2021 ASSEMBLY BILL 434

July 1, 2021 - Introduced by Representatives BILLINGS, MURSAU, ANDERSON, CABRERA, CONSIDINE, EDMING, HORLACHER, L. MYERS, ROZAR, SHANKLAND, SINICKI, SPIROS, SPREITZER, STUBBS, SUBECK, TRANEL and WICHGERS, cosponsored by Senators PETROWSKI, LARSON, PFAFF and L. TAYLOR. Referred to Committee on Sporting Heritage.

AN ACT to amend 29.193 (1m) (a) 2. (intro.), 29.193 (1m) (a) 3., 29.193 (2) (b) 2., 29.193 (2) (c) 3., 29.193 (2) (cd) 2. b., 29.193 (2) (cd) 2. c., 29.193 (2) (e) and 29.193 (3) (a) of the statutes; relating to: hunting and fishing approvals for persons with disabilities.

Analysis by the Legislative Reference Bureau

This bill approves licensed physical therapists and licensed occupational therapists to certify the disability of an applicant for a no-cost hunting, trolling, or fishing approval issued by the Department of Natural Resources.

Under current law, DNR issues approvals that authorize the hunting, fishing, and trapping of wild animals for a specified fee. Current law provides that DNR may not charge a fee for issuing certain hunting, fishing, and trolling approvals to individuals with specified disabilities. An application for one of these approvals must be accompanied by a written statement verifying the applicant’s disability prepared by a licensed physician, physician assistant, chiropractor, or podiatrist, a certified advanced practice nurse prescriber, or, for certain approvals, a licensed optometrist.

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

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
SECTION 1. 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

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

SECTION 2. 29.193 (1m) (a) 3. of the statutes is amended to read:

29.193 (1m) (a) 3. Produces a certificate from a licensed physician or,
optometrist, physical therapist, or occupational therapist stating that his or her
sight is impaired to the degree that he or she cannot read ordinary newspaper print
with or without corrective glasses.

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

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

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

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

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

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

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

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

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

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

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

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