



**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1997 SENATE BILL 331**

January 6, 1998 – Offered by COMMITTEE ON HEALTH.

1     **AN ACT** *to amend* 441.11 (3) and 441.11 (4); and *to repeal and recreate* 441.11  
2           (3) and 441.11 (4) of the statutes; **relating to:** defining the practice of nursing  
3           to include acting under the direction of optometrists.

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

4           **SECTION 1.** 441.11 (3) of the statutes is amended to read:  
5           441.11 (3) PRACTICE OF PRACTICAL NURSING. The practice of practical nursing  
6           under this chapter means the performance for compensation of any simple acts in the  
7           care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any  
8           act or procedure in the care of the more acutely ill, injured or infirm under the specific  
9           direction of a nurse, physician, podiatrist licensed under ch. 448 or, dentist licensed  
10          under ch. 447 or optometrist licensed under ch. 449, or under an order of a person  
11          who is licensed to practice medicine, podiatry or dentistry in another state if that

1 person prepared the order after examining the patient in that other state and directs  
2 that the order be carried out in this state. A simple act is one which does not require  
3 any substantial nursing skill, knowledge or training, or the application of nursing  
4 principles based on biological, physical or social sciences, or the understanding of  
5 cause and effect in such acts and is one which is of a nature of those approved by the  
6 board for the curriculum of schools for licensed practical nurses.

7 **SECTION 2.** 441.11 (3) of the statutes, as affected by 1997 Wisconsin Act ... (this  
8 act), is repealed and recreated to read:

9 441.11 (3) PRACTICE OF PRACTICAL NURSING. The practice of practical nursing  
10 under this chapter means the performance for compensation of any simple acts in the  
11 care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any  
12 act or procedure in the care of the more acutely ill, injured or infirm under the specific  
13 direction of a nurse, physician, podiatrist licensed under ch. 448, dentist licensed  
14 under ch. 447 or optometrist licensed under ch. 449, or under an order of a person  
15 who is licensed to practice medicine, podiatry, dentistry or optometry in another state  
16 if that person prepared the order after examining the patient in that other state and  
17 directs that the order be carried out in this state. A simple act is one which does not  
18 require any substantial nursing skill, knowledge or training, or the application of  
19 nursing principles based on biological, physical or social sciences, or the  
20 understanding of cause and effect in such acts and is one which is of a nature of those  
21 approved by the board for the curriculum of schools for licensed practical nurses.

22 **SECTION 3.** 441.11 (4) of the statutes is amended to read:

23 441.11 (4) PRACTICE OF PROFESSIONAL NURSING. The practice of professional  
24 nursing within the terms of this chapter means the performance for compensation  
25 of any act in the observation or care of the ill, injured or infirm, or for the maintenance

1 of health or prevention of illness of others, which act requires substantial nursing  
2 skill, knowledge or training, or application of nursing principles based on biological,  
3 physical and social sciences, such as the observation and recording of symptoms and  
4 reactions, the execution of procedures and techniques in the treatment of the sick  
5 under the general or special supervision or direction of a physician, podiatrist  
6 licensed under ch. 448 ~~or~~, dentist licensed under ch. 447 or optometrist licensed  
7 under ch. 449, or under an order of a person who is licensed to practice medicine,  
8 podiatry or dentistry in another state if that person prepared the order after  
9 examining the patient in that other state and directs that the order be carried out  
10 in this state, and the execution of general nursing procedures and techniques.  
11 Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the  
12 supervision of a patient and the supervision and direction of licensed practical  
13 nurses and less skilled assistants.

14 **SECTION 4.** 441.11 (4) of the statutes, as affected by 1997 Wisconsin Act .... (this  
15 act), is repealed and recreated to read:

16 441.11 (4) PRACTICE OF PROFESSIONAL NURSING. The practice of professional  
17 nursing within the terms of this chapter means the performance for compensation  
18 of any act in the observation or care of the ill, injured or infirm, or for the maintenance  
19 of health or prevention of illness of others, which act requires substantial nursing  
20 skill, knowledge or training, or application of nursing principles based on biological,  
21 physical and social sciences, such as the observation and recording of symptoms and  
22 reactions, the execution of procedures and techniques in the treatment of the sick  
23 under the general or special supervision or direction of a physician, podiatrist  
24 licensed under ch. 448, dentist licensed under ch. 447 or optometrist licensed under  
25 ch. 449, or under an order of a person who is licensed to practice medicine, podiatry,

1 dentistry or optometry in another state if that person prepared the order after  
2 examining the patient in that other state and directs that the order be carried out  
3 in this state, and the execution of general nursing procedures and techniques.  
4 Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the  
5 supervision of a patient and the supervision and direction of licensed practical  
6 nurses and less skilled assistants.

7 **SECTION 5. Effective dates** This act takes effect on the day after publication,  
8 except as follows:

9 (1) The repeal and recreation of section 441.11 (3) and (4) of the statutes takes  
10 effect on the first day of the 25th month beginning after publication.

11 (END)