



## 2003 ASSEMBLY BILL 397

June 10, 2003 – Introduced by Representatives ALBERS, SERATTI and VAN ROY, cosponsored by Senator SCHULTZ. Referred to Committee on Health.

1     **AN ACT** *to amend* 448.06 (2); and *to create* 448.015 (1c), 448.02 (3) (am) and  
2     448.02 (3) (i) of the statutes; **relating to:** chelation therapy.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Medical Examining Board licenses physicians to practice, investigates allegations of malpractice or unprofessional behavior by a physician, and imposes discipline on a physician who commits malpractice or acts unprofessionally.

This bill permits a physician to practice chelation therapy. Chelation therapy is a medical treatment in which a chemical is introduced into a patient's body for the purpose of binding and either removing or rearranging metallic elements. Under the bill, the Medical Examining Board may not deny a license, investigate, or take disciplinary action against a physician solely because he or she practices, or wishes to practice, chelation therapy.

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

3     **SECTION 1.** 448.015 (1c) of the statutes is created to read:  
4     448.015 (1c) “Chelation therapy” means a medical treatment in which a  
5     chemical is introduced into the body for the purpose of binding, and removing or  
6     rearranging, metallic elements in the body.

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1           **SECTION 2.** 448.02 (3) (am) of the statutes is created to read:

2           448.02 (3) (am) If the board receives an allegation of unprofessional conduct  
3 or negligence involving the practice of chelation therapy, the board shall consult, as  
4 part of its investigation under par. (a), with at least one physical who devotes a  
5 significant portion of his or her practice to chelation therapy.

6           **SECTION 3.** 448.02 (3) (i) of the statutes is created to read:

7           448.02 (3) (i) The board may not investigate or take disciplinary action against  
8 a physician solely because the physician practices, attempts to practice, proposes to  
9 practice, or holds himself or herself out to the public as one who practices, chelation  
10 therapy.

11           **SECTION 4.** 448.06 (2) of the statutes is amended to read:

12           448.06 (2) DENIAL OF LICENSE OR CERTIFICATE. The board may deny an  
13 application for any class of license or certificate and refuse to grant such license or  
14 certificate on the basis of unprofessional conduct on the part of the applicant, failure  
15 to possess the education and training required for that class of license or certificate  
16 for which application is made, or failure to achieve a passing grade in the required  
17 examinations. The board may not deny an application for a physician's license and  
18 may not refuse to grant a physician's license solely because the applicant practices,  
19 attempts to practice, proposes to practice, or holds himself or herself out to the public  
20 as one who practices, chelation therapy.

21           **SECTION 5. Nonstatutory provisions.**

22           (1) The medical examining board may not investigate or take disciplinary  
23 action against a physician solely because the physician practices, attempts to

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1 practice, proposes to practice, or holds himself or herself out to the public as one who

2 practices, chelation therapy before the effective date of this subsection.

3 (END)