

1989 Senate Bill 325

Date of enactment: **December 5, 1989**
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1989 WISCONSIN ACT 84

AN ACT *to repeal* 146.40 (2) (b) 1 to 3; *to renumber and amend* 146.40 (2) (b) (intro.); and *to amend* 146.40 (1) (g), 146.40 (2) (intro.), 146.40 (2) (am) and 146.40 (2) (e) and (f) of the statutes, **relating to:** training and competency requirements for nurse's assistants and home health aides.

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

SECTION 1. 146.40 (1) (g) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

146.40 (1) (g) "Student nurse" means an individual who is currently enrolled ~~in a~~ in a school for professional nurses or a school for licensed practical nurses that meets standards established under s. 441.03 (3) ~~441.01 (4)~~, or who has successfully completed the course work of a basic nursing course of the school but has not successfully completed the examination under s. 441.05 or 441.10 (2).

SECTION 2. 146.40 (2) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

146.40 (2) (intro.) After ~~December 31, 1989~~ September 30, 1990, a hospital or nursing home may not employ an individual as a nurse's assistant and a home health agency may not employ an individual as a home health aide, regardless of the title under which the individual is employed, unless one of the following is true:

SECTION 3. 146.40 (2) (am) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

146.40 (2) (am) If the individual was employed as a nurse's assistant or home health aide ~~prior to July 1, 1989~~ between October 1, 1985, and October 1, 1990, the individual successfully completes, by ~~December 31, 1989~~

December 31, 1991, a competency evaluation program that is approved by the department under sub. (3m).

SECTION 4. 146.40 (2) (b) (intro.) of the statutes, as affected by 1989 Wisconsin Act 31, is renumbered 146.40 (2) (b) and amended to read:

146.40 (2) (b) The individual has practiced as a nurse's assistant or as a home health aide for at least 12 months on or prior to ~~December 31, 1989~~, except that this paragraph applies only to an individual who is employed by any of the following: October 1, 1990.

SECTION 5. 146.40 (2) (b) 1. to 3. of the statutes, as created by 1989 Wisconsin Act 31, are repealed.

SECTION 6. 146.40 (2) (e) and (f) of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

146.40 (2) (e) The individual is a student nurse ~~and has successfully completed a competency evaluation program that is approved by the department under sub. (3m)~~ or who has successfully completed a basic nursing course from a school that is on the accredited list of schools specified under s. 441.01 (4).

(f) The individual has successfully completed, prior to ~~January~~ October 1, 1990, an instructional and competency evaluation program that is substantially the same as an instructional and competency evaluation program certified by the department under sub. (3) and that the department determines generally meets the standards for certification promulgated under sub. (3).