



2021 ASSEMBLY BILL 166

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

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 441.115 (3) of the statutes is created to read:
5 441.115 (3) (a) Notwithstanding s. 441.06 (4), a person may at a recreational
6 and educational camp licensed under s. 97.67 (1) practice professional nursing to
7 provide treatment to campers and staff for not more than 90 days in any year without
8 holding a license granted under this subchapter if all of the following apply:
9 1. The person holds in good standing a license, permit, registration, or
10 certificate granted by another state or territory or by a Canadian province or

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1 territory that authorizes the person to perform acts that are substantially the same
2 as those performed by a person licensed as a registered nurse under this subchapter.

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

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

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

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

13 **SECTION 2. Nonstatutory provisions.**

14 (1) Using the procedure under s. 227.24, the board of nursing may promulgate
15 rules establishing the form that a person shall submit before practicing under s.
16 441.115 (3) (a). Notwithstanding s. 227.24 (1) (a) and (3), the board of nursing is not
17 required to provide evidence that promulgating a rule under this subsection is
18 necessary for the preservation of the public peace, health, safety, or welfare and is
19 not required to provide a finding of emergency for a rule promulgated under this
20 subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated
21 under this subsection may remain in effect until May 1, 2023, or the date on which
22 permanent rules take effect, whichever is sooner, and the effective period may not
23 be further extended under s. 227.24 (2).

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

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SECTION 3

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

2 (END)

State of Wisconsin



2021 Assembly Bill 166

Date of enactment: **May 21, 2021**
Date of publication*: **May 22, 2021**

2021 WISCONSIN ACT 46

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

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

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

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

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

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

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

(b) A person shall submit to the board a form provided by the board before practicing under par. (a). The

board may promulgate rules establishing the form to be submitted under this subsection.

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

SECTION 2. Nonstatutory provisions.

(1) Using the procedure under s. 227.24, the board of nursing may promulgate rules establishing the form that a person shall submit before practicing under s. 441.115 (3) (a). Notwithstanding s. 227.24 (1) (a) and (3), the board of nursing is not required to provide evidence that promulgating a rule under this subsection is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection may remain in effect until May 1, 2023, or the date on which permanent rules take effect, whichever is sooner, and the effective period may not be further extended under s. 227.24 (2).

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

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

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."