



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRBs0225/1  
KP/MED/TJD:emw

**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 394**

November 10, 2021 - Offered by Senator TESTIN.

1     **AN ACT** *to repeal* 50.01 (1b), 77.54 (14) (f) 3., 118.2925 (1) (b), 146.89 (1) (r) 8.,  
2           252.01 (1c), 440.03 (13) (b) 3., 440.03 (13) (b) 42., 440.08 (2) (a) 4m., 440.08 (2)  
3           (a) 50., 441.11 (title), 441.11 (1), 441.11 (3), 441.15, 441.16, 441.19, 448.035 (1)  
4           (a) and 450.01 (1m); **to renumber and amend** 146.89 (1) (r) 3., 253.13 (1),  
5           255.06 (1) (d), 441.06 (7) and 441.11 (2); **to amend** 14.87 (title), 29.193 (1m) (a)  
6           2. (intro.), 29.193 (2) (b) 2., 29.193 (2) (c) 3., 29.193 (2) (cd) 2. b., 29.193 (2) (cd)  
7           2. c., 29.193 (2) (e), 29.193 (3) (a), 45.40 (1g) (a), 46.03 (44), 50.08 (2), 50.09 (1)  
8           (a) (intro.), 50.09 (1) (f) 1., 50.09 (1) (h), 50.09 (1) (k), 50.49 (1) (b) (intro.), 51.41  
9           (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 4., 97.59, 102.13 (1) (a), 102.13 (1) (b)  
10          (intro.), 1., 3. and 4., 102.13 (1) (d) 1., 2., 3. and 4., 102.13 (2) (a), 102.13 (2) (b),  
11          102.17 (1) (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30 (1), 118.15 (3) (a), 118.25  
12          (1) (a), 118.29 (1) (e), 118.2925 (3), 118.2925 (4) (c), 118.2925 (5), 146.343 (1) (c),  
13          146.82 (3) (a), 146.89 (1) (r) 1., 146.89 (6), 154.01 (1g), 252.07 (8) (a) 2., 252.07

1 (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7) and (10), 252.15 (3m) (d) 11. b. and 13.,  
2 (5g) (c), (5m) (d) 2. and (e) 2. and 3. and (7m) (intro.) and (b), 252.16 (3) (c)  
3 (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (4), 253.115 (7) (a) (intro.),  
4 253.15 (2), 255.06 (2) (d), 255.07 (1) (d), 257.01 (5) (a) and (b), 341.14 (1a), (1e)  
5 (a), (1m) and (1q), 343.16 (5) (a), 343.51 (1), 343.62 (4) (a) 4., 440.094 (1) (c) 1.,  
6 440.094 (2) (a) (intro.), 440.981 (1), 440.982 (1), 440.987 (2), 441.01 (3), 441.01  
7 (4), 441.01 (7) (a) (intro.), 441.01 (7) (b), 441.06 (3), 441.06 (4), 441.07 (1g)  
8 (intro.), (a), (c) and (e), 441.10 (7), 441.18 (2) (a) (intro.), 441.18 (2) (b), 441.18  
9 (3), subchapter II (title) of chapter 441 [precedes 441.51], 441.51 (title), 448.03  
10 (2) (a), 448.035 (2) to (4), 448.56 (1) and (1m) (b), 448.62 (2m), 448.67 (2), 448.956  
11 (1m), 450.01 (16) (h) 2., 450.01 (16) (hr) 2., 450.03 (1) (e), 450.11 (1g) (b), 450.11  
12 (1i) (a) 1., 450.11 (1i) (b) 2. b., 450.11 (7) (b), 450.11 (8) (e), 450.13 (5) (b), 450.135  
13 (7) (b), 462.04, 655.001 (7t), 655.001 (9), 655.005 (2) (a), 961.01 (19) (a) and  
14 961.395; **to repeal and recreate** 155.01 (1g) (b) and 441.06 (title); and **to**  
15 **create** 253.115 (1) (f), 253.13 (1) (a), 253.15 (1) (em), 255.06 (1) (f) 2., 440.03 (13)  
16 (b) 39m., 440.08 (2) (a) 47., 441.001 (1c), 441.001 (3c), 441.001 (3g), 441.001 (3n),  
17 441.001 (3r), 441.001 (3w), 441.001 (5), 441.01 (7) (c), 441.09 and 441.092 of the  
18 statutes; **relating to:** advanced practice registered nurses, extending the time  
19 limit for emergency rule procedures, providing an exemption from emergency  
20 rule procedures, and granting rule-making authority.

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***Analysis by the Legislative Reference Bureau***

**NURSING PRACTICE AND LICENSURE**

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

***Licensure of advanced practice registered nurses***

Under current law, a person who wishes to practice professional nursing must be licensed by the Board of Nursing as a registered nurse (RN). This bill creates an additional system of licensure for advanced practice registered nurses (APRNs), to be administered by the board. Under the bill, in order to apply for an APRN license, a person must 1) hold, or concurrently apply for, an RN license; 2) have completed an accredited graduate-level or postgraduate-level education program preparing the person to practice as an APRN in one of four recognized roles and hold a current national certification approved by the board; 3) possess malpractice liability insurance in an amount determined as provided in the bill; 4) pay a fee determined by the Department of Safety and Professional Services; and 5) satisfy certain other criteria specified in the bill. The bill also allows a person who has not completed an accredited education program described above to receive an APRN license if the person 1) on January 1, 2022, is both licensed as an RN in Wisconsin and practicing in one of the four recognized roles; and 2) satisfies additional practice or education criteria established by the board. The bill also, however, automatically grants licenses to certain RNs, as further described below. The four recognized roles, as defined in the bill, are 1) certified nurse-midwife; 2) certified registered nurse anesthetist; 3) clinical nurse specialist; and 4) nurse practitioner. The bill requires the board, upon granting a person an APRN license, to also grant the person one or more specialty designations corresponding to the recognized role or roles for which the person qualifies.

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

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

***Practice of nurse-midwifery***

This bill repeals licensure and practice requirements specific to nurse-midwives and the practice of nurse-midwifery, including specific requirements to practice with an obstetrician. Under the bill, “certified nurse-midwife” is one of the four recognized roles for APRNs, and a person who is

licensed as a nurse-midwife under current law is automatically granted an APRN license with a certified nurse-midwife specialty designation. The bill otherwise allows nurse-midwives to be licensed as APRNs if they satisfy the licensure requirements, except that the bill also requires that a person applying for a certified nurse-midwife specialty designation be certified by the American Midwifery Certification Board. The bill also requires an APRN with a specialty designation as a certified nurse-midwife to file with the board, and obtain the board's approval of, a plan for ensuring appropriate care or care transitions in treating certain patients if the APRN offers to deliver babies outside of a hospital setting.

***Prescribing authority***

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

The bill eliminates certificates to issue prescription orders and generally authorizes APRNs to issue prescription orders. A person who is certified to issue prescription orders under current law is automatically granted an APRN license with his or her appropriate specialty designation. RNs who are practicing in a recognized role on January 1, 2022, but who do not hold a certificate to issue prescription orders on that date and who are granted an APRN license under the bill may not issue prescription orders. As under current law, an APRN issuing prescription orders is subject to various practice requirements and limitations established by the board.

The bill repeals a provision concerning the ability of advanced practice nurses who are certified to issue prescription orders and who are required to work in collaboration with or under the supervision of a physician to obtain and practice under a federal waiver to dispense narcotic drugs to individuals for addiction treatment.

**OTHER CHANGES**

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

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

- 1           **SECTION 1.** 14.87 (title) of the statutes is amended to read:
- 2           **14.87** (title) ~~**Enhanced nurse**~~ **Nurse licensure compact.**
- 3           **SECTION 2.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

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

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

7           29.193 **(2)** (b) 2. An applicant shall submit an application on a form prepared  
8 and furnished by the department, which shall include a written statement or report  
9 prepared and signed by a licensed physician, a licensed physician assistant, a  
10 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice  
11 registered nurse ~~prescriber~~ prepared no more than 6 months preceding the  
12 application and verifying that the applicant is physically disabled.

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

14           29.193 **(2)** (c) 3. The department may issue a Class B permit to an applicant  
15 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under  
16 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the  
17 applicant and the recommendation of a licensed physician, a licensed physician  
18 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed  
19 advanced practice registered nurse ~~prescriber~~ selected by the applicant from a list  
20 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed  
21 podiatrists, and ~~certified~~ licensed advanced practice nurse ~~prescribers~~ registered  
22 nurses compiled by the department, the department finds that issuance of a permit  
23 complies with the intent of this subsection. The use of this review procedure is  
24 discretionary with the department and all costs of the review procedure shall be paid  
25 by the applicant.

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

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

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

9           29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in  
10 one or both shoulders and fails to meet the minimum standards of the standard  
11 shoulder strength test, administered under the direction of a licensed physician, a  
12 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced  
13 practice registered nurse ~~prescriber~~.

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

15           29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this  
16 subsection, except a permit under par. (c) 3., may obtain a review of that decision by  
17 a licensed physician, a licensed physician assistant, a licensed chiropractor, a  
18 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse  
19 ~~prescriber~~ designated by the department and with an office located in the  
20 department district in which the applicant resides. The department shall pay for the  
21 cost of a review under this paragraph unless the denied application on its face fails  
22 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is  
23 the only method of review of a decision to deny a permit under this subsection and  
24 is not subject to further review under ch. 227.

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

1           29.193 (3) (a) Produces a certificate from a licensed physician, a licensed  
2 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice  
3 registered nurse ~~prescriber~~ stating that his or her sight is impaired to the degree that  
4 he or she cannot read ordinary newspaper print with or without corrective glasses.

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

6           45.40 (1g) (a) “Health care provider” means an advanced practice registered  
7 nurse ~~prescriber~~ certified who may issue prescription orders under s. 441.16 ~~441.09~~  
8 (2), an audiologist licensed under ch. 459, a dentist licensed under ch. 447, an  
9 optometrist licensed under ch. 449, a physician licensed under s. 448.02, or a  
10 podiatrist licensed under s. 448.63.

11           **SECTION 10.** 46.03 (44) of the statutes, as affected by 2021 Wisconsin Act 23,  
12 is amended to read:

13           46.03 (44) **SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION.** Prepare and  
14 keep current an information sheet to be distributed to a patient by a physician, a  
15 physician assistant, or ~~certified~~ an advanced practice registered nurse ~~prescriber~~  
16 who may issue prescription orders under s. 441.09 (2) providing expedited partner  
17 therapy to that patient under s. 441.092, 448.035, or 448.9725. The information  
18 sheet shall include information about sexually transmitted diseases and their  
19 treatment and about the risk of drug allergies. The information sheet shall also  
20 include a statement advising a person with questions about the information to  
21 contact his or her physician, advanced practice registered nurse, pharmacist, or local  
22 health department, as defined in s. 250.01 (4).

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

24           **SECTION 12.** 50.08 (2) of the statutes, as affected by 2021 Wisconsin Act 23, is  
25 amended to read:

1           50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~  
2 ~~certified who may issue prescription orders~~ under s. 441.16 441.09 (2), or a physician  
3 assistant who prescribes a psychotropic medication to a nursing home resident who  
4 has degenerative brain disorder shall notify the nursing home if the prescribed  
5 medication has a boxed warning under 21 CFR 201.57.

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

7           50.09 (1) (a) (intro.) Private and unrestricted communications with the  
8 resident's family, physician, physician assistant, advanced practice registered nurse  
9 ~~prescriber~~, attorney, and any other person, unless medically contraindicated as  
10 documented by the resident's physician, physician assistant, or advanced practice  
11 registered nurse ~~prescriber~~ in the resident's medical record, except that  
12 communications with public officials or with the resident's attorney shall not be  
13 restricted in any event. The right to private and unrestricted communications shall  
14 include, but is not limited to, the right to:

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

16           50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses  
17 or both domestic partners under ch. 770 are residents of the same facility, the spouses  
18 or domestic partners shall be permitted to share a room unless medically  
19 contraindicated as documented by the resident's physician, physician assistant, or  
20 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

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

22           50.09 (1) (h) Meet with, and participate in activities of social, religious, and  
23 community groups at the resident's discretion, unless medically contraindicated as  
24 documented by the resident's physician, physician assistant, or advanced practice  
25 registered nurse ~~prescriber~~ in the resident's medical record.



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

2           50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical  
3           and physical restraints except as authorized in writing by a physician, physician  
4           assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and  
5           limited period of time and documented in the resident's medical record. Physical  
6           restraints may be used in an emergency when necessary to protect the resident from  
7           injury to himself or herself or others or to property. However, authorization for  
8           continuing use of the physical restraints shall be secured from a physician, physician  
9           assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use  
10          of physical restraints shall be noted in the resident's medical records. "Physical  
11          restraints" includes, but is not limited to, any article, device, or garment that  
12          interferes with the free movement of the resident and that the resident is unable to  
13          remove easily, and confinement in a locked room.

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

15          50.49 (1) (b) (intro.) "Home health services" means the following items and  
16          services that are furnished to an individual, who is under the care of a physician,  
17          physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home  
18          health agency, or by others under arrangements made by the home health agency,  
19          that are under a plan for furnishing those items and services to the individual that  
20          is established and periodically reviewed by a physician, physician assistant, or  
21          advanced practice registered nurse ~~prescriber~~ and that are, except as provided in  
22          subd. 6., provided on a visiting basis in a place of residence used as the individual's  
23          home:

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

1           51.41 **(1d)** (b) 4. A psychiatric mental health advanced practice registered  
2 nurse who is suggested by the Milwaukee County board of supervisors. The  
3 Milwaukee County board of supervisors shall solicit suggestions from organizations  
4 including the Wisconsin Nurses Association for individuals who specialize in a full  
5 continuum of behavioral health and medical services including emergency  
6 detention, inpatient, residential, transitional, partial hospitalization, intensive  
7 outpatient, and wraparound community-based services. The Milwaukee County  
8 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric  
9 mental health advanced practice registered nurses for this board membership  
10 position.

11           **SECTION 19.** 70.47 (8) (intro.) of the statutes, as affected by 2021 Wisconsin Act  
12 23, is amended to read:

13           70.47 **(8)** HEARING. (intro.) The board shall hear upon oath all persons who  
14 appear before it in relation to the assessment. Instead of appearing in person at the  
15 hearing, the board may allow the property owner, or the property owner's  
16 representative, at the request of either person, to appear before the board, under  
17 oath, by telephone or to submit written statements, under oath, to the board. The  
18 board shall hear upon oath, by telephone, all ill or disabled persons who present to  
19 the board a letter from a physician, physician assistant, or advanced practice  
20 registered nurse prescriber certified under s. 441.16 (2) licensed under ch. 441 that  
21 confirms their illness or disability. At the request of the property owner or the  
22 property owner's representative, the board may postpone and reschedule a hearing  
23 under this subsection, but may not postpone and reschedule a hearing more than  
24 once during the same session for the same property. The board at such hearing shall  
25 proceed as follows:

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

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

3           77.54 (14) (f) 4. An advanced practice registered nurse who may issue  
4 prescription orders under s. 441.09 (2).

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

6           **97.59 Handling foods.** No person in charge of any public eating place or other  
7 establishment where food products to be consumed by others are handled may  
8 knowingly employ any person handling food products who has a disease in a form  
9 that is communicable by food handling. If required by the local health officer or any  
10 officer of the department for the purposes of an investigation, any person who is  
11 employed in the handling of foods or is suspected of having a disease in a form that  
12 is communicable by food handling shall submit to an examination by the officer or  
13 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~  
14 designated by the officer. The expense of the examination, if any, shall be paid by the  
15 person examined. Any person knowingly infected with a disease in a form that is  
16 communicable by food handling who handles food products to be consumed by others  
17 and any persons knowingly employing or permitting such a person to handle food  
18 products to be consumed by others shall be punished as provided by s. 97.72.

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

20           102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed  
21 by an employee, the employee shall, upon the written request of the employee's  
22 employer or worker's compensation insurer, submit to reasonable examinations by  
23 physicians, chiropractors, psychologists, dentists, physician assistants, advanced  
24 practice nurse ~~prescribers~~ registered nurses, or podiatrists provided and paid for by  
25 the employer or insurer. No employee who submits to an examination under this

1 paragraph is a patient of the examining physician, chiropractor, psychologist,  
2 dentist, physician assistant, advanced practice registered nurse prescriber, or  
3 podiatrist for any purpose other than for the purpose of bringing an action under ch.  
4 655, unless the employee specifically requests treatment from that physician,  
5 chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
6 nurse prescriber, or podiatrist.

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

9 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee  
10 submit to reasonable examination under par. (a) or (am) shall tender to the employee,  
11 before the examination, all necessary expenses including transportation expenses.  
12 The employee is entitled to have a physician, chiropractor, psychologist, dentist,  
13 physician assistant, advanced practice registered nurse prescriber, or podiatrist  
14 provided by himself or herself present at the examination and to receive a copy of all  
15 reports of the examination that are prepared by the examining physician,  
16 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced  
17 practice registered nurse prescriber, or vocational expert immediately upon receipt  
18 of those reports by the employer or worker's compensation insurer. The employee is  
19 also entitled to have a translator provided by himself or herself present at the  
20 examination if the employee has difficulty speaking or understanding the English  
21 language. The employer's or insurer's written request for examination shall notify  
22 the employee of all of the following:

23 1. The proposed date, time, and place of the examination and the identity and  
24 area of specialization of the examining physician, chiropractor, psychologist, dentist,

1     podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
2     vocational expert.

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

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

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

12            102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,  
13     physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational  
14     expert who is present at any examination under par. (a) or (am) may be required to  
15     testify as to the results of the examination.

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

21            3. Notwithstanding any statutory provisions except par. (e), any physician,  
22     chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
23     nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any  
24     condition or complaint reasonably related to the condition for which the claimant  
25     claims compensation may furnish to the employee, employer, worker's compensation

1 insurer, department, or division information and reports relative to a compensation  
2 claim.

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

8 **SECTION 26.** 102.13 (2) (a) of the statutes, as affected by 2021 Wisconsin Act 29,  
9 is amended to read:

10 102.13 (2) (a) An employee who reports an injury alleged to be work-related  
11 or files an application for hearing waives any physician-patient,  
12 psychologist-patient, or chiropractor-patient privilege with respect to any condition  
13 or complaint reasonably related to the condition for which the employee claims  
14 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any  
15 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,  
16 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider  
17 shall, within a reasonable time after written request by the employee, employer,  
18 worker's compensation insurer, department, or division, or its representative,  
19 provide that person with any information or written material reasonably related to  
20 any injury for which the employee claims compensation. If the request is by a  
21 representative of a worker's compensation insurer for a billing statement, the  
22 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,  
23 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider  
24 shall, within 30 days after receiving the request, provide that person with a complete

1 copy of an itemized billing statement or a billing statement in a standard billing  
2 format recognized by the federal government.

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

4 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,  
5 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or  
6 health service provider shall furnish a legible, certified duplicate of the written  
7 material requested under par. (a) in paper format upon payment of the actual costs  
8 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or  
9 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified  
10 duplicate of that material in electronic format upon payment of \$26 per request. Any  
11 person who refuses to provide certified duplicates of written material in the person's  
12 custody that is requested under par. (a) shall be liable for reasonable and necessary  
13 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in  
14 enforcing the requester's right to the duplicates under par. (a).

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

16 102.17 (1) (d) 1. The contents of certified medical and surgical reports by  
17 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,  
18 advanced practice nurse ~~prescribers~~ registered nurses, and chiropractors licensed in  
19 and practicing in this state, and of certified reports by experts concerning loss of  
20 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation  
21 constitute prima facie evidence as to the matter contained in those reports, subject  
22 to any rules and limitations the division prescribes. Certified reports of physicians,  
23 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced  
24 practice nurse ~~prescribers~~ registered nurses, and chiropractors, wherever licensed  
25 and practicing, who have examined or treated the claimant, and of experts, if the

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

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

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

21 102.29 (3) Nothing in this chapter shall prevent an employee from taking the  
22 compensation that the employee may be entitled to under this chapter and also  
23 maintaining a civil action against any physician, chiropractor, psychologist, dentist,  
24 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for  
25 malpractice.



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

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

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

16           106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse  
17 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse  
18 licensed or permitted under s. 441.10, or an advanced practice registered nurse  
19 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~  
20 441.09.

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

22           118.15 (3) (a) Any child who is excused by the school board because the child  
23 is temporarily not in proper physical or mental condition to attend a school program  
24 but who can be expected to return to a school program upon termination or  
25 abatement of the illness or condition. The school attendance officer may request the

1 parent or guardian of the child to obtain a written statement from a licensed  
2 physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or  
3 ~~nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice~~  
4 registered nurse prescriber, or registered nurse described in s. 255.06 (1) (f) 1. or  
5 Christian Science practitioner living and residing in this state, who is listed in the  
6 Christian Science Journal, as sufficient proof of the physical or mental condition of  
7 the child. An excuse under this paragraph shall be in writing and shall state the time  
8 period for which it is valid, not to exceed 30 days.

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

10 118.25 (1) (a) “Practitioner” means a person licensed as a physician or as a  
11 physician assistant in any state or licensed as an advanced practice registered nurse  
12 or certified as an advanced practice registered nurse prescriber in any state. In this  
13 paragraph, “physician” has the meaning given in s. 448.01 (5).

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

15 118.29 (1) (e) “Practitioner” means any physician, dentist, optometrist,  
16 physician assistant, advanced practice registered nurse ~~prescriber~~ with prescribing  
17 authority, or podiatrist licensed in any state.

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

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

20 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice  
21 registered nurse ~~prescriber~~ who may issue prescription orders under s. 441.09 (2),  
22 or a physician assistant may prescribe epinephrine auto-injectors in the name of a  
23 school that has adopted a plan under sub. (2) (a), to be maintained by the school for  
24 use under sub. (4).

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

1           118.2925 (4) (c) Administer an epinephrine auto-injector to a pupil or other  
2 person who the school nurse or designated school personnel in good faith believes is  
3 experiencing anaphylaxis in accordance with a standing protocol from a physician,  
4 an advanced practice registered nurse ~~prescriber~~ who may issue prescription orders  
5 under s. 441.09 (2), or a physician assistant, regardless of whether the pupil or other  
6 person has a prescription for an epinephrine auto-injector. If the pupil or other  
7 person does not have a prescription for an epinephrine auto-injector, or the person  
8 who administers the epinephrine auto-injector does not know whether the pupil or  
9 other person has a prescription for an epinephrine auto-injector, the person who  
10 administers the epinephrine auto-injector shall, as soon as practicable, report the  
11 administration by dialing the telephone number “911” or, in an area in which the  
12 telephone number “911” is not available, the telephone number for an emergency  
13 medical service provider.

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

15           118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF  
16 MEDICINE. A school and its designated school personnel, and a physician, an advanced  
17 practice registered nurse ~~prescriber~~ who may issue prescription orders under s.  
18 441.09 (2), or a physician assistant who provides a prescription or standing protocol  
19 for school epinephrine auto-injectors, are not liable for any injury that results from  
20 the administration or self-administration of an epinephrine auto-injector under  
21 this section, regardless of whether authorization was given by the pupil’s parent or  
22 guardian or by the pupil’s physician, physician assistant, or advanced practice  
23 registered nurse ~~prescriber~~, unless the injury is the result of an act or omission that  
24 constitutes gross negligence or willful or wanton misconduct. The immunity from

1 liability provided under this subsection is in addition to and not in lieu of that  
2 provided under s. 895.48.

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

4 146.343 (1) (c) "Nurse-midwife" means an individual who is licensed to engage  
5 in the practice of nurse-midwifery under s. 441.15 (3) (a) as an advanced practice  
6 registered nurse and possesses a certified nurse-midwife specialty designation  
7 under s. 441.09.

8 **SECTION 40.** 146.82 (3) (a) of the statutes, as affected by 2021 Wisconsin Act 23,  
9 is amended to read:

10 146.82 (3) (a) Notwithstanding sub. (1), a physician, a physician assistant, or  
11 an advanced practice registered nurse ~~prescriber certified under s. 441.16 (2)~~  
12 licensed under s. 441.09 who treats a patient whose physical or mental condition in  
13 the physician's, physician assistant's, or advanced practice ~~nurse prescriber's~~  
14 registered nurse's judgment affects the patient's ability to exercise reasonable and  
15 ordinary control over a motor vehicle may report the patient's name and other  
16 information relevant to the condition to the department of transportation without  
17 the informed consent of the patient.

18 **SECTION 41.** 146.89 (1) (r) 1. of the statutes, as affected by 2021 Wisconsin Act  
19 23, is amended to read:

20 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental  
21 hygienist under ch. 447, a registered nurse, practical nurse, or ~~nurse-midwife~~  
22 advanced practice registered nurse under ch. 441, an optometrist under ch. 449, a  
23 physician assistant under subch. VIII of ch. 448, a pharmacist under ch. 450, a  
24 chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a physical  
25 therapist under subch. III of ch. 448.

1           **SECTION 42.** 146.89 (1) (r) 3. of the statutes is renumbered 146.89 (1) (r) 5e. and  
2 amended to read:

3           146.89 (1) (r) 5e. A registered nurse practitioner, as defined in s. 255.06 (1) (d)  
4 who holds a multistate license, as defined in s. 441.51 (2) (h), issued by a party state,  
5 as defined in s. 441.51 (2) (k), and whose practice of professional nursing under s.  
6 441.001 (4) includes performance of delegated medical services under the  
7 supervision of a physician, dentist, podiatrist, or advanced practice registered nurse.

8           **SECTION 43.** 146.89 (1) (r) 8. of the statutes is repealed.

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

10          146.89 (6) (a) While serving as a volunteer health care provider under this  
11 section, an advanced practice registered nurse ~~who has a certificate to issue~~  
12 ~~prescription orders under s. 441.16 (2)~~ is considered to meet the requirements of s.  
13 655.23, if required to comply with s. 655.23.

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

17          **SECTION 45.** 154.01 (1g) of the statutes is amended to read:

18          154.01 (1g) “Advanced practice registered nurse” means ~~a nurse~~ an individual  
19 licensed under ch. 441 who is currently certified by a national certifying body  
20 approved by the board of nursing as a nurse practitioner, certified nurse-midwife,  
21 certified registered nurse anesthetist, or clinical nurse specialist s. 441.09.

22          **SECTION 46.** 155.01 (1g) (b) of the statutes is repealed and recreated to read:

23          155.01 (1g) (b) An individual who is licensed as an advanced practice registered  
24 nurse and possesses a nurse practitioner specialty designation under s. 441.09.

25          **SECTION 47.** 252.01 (1c) of the statutes is repealed.

1           **SECTION 48.** 252.07 (8) (a) 2. of the statutes is amended to read:

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

6           **SECTION 49.** 252.07 (9) (c) of the statutes is amended to read:

7           252.07 (9) (c) If the court orders confinement of an individual under this  
8 subsection, the individual shall remain confined until the department or local health  
9 officer, with the concurrence of a treating physician, physician assistant, or advanced  
10 practice registered nurse prescriber, determines that treatment is complete or that  
11 the individual is no longer a substantial threat to himself or herself or to the public  
12 health. If the individual is to be confined for more than 6 months, the court shall  
13 review the confinement every 6 months.

14           **SECTION 50.** 252.10 (7) of the statutes is amended to read:

15           252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis  
16 shall be purchased by the department from the appropriation account under s.  
17 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local  
18 health departments, physicians, or advanced practice ~~nurse prescribers~~ registered  
19 nurses who may issue prescription orders under s. 441.09 (2).

20           **SECTION 51.** 252.11 (2), (4), (5), (7) and (10) of the statutes are amended to read:

21           252.11 (2) An officer of the department or a local health officer having  
22 knowledge of any reported or reasonably suspected case or contact of a sexually  
23 transmitted disease for which no appropriate treatment is being administered, or of  
24 an actual contact of a reported case or potential contact of a reasonably suspected  
25 case, shall investigate or cause the case or contact to be investigated as necessary.

1 If, following a request of an officer of the department or a local health officer, a person  
2 reasonably suspected of being infected with a sexually transmitted disease refuses  
3 or neglects examination by a physician, physician assistant, or advanced practice  
4 registered nurse prescriber or treatment, an officer of the department or a local  
5 health officer may proceed to have the person committed under sub. (5) to an  
6 institution or system of care for examination, treatment, or observation.

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

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

1 court shall hear the matter of commitment summarily. Commitment under this  
2 subsection continues until the disease is no longer communicable or until other  
3 provisions are made for treatment that satisfy the department. The certificate of the  
4 petitioning officer is prima facie evidence that the disease is no longer communicable  
5 or that satisfactory provisions for treatment have been made.

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

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

24 **SECTION 52.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3.  
25 and (7m) (intro.) and (b) of the statutes are amended to read:



1           252.15 **(3m)** (d) 11. b. The coroner, medical examiner, or appointed assistant  
2 is investigating the cause of death of the subject of the HIV test and has contact with  
3 the body fluid of the subject of the HIV test that constitutes a significant exposure,  
4 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,  
5 based on information provided to the physician, physician assistant, or advanced  
6 practice registered nurse ~~prescriber~~, determines and certifies in writing that the  
7 coroner, medical examiner, or appointed assistant has had a contact that constitutes  
8 a significant exposure and if the certification accompanies the request for disclosure.

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

14           **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse  
15 ~~prescriber~~, based on information provided to the physician, physician assistant, or  
16 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing  
17 that the person has had contact that constitutes a significant exposure. The  
18 certification shall accompany the request for HIV testing and disclosure. If the  
19 person is a physician, physician assistant, or advanced practice registered nurse  
20 ~~prescriber~~, he or she may not make this determination or certification. The  
21 information that is provided to a physician, physician assistant, or advanced practice  
22 registered nurse ~~prescriber~~ to document the occurrence of the contact that  
23 constitutes a significant exposure and the physician's, physician assistant's, or  
24 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person  
25 has had contact that constitutes a significant exposure, shall be provided on a report

1 form that is developed by the department of safety and professional services under  
2 s. 101.02 (19) (a) or on a report form that the department of safety and professional  
3 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report  
4 form that is developed under s. 101.02 (19) (a).

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

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

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

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

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

5 **SECTION 53.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

6 252.16 (3) (c) (intro.) Has submitted to the department a certification from a  
7 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
8 registered nurse ~~prescriber~~ of all of the following:

9 **SECTION 54.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

10 252.17 (3) (c) (intro.) Has submitted to the department a certification from a  
11 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
12 registered nurse ~~prescriber~~ of all of the following:

13 **SECTION 55.** 253.07 (4) (d) of the statutes is amended to read:

14 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in  
15 communities of licensed registered nurses, licensed practical nurses, ~~certified~~  
16 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician  
17 assistants who are members of a racial minority.

18 **SECTION 56.** 253.115 (1) (f) of the statutes is created to read:

19 253.115 (1) (f) “Nurse-midwife” means an individual who is licensed as an  
20 advanced practice registered nurse and possesses a certified nurse-midwife  
21 specialty designation under s. 441.09.

22 **SECTION 57.** 253.115 (4) of the statutes is amended to read:

23 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,  
24 nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife licensed  
25 under s. 440.982 who attended the birth shall ensure that the infant is screened for

1 hearing loss before being discharged from a hospital, or within 30 days of birth if the  
2 infant was not born in a hospital.

3 **SECTION 58.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

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

7 **SECTION 59.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and  
8 amended to read:

9 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~  
10 nurse-midwife shall cause every infant born in each hospital or maternity home,  
11 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic  
12 disorders, as specified in rules promulgated by the department. If the infant is born  
13 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~  
14 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth  
15 shall cause the infant, within one week of birth, to be subjected to these tests.

16 **SECTION 60.** 253.13 (1) (a) of the statutes is created to read:

17 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is  
18 licensed as an advanced practice registered nurse and possesses a certified  
19 nurse-midwife specialty designation under s. 441.09.

20 **SECTION 61.** 253.15 (1) (em) of the statutes is created to read:

21 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an  
22 advanced practice registered nurse and possesses a certified nurse-midwife  
23 specialty designation under s. 441.09.

24 **SECTION 62.** 253.15 (2) of the statutes is amended to read:

1           253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or  
2 arrange with a nonprofit organization to prepare printed and audiovisual materials  
3 relating to shaken baby syndrome and impacted babies. The materials shall include  
4 information regarding the identification and prevention of shaken baby syndrome  
5 and impacted babies, the grave effects of shaking or throwing on an infant or young  
6 child, appropriate ways to manage crying, fussing, or other causes that can lead a  
7 person to shake or throw an infant or young child, and a discussion of ways to reduce  
8 the risks that can lead a person to shake or throw an infant or young child. The  
9 materials shall be prepared in English, Spanish, and other languages spoken by a  
10 significant number of state residents, as determined by the board. The board shall  
11 make those written and audiovisual materials available to all hospitals, maternity  
12 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or  
13 make available materials to parents under sub. (3) (a) 1., to the department and to  
14 all county departments and nonprofit organizations that are required to provide the  
15 materials to child care providers under sub. (4) (d), and to all school boards and  
16 nonprofit organizations that are permitted to provide the materials to pupils in one  
17 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make  
18 those written materials available to all county departments and Indian tribes that  
19 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers  
20 of prenatal, postpartum, and young child care coordination services under s. 49.45  
21 (44). The board may make available the materials required under this subsection  
22 to be made available by making those materials available at no charge on the board's  
23 Internet site.

24           **SECTION 63.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)  
25 and amended to read:

1           255.06 (1) (f) (intro.) “~~Nurse practitioner~~” “Women’s health nurse clinician”  
2 means ~~a~~ any of the following:

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

8           **SECTION 64.** 255.06 (1) (f) 2. of the statutes is created to read:

9           255.06 (1) (f) 2. An advanced practice registered nurse.

10          **SECTION 65.** 255.06 (2) (d) of the statutes is amended to read:

11          255.06 (2) (d) *Specialized training for rural colposcopic examinations and*  
12 *activities*. Provide not more than \$25,000 in each fiscal year as reimbursement for  
13 the provision of specialized training of ~~nurse practitioners~~ women’s health nurse  
14 clinicians to perform, in rural areas, colposcopic examinations and follow-up  
15 activities for the treatment of cervical cancer.

16          **SECTION 66.** 255.07 (1) (d) of the statutes, as affected by 2021 Wisconsin Act 23,  
17 is amended to read:

18          255.07 (1) (d) “Health care practitioner” means a physician, a physician  
19 assistant, or an advanced practice registered nurse who ~~is certified to~~ may issue  
20 prescription orders under s. ~~441.16~~ 441.09 (2).

21          **SECTION 67.** 257.01 (5) (a) and (b) of the statutes are amended to read:

22          257.01 (5) (a) An individual who is licensed as a physician, a physician  
23 assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed  
24 practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441,  
25 licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed

1 as a veterinarian or certified as a veterinary technician under ch. 89, or certified as  
2 a respiratory care practitioner under ch. 448.

3 (b) An individual who was at any time within the previous 10 years, but is not  
4 currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448,  
5 licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced  
6 practice registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441,  
7 2019 stats., licensed as a dentist under ch. 447, licensed as a pharmacist under ch.  
8 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89,  
9 or certified as a respiratory care practitioner under ch. 448, if the individual's license  
10 or certification was never revoked, limited, suspended, or denied renewal.

11 **SECTION 68.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended to  
12 read:

13 341.14 (1a) If any resident of this state, who is registering or has registered an  
14 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck  
15 which has a gross weight of not more than 8,000 pounds, a farm truck which has a  
16 gross weight of not more than 12,000 pounds or a motor home, submits a statement  
17 once every 4 years, as determined by the department, from a physician licensed to  
18 practice medicine in any state, from an advanced practice registered nurse licensed  
19 to practice nursing in any state, from a public health nurse certified or licensed to  
20 practice in any state, from a physician assistant licensed or certified to practice in  
21 any state, from a podiatrist licensed to practice in any state, from a chiropractor  
22 licensed to practice chiropractic in any state, or from a Christian Science practitioner  
23 residing in this state and listed in the Christian Science journal certifying to the  
24 department that the resident is a person with a disability that limits or impairs the  
25 ability to walk, the department shall procure, issue and deliver to the disabled

1 person plates of a special design in lieu of plates which ordinarily would be issued  
2 for the vehicle, and shall renew the plates. The plates shall be so designed as to  
3 readily apprise law enforcement officers of the fact that the vehicle is owned by a  
4 nonveteran disabled person and is entitled to the parking privileges specified in s.  
5 346.50 (2a). No charge in addition to the registration fee shall be made for the  
6 issuance or renewal of such plates.

7 (1e) (a) If any resident of this state, who is registering or has registered a  
8 motorcycle, submits a statement once every 4 years, as determined by the  
9 department, from a physician licensed to practice medicine in any state, from an  
10 advanced practice registered nurse licensed to practice nursing in any state, from a  
11 public health nurse certified or licensed to practice in any state, from a physician  
12 assistant licensed or certified to practice in any state, from a podiatrist licensed to  
13 practice in any state, from a chiropractor licensed to practice chiropractic in any  
14 state, from a Christian Science practitioner residing in this state and listed in the  
15 Christian Science journal, or from the U.S. department of veterans affairs certifying  
16 to the department that the resident is a person with a disability that limits or impairs  
17 the ability to walk, the department shall procure, issue and deliver to the disabled  
18 person a plate of a special design in lieu of the plate which ordinarily would be issued  
19 for the motorcycle, and shall renew the plate. The statement shall state whether the  
20 disability is permanent or temporary and, if temporary, the opinion of the physician,  
21 advanced practice registered nurse, public health nurse, physician assistant,  
22 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the  
23 duration of the disability. The plate shall be so designed as to readily apprise law  
24 enforcement officers of the fact that the motorcycle is owned by a disabled person and



1 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
2 to the registration fee may be made for the issuance or renewal of the plate.

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

23 **(1q)** If any employer who provides an automobile, or a motor truck, dual  
24 purpose motor home or dual purpose farm truck which has a gross weight of not more  
25 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000

1 pounds or a motor home, for an employee's use submits to the department a  
2 statement once every 4 years, as determined by the department, from a physician  
3 licensed to practice medicine in any state, from an advanced practice registered  
4 nurse licensed to practice nursing in any state, from a public health nurse certified  
5 or licensed to practice in any state, from a physician assistant licensed or certified  
6 to practice in any state, from a podiatrist licensed to practice in any state, from a  
7 chiropractor licensed to practice chiropractic in any state, or from a Christian  
8 Science practitioner residing in this state and listed in the Christian Science journal  
9 certifying that the employee is a person with a disability that limits or impairs the  
10 ability to walk, the department shall issue and deliver to such employer plates of a  
11 special design in lieu of the plates which ordinarily would be issued for the vehicle,  
12 and shall renew the plates. The plates shall be so designed as to readily apprise law  
13 enforcement officers of the fact that the vehicle is operated by a disabled person and  
14 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
15 to the registration fee may be made for the issuance or renewal of the plates. The  
16 plates shall conform to the plates required in sub. (1a).

17 **SECTION 69.** 343.16 (5) (a) of the statutes, as affected by 2021 Wisconsin Act 23,  
18 is amended to read:

19 343.16 (5) (a) The secretary may require any applicant for a license or any  
20 licensed operator to submit to a special examination by such persons or agencies as  
21 the secretary may direct to determine incompetency, physical or mental disability,  
22 disease, or any other condition that might prevent such applicant or licensed person  
23 from exercising reasonable and ordinary control over a motor vehicle. If the  
24 department requires the applicant to submit to an examination, the applicant shall  
25 pay for the examination. If the department receives an application for a renewal or

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

17 **SECTION 70.** 343.51 (1) of the statutes is amended to read:

18 343.51 (1) Any person who qualifies for registration plates of a special design  
19 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits  
20 or impairs the ability to walk may request from the department a special  
21 identification card that will entitle any motor vehicle parked by, or under the  
22 direction of, the person, or a motor vehicle operated by or on behalf of the  
23 organization when used to transport such a person, to parking privileges under s.  
24 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined  
25 by the department, upon submission by the applicant, if the applicant is an

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

15 **SECTION 71.** 343.62 (4) (a) 4. of the statutes is amended to read:

16 343.62 (4) (a) 4. The applicant submits with the application a statement  
17 completed within the immediately preceding 24 months, except as provided by rule,  
18 by a physician licensed to practice medicine in any state, from an advanced practice  
19 registered nurse licensed to practice nursing in any state, from a physician assistant  
20 licensed or certified to practice in any state, from a podiatrist licensed to practice in  
21 any state, from a chiropractor licensed to practice chiropractic in any state, or from  
22 a Christian Science practitioner residing in this state, and listed in the Christian  
23 Science journal certifying that, in the medical care provider's judgment, the  
24 applicant is physically fit to teach driving.

25 **SECTION 72.** 440.03 (13) (b) 3. of the statutes is repealed.

1           **SECTION 73.** 440.03 (13) (b) 39m. of the statutes is created to read:

2           440.03 (13) (b) 39m. Nurse, advanced practice registered.

3           **SECTION 74.** 440.03 (13) (b) 42. of the statutes is repealed.

4           **SECTION 75.** 440.08 (2) (a) 4m. of the statutes is repealed.

5           **SECTION 76.** 440.08 (2) (a) 47. of the statutes is created to read:

6           440.08 (2) (a) 47. Nurse, advanced practice registered: March 1 of each  
7 even-numbered year.

8           **SECTION 77.** 440.08 (2) (a) 50. of the statutes is repealed.

9           **SECTION 78.** 440.094 (1) (c) 1. of the statutes, as created by 2021 Wisconsin Act  
10 10, is amended to read:

11           440.094 (1) (c) 1. A registered nurse, licensed practical nurse, or ~~nurse midwife~~  
12 ~~licensed under ch. 441, or an advanced practice registered nurse prescriber certified~~  
13 licensed under ch. 441.

14           **SECTION 79.** 440.094 (2) (a) (intro.) of the statutes, as created by 2021 Wisconsin  
15 Act 10, is amended to read:

16           440.094 (2) (a) (intro.) Notwithstanding ss. 441.06 (4), ~~441.15 (2), 441.16,~~  
17 ~~441.09 (3) (b),~~ 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51  
18 (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m),  
19 457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider  
20 may provide services within the scope of the credential that the health care provider  
21 holds and the department shall grant the health care provider a temporary  
22 credential to practice under this section if all of the following apply:

23           **SECTION 80.** 440.981 (1) of the statutes is amended to read:

24           440.981 (1) No person may use the title “licensed midwife,” describe or imply  
25 that he or she is a licensed midwife, or represent himself or herself as a licensed

1 midwife unless the person is granted a license under this subchapter or is licensed  
2 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and  
3 possesses a certified nurse-midwife specialty designation under s. 441.09.

4 **SECTION 81.** 440.982 (1) of the statutes is amended to read:

5 440.982 (1) No person may engage in the practice of midwifery unless the  
6 person is granted a license under this subchapter, is granted a temporary permit  
7 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~  
8 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses  
9 a certified nurse-midwife specialty designation under s. 441.09.

10 **SECTION 82.** 440.987 (2) of the statutes is amended to read:

11 440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~  
12 an advanced practice registered nurse and possesses a certified nurse-midwife  
13 specialty designation under s. 441.09 and who practices in an out-of-hospital  
14 setting.

15 **SECTION 83.** 441.001 (1c) of the statutes is created to read:

16 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice  
17 registered nursing” means the practice of a certified nurse-midwife, the practice of  
18 a certified registered nurse anesthetist, the practice of a clinical nurse specialist, and  
19 the practice of a nurse practitioner.

20 **SECTION 84.** 441.001 (3c) of the statutes is created to read:

21 441.001 (3c) PRACTICE OF A CERTIFIED NURSE-MIDWIFE. “Practice of a certified  
22 nurse-midwife” means practice in the management of women’s health care,  
23 pregnancy, childbirth, postpartum care for newborns, family planning, and  
24 gynecological services consistent with the standards of practice of the American  
25 College of Nurse-Midwives or its successor.

1           **SECTION 85.** 441.001 (3g) of the statutes is created to read:

2           441.001 **(3g)** PRACTICE OF A CERTIFIED REGISTERED NURSE ANESTHETIST. “Practice  
3 of a certified registered nurse anesthetist” means providing anesthesia care, pain  
4 management care, and care related to anesthesia and pain management for persons  
5 across their lifespan, whose health status may range from healthy through all levels  
6 of acuity, including persons with immediate, severe, or life-threatening illness or  
7 injury, in diverse settings, including hospitals, ambulatory surgery centers,  
8 outpatient clinics, medical offices, and home health care settings.

9           **SECTION 86.** 441.001 (3n) of the statutes is created to read:

10          441.001 **(3n)** PRACTICE OF A CLINICAL NURSE SPECIALIST. “Practice of a clinical  
11 nurse specialist” means providing advanced nursing care, primarily in health care  
12 facilities, including the diagnosis and treatment of illness for identified specific  
13 populations based on a specialty.

14          **SECTION 87.** 441.001 (3r) of the statutes is created to read:

15          441.001 **(3r)** PRACTICE OF A NURSE PRACTITIONER. “Practice of a nurse  
16 practitioner” means practice in ambulatory, acute, long-term, or other health care  
17 settings as a primary or specialty care provider who provides health services,  
18 including assessing, diagnosing, treating, or managing acute, episodic, and chronic  
19 illnesses.

20          **SECTION 88.** 441.001 (3w) of the statutes is created to read:

21          441.001 **(3w)** PRESCRIPTION ORDER. “Prescription order” has the meaning given  
22 in s. 450.01 (21).

23          **SECTION 89.** 441.001 (5) of the statutes is created to read:

24          441.001 **(5)** RECOGNIZED ROLE. “Recognized role” means one of the following  
25 roles:

- 1 (a) Certified nurse-midwife.  
2 (b) Certified registered nurse anesthetist.  
3 (c) Clinical nurse specialist.  
4 (d) Nurse practitioner.

5 **SECTION 90.** 441.01 (3) of the statutes is amended to read:

6 441.01 (3) The board may promulgate rules to establish minimum standards  
7 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and  
8 schools for advanced practice registered nurses, including all related clinical units  
9 and facilities, and make and provide periodic surveys and consultations to such  
10 schools. ~~It~~ The board may also ~~establish~~ promulgate rules to prevent unauthorized  
11 persons from practicing professional nursing. ~~It shall approve all rules for the~~  
12 ~~administration of this chapter in accordance with ch. 227.~~

13 **SECTION 91.** 441.01 (4) of the statutes is amended to read:

14 441.01 (4) The board shall direct that those schools that qualify be placed on  
15 a list of schools the board has approved for professional nurses ~~or~~, of schools the board  
16 has approved for licensed practical nurses, or of schools the board has approved for  
17 advanced practice registered nurses on application and proof of qualifications; ~~and~~  
18 ~~the board~~ shall make a study of nursing education and ~~initiate~~ promulgate rules and  
19 policies to improve it.

20 **SECTION 92.** 441.01 (7) (a) (intro.) of the statutes is amended to read:

21 441.01 (7) (a) (intro.) The board shall require each applicant for the renewal  
22 of a registered nurse ~~or~~, licensed practical nurse, or advanced practice registered  
23 nurse license issued under this chapter to do all of the following as a condition for  
24 renewing the license:

25 **SECTION 93.** 441.01 (7) (b) of the statutes is amended to read:



1           441.01 (7) (b) The board may not renew a registered nurse ~~or~~, licensed practical  
2           nurse, or advanced practice registered nurse license under this chapter unless the  
3           renewal applicant has completed the nursing workforce survey to the satisfaction of  
4           the board. The board shall establish standards to determine whether the survey has  
5           been completed. The board shall, by no later than June 30 of each odd-numbered  
6           year, submit all completed nursing workforce survey forms to the department of  
7           workforce development.

8           **SECTION 94.** 441.01 (7) (c) of the statutes is created to read:

9           441.01 (7) (c) An applicant who is renewing both a registered nurse and  
10          advanced practice registered nurse license under s. 441.09 (1) (c) is only required to  
11          pay a single fee under par. (a) 2.

12          **SECTION 95.** 441.06 (title) of the statutes is repealed and recreated to read:

13          **441.06 (title) Registered nurses; civil liability exemption.**

14          **SECTION 96.** 441.06 (3) of the statutes is amended to read:

15          441.06 (3) ~~A~~ Except as provided in s. 441.09 (1) (c), a registered nurse  
16          practicing for compensation shall, on or before the applicable renewal date specified  
17          under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving  
18          name, residence, and other facts that the board requires, with the nursing workforce  
19          survey and fee required under s. 441.01 (7) and the applicable renewal fee  
20          determined by the department under s. 440.03 (9) (a).

21          **SECTION 97.** 441.06 (4) of the statutes is amended to read:

22          441.06 (4) Except as provided in s. 257.03, no person may practice or attempt  
23          to practice professional nursing, nor use the title, letters, or anything else to indicate  
24          that he or she is a registered or professional nurse unless he or she is licensed under  
25          this section. Except as provided in s. 257.03, no person not so licensed may use in

1 connection with his or her nursing employment or vocation any title or anything else  
2 to indicate that he or she is a trained, certified or graduate nurse. This subsection  
3 does not apply to any registered nurse who holds a multistate license, as defined in  
4 s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted the  
5 ~~enhanced~~ nurse licensure compact ~~under s. 441.51.~~

6 **SECTION 98.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended  
7 to read:

8 441.09 (7) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced practice  
9 registered nurse ~~prescriber~~ under s. ~~441.16 (2)~~ this section is liable for civil damages  
10 for any of the following:

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

16 (b) In good faith, not reporting to the department of transportation under s.  
17 146.82 (3) a patient's name and other information relevant to a physical or mental  
18 condition of the patient that in the advanced practice ~~nurse prescriber's~~ registered  
19 nurse's judgment does not impair the patient's ability to exercise reasonable and  
20 ordinary control over a motor vehicle.

21 **SECTION 99.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended to  
22 read:

23 441.07 (1g) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
24 board may deny an initial license or revoke, limit, suspend, or deny the renewal of  
25 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,

1 or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~  
2 ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~  
3 441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice  
4 registered nurse, or licensed practical nurse, if the board finds that the applicant or  
5 licensee committed any of the following:

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

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

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

13 **SECTION 100.** 441.09 of the statutes is created to read:

14 **441.09 Advanced practice registered nurses; civil liability exemption.**

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

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

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

21 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or  
22 (1m) with the application for a license under this paragraph.

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

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

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

8           b. On January 1, 2022, the applicant was licensed as a registered nurse in this  
9 state and was practicing in a recognized role, and the applicant satisfies additional  
10 criteria established by the board by rule under sub. (6) (a) 3. relating to practice,  
11 education, or certification.

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

13           4. The applicant provides to the board evidence of any malpractice liability  
14 insurance coverage required under sub. (5).

15           5. If the applicant is applying to receive a certified nurse-midwife specialty  
16 designation under par. (b) 1., the applicant does all of the following:

17           a. Provides evidence satisfactory to the board that the applicant is currently  
18 certified by the American Midwifery Certification Board or its successor.

19           b. Files with the board any plan required under sub. (3) (f).

20           6. The applicant does not have an arrest or conviction record, subject to ss.  
21 111.321, 111.322, and 111.335.

22           7. The applicant meets any other criteria established by the board by rule under  
23 sub. (6) (a) 3. relating to the education, training, or experience required for each  
24 recognized role.

1 (b) 1. a. Subject to subd. 3. and s. 441.07 (1g), the board shall grant an advanced  
2 practice registered nurse license to an applicant the board determines meets the  
3 requirements under par. (a). The board shall also grant a person who is granted a  
4 license under this subd. 1. a. one or more specialty designations corresponding to the  
5 recognized roles for which the board determines that the person qualifies based on  
6 the person's qualifications under par. (a).

7 b. The board shall grant an advanced practice registered nurse license to each  
8 individual who, on the day before the effective date of this subd. 1. b. .... [LRB inserts  
9 date], was certified to issue prescription orders under s. 441.16, 2019 stats. The  
10 board shall also grant a person who is granted a license under this subd. 1. b. one or  
11 more specialty designations corresponding to the recognized roles for which the  
12 board determines that the person qualifies based on the person's qualifications.

13 c. The board shall grant an advanced practice registered nurse license to each  
14 individual who, on the day before the effective date of this subd. 1. c. .... [LRB inserts  
15 date], was licensed as a nurse-midwife under s. 441.15, 2019 stats. The board shall  
16 also grant a person who is granted a license under this subd. 1. c. a nurse-midwife  
17 specialty designation.

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

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

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

1           5. If all of the following apply to a person, a notation indicating that the person  
2 may not issue prescription orders shall appear on the person's advanced practice  
3 registered nurse license:

4           a. The person is granted an advanced practice registered nurse license under  
5 subd. 1. a. and satisfies only par. (a) 2. b. but not par. (a) 2. a., or the person is granted  
6 an advanced practice registered nurse license under subd. 1. c.

7           b. On January 1, 2022, the person did not hold a certificate under s. 441.16 (2),  
8 2019 Stats.

9           (c) On or before the applicable renewal date specified under s. 440.08 (2) (a),  
10 an advanced practice registered nurse shall submit to the board on a form furnished  
11 by the board a statement giving his or her name and residence, the nursing workforce  
12 survey and fee required under s. 441.01 (7), evidence of having satisfied the  
13 continuing education requirements under sub. (4), evidence of any malpractice  
14 liability insurance coverage required under sub. (5), any plan required under sub. (3)  
15 (f), current evidence that the person satisfies each of the requirements under par. (a)  
16 1., 2., 5. a., and 7. that apply with respect to the person, and any other information  
17 that the board requires by rule, with the applicable renewal fee determined by the  
18 department under s. 440.03 (9) (a). The board shall grant to a person who satisfies  
19 the requirements under this paragraph the renewal of his or her advanced practice  
20 registered nurse license and specialty designations granted under par. (b) 1. and  
21 shall, if the person holds a license under s. 441.06 (1), (1c), or (1m), also grant the  
22 renewal of that license.

23           **(2) PRESCRIBING AUTHORITY.** (a) Except as provided in par. (b), an advanced  
24 practice registered nurse may issue prescription orders, subject to the rules

1 promulgated under sub. (6) (a) 1. and 4., and may provide expedited partner therapy  
2 in the manner described in s. 441.092.

3 (b) An advanced practice registered nurse may not issue prescription orders if  
4 a notation under sub. (1) (b) 5. indicating that the advanced practice registered nurse  
5 may not issue prescription orders appears on the advanced practice registered  
6 nurse's license.

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

10 2. The holder of a specialty designation for a recognized role granted under sub.  
11 (1) (b) 1. may append to his or her name the title and an abbreviation corresponding  
12 to that recognized role.

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

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

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

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

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

4           d. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate  
5 that he or she is a nurse practitioner unless he or she has been granted a nurse  
6 practitioner specialty designation under sub. (1) (b) 1.

7           (c) 1. Except as provided in subd. 2., an advanced practice registered nurse  
8 licensed under this section may practice advanced practice registered nursing  
9 without a written collaborative agreement with a physician or being supervised by  
10 a physician.

11           2. Nothing in this section prohibits an entity employing or with a relationship  
12 with an advanced practice registered nurse from establishing additional  
13 requirements for an advanced practice registered nurse as a condition of  
14 employment or relationship.

15           (d) An advanced practice registered nurse shall adhere to professional  
16 standards when managing situations that are beyond the advanced practice  
17 registered nurse’s expertise. If a particular patient’s needs are beyond the advanced  
18 practice registered nurse’s expertise, the advanced practice registered nurse shall,  
19 as warranted by the patient’s needs, consult or collaborate with or refer the patient  
20 to at least one of the following:

21           1. A physician licensed under ch. 448.

22           2. Another health care provider for whom the advanced practice registered  
23 nurse has reasonable evidence of having a scope of practice that includes the  
24 authorization to address the patient’s needs.



1           (e) An advanced practice registered nurse licensed under this section may  
2           delegate a task or order to another clinically trained health care worker if the task  
3           or order is within the scope of the advanced practice registered nurse's practice, the  
4           advanced practice registered nurse is competent to perform the task or issue the  
5           order, and the advanced practice registered nurse has reasonable evidence that the  
6           health care worker is minimally competent to perform the task or issue the order  
7           under the circumstances.

8           (f) An advanced practice nurse with a certified nurse-midwife specialty  
9           designation may not offer to deliver babies outside of a hospital setting unless the  
10          advanced practice nurse files with the board, and the board approves, a proactive  
11          plan for ensuring appropriate care or care transitions conforming with professional  
12          standards for patients with higher acuity or emergency care needs that exceed the  
13          advanced practice registered nurse's scope of practice. An advanced practice  
14          registered nurse who offers to deliver babies outside of a hospital setting shall file  
15          a plan under this paragraph when applying for an initial license under this section  
16          or a renewal of a license under this section, shall keep the plan current with the  
17          board, and shall follow the plan.

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

23          **(5) MALPRACTICE LIABILITY INSURANCE.** Except for a person whose employer has  
24          in effect malpractice liability insurance that provides coverage for the person in the  
25          amounts specified under s. 655.23 (4), no person may practice advanced practice

1 registered nursing unless he or she at all times has in effect malpractice liability  
2 insurance coverage in the minimum amounts required by the rules of the board. An  
3 advanced practice registered nurse shall submit evidence of that coverage to the  
4 board when applying for an initial license under this section or a renewal of a license  
5 under this section. An advanced practice registered nurse shall also submit such  
6 evidence to the board upon request of the board.

7 **(6) RULES.** (a) The board shall promulgate rules necessary to administer this  
8 section, including rules for all of the following:

9 1. Further defining the scope of practice of an advanced practice registered  
10 nurse, practice of a certified nurse-midwife, practice of a certified registered nurse  
11 anesthetist, practice of a nurse practitioner, and practice of a clinical nurse specialist  
12 and defining the scope of practice within which an advanced practice registered  
13 nurse may issue prescription orders under sub. (2).

14 2. Determining acceptable national certification for purposes of sub. (1) (a) 2.  
15 a.

16 3. Establishing the appropriate education, training, or experience  
17 requirements that a registered nurse must satisfy in order to be an advanced practice  
18 registered nurse and to obtain each specialty designation corresponding to the  
19 recognized roles.

20 4. Specifying the classes of drugs, individual drugs, or devices that may not be  
21 prescribed by an advanced practice registered nurse under sub. (2).

22 5. Specifying the conditions to be met for registered nurses to do the following:

23 a. Administer a drug prescribed by an advanced practice registered nurse.

24 b. Administer a drug at the direction of an advanced practice registered nurse.

1           6. Establishing the minimum amount of malpractice liability insurance  
2 coverage that an advanced practice registered nurse must at all times have in effect  
3 for purposes of sub. (5). The board shall promulgate rules under this subdivision in  
4 consultation with the commissioner of insurance.

5           7. Establishing standards of professional conduct for advanced practice  
6 registered nurses generally and for practicing in each recognized role.

7           (b) The board may not promulgate rules that expand the scope of practice of an  
8 advanced practice registered nurse beyond the practices within advanced practice  
9 registered nursing.

10           **SECTION 101.** 441.092 of the statutes is created to read:

11           **441.092 Expedited partner therapy. (1)** In this section:

12           (b) “Antimicrobial drug” has the meaning given in s. 448.035 (1) (b).

13           (c) “Expedited partner therapy” has the meaning given in s. 448.035 (1) (c).

14           **(2)** Notwithstanding the requirements of s. 448.9785, an advanced practice  
15 registered nurse who may issue prescription orders under s. 441.09 (2) may provide  
16 expedited partner therapy if a patient is diagnosed as infected with a chlamydial  
17 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with  
18 a sexual partner during which the chlamydial infection, gonorrhea, or  
19 trichomoniasis may have been transmitted to or from the sexual partner. The  
20 advanced practice registered nurse shall attempt to obtain the name of the patient’s  
21 sexual partner. A prescription order for an antimicrobial drug prepared under this  
22 subsection shall include the name and address of the patient’s sexual partner, if  
23 known. If the advanced practice registered nurse is unable to obtain the name of the  
24 patient’s sexual partner, the prescription order shall include, in ordinary, bold-faced  
25 capital letters, the words, “expedited partner therapy” or the letters “EPT.”

1           **(3)** The advanced practice registered nurse shall provide the patient with a  
2 copy of the information sheet prepared by the department of health services under  
3 s. 46.03 (44) and shall request that the patient give the information sheet to the  
4 person with whom the patient had sexual contact.

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

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

14           **SECTION 102.** 441.10 (7) of the statutes is amended to read:

15           **441.10 (7)** No license is required for practical nursing, but, except as provided  
16 in s. 257.03, no person without a license may hold himself or herself out as a licensed  
17 practical nurse or licensed attendant, use the title or letters “Trained Practical  
18 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or  
19 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is  
20 a licensed practical nurse or licensed attendant. No licensed practical nurse or  
21 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,  
22 graduate or professional nurse. Anyone violating this subsection shall be subject to  
23 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~  
24 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~  
25 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds

1 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than  
2 this state, that has adopted the enhanced nurse licensure compact under s. 441.51.

3 **SECTION 103.** 441.11 (title) of the statutes is repealed.

4 **SECTION 104.** 441.11 (1) of the statutes is repealed.

5 **SECTION 105.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and  
6 amended to read:

7 441.09 (5m) LICENSURE EXEMPTION. The provisions of s. 448.04 (1) (g) 448.03  
8 (1) (d) do not apply to ~~a~~ an advanced practice registered nurse licensed under this  
9 section who possesses a certified registered nurse anesthetist specialty designation  
10 under sub. (1) (b) 1. or to a person who engages in the practice of a nurse anesthetist  
11 while performing official duties for the armed services or federal health services of  
12 the United States.

13 **SECTION 106.** 441.11 (3) of the statutes is repealed.

14 **SECTION 107.** 441.15 of the statutes is repealed.

15 **SECTION 108.** 441.16 of the statutes is repealed.

16 **SECTION 109.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

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

19 **SECTION 110.** 441.18 (2) (b) of the statutes is amended to read:

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

1 capacity to ensure that any individual to whom the person further delivers the opioid  
2 antagonist has or receives that knowledge and training.

3 **SECTION 111.** 441.18 (3) of the statutes is amended to read:

4 441.18 (3) An advanced practice registered nurse who, acting in good faith,  
5 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting  
6 in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall  
7 be immune from criminal or civil liability and may not be subject to professional  
8 discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,  
9 or dispensing the opioid antagonist.

10 **SECTION 112.** 441.19 of the statutes is repealed.

11 **SECTION 113.** Subchapter II (title) of chapter 441 [precedes 441.51] of the  
12 statutes is amended to read:

13 **CHAPTER 441**

14 **SUBCHAPTER II**

15 **ENHANCED NURSE LICENSURE COMPACT**

16 **SECTION 114.** 441.51 (title) of the statutes is amended to read:

17 **441.51** (title) ~~Enhanced nurse~~ Nurse licensure compact.

18 **SECTION 115.** 448.03 (2) (a) of the statutes, as affected by 2021 Wisconsin Act  
19 23, is amended to read:

20 448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
21 permit, registration, certificate or certification granted to practice midwifery under  
22 subch. XIII of ch. 440, to practice professional ~~or~~ practical, or advanced practice  
23 registered nursing or nurse-midwifery under ch. 441, to practice chiropractic under  
24 ch. 446, to practice dentistry or dental hygiene under ch. 447, to practice optometry  
25 under ch. 449, to practice as a physician assistant under subch. VIII, to practice

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

3 **SECTION 116.** 448.035 (1) (a) of the statutes is repealed.

4 **SECTION 117.** 448.035 (2) to (4) of the statutes, as affected by 2021 Wisconsin  
5 Act 23, are amended to read:

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

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

23 (4) (a) Except as provided in par. (b), a physician ~~or certified advanced practice~~  
24 ~~nurse prescriber~~ is immune from civil liability for injury to or the death of a person  
25 who takes any antimicrobial drug if the antimicrobial drug is prescribed, dispensed,

1 or furnished under this section and if expedited partner therapy is provided as  
2 specified under this section.

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

7 **SECTION 118.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

8 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.  
9 448.52, a person may practice physical therapy only upon the written referral of a  
10 physician, physician assistant, chiropractor, dentist, podiatrist, or advanced practice  
11 registered nurse ~~prescriber certified under s. 441.16 (2)~~. Written referral is not  
12 required if a physical therapist provides services in schools to children with  
13 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the  
14 department of public instruction; provides services as part of a home health care  
15 agency; provides services to a patient in a nursing home pursuant to the patient's  
16 plan of care; provides services related to athletic activities, conditioning, or injury  
17 prevention; or provides services to an individual for a previously diagnosed medical  
18 condition after informing the individual's physician, physician assistant,  
19 chiropractor, dentist, podiatrist, or advanced practice registered nurse ~~prescriber~~  
20 ~~certified under s. 441.16 (2)~~ who made the diagnosis. The examining board may  
21 promulgate rules establishing additional services that are excepted from the written  
22 referral requirements of this subsection.

23 (1m) (b) The examining board shall promulgate rules establishing the  
24 requirements that a physical therapist must satisfy if a physician, physician  
25 assistant, chiropractor, dentist, podiatrist, or advanced practice registered nurse



1     ~~prescriber~~ makes a written referral under sub. (1). The purpose of the rules shall be  
2     to ensure continuity of care between the physical therapist and the health care  
3     practitioner.

4             **SECTION 119.** 448.62 (2m) of the statutes is amended to read:

5             448.62 **(2m)** An advanced practice registered nurse ~~who is certified to issue~~  
6     ~~prescription orders under s. 441.16~~ and who is providing nonsurgical patient services  
7     as directed, supervised, and inspected by a podiatrist who has the power to direct,  
8     decide, and oversee the implementation of the patient services rendered.

9             **SECTION 120.** 448.67 (2) of the statutes is amended to read:

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

20            **SECTION 121.** 448.956 (1m) of the statutes, as affected by 2021 Wisconsin Act  
21     23, is amended to read:

22            448.956 **(1m)** Subject to sub. (1) (a), a licensee may provide athletic training  
23     to an individual without a referral, except that a licensee may not provide athletic  
24     training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation  
25     setting unless the licensee has obtained a written referral for the individual from a

1 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;  
2 under ch. 446; or under s. ~~441.16 (2)~~ 441.09 or from a practitioner who holds a  
3 compact privilege under subch. X of ch. 448.

4 **SECTION 122.** 450.01 (1m) of the statutes is repealed.

5 **SECTION 123.** 450.01 (16) (h) 2. of the statutes is amended to read:

6 450.01 (16) (h) 2. The patient's advanced practice registered nurse ~~prescriber,~~  
7 if the advanced practice registered nurse ~~prescriber has entered into a written~~  
8 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.  
9 441.09 (2).

10 **SECTION 124.** 450.01 (16) (hr) 2. of the statutes is amended to read:

11 450.01 (16) (hr) 2. An advanced practice registered nurse ~~prescriber~~ who may  
12 issue prescription orders under s. 441.09 (2).

13 **SECTION 125.** 450.03 (1) (e) of the statutes is amended to read:

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

21 **SECTION 126.** 450.11 (1g) (b) of the statutes, as affected by 2021 Wisconsin Act  
22 23, is amended to read:

23 450.11 (1g) (b) A pharmacist may, upon the prescription order of a practitioner  
24 providing expedited partner therapy, as specified in s. 441.092, 448.035, or 448.9725,  
25 that complies with the requirements of sub. (1), dispense an antimicrobial drug as

1 a course of therapy for treatment of chlamydial infections, gonorrhea, or  
2 trichomoniasis to the practitioner's patient or a person with whom the patient has  
3 had sexual contact for use by the person with whom the patient has had sexual  
4 contact. The pharmacist shall provide a consultation in accordance with rules  
5 promulgated by the board for the dispensing of a prescription to the person to whom  
6 the antimicrobial drug is dispensed. A pharmacist providing a consultation under  
7 this paragraph shall ask whether the person for whom the antimicrobial drug has  
8 been prescribed is allergic to the antimicrobial drug and advise that the person for  
9 whom the antimicrobial drug has been prescribed must discontinue use of the  
10 antimicrobial drug if the person is allergic to or develops signs of an allergic reaction  
11 to the antimicrobial drug.

12 **SECTION 127.** 450.11 (1i) (a) 1. of the statutes, as affected by 2021 Wisconsin  
13 Act 23, is amended to read:

14 450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the  
15 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.  
16 441.18 (2) (a) 1., of a physician under s. 448.037 (2) (a) 1., or of a physician assistant  
17 under s. 448.9727 (2) (a) 1. that complies with the requirements of sub. (1), deliver  
18 an opioid antagonist to a person specified in the prescription order and may, upon  
19 and in accordance with the standing order of an advanced practice registered nurse  
20 ~~prescriber~~ under s. 441.18 (2) (a) 2., of a physician under s. 448.037 (2) (a) 2., or of  
21 a physician assistant under s. 448.9727 (2) (a) 2. that complies with the requirements  
22 of sub. (1), deliver an opioid antagonist to an individual in accordance with the order.  
23 The pharmacist shall provide a consultation in accordance with rules promulgated  
24 by the board for the delivery of a prescription to the person to whom the opioid  
25 antagonist is delivered.

1           **SECTION 128.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

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

5           **SECTION 129.** 450.11 (7) (b) of the statutes is amended to read:

6           450.11 (7) (b) Information communicated to a physician, physician assistant,  
7 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully  
8 a prescription drug or the administration of a prescription drug is not a privileged  
9 communication.

10          **SECTION 130.** 450.11 (8) (e) of the statutes is amended to read:

11          450.11 (8) (e) The board of nursing, insofar as this section applies to advanced  
12 practice nurse ~~prescribers~~ registered nurses.

13          **SECTION 131.** 450.13 (5) (b) of the statutes is amended to read:

14          450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the  
15 advanced practice registered nurse ~~prescriber~~ has entered into a written agreement  
16 ~~to collaborate with a physician~~ may issue prescription orders under s. 441.09 (2).

17          **SECTION 132.** 450.135 (7) (b) of the statutes is amended to read:

18          450.135 (7) (b) The patient's advanced practice registered nurse ~~prescriber~~, if  
19 the advanced practice registered nurse ~~prescriber~~ has entered into a written  
20 agreement ~~to collaborate with a physician~~ may issue prescription orders under s.  
21 441.09 (2).

22          **SECTION 133.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 23, is  
23 amended to read:

24          **462.04 Prescription or order required.** A person who holds a license or  
25 limited X-ray machine operator permit under this chapter may not use diagnostic

1 X-ray equipment on humans for diagnostic purposes unless authorized to do so by  
2 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed  
3 under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed  
4 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.  
5 ~~441.16 (2)~~ 441.09, a physician assistant licensed under s. 448.974, or, subject to s.  
6 448.56 (7) (a), a physical therapist who is licensed under s. 448.53 or who holds a  
7 compact privilege under subch. X of ch. 448.

8 **SECTION 134.** 655.001 (7t) of the statutes is amended to read:

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

14 **SECTION 135.** 655.001 (9) of the statutes is amended to read:

15 655.001 (9) “Nurse anesthetist” means ~~a nurse~~ an individual who is licensed  
16 ~~under ch. 441 or who holds a multistate license, as defined in s. 441.51 (2) (h), issued~~  
17 ~~in a party state, as defined in s. 441.51 (2) (k), and who is certified as a nurse~~  
18 ~~anesthetist by the American association of nurse anesthetists~~ as an advanced  
19 practice registered nurse and possesses a certified registered nurse anesthetist  
20 specialty designation under s. 441.09.

21 **SECTION 136.** 655.005 (2) (a) of the statutes is amended to read:

22 655.005 (2) (a) An employee of a health care provider if the employee is a  
23 physician or a nurse anesthetist or is a health care practitioner who is providing  
24 health care services that are not ~~in collaboration with a physician under s. 441.15 (2)~~  
25 ~~(b) or~~ under the direction and supervision of a physician or nurse anesthetist.

1           **SECTION 137.** 961.01 (19) (a) of the statutes, as affected by 2021 Wisconsin Act  
2 23, is amended to read:

3           961.01 **(19)** (a) A physician, advanced practice registered nurse, dentist,  
4 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.975  
5 (1) (b), a physician assistant, or other person licensed, registered, certified or  
6 otherwise permitted to distribute, dispense, conduct research with respect to,  
7 administer or use in teaching or chemical analysis a controlled substance in the  
8 course of professional practice or research in this state.

9           **SECTION 138.** 961.395 of the statutes is amended to read:

10           **961.395 Limitation on advanced practice registered nurses.** (1) An  
11 advanced practice registered nurse who ~~is certified~~ may issue prescription orders  
12 under s. 441.16 441.09 (2) may prescribe controlled substances only as permitted by  
13 the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (a) 4.

14           (2) An advanced practice registered nurse ~~certified under s. 441.16~~ who may  
15 issue prescription orders under s. 441.09 (2) shall include with each prescription  
16 order the ~~advanced practice nurse prescriber certification~~ license number issued to  
17 him or her by the board of nursing.

18           (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who may  
19 issue prescription orders under s. 441.09 (2) may dispense a controlled substance  
20 only by prescribing or administering the controlled substance or as otherwise  
21 permitted by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (a) 4.

22           **SECTION 139. Nonstatutory provisions.**

23           (1) Using the procedure under s. 227.24, the board of nursing may promulgate  
24 rules under ch. 441 that are necessary to implement the changes in this act.  
25 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide

1 evidence that promulgating a rule under this subsection as an emergency rule is  
2 necessary for the preservation of the public peace, health, safety, or welfare and is  
3 not required to provide a finding of emergency for a rule promulgated under this  
4 subsection. A rule under this subsection may take effect no later than the date  
5 specified in SECTION 140 (intro.) of this act. Notwithstanding s. 227.24 (1) (c) and (2),  
6 a rule promulgated under this subsection is effective for 2 years after its  
7 promulgation, or until permanent rules take effect, whichever is sooner, and the  
8 effective period of a rule promulgated under this subsection may not be further  
9 extended under s. 227.24 (2).

10 (2) (a) In this subsection, the definitions under s. 441.001 apply.

11 (b) Notwithstanding s. 441.09 (3), an individual who, on January 1, 2022, is  
12 licensed as a registered nurse in this state and is practicing in a recognized role may  
13 continue to practice advanced practice registered nursing and the corresponding  
14 recognized role in which he or she is practicing and may continue to use the titles  
15 corresponding to the recognized roles in which he or she is practicing during the  
16 period before which the board takes final action on the person's application under s.  
17 441.09. This paragraph does not apply after the first day of the 13th month  
18 beginning after the effective date of this paragraph.

19 **SECTION 140. Effective dates.** This act takes effect on the first day of the 13th  
20 month beginning after publication, except as follows:

21 (1) SECTION 139 (1) of this act takes effect on the day after publication.

22 (END)