

CHAPTER 484

AN ACT to repeal and recreate 147.225 of the statutes, relating to certain hospitals charging patients for services rendered by persons not in the employ of the hospital.

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

SECTION 1. 147.225 of the statutes is repealed and recreated to read:

147.225 FEE SPLITTING BETWEEN PHYSICIANS AND OTHERS. (1) **SEPARATE BILLING REQUIRED.** Any physician who renders any medical or surgical service or assistance whatever, or gives any medical, surgical or any similar advice or assistance whatever to any patient, physician, corporation, or to any other institution or organization of any kind, including a hospital, for which a charge is made to such patient receiving such service, advice or assistance, shall render an individual statement or account of his charges therefor directly to such patient, distinct and separate from any statement or account by any physician or other person, who has rendered or who may render any medical, surgical or any similar service whatever, or who has given or may give any medical, surgical or similar advice or assistance to such patient, physician, corporation, or to any other institution or organization of any kind, including a hospital.

(2) **PHYSICIAN PARTNERSHIPS PERMITTED.** Notwithstanding any other provision in this section, it is lawful for 2 or more physicians, who have entered into a bona fide partnership for the practice of medicine, to render a single bill for such services in the name of such partnership.

(3) **CONTRACT EXCEPTIONS; TERMS.** Notwithstanding any other provision in this section, when a hospital and its medical staff, considers that it is in the public interest, it is lawful for a physician to contract with a hospital to provide consultation services for attending physicians, as herein provided. Any treatment by such a consultant shall be in his capacity as a private practitioner; his relationship to the patient shall be governed accordingly; and such treatment shall be rendered only at the request of the attending physician, except that a physician specializing in pathology, physical medicine or radiology may include the treatment of referred cases in his contract with a hospital. Such contract shall:

(a) Require such physician to be a member of or acceptable to the medical staff of such hospital.

(b) Not create the relationship between hospital and physician of employer-employee; excepting only that any contract for deferred compensation, including but not limited to an annuity, in force on the effective date hereof, shall not be modified or abrogated by the force of any provision of this subsection.

(c) Permit such physician to exercise his professional judgment without supervision or interference by such hospital.

(d) Establish the remuneration of the physician on any basis other than a salary.

(e) If agreeable to the contracting parties, such hospitals are authorized to charge the patient for services rendered by such physicians; provided, that the statement to the patient shall indicate that the services of such physicians, who shall be designated by name, are included in the departmental charges.

(4) DEFINITIONS. As used in this section:

(a) "Hospital" means an institution providing 24-hour continuous service to patients confined therein which is primarily engaged in providing facilities for diagnostic and therapeutic services for the surgical and medical diagnosis, treatment and care, of injured or sick persons, by or under the supervision of a professional staff of physicians and surgeons, and which is not primarily a place of rest for the aged, for drug addicts, for alcoholics, or a nursing home. Such hospitals may charge patients directly for the services of their employe nurses, nonphysician anesthetists, and for medical assistants, other than physicians or dentists, and may engage on a salary basis interns and residents who are participating in an accredited training program under the supervision of the medical staff, and persons with a temporary educational certificate issued under s. 147.151.

(b) "Physician" means an individual holding an unlimited license to practice medicine and surgery in Wisconsin.

SECTION 2. This act shall take effect January 1, 1961.

Approved September 16, 1959.
