

State of Misconsin 2023 - 2024 LEGISLATURE

LRB-0482/1 JPC:amn

2023 ASSEMBLY BILL 611

October 31, 2023 - Introduced by Representatives Sortwell, Rozar, Allen, Behnke, Bodden, Brandtjen, Brooks, Callahan, Edming, Goeben, Magnafici, Michalski, Murphy, O'Connor, Rettinger, Schraa, Schutt and Wichgers, cosponsored by Senators Nass and Cabral-Guevara. Referred to Committee on Health, Aging and Long-Term Care.

AN ACT *to create* 146.98 and 440.10 of the statutes; **relating to:** right of health care providers to express professional opinions related to health or medical information or guidance.

Analysis by the Legislative Reference Bureau

This bill establishes a right of health care providers to express their professional opinions related to health or medical information or guidance, including any statements, policies, studies, publications, or orders. The bill prohibits any health care entity from retaliating against, discriminating against, or taking adverse action against a health care provider for expressing his or her professional opinions. However, the bill excepts health care entities that are faith-based or religious institutions that have published religious, moral, or ethical policies or guidelines from the requirements of the bill to the extent that an action taken by a health care provider violates the institution's religious, moral, or ethical policies or guidelines. Further, the bill prohibits any examining board or affiliated credentialing board in the Department of Safety and Professional Services from retaliating against, discriminating against, or taking adverse action against, or denying, suspending, limiting, or revoking a credential to, a health care provider for expressing his or her professional opinions.

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

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1	Section 1. 146.98 of the statutes is created to read:
2	146.98 Right of health care providers to express professional opinions.
3	(1) In this section:
4	(a) "Health care entity" has the meaning given for "health care provider" in s.
5	146.81 (1) (i) to (p).
6	(b) "Health care provider" has the meaning given in s. $146.81\ (1)\ (a)$ to (hp).
7	(2) No health care entity may retaliate, discriminate, or take adverse action
8	against a health care provider for expressing the health care provider's professional
9	opinions relating to any health or medical information or guidance, including any
10	statements, policies, studies, publications, or orders.
11	(3) This section does not apply to health care entities that are faith-based or
12	religious institutions that have published religious, moral, or ethical policies or
13	guidelines to the extent that an action taken by a health care provider violates the
14	institution's religious, moral, or ethical policies or guidelines.
15	Section 2. 440.10 of the statutes is created to read:
16	440.10 Right of health care providers to express professional opinions.
17	(1) In this section, "health care provider" has the meaning given in s. 146.81 (1) (a)
18	to (hp).
19	(2) No credentialing board may retaliate against, discriminate against, or take
20	adverse action against, or deny, suspend, limit, or revoke a credential to, a health
21	care provider for expressing the health care provider's professional opinions relating
22	to any health or medical information or guidance, including any statements, policies,
23	studies, publications, or orders.

(END)