
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 121
[2021 Senate Bill 309]

**Telehealth; Free and Charitable
Clinics**

TELEHEALTH

2021 Wisconsin Act 121 establishes a definition for “telehealth” for purposes of occupational credentialing and practice standards, and specifies that the Department of Safety and Professional Services and credentialing boards must use the statutory definition in any administrative rules related to telehealth.

The act defines “telehealth” as the practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used during either a patient visit or consultation, or are used to transfer medically relevant data about a patient. Under this definition, “telehealth” includes asynchronous telehealth services, interactive telehealth, and remote patient monitoring.

FREE AND CHARITABLE CLINICS

The act also establishes a definition for “free and charitable clinics” for purposes of an existing grant program administered by the Department of Health Services. Prior law did not define the term.

The act defines a “free and charitable clinic” as a health care organization that meets certain criteria and uses a volunteer and staff model to provide health services to uninsured, underinsured, underserved, economically and socially disadvantaged, and vulnerable populations.

An organization must be nonprofit and tax exempt under the federal Internal Revenue Code, and be located in this state or serve residents in this state. In providing services, an organization must do all of the following: (1) restrict eligibility for services to individuals with certain needs; (2) provide medical, dental, or mental health care or prescription medication services; and (3) use volunteer health care professionals, nonclinical volunteers, and partnerships with other health care providers to provide the health care services. In addition, an organization cannot be a federally qualified health center (FQHC) under federal law or receive reimbursement from the federal Centers for Medicare and Medicaid Services (commonly referred to as CMS) under an FQHC payment methodology.

Effective date: February 6, 2022

MSK:jal