



2025 ASSEMBLY BILL 212

April 23, 2025 - Introduced by Representatives GUSTAFSON, GUNDRUM, MELOTIK, KNODL, WICHGERS, GREEN, FRANKLIN, PIWOWARCZYK, MURSAU and MURPHY, cosponsored by Senators STAFSHOLT and QUINN. Referred to Committee on Health, Aging and Long-Term Care.

- 1 **AN ACT** *to create* 440.18 of the statutes; **relating to:** registration of out-of-state
2 health care providers to provide telehealth services.

Analysis by the Legislative Reference Bureau

This bill allows an individual who possesses a credential as a health care provider in another state to provide health care services by telehealth in this state within the scope of practice established under the laws and rules of this state by registering with the Department of Safety and Professional Services or an applicable credentialing board. In general, under current law, no person may provide health care services in this state for which a credential is required unless the person possesses a credential issued in this state issued by DSPS or a credentialing board. This bill requires DSPS and any applicable credentialing board to register an out-of-state health care provider who does not possess a credential in this state as a telehealth provider who may provide health care services in this state by telehealth if the health care provider meets certain criteria, including 1) that the health care provider possesses a credential issued by a governmental authority in another state, the District of Columbia, or a possession or territory of the United States that is active and unencumbered and that entitles the health care provider to perform health care services that are substantially similar to health care services that may be performed by a health care provider who possesses a credential issued in this state; 2) that the health care provider has not been subject to any disciplinary action relating to his or her credential during the

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five-year period immediately preceding submission of the health care provider's application for registration in this state that has resulted in his or her credential being limited, suspended, or revoked; and 3) that the health care provider designates an agent upon whom service of process may be made in this state. A health care provider registered to provide telehealth services under the bill may not open an office in this state and may not provide in-person health care services to patients located in this state unless the health care provider obtains a credential in this state. The bill requires individuals registered to provide telehealth services in this state to maintain and have in effect malpractice liability insurance coverage that covers services provided to patients in this state if the health care services that the individual may provide are substantially similar to services provided by a health care provider in this state who is required under law to maintain and have in effect malpractice liability insurance.

The bill requires individuals registered under the bill to provide telehealth services in this state to notify DSPS or the applicable credentialing board of any restrictions placed on his or her credential in any state or jurisdiction and of any disciplinary action taken or pending against him or her in any state or jurisdiction within five business days after the restriction is placed or disciplinary action is initiated or taken. The bill allows DSPS and applicable credentialing boards to take disciplinary action against a health care provider registered to provide telehealth services under the bill if the registrant fails to notify DSPS or the applicable credentialing board of any adverse actions taken against his or her credential, if the registrant has restrictions placed on his or her credential, if disciplinary action has been commenced against the registrant in any state or jurisdiction, if the registrant violates any provision under the bill, or if the registrant commits any act that constitutes grounds for disciplinary action applicable to the registrant's health care practice in this state.

Finally, the bill requires DSPS to publish on its website a list of all health care providers registered to provide telehealth services under the bill and include, to the extent applicable, certain information including the registrant's name, the registrant's health care occupation, a brief explanation of the registrant's training and education, including completion dates and any certificates or degrees obtained, the registrant's out-of-state health care license, permit, certificate, or other approval, including any identification number associated with the registrant's license, permit, certificate, or other approval, the registrant's specialty, a five-year disciplinary history of the registrant, the registrant's medical malpractice insurance provider and any policy limits under the registrant's medical malpractice insurance coverage, and the name and address of the registrant's agent designated for service of process in this state.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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SECTION 1

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

1 **SECTION 1.** 440.18 of the statutes is created to read:

2 **440.18 Registration of out-of-state telehealth providers.** (1) An
3 individual who possesses a license, permit, registration, or other approval as a
4 health care provider in another state may provide health care services by telehealth
5 to patients located in this state if the health care provider registers with the
6 department or any credentialing board, as applicable to the health care provider's
7 practice, and provides health care services within the scope of practice established
8 under the laws and rules of this state that apply to the health care provider's
9 practice.

10 (2) The department or any credentialing board, as applicable, shall register a
11 health care provider who does not possess a credential in this state as a telehealth
12 provider under this section if the health care provider satisfies all of the following:

13 (a) The health care provider submits an application on a form prescribed by
14 the department and pays the applicable fee under s. 440.05 (2).

15 (b) The health care provider possesses a license, permit, certificate, or other
16 approval issued by a governmental authority in another state, the District of
17 Columbia, or a possession or territory of the United States that is active and
18 unencumbered and that entitles the health care provider to perform health care
19 services that are substantially similar to health care services that may be
20 performed by a health care provider who possesses a credential issued by the
21 department or a credentialing board in this state.

22 (c) The health care provider has not been subject to any disciplinary action

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1 relating to his or her license, permit, certificate, or other approval during the 5-year
2 period immediately preceding submission of the health care provider's application
3 under par. (a) that has resulted in his or her license, permit, certificate, or other
4 approval being limited, suspended, or revoked.

5 (d) The health care provider designates an agent upon whom service of
6 process may be made in this state on a form prescribed by the department.

7 (e) The health care provider demonstrates to the department or any
8 credentialing board, as applicable, that the health care provider is in compliance
9 with sub. (5).

10 (3) A health care provider registered to provide telehealth services in this
11 state under sub. (2) shall be issued a unique telehealth provider identification
12 number.

13 (4) A health care provider registered to provide telehealth services under this
14 section shall notify the department or credentialing board, as applicable, of
15 restrictions placed on his or her license, permit, certificate, or other approval in any
16 state or jurisdiction and of any disciplinary action taken or pending against him or
17 her in any state or jurisdiction. Notification under this subsection shall be provided
18 within 5 business days after the restriction is placed or disciplinary action is
19 initiated or taken.

20 (5) If a health care provider registered under this section possesses a license,
21 permit, certificate, or other approval issued by a governmental authority in another
22 state, the District of Columbia, or a possession or territory of the United States that
23 entitles the health care provider to perform health care services that are

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1 substantially similar to health care services that may be performed by a health care
2 provider who possesses a credential issued by the department or a credentialing
3 board in this state and who is required under law to maintain and have in effect
4 malpractice liability insurance, the health care provider registered under this
5 section shall maintain and have in effect malpractice liability insurance coverage
6 that covers services provided to patients in this state evidenced by one of the
7 following:

8 (a) Personal liability coverage in the amounts specified under s. 655.23 (4).

9 (b) Coverage under a group liability policy providing individual coverage for
10 the health care provider in the amounts specified under s. 655.23 (4).

11 **(6)** A health care provider registered to provide telehealth services under this
12 section may not open an office in this state and may not provide in-person health
13 care services to patients located in this state unless the health care provider obtains
14 a credential in this state and provides in-person health care services only within
15 the scope of that credential.

16 **(7)** The department shall publish on its website a list of all health care
17 providers registered to provide telehealth services under this section and include,
18 to the extent applicable, all of the following:

19 (a) The registrant's name.

20 (b) The registrant's health care occupation.

21 (c) A brief explanation of the registrant's training and education, including
22 completion dates and any certificates or degrees obtained.

23 (d) The registrant's out-of-state health care license, permit, certificate, or

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1 other approval, including any identification number associated with the
2 registrant's license, permit, certificate, or other approval.

3 (e) The registrant's telehealth provider identification number issued under
4 sub. (3).

5 (f) The registrant's specialty.

6 (g) Whether the registrant is board certified and by which board the
7 registrant is board certified.

8 (h) A 5-year disciplinary history of the registrant.

9 (i) The registrant's medical malpractice insurance provider and any policy
10 limits under the registrant's medical malpractice insurance coverage.

11 (j) The name and address of the registrant's agent designated for service of
12 process in this state under sub. (2) (d).

13 **(8)** (a) The department or the applicable credentialing board may take
14 disciplinary action against a health care provider registered to provide telehealth
15 services under this section if any of the following applies to the registrant:

16 1. The registrant fails to notify the department or the applicable credentialing
17 board of any adverse actions taken against his or her license, permit, certificate, or
18 other approval as required under sub. (4).

19 2. The registrant has restrictions placed on his or her license, permit,
20 certificate, or other approval or disciplinary action has been commenced against the
21 registrant in any state or jurisdiction.

22 3. The registrant violates any of the requirements under this section.

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1 4. The registrant commits any act that constitutes grounds for disciplinary
2 action applicable to the registrant's health care practice in this state.

3 (b) Disciplinary action taken by the department or the applicable
4 credentialing board against a health care provider registered to provide telehealth
5 services under this section may include suspension or revocation of the registrant's
6 registration under this section. A suspension of the registration of a health care
7 provider registered to provide telehealth services under this section may be
8 accompanied by a corrective action plan as determined by the department or the
9 applicable credentialing board, the completion of which may lead to the suspended
10 registration being reinstated.

11 (9) This section does not apply to a health care provider who provides services
12 through telehealth as provided in s. 440.094 (3).

13 (10) (a) Registration to provide telehealth services in this state under this
14 section expires on the renewal date specified in s. 440.08 (2) (a) that is applicable to
15 the health care provider's practice. The department or credentialing board, as
16 appropriate, shall inform a health care provider registered under this section of the
17 applicable renewal date upon registration.

18 (b) The department or credentialing board, as appropriate, shall renew a
19 registration under this section for an applicant who satisfies the requirements for
20 registration under sub. (2).

21 **SECTION 2. Effective date.**

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SECTION 2

1 (1) This act takes effect on the first day of the 7th month beginning after
2 publication.

3 (END)