows a person to practice for up to 90 days a year as a registered nurse for campers and staff at a recreational and educational camp licensed in this state if both of the following are satisfied: 1) the person is licensed in good standing to practice professional nursing by another state or territory or a foreign country or province and the licensure standards in that jurisdiction are substantially equivalent to the requirements of this state; and 2) the person is not under active investigation by a licensing authority or law enforcement authority in any state, federal, or foreign jurisdiction. Before practicing as a registered nurse as allowed under the bill, a person is required to submit a form to the Board of Nursing.

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

SECTION 1. 441.115 (3) of the statutes is created to read:

441.115 (3) (a) Notwithstanding s. 441.06 (4), a person may at a recreational and educational camp licensed under s. 97.67 (1) practice professional nursing to
provide treatment to campers and staff for not more than 90 days in any year without
holding a license granted under this subchapter if all of the following apply:

1. The person holds in good standing a license, permit, registration, or
certificate granted by another state or territory or by a foreign country or province
that authorizes the person to perform acts that are substantially the same as those
performed by a person licensed as a registered nurse under this subchapter.

2. The requirements for the license, permit, registration, or certificate that the
person holds under subd. 1. are substantially equivalent to the requirements for
licensure as a registered nurse under this subchapter.

3. The person is not under active investigation by a licensing authority or law
enforcement authority in any state, federal, or foreign jurisdiction.

(b) A person shall submit to the board a form provided by the board before
practicing under par. (a). The board may promulgate rules establishing the form to
be submitted under this subsection.

(c) This subsection does not apply to a person who holds a multistate license,
as defined in s. 441.51 (2) (h), issued by a party state, as defined in s. 441.51 (2) (k).

SECTION 2. Nonstatutory provisions.

(1) Using the procedure under s. 227.24, the board of nursing may promulgate
rules establishing the form that a person shall submit before practicing under s.
441.115 (3) (a). Notwithstanding s. 227.24 (1) (a) and (3), the board of nursing is not
required to provide evidence that promulgating a rule under this subsection is
necessary for the preservation of the public peace, health, safety, or welfare and is
not required to provide a finding of emergency for a rule promulgated under this
subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated
under this subsection may remain in effect until May 1, 2020, or the date on which
permanent rules take effect, whichever is sooner, and the effective period may not
be further extended under s. 227.24 (2).

SECTION 3. Effective dates. This act takes effect on the 60th day after the day
of publication, except as follows:

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