

No. 197, S.]

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## CHAPTER 416

AN ACT to amend 143.16; and to create 143.17 of the statutes, relating to physical examinations for college teachers and other personnel.

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

SECTION 1. 143.16 of the statutes is amended to read:

143.16 The governing body of each private or parochial school enrolling pupils in any grades from one to 12 and of every privately supported institution of higher education in the state granting a certificate, diploma or degree shall, as a condition of entering or continuing such employment, require a physical examination, including a chest X-ray or tuberculin test, of every \* \* \* employe of such institution except in institutions of higher learning employes working less than 60 days in any school year shall be exempt; except that a governing body may, in the case of a new employe, permit the employe to submit proof of an examination, chest X-ray or tuberculin test, which complies with this section taken within the past 2 years in lieu of requiring such examination, X-ray or test. If the reaction to the tuberculin test is positive then a chest X-ray shall be required. Additional physical examinations shall be required thereafter at intervals determined by \* \* \* said governing body. A chest X-ray or tuberculin test shall be required at least once every 3 years \* \* \* and if the reaction to such tuberculin test is positive then a chest X-ray shall be required. The physician making such examination shall prepare a report of \* \* \* same upon a standard form prescribed by the state board of health. Such report shall be retained in the physician's files and he shall make confidential recommendations therefrom to the governing body \* \* \* and to the employe on a form prescribed by the state board of health. The recommendation form shall contain space for a certificate that the person examined is free from tuberculosis in a communicable form. Not more than 30 days after the opening of each semester or similar period, each institution shall file with the state board of health a certificate of compliance on a form satisfactory to the state board stating that they have complied with this section.

## SECTION 2. 143.17 of the statutes is created to read:

143.17 HEALTH EXAMINATIONS. (1) The provisions of this section, relating to periodic physical examinations, shall apply to the state university, state colleges, county teachers colleges and schools of vocational and adult education.

(2) The governing body shall, as a condition of entering or continuing employment, require a physical examination including a chest X-ray or tuberculin test, of every person employed for 60 days or more in any fiscal year by the governing body; except that the governing body may, in the case of a new employe, permit the employe to submit proof of an examination, chest X-ray or tuberculin test which complies with this section taken within the past 2 years in lieu of requiring such examination, X-ray or test. If the reaction to the tuberculin test is positive then a chest X-ray shall be required. Additional physical examinations shall be required thereafter at intervals determined by the governing body. A chest X-ray or tuberculin test shall be required at least once every 3 years; if the reaction to such tuberculin test is positive then a chest X-ray shall be required. The employe shall be examined by a licensed physician in the employ of or under contract with the institution. If no such physician is employed or under contract, the examination shall be made by any licensed physician selected by the employe. Such physical examinations, chest X-rays or tuberculin tests shall not be required of any such employe who files with the governing body an affidavit setting forth that he depends exclusively upon prayer or spiritual means for healing in accordance with the teachings of a bona fide religious sect, denomination or organization and that he is to the best of his knowledge and belief in good health and that he claims exemption from health examination on such grounds. Notwithstanding the filing of such affidavit if there is reasonable cause to believe that such employe is suffering from an illness detrimental to the health of the pupils, the governing body may require such health examination of such employe sufficient to indicate whether or not such employe is suffering from such an illness. No employe shall be discriminated against by reason of his filing the aforementioned affidavit. The physician making such examination shall prepare a report of his examination upon a standard form prepared by the state board of health and the department of public instruction. Such report shall be retained in the physician's files and he shall make confidential recommendations therefrom to the governing body and to the employe on a form prepared by the state board of health and the department of public instruction. The recommendation form shall contain space for a certificate that the person is free from tuberculosis in a communicable form. The cost of such examinations, including X-rays and tuberculin tests, shall be paid by the individual employe, but the governing body may arrange for the use of its facilities and qualified professional staff to carry out this function with or without charge to the employe. Not more than 30 days after the opening of each semester or similar period, each institution shall file with the state board of health a certificate of compliance, on a form satisfactory to the state board stating that they have complied with this section.

Approved August 21, 1961.