



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBs0004/2
ALL:all

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

January 11, 2021 - Offered by Senators LEMAHIEU, KAPENGA and FEYEN.

1 **AN ACT** *to renumber* 895.4801 (2) (a); *to renumber and amend* 450.11 (5) (br)
2 3.; *to amend* 13.101 (4d), 40.26 (5m), 40.26 (6) (intro.), 108.04 (3) (b), 108.062
3 (20) (intro.), 108.07 (5) (bm) 1., 108.07 (5) (bm) 2. a., 118.38 (4) (a) (intro.), 118.38
4 (4) (a) 2. a., 118.38 (4) (a) 2. b., 118.38 (4) (c), 323.19 (3), 323.2912, 440.15, 450.01
5 (11m), 450.01 (21s), 450.02 (1), 450.035 (2g), 450.035 (3), 450.035 (4), 450.11 (5)
6 (br) 2. d., 609.205 (2) (intro.) and (a), 609.205 (3) (intro.), 632.895 (14g) (b),
7 632.895 (16v) (a) (intro.) and 895.4801 (2) (b) 1.; and *to create* 36.11 (44), 38.04
8 (33), 49.45 (39n), 50.083, 108.07 (5) (bm) 1m., 118.38 (4) (am), 440.08 (2) (a) 69g.,
9 440.094, 450.01 (13w), 450.01 (23) (p), 450.03 (1) (fm), 450.035 (2i) (am),
10 450.075, 450.11 (5) (br) 3. b., 655.0025, 895.476, 895.4801 (2) (a) (intro.) and
11 895.4801 (2) (a) 2. of the statutes; **relating to:** state government response to
12 COVID-19 pandemic, extending the time limit for emergency rule procedures,

1 providing an exemption from emergency rule procedures, and granting
2 rule-making authority.

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM

Death of an inmate

Under current law, if an individual dies while he or she is in the legal custody of the Department of Corrections and confined to a correctional facility located in this state, an autopsy on the deceased individual must be performed. Under this bill, until the conclusion of a national emergency declared by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus, if an individual who has been diagnosed with COVID-19 dies, the coroner or medical examiner may perform a limited examination of the deceased individual instead of a full autopsy, which may include an external examination of the body of the deceased individual, a review of the deceased individual's medical records, or a review of the deceased individual's radiographs. These changes were enacted in 2019 Wisconsin Act 185 but applied only during the state of emergency related to public health declared on March 12, 2020.

COURTS

Civil liability exemption for certain entities relating to COVID-19 claims

The bill establishes a civil liability exemption for entities for any act or failure to act resulting in or relating to a person's exposure to the novel coronavirus identified as SARS-CoV-2 or COVID-19 in the course of or through the performance or provision of the entity's functions or services. Under the bill, entities are defined to include any legal entity, including businesses, associations, tribal governments or entities, governmental entities, schools, institutions of higher education, or nonprofit organizations, as well as employers or business owners, employees, agents, or independent contractors of the entity, regardless of whether they are paid or volunteers. Under the bill, immunity does not apply if the act or omission involves reckless or wanton conduct or intentional misconduct. The bill provides that an entity's noncompliance with any applicable national, state, or local order requiring entities to close or limit capacity does not constitute reckless or wanton conduct or intentional misconduct for purposes of immunity under the bill. The immunity granted in the bill applies retroactively to claims accruing on or after March 1, 2020, except that it does not apply to actions filed before the bill goes into effect.

EDUCATION

Students' use of certain hours to satisfy course requirements

The bill requires University of Wisconsin institutions and technical colleges to offer students an opportunity to use hours engaged in an eligible activity to satisfy related course requirements to the extent appropriate. An "eligible activity" means volunteering or working, for at least one semester, to assist Wisconsin in responding to the COVID-19 pandemic.

School board reports on virtual instruction provided during the 2020-21 and 2021-22 school years

Under the bill, by 30 days after the end of each semester in the 2020-21 and 2021-22 school years, each school board must submit a report to the Department of Public Instruction that contains various information related to virtual instruction provided during the semester, including the amount of certain expenditure reductions or increases related to providing virtual instruction. A school board is not required to include information about virtual instruction provided by a virtual charter school in the report. Under the bill, DPI must compile and report to the legislature the information it receives from school boards for the first semester by the following April 1 and for the second semester by the following September 1. For the 2021-22 school year, a school board does not have to submit a report for a semester during which the school board does not provide virtual instruction in lieu of in-person instruction.

School boards were required to report similar information to DPI related to virtual instruction and school board operations while schools were closed by the Department of Health Services in the 2019-20 school year.

Waiver of laws and rules related to parental choice programs, the Special Needs Scholarship Program, and independent charter schools

During the period beginning on March 12, 2020, and ending on October 31, 2020, 2019 Wisconsin Act 185 granted DPI the authority to waive state education statutes, and rules promulgated under those statutes, related to 1) a parental choice program or the Special Needs Scholarship Program, 2) private schools participating in a parental choice program or the SNSP, and 3) independent charter schools. This bill extends the period that DPI is authorized to waive these state statutes and rules to October 31, 2021. Under the bill, DPI's waiver authority does not apply to requirements to administer pupil assessments.

During the period beginning on March 12, 2020, and ending on October 31, 2020, 2019 Wisconsin Act 185 also allowed DPI to establish alternate deadlines for requirements related to parental choice programs or the SNSP if the original deadline occurred between March 12, 2020, and October 31, 2020, or the original deadline related to another event that occurred between the same dates. The bill extends the period that DPI has the authority to establish such alternate deadlines to October 31, 2021, and extends DPI's authority to deadlines that would otherwise occur or are related to events that would otherwise occur on or before October 31, 2021.

EMPLOYMENT***Unemployment insurance; claims backlog***

The bill requires the Department of Workforce Development to address the backlog of UI claims by publishing, within 30 days of the effective date of the bill, a plan to address the backlog of UI claims to reduce the number of weekly claims for benefits in process, adjudication, and appeals to levels comparable to those in January and February 2020.

Unemployment insurance; call center

The bill requires DWD to extend the hours of the unemployment insurance call center to 12 hours per day, seven days per week, until the number of weekly claims in process, adjudication, and appeals are at levels comparable to those in January and February 2020.

Unemployment insurance; waiting period

Currently, a claimant must generally wait one week after becoming eligible to receive UI benefits before the claimant may receive benefits for a week of unemployment, but the application of the one-week waiting period is temporarily suspended for benefit years that began after March 12, 2020, and before February 7, 2021. This bill extends the end date for suspending the one-week waiting period to March 14, 2021.

Unemployment insurance; benefit charging

Current law, as enacted in 2019 Wisconsin Act 185, requires DWD, when processing claims for UI benefits and evaluating work-share plans, to determine whether a claim or plan is related to the public health emergency declared by the governor under Executive Order 72. If a claim is so related, current law provides that the regular benefits for that claim for weeks occurring after March 12, 2020, and before December 31, 2020, not be charged to the employers' accounts in the unemployment trust fund or to the employers directly, as is normally provided. Instead, the benefits for those weeks are, subject to numerous exceptions, to be charged to other accounts. This bill provides for this noncharging of benefits to continue through March 13, 2021, and requires DWD to presume that an initial claim for benefit years beginning on or after March 15, 2020, through March 13, 2021, relates to the public health emergency declared on March 12, 2020, by Executive Order 72 unless one of certain exceptions applies. The bill provides that an employer is not required to submit a request for charging relief for initial claims filed through March 13, 2021.

Work-share programs

Current law allows an employer to create a work-share program within a work unit of the employer. Under a work-share program, the working hours of all of the full-time employees in the program are reduced in an equitable manner in lieu of a layoff of some of the employees and a continuation of full-time employment by the other employees. A claimant for UI benefits who is included in a work-share program may receive UI benefits during his or her continued employment with the work-share employer in an amount equal to the claimant's benefit for total unemployment multiplied by the same percentage reduction in normal working hours that the claimant incurs under the program. Current law also provides for the temporary modification of certain requirements that apply to work-share plans with respect to work-share plans submitted on or after April 17, 2020, and before December 31, 2020. This bill extends the applicability of these modifications until the earlier of the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or July 4, 2021.

Limited term employees

Under the bill, the director of the Bureau of Merit Recruitment and Selection in the Division of Personnel Management in DOA may adjust the number of hours a state employee in a limited term appointment may work during the period beginning on March 12, 2020, and ending on June 30, 2021. Under current law, a limited term appointment may not exceed 1,040 hours per year.

HEALTH AND HUMAN SERVICES***Medical Assistance payment for hospitals for nursing facility care***

The bill requires the Department of Health Services to provide reimbursement or a supplemental payment to hospitals under the Medical Assistance program for providing nursing-facility-level custodial care. To receive reimbursement or a supplemental payment, the hospital must notify DHS that it is participating as a swing bed hospital under the Medical Assistance program and providing custodial care for which federal financial participation is approved to an individual who is eligible for discharge after receiving inpatient care in the hospital, who needs nursing-facility-level care, and for whom the hospital is unable to locate a nursing facility that accepts the individual for admission. If providing reimbursement instead of a supplemental payment, DHS must pay the hospital the statewide average per-diem rate paid to nursing facilities. DHS must use the same standards and eligibility criteria as the federal Medicare program uses to determine reimbursement for swing beds or, for hospitals that are not critical access hospitals, the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. This requirement to reimburse hospitals for providing nursing facility care applies until June 30, 2021, or until the termination of any public health emergency declared by the secretary of the federal Department of Health and Human Services related to the 2019 novel coronavirus, whichever is earlier.

Payment for outpatient services provided by hospitals

The bill requires DHS to provide reimbursement or a supplemental payment through the Medical Assistance program to a hospital for services provided on an outpatient basis that are usually reimbursed when provided at the hospital's inpatient facility but are provided at the hospital's outpatient facility due to the 2019 novel coronavirus pandemic. To receive reimbursement or supplemental payment under the bill, the outpatient services must be approved for federal financial participation and must be provided in a facility that is operated by the hospital and is certified for outpatient services under the federal Medicare program, including under the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. DHS must seek any federal approval necessary to provide the reimbursement or supplemental payment. The payment requirement applies until the conclusion of a public health emergency declared by the secretary of the federal Department of Health and Human Services in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier.

Medical Assistance reimbursement for COVID-19 vaccines and tests administered by pharmacies

The bill requires DHS to ensure that vaccines against SARS-CoV-2 coronavirus and tests for COVID-19 that are otherwise covered and reimbursed under the Medical Assistance program are covered and reimbursed when administered by a pharmacy. DHS must certify pharmacies as Medical Assistance providers as necessary to cover and reimburse pharmacies for administering COVID-19 vaccines and tests as the bill requires. Current law requires DHS to reimburse pharmacists for administering vaccines to children if the federal Department of Health and Human Services has approved the request by DHS to amend the state's Medical Assistance plan to allow such reimbursement and if the pharmacist enrolls in the federal Vaccines for Children Program.

Coverage of vaccinations under SeniorCare

DHS administers the SeniorCare program, which provides assistance to individuals who are elderly in the purchase of prescription drugs. 2019 Wisconsin Act 185 requires DHS to include under the SeniorCare program coverage of vaccinations that are recommended for administration to adults by the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices and approved by DHS. DHS must also provide payments to health care providers that administer the vaccinations and submit claims for payment in the manner required. SeniorCare is operated under a waiver of federal Medicaid laws, but DHS is required to operate the program regardless of whether a waiver is received from the federal government. The bill clarifies that DHS must cover and reimburse vaccinations under SeniorCare as required under 2019 Wisconsin Act 185 by January 15, 2021, regardless of whether a federal waiver is received.

Prescription order extensions

Current law allows a pharmacist to extend a prescription order under certain circumstances in the event that the prescription cannot otherwise be refilled, subject to certain criteria and limitations. However, current law also includes an alternative authorization for a pharmacist to extend a prescription during the public health emergency declared on March 12, 2020, by executive order 72, and for 30 days after the conclusion of that public health emergency. Under this alternative authorization, a pharmacist is exempt from having to contact the prescribing practitioner or his or her office, the pharmacist may extend the prescription by up to a 30-day supply, and certain other requirements also do not apply. The bill provides that this alternative authorization to extend a prescription order also applies beginning on the bill's effective date and continuing until June 30, 2021.

Cremation permits and electronic signature of death certificates

Under current law, a coroner or medical examiner must view the corpse of a deceased person before issuing a cremation permit, and the corpse may not be cremated within 48 hours after the death unless the death was caused by a contagious or infectious disease. Under this bill, until the conclusion of a national emergency declared by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus, if a physician, coroner, or medical examiner has signed the death

certificate of a deceased person and listed COVID-19 as the cause of death, a coroner or medical examiner must issue a cremation permit without viewing the corpse of a deceased person and a coroner or medical examiner must issue the permit within 48 hours after the time of death. The bill also requires that if the underlying cause of a death is determined to be COVID-19, the person required to sign the death certificate shall provide an electronic signature on the death certificate within 48 hours after the death occurs. These changes to the requirements were enacted in 2019 Wisconsin Act 185, but applied only during the state of emergency related to public health declared on March 12, 2020.

Child Care and Development Fund block grant funding

Under this bill, federal Child Care and Development Fund block grant funds received by the state under the federal Consolidated Appropriations Act of 2021 are credited to federal block grant appropriations, and the purposes for the expenditure of those funds are subject to passive review by the Joint Committee on Finance.

Immunity for health care providers during COVID-19 response

2019 Wisconsin Act 185 provided immunity from civil liability for health care professionals and providers and employees, agents, or contractors of those professionals or providers for death, injury, or damages caused by actions or omissions taken during the state of emergency related to public health declared by the governor in response to COVID-19 on March 12, 2020, and for 60 days following the termination of the state of emergency, which ended July 10, 2020. To be immune from civil liability, the actions or omissions must not involve reckless or wanton conduct or intentional misconduct and must relate to health services provided or not provided in good faith or be substantially consistent with either a direction, guidance, recommendation, or other statement made by a federal, state, or local office or any published guidance of DHS or the federal Department of Health and Human Services relied upon in good faith. The bill continues the immunity from civil liability beginning on July 10, 2020, during any public health emergency declared by the secretary of the federal Department of Health and Human Services, and until 90 days after the termination of the emergency declared by the federal secretary. The circumstances under which this immunity applies are the same as under Act 185. The immunity extended under the bill does not apply to actions filed before the bill goes into effect.

Nursing home or assisted living facility visitation by essential visitors

The bill allows a nursing home or assisted living facility resident, or his or her guardian or health care agent, to designate an essential visitor to visit and provide support for the resident. The resident's guardian or health care agent under a power of attorney is also considered an essential visitor. A nursing home or assisted living facility must allow at least one essential visitor, who agrees to comply with the public health policies of the nursing home or assisted living facility, to enter the nursing home or assisted living facility to visit the resident in compassionate care situations. The nursing home or assisted living facility may refuse access to an essential visitor who refuses to comply with those public health policies. If the federal Centers for Medicare and Medicaid Services issues guidance that restricts visitation more than this bill does, a nursing home or assisted living facility is allowed to comply with that

guidance instead of the bill. The requirement to allow visitation of an essential visitor in this bill applies when the nursing home or assisted living facility limits visitors to the nursing home or assisted living facility due to an outbreak or epidemic of communicable disease in the community.

INSURANCE

Coverage limits on certain prescription drugs

The bill prohibits insurers that offer health insurance, self-insured governmental health plans, and pharmacy benefit managers from requiring, until June 30, 2021, prior authorization for early refills of a prescription drug or otherwise restricting the period in which a prescription drug may be refilled and from imposing a limit on the quantity of prescription drugs that may be obtained if the quantity is no more than a 90-day supply. These prohibitions do not apply if the prescription drug is a controlled substance. The bill reinstates the prohibitions that were enacted in 2019 Wisconsin Act 185 but that expired with the termination of the state of emergency related to public health declared on March 12, 2020, by the governor.

Liability insurance for physicians and nurse anesthetists

The bill specifies that, until the earlier of the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021, a physician or nurse anesthetist for whom Wisconsin is not a principal place of practice but who is temporarily authorized to practice in Wisconsin may fulfill financial responsibility requirements by filing with the commissioner of insurance a certificate of insurance for a policy of health care liability insurance issued by an insurer authorized in a certain jurisdiction specified in the bill. Additionally, under those same circumstances, the physician or nurse anesthetist may elect to be covered by Wisconsin's health care liability laws. These liability insurance provisions were enacted in 2019 Wisconsin Act 185 but expired with the expiration of the state of emergency related to public health declared on March 12, 2020, by the governor.

Out-of-network costs related to health coverage

The bill prohibits, until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021, whichever is earlier, a defined network plan, including a health maintenance organization, or preferred provider plan from requiring an enrollee of the plan to pay more for a service, treatment, or supply provided by an out-of-network provider than if the service, treatment, or supply is provided by an in-network provider. This prohibition applies to any service, treatment, or supply that is related to the diagnosis of or treatment for COVID-19 and that is provided by an out-of-network provider because a participating provider is unavailable due to the emergency. For a service, treatment, or supply provided under those circumstances, the bill requires the plan to reimburse the out-of-network provider at 225 percent of the federal Medicare program rate. Also, under those circumstances, any health care provider or facility that provides a service, treatment, or supply to an enrollee of a plan but is not a participating provider of that plan shall accept as payment in full any payment by a plan that is at least 225 percent of the federal Medicare program rate and may not charge the enrollee an amount that exceeds the amount that the provider or facility

is reimbursed by the plan. Similar prohibitions and requirements to these were created in 2019 Wisconsin Act 185, but those prohibitions and requirements applied only during the state of emergency related to public health declared on March 12, 2020, by the governor and for 60 days following the termination of that state of emergency.

Coverage of COVID-19 testing without cost sharing

Current law, as created in 2019 Wisconsin Act 185, requires health insurance policies and self-insured governmental health plans to cover, until March 13, 2021, testing for COVID-19 without imposing any copayment or coinsurance. A health insurance policy is referred to in the bill as a disability insurance policy. The bill extends the Act 185 coverage requirement for testing and adds a requirement to cover vaccines against SARS-CoV-2, which causes COVID-19 until the earlier of the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021.

LEGISLATURE

Transfer of moneys from sum sufficient appropriations

JCF may currently transfer moneys between sum certain and continuing appropriations if JCF finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result, or legislative intent will be more effectively carried out because of the transfer.

The bill authorizes JCF to transfer moneys from sum sufficient appropriations until the conclusion of a national emergency declared by the U.S. president in response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier. The total amount that may be transferred from all sum sufficient appropriations may not exceed \$100,000,000.

PUBLIC UTILITIES

Loans to assist municipal utilities in maintaining liquidity

Under current law, the Board of Commissioners of Public Lands manages the common school fund, the normal school fund, the university fund, and the agricultural college fund (trust funds). Current law authorizes BCPL to manage and invest moneys belonging to the trust funds in good faith and with the care an ordinary prudent person in a like position would exercise under similar circumstances.

This bill authorizes BCPL to loan moneys belonging to the trust funds to cities, villages, and towns to ensure that a municipal utility under the control of the city, village, or town is able to maintain liquidity. A municipal utility is a public utility that is a city, village, or town or that is wholly owned or operated by a city, village, or town. Each trust fund loan BCPL awards to a city, village, or town under the bill is secured in the same manner as other trust fund loans BCPL awards to cities, villages, and towns under current law. BCPL may not award a loan under the bill after April 15, 2021.

RETIREMENT AND GROUP INSURANCE

WRS annuities for critical workers

Under current law, certain people who receive a retirement or disability annuity from the Wisconsin Retirement System and who are hired by an employer that participates in the WRS must suspend that annuity and may not receive a WRS annuity payment until the person is no longer in a WRS-covered position. This suspension applies to a person who 1) has reached his or her normal retirement date; 2) is appointed to a position with a WRS-participating employer, or provides employee services as a contractor to a WRS-participating employer; and 3) is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds.

This bill creates an exception to this suspension if 1) the person is either hired or provides employee services as a contractor in a critical position before the end of the national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021, whichever is earlier; 2) at the time the person initially retires from covered employment with a participating employer, the person does not have an agreement with any participating employer to return to employment; and 3) the person elects to not become a participating employee at the time the person is rehired or enters into a contract after retirement. In other words, the bill allows a WRS annuitant who is either hired or provides employee services as a contractor in a critical position before the earlier of the end of the national emergency declared by the U.S. president in response to the 2019 novel coronavirus or June 30, 2021, to return to work with an employer that participates in the WRS and continue to receive his or her annuity.

SAFETY AND PROFESSIONAL SERVICES

Optional licensure of third-party logistics providers

This bill creates an optional license for third-party logistics providers that are located in the state or are located outside the state but provide third-party logistics provider services in the state. A third-party logistics provider is defined under current law as a person that contracts with a prescription drug manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of the manufacturer but that does not take title to the manufacturer's prescription drug or have general responsibility to direct the prescription drug's sale or disposition.

The bill requires an applicant for a third-party logistics provider license to submit certain information prior to licensure, including proof of a recent facility inspection, and a personal statement relating to a designated representative of the facility. The license created by this bill will no longer apply if the federal Food and Drug Administration establishes a licensing program for third-party logistics providers under federal law and the Pharmacy Examining Board determines that state licensure is not required for a resident third-party logistics provider to provide third-party logistics services in another state.

The bill also directs the Pharmacy Examining Board to promulgate rules that regulate third-party logistics providers and out-of-state third-party logistics providers consistent with federal law. The authority of the Pharmacy Examining

Board to promulgate rules is restricted to only rules that are equivalent to requirements under federal law, and only rules that do not mandate licensing under state law.

This bill requires the Pharmacy Examining Board to issue interim licenses for third-party logistics providers and out-of-state third-party logistics providers between the date of enactment until permanent or emergency rules take effect, whichever is sooner, if, in the opinion of the board, the applicant is currently in compliance with federal law relating to third-party logistics providers. An interim license to act as a third-party logistics provider or out-of-state third-party logistics provider expires 90 days after the date that emergency rules take effect, or 90 days after the date that permanent rules take effect, whichever is sooner. No fee is required for an interim license to act as a third-party logistics provider or an out-of-state third-party logistics provider.

Finally, the bill requires third-party logistics providers, whether or not licensed under the bill, to cooperate with inspections of their facilities and delivery vehicles.

Practice by health care providers from other states

The bill authorizes, in certain situations, health care providers licensed in another state or territory to provide services for which they are licensed or certified. Under the bill, a person who satisfies certain requirements and holds a valid, unexpired credential in another state or territory as any of the following may provide services in this state: 1) a physician, physician assistant, or perfusionist; 2) a nurse; 3) a dentist; 4) a pharmacist; 5) a psychologist; 6) a social worker, marriage and family therapist, professional counselor, or clinical substance abuse counselor; 7) a chiropractor; 8) a physical therapist; 9) a podiatrist; 10) a dietitian; 11) an athletic trainer; 12) an occupational therapist; 13) an optometrist; 14) an acupuncturist; 15) a speech-language pathologist or audiologist; or 16) a massage or bodywork therapist. Generally, these practitioners may practice in this state and the Department of Safety and Professional Services must grant them a temporary credential if they apply for a temporary credential within 30 days of beginning to practice for a health care employer.

The bill also specifies that a health care provider granted a temporary credential under the bill may provide services through telehealth to a patient located in this state.

Current law generally prohibits a person from engaging in certain health care-related practices without holding a required credential.

Authorizing first- and second-year pharmacy students to administer COVID-19 vaccines

Current law authorizes pharmacy students who have completed two years of pharmacy school to administer vaccines under the supervision of a pharmacist. The bill authorizes pharmacy students in their first or second year of pharmacy school to administer vaccines under the supervision of a pharmacist. A first- or second-year pharmacy student must complete 12 hours of training in vaccine storage, protocols, administration technique, emergency procedures, and record keeping to administer COVID-19 vaccines under the bill.

STATE GOVERNMENT***Transfer of employees between executive branch agencies***

This bill authorizes the secretary of administration to transfer employees from any executive branch agency to another executive branch agency to provide services for that agency. The transfer remains in effect until rescinded by the secretary of administration or June 30, 2021, whichever is earlier. Under the bill, the agency to which an employee is transferred must pay all salary and fringe benefit costs of that employee.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

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

1 **SECTION 1.** 13.101 (4d) of the statutes is amended to read:

2 13.101 **(4d)** ~~During the public health emergency declared on March 12, 2020,~~
3 ~~by executive order 72, and for a period of 90 days after termination of the emergency~~
4 Until the conclusion of a national emergency declared by the U.S. president under
5 50 USC 1621 in response to the 2019 novel coronavirus or June 30, 2021, whichever
6 is earlier, the committee may transfer under sub. (4) an amount not to exceed
7 ~~\$75,000,000~~ \$100,000,000 from sum sufficient appropriations, as defined under s.
8 20.001 (3) (d), to be used for expenditures related to the emergency.

9 **SECTION 2.** 36.11 (44) of the statutes is created to read:

10 36.11 **(44)** SATISFACTION OF COURSE REQUIREMENTS THROUGH CERTAIN ACTIVITIES.

11 (a) In this subsection, “eligible activity” of a student means volunteering or working,
12 for at least one semester, to assist Wisconsin in responding to the COVID-19
13 pandemic.

14 (b) The board shall ensure that each institution offers students an opportunity
15 to use hours engaged in an eligible activity to satisfy related course requirements to
16 the extent appropriate, as determined by the institution.

1 **SECTION 3.** 38.04 (33) of the statutes is created to read:

2 38.04 **(33)** SATISFACTION OF COURSE REQUIREMENTS THROUGH CERTAIN ACTIVITIES.

3 (a) In this subsection, “eligible activity” of a student means volunteering or working,
4 for at least one semester, to assist Wisconsin in responding to the COVID-19
5 pandemic.

6 (b) The board shall ensure that each district board offers students an
7 opportunity to use hours engaged in an eligible activity to satisfy related course
8 requirements to the extent appropriate, as determined by the district board.

9 **SECTION 4.** 40.26 (5m) of the statutes is amended to read:

10 40.26 **(5m)** ~~During the public health~~ Until the conclusion of a national
11 emergency declared on ~~March 12, 2020, by executive order 72~~ the U.S. president
12 under 50 USC 1621 in response to the 2019 novel coronavirus or June 30, 2021,
13 whichever is earlier, sub. (5) does not apply if at least 15 days have elapsed between
14 the termination of employment with a participating employer and becoming a
15 participating employee if the position for which the participant is hired is a critical
16 position, as determined by ~~the secretary of health services~~ under s. 323.19 (3).

17 **SECTION 5.** 40.26 (6) (intro.) of the statutes is amended to read:

18 40.26 **(6)** (intro.) ~~A-~~ Until the conclusion of a national emergency declared by
19 the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus or
20 June 30, 2021, whichever is earlier, a participant who is hired ~~during the public~~
21 ~~health emergency declared on March 12, 2020, by executive order 72~~, may elect to
22 not suspend his or her retirement annuity or disability annuity under sub. (1m) for
23 the duration of the state of emergency if all of the following conditions are met:

24 **SECTION 6.** 49.45 (39n) of the statutes is created to read:

1 49.45 **(39n)** PHARMACY REIMBURSEMENT FOR VACCINES AND COVID-19 TESTS. The
2 department shall ensure that any vaccine against SARS-CoV-2 coronavirus and
3 any test for COVID-19, which is the infection caused by the SARS-CoV-2
4 coronavirus, that are covered under this subchapter and for which reimbursement
5 for administration is made to any provider, are covered and reimbursed when the
6 vaccine or test is administered by a pharmacy. As necessary to comply with this
7 subsection, the department shall certify pharmacies as providers of Medical
8 Assistance services for the purposes of covering and reimbursing pharmacies for
9 administering vaccines and tests described in this subsection.

10 **SECTION 7.** 50.083 of the statutes is created to read:

11 **50.083 Visitation by essential visitor. (1)** In this section, “essential visitor”
12 means any of the following:

13 (a) An individual to visit and provide support to a resident in a nursing home
14 or assisted living facility who is designated by the nursing home resident or assisted
15 living facility resident or by the resident’s guardian or health care agent under a
16 power of attorney.

17 (b) The guardian of a nursing home or assisted living facility resident or the
18 health care agent under a power of attorney for health care for a nursing home or
19 assisted living facility resident.

20 **(2)** Subject to sub. (2m), each nursing home and assisted living facility shall
21 allow at least one essential visitor, who agrees to comply with any public health
22 policies of the nursing home or assisted living facility, to enter the nursing home or
23 assisted living facility to visit the resident in compassionate care situations,
24 including any of the following:

1 (a) The resident has recently been admitted to the nursing home or assisted
2 living facility and is experiencing difficulty in adjusting to the change in
3 environment and lack of family presence.

4 (b) The resident is grieving the recent death of a friend or family member.

5 (c) The resident is experiencing weight loss or dehydration due to lack of
6 support from family or caregivers when eating or drinking.

7 (d) The resident is experiencing emotional distress or a decline in ability or
8 willingness to communicate.

9 **(2m)** A nursing home or assisted living facility may refuse to allow access for
10 visitation to any essential visitor who refuses to comply with public health policies
11 of the nursing home or assisted living facility.

12 **(3)** If the federal centers for medicare and medicaid services issues guidance
13 that is more restrictive in allowing visitation than sub. (2), a nursing home or
14 assisted living facility may comply with that guidance instead of complying with sub.
15 (2).

16 **(4)** This section applies at any time a nursing home or assisted living facility
17 limits visitors to the nursing home or assisted living facility due to an outbreak or
18 epidemic of communicable disease in the community in which the nursing home or
19 assisted living facility is located.

20 **SECTION 8.** 108.04 (3) (b) of the statutes is amended to read:

21 108.04 **(3)** (b) Paragraph (a) does not apply with respect to benefit years that
22 begin after March 12, 2020, and before ~~February 7~~ March 14, 2021. The department
23 shall seek the maximum amount of federal reimbursement for benefits that are,
24 during the time period specified in this paragraph, payable for the first week of a
25 claimant's benefit year as a result of the application of this paragraph.

1 **SECTION 9.** 108.062 (20) (intro.) of the statutes is amended to read:

2 108.062 **(20)** SUSPENSIONS OF CERTAIN PROVISIONS. (intro.) Notwithstanding sub.
3 (2), this subsection, and not sub. (2), applies to work-share plans submitted on or
4 after April 17, 2020, and before ~~December 31, 2020~~ the conclusion of a national
5 emergency declared by the U.S. president under 50 USC 1621 in response to the 2019
6 novel coronavirus or July 4, 2021, whichever is earlier, subject to sub. (19). During
7 that period, prior to implementing a work-share program, an employer shall submit
8 a work-share plan for the approval of the department. In its submittal, the employer
9 shall certify that its plan is in compliance with all requirements under this section.
10 Each plan shall:

11 **SECTION 10.** 108.07 (5) (bm) 1. of the statutes is amended to read:

12 108.07 **(5)** (bm) 1. The Subject to subd. 1m., the department shall, when
13 processing initial claims for regular benefits, determine whether a claim or plan is
14 related to the public health emergency declared on March 12, 2020, by executive
15 order 72. If a claim is so related, the regular benefits for that claim shall, except as
16 provided in subd. 2., be paid as provided in subd. 3.

17 **SECTION 11.** 108.07 (5) (bm) 1m. of the statutes is created to read:

18 108.07 **(5)** (bm) 1m. For purposes of this paragraph, the department shall
19 presume that an initial claim for benefit years beginning on or after March 15, 2020,
20 through March 13, 2021, relates to the public health emergency declared on March
21 12, 2020, by Executive Order 72 unless the claimant's most recent separation from
22 employment is due to a labor dispute, voluntary termination of work, discharge for
23 misconduct, or discharge for substantial fault. An employer is not required to submit
24 a request for charging relief under this paragraph for initial claims described in this
25 subdivision.

1 **SECTION 12.** 108.07 (5) (bm) 2. a. of the statutes is amended to read:

2 108.07 (5) (bm) 2. a. Subdivision 1. applies only with respect to benefits payable
3 for weeks beginning after March 12, 2020, and beginning before ~~December 31, 2020~~
4 March 14, 2021.

5 **SECTION 13.** 118.38 (4) (a) (intro.) of the statutes is amended to read:

6 118.38 (4) (a) (intro.) Beginning on the first day of the public health emergency
7 declared on March 12, 2020, by executive order 72, and ending on October 31, ~~2020~~
8 2021, the department may do all of the following:

9 **SECTION 14.** 118.38 (4) (a) 2. a. of the statutes is amended to read:

10 118.38 (4) (a) 2. a. A deadline that occurs during the period beginning on the
11 first day of the public health emergency declared on March 12, 2020, by executive
12 order 72, and ending on October 31, ~~2020~~ 2021.

13 **SECTION 15.** 118.38 (4) (a) 2. b. of the statutes is amended to read:

14 118.38 (4) (a) 2. b. A deadline for a requirement that affects a date during the
15 period beginning on the first day of the public health emergency declared on March
16 12, 2020, by executive order 72, and ending on October 31, ~~2020~~ 2021.

17 **SECTION 16.** 118.38 (4) (am) of the statutes is created to read:

18 118.38 (4) (am) Notwithstanding par. (a) 1., the department may not waive any
19 of the following under this subsection:

20 1. The pupil assessment program under s. 118.30.

21 2. A requirement to administer the standardized reading test required under
22 s. 121.02 (1) (r) or to administer a standardized reading test developed by the
23 department to 3rd grade pupils.

24 **SECTION 17.** 118.38 (4) (c) of the statutes is amended to read:

1 118.38 (4) (c) A waiver under par. (a) 1. ~~applies~~ may apply only to the 2019-20
2 school year, the 2020-21 school year, or both the 2019-20 and 2020-21 school years.
3 In each waiver under par. (a) 1., the department shall specify the school year or school
4 years to which the waiver applies.

5 **SECTION 18.** 323.19 (3) of the statutes is amended to read:

6 323.19 (3) ~~Based~~ Until the conclusion of a national emergency declared by the
7 U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus or June
8 30, 2021, whichever is earlier, based on guidance provided by the secretary of health
9 services, the head of each state agency and each local health department shall
10 determine which public employee positions within the respective state agency or
11 local government are critical ~~during the public health emergency declared on March~~
12 ~~12, 2020, by executive order 72,~~ for the purposes of s. 40.26 (5m) and (6) (b).

13 **SECTION 19.** 323.2912 of the statutes is amended to read:

14 **323.2912 Suspension of limited term appointment hours.**

15 Notwithstanding s. 230.26 (1), the director of the bureau of merit recruitment and
16 selection in the division of personnel management in the department of
17 administration may increase or suspend the number of hours for a limited term
18 appointment for the ~~duration of the public health emergency declared~~ period
19 beginning on March 12, 2020, ~~by executive order 72~~ and ending on June 30, 2021.

20 **SECTION 20.** 440.08 (2) (a) 69g. of the statutes is created to read:

21 440.08 (2) (a) 69g. Third-party logistics provider: July 1 of each
22 even-numbered year.

23 **SECTION 21.** 440.094 of the statutes is created to read:

24 **440.094 Practice by health care providers from other states. (1)**

25 DEFINITIONS. In this section:

1 (a) “Credential” means a license, permit, certificate, or registration.

2 (b) “Health care employer” means a system, care clinic, care provider,
3 long-term care facility, or any entity whose employed, contracted, or affiliated staff
4 provide health care service to individuals in this state.

5 (c) “Health care provider” means an individual who holds a valid, unexpired
6 credential granted by another state or territory that authorizes or qualifies the
7 individual to perform acts that are substantially the same as the acts that any of the
8 following are licensed or certified to perform:

9 1. A registered nurse, licensed practical nurse, or nurse midwife licensed under
10 ch. 441, or advanced practice nurse prescriber certified under ch. 441.

11 2. A chiropractor licensed under ch. 446.

12 3. A dentist licensed under ch. 447.

13 4. A physician, physician assistant, perfusionist, or respiratory care
14 practitioner licensed or certified under subch. II of ch. 448.

15 5. A physical therapist or physical therapist assistant licensed under subch. III
16 of ch. 448 or who holds a compact privilege under subch. IX of ch. 448.

17 6. A podiatrist licensed under subch. IV of ch. 448.

18 7. A dietitian certified under subch. V of ch. 448.

19 8. An athletic trainer licensed under subch. VI of ch. 448.

20 9. An occupational therapist or occupational therapy assistant licensed under
21 subch. VII of ch. 448.

22 10. An optometrist licensed under ch. 449.

23 11. A pharmacist licensed under ch. 450.

24 12. An acupuncturist certified under ch. 451.

25 13. A psychologist licensed under ch. 455.

1 14. A social worker, marriage and family therapist, or professional counselor
2 certified or licensed under ch. 457 or a clinical substance abuse counselor certified
3 under s. 440.88.

4 15. A speech-language pathologist or audiologist licensed under subch. II of ch.
5 459.

6 16. A massage therapist or bodywork therapist licensed under ch. 460.

7 **(2) PRACTICE BY HEALTH CARE PROVIDERS FROM OTHER STATES. (a)**

8 Notwithstanding ss. 441.06 (4), 441.15 (2), 441.16, 446.02 (1), 447.03 (1) and (2),
9 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76, 448.961 (1) and (2),
10 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1),
11 459.24 (1), and 460.02, a health care provider may provide services within the scope
12 of the credential that the health care provider holds and the department shall grant
13 the health care provider a temporary credential to practice under this section if all
14 of the following apply:

15 1. The health care provider applies to the department for a temporary
16 credential under this section within 30 days of beginning to provide health care
17 services for a health care employer. The health care provider shall include in the
18 application an attestation of all of the following:

19 a. The date on which the health care provider first provided health care services
20 in this state under this section.

21 b. That the health care provider holds a valid, unexpired, credential granted
22 in another state.

23 c. The health care provider is not currently under investigation and no
24 restrictions or limitations are currently placed on the health care provider's
25 credential by the credentialing state or any other jurisdiction.

1 d. The health care provider has applied for a permanent credential granted by
2 the department or an examining board, as applicable, under chs. 440 to 480. This
3 subd. 1. d. does not apply to a health care provider who provides health care services
4 only during the period covered by a national emergency declared by the U.S.
5 president under 50 USC 1621 in response to the 2019 novel coronavirus or during
6 the 30 days immediately after the national emergency ends.

7 2. If the health care provider provides services other than services provided
8 through telehealth as described in sub. (3), the health care employer of the health
9 care provider attests all of the following to the department within 10 days of the date
10 on which the health care provider begins providing health care services in this state
11 under this section:

12 a. The health care employer has confirmed that the health care provider holds
13 a valid, unexpired credential granted by another state.

14 b. To the best of the health care employer's knowledge and with a reasonable
15 degree of certainty, the health care provider is not currently under investigation and
16 no restrictions or limitations are currently placed on the health care provider's
17 credential by the credentialing state or any other jurisdiction.

18 (b) A health care provider who practices within the scope of a temporary
19 credential granted under this section has all rights and is subject to all
20 responsibilities, malpractice insurance requirements, limitations on scope of
21 practice, and other provisions that apply under chs. 440 to 480 to the practice of the
22 health care provider.

23 (c) 1. A temporary credential granted under this section becomes effective on
24 the date identified in the attestation under par. (a) 1. a. that the health care provider
25 first provided health care services in this state under this section.

1 2. a. Except as provided in subd. 2. b., a temporary credential granted under
2 this section expires on the date that the department, or an examining board in the
3 department, as applicable, grants or denies the application under par. (a) 1. d. for a
4 permanent credential submitted by the health care provider.

5 b. If a health care provider provides health care services only during the period
6 covered by a national emergency declared by the U.S. president under 50 USC 1621
7 in response to the 2019 novel coronavirus or during the 30 days immediately after
8 the national emergency ends, a temporary credential granted under this section to
9 the health care provider expires 30 days after the national emergency ends.

10 **(3) TELEHEALTH.** A health care provider who practices within the scope of a
11 temporary credential granted under this section may provide services through
12 telehealth to a patient located in this state.

13 **SECTION 22.** 440.15 of the statutes is amended to read:

14 **440.15 No fingerprinting.** Except as provided under ss. 440.03 (13) (c),
15 441.51 (5) (a) 5., 448.980 (5) (b) 3., and 448.985 (3) (a) 4., 450.071 (3) (c) 9., and 450.075
16 (3) (c) 9., the department or a credentialing board may not require that an applicant
17 for a credential or a credential holder be fingerprinted or submit fingerprints in
18 connection with the department's or the credentialing board's credentialing.

19 **SECTION 23.** 450.01 (11m) of the statutes is amended to read:

20 450.01 **(11m)** "Facility" means a location where a wholesale distributor or
21 3rd-party logistics provider stores, distributes, handles, repackages, or offers for
22 sale other services related to prescription drugs.

23 **SECTION 24.** 450.01 (13w) of the statutes is created to read:

24 450.01 **(13w)** "Out-of-state 3rd-party logistics provider" means a person
25 located outside this state that contracts with a prescription drug manufacturer to

1 provide or coordinate warehousing, distribution, or other services within this state
2 on behalf of the manufacturer but that does not take title to the manufacturer's
3 prescription drug or have general responsibility to direct the prescription drug's sale
4 or disposition.

5 **SECTION 25.** 450.01 (21s) of the statutes is amended to read:

6 450.01 (21s) "~~Third party~~ Third-party logistics provider" means a person that
7 contracts with a prescription drug manufacturer to provide or coordinate
8 warehousing, distribution, or other services on behalf of the manufacturer but that
9 does not take title to the manufacturer's prescription drug or have general
10 responsibility to direct the prescription drug's sale or disposition.

11 **SECTION 26.** 450.01 (23) (p) of the statutes is created to read:

12 450.01 (23) (p) The services of a 3rd-party logistics provider or out-of-state
13 3rd-party logistics provider.

14 **SECTION 27.** 450.02 (1) of the statutes is amended to read:

15 450.02 (1) The department shall keep a record of the proceedings and a register
16 of the names and places of practice or business of pharmacies, manufacturers,
17 wholesale distributors, 3rd-party logistics providers, out-of-state 3rd-party
18 logistics providers, and other persons licensed under this chapter, and the books,
19 registers and records of the department shall be prima facie evidence of the matters
20 recorded.

21 **SECTION 28.** 450.03 (1) (fm) of the statutes is created to read:

22 450.03 (1) (fm) A person who is enrolled at an accredited school of pharmacy
23 and whose practice of pharmacy is limited to administering vaccines against
24 SARS-CoV-2 under the direct supervision of a person licensed as a pharmacist by
25 the board.

1 **SECTION 29.** 450.035 (2g) of the statutes is amended to read:

2 450.035 **(2g)** A person engaged in the practice of pharmacy under s. 450.03 (1)
3 (f), ~~(fm)~~, or (g) may not administer a vaccine unless he or she acts under the direct
4 supervision of a pharmacist and he or she and the supervising pharmacist have
5 successfully completed 12 hours in a course of study and training, approved by the
6 Accreditation Council for Pharmacy Education or the board, in vaccination storage,
7 protocols, administration technique, emergency procedures, and record keeping and
8 the supervising pharmacist has satisfied the requirements specified in sub. (2t). A
9 person engaged in the practice of pharmacy under s. 450.03 (1) (f), ~~(fm)~~, or (g) may
10 not administer a vaccine under this subsection to a person who is under the age of
11 6.

12 **SECTION 30.** 450.035 (2i) (am) of the statutes is created to read:

13 450.035 **(2i)** (am) Subject to sub. (2g), a person engaged in the practice of
14 pharmacy under s. 450.03 (1) (fm) may administer without a prescription order a
15 vaccine against SARS-CoV-2.

16 **SECTION 31.** 450.035 (3) of the statutes is amended to read:

17 450.035 **(3)** A pharmacist or a person engaged in the practice of pharmacy
18 under s. 450.03 (1) (f), ~~(fm)~~, or (g) who successfully completes a course of study and
19 training specified in sub. (1r), (1t), (2), or (2g) shall maintain proof of completion and,
20 upon request, provide copies of such proof to the department or the board.

21 **SECTION 32.** 450.035 (4) of the statutes is amended to read:

22 450.035 **(4)** A pharmacist or person engaged in the practice of pharmacy under
23 s. 450.03 (1) (f), ~~(fm)~~, or (g) who administers a vaccine to a person under this section
24 shall update, or cause a pharmacy to update, the Wisconsin Immunization Registry

1 established by the department of health services within 7 days of administering the
2 vaccine.

3 **SECTION 33.** 450.075 of the statutes is created to read:

4 **450.075 Third-party logistics providers; licensure. (1) LICENSE ALLOWED.**

5 A person acting as a 3rd-party logistics provider or an out-of-state 3rd-party
6 logistics provider of any drug or device may apply to obtain a license from the board
7 under this section. Where operations are conducted at more than one facility, a
8 person acting as a 3rd-party logistics provider or out-of-state 3rd-party logistics
9 provider may apply to obtain a license from the board for each such facility.

10 **(2) APPLICATION.** An applicant for a license under this section shall submit a
11 form provided by the board showing all of the following and swear or affirm the
12 truthfulness of each item in the application:

13 (a) The name, business address, and telephone number of the applicant.

14 (b) All trade or business names used by the applicant.

15 (c) Names, addresses, and telephone numbers of contact persons for all
16 facilities used by the applicant for the warehousing, distribution, or other services
17 on behalf of the manufacturer of prescription drugs.

18 (d) The type of ownership or operation for the applicant's business.

19 (e) If the applicant's 3rd-party logistics provider business is a partnership, the
20 name of each partner and the name of the partnership.

21 (f) If the applicant's 3rd-party logistics provider business is a corporation, the
22 name of each corporate officer and director, the name of the corporation, and the state
23 of incorporation.

24 (g) If the applicant's 3rd-party logistics provider business is a sole
25 proprietorship, the name of the sole proprietor and the name of the business entity.

1 (h) A list of all licenses and permits issued to the applicant by any other state
2 that authorizes the applicant to warehouse or distribute prescription drugs.

3 (i) The name, address, and telephone number of a designated representative.

4 (j) For the person identified as the designated representative in par. (i), a
5 personal information statement that contains all of the following:

6 1. The person's date and place of birth.

7 2. The person's place of residence for the 7-year period immediately preceding
8 the date of the application.

9 3. The person's occupations, positions of employment, and offices held during
10 the 7-year period immediately preceding the date of the application.

11 4. The name and addresses for each business, corporation, or other entity listed
12 in subd. 3.

13 5. A statement indicating whether the person has been, during the 7-year
14 period immediately preceding the date of the application, the subject of any
15 proceeding for the revocation of any business or professional license and the
16 disposition of the proceeding.

17 6. A statement indicating whether the person has been, during the 7-year
18 period immediately preceding the date of the application, enjoined by a court, either
19 temporarily or permanently, from possessing, controlling, or distributing any
20 prescription drug, and a description of the circumstances surrounding the
21 injunction.

22 7. A description of any involvement by the person during the past 7 years with
23 any business, including investments other than the ownership of stock in a publicly
24 traded company or mutual fund, that manufactured, administered, prescribed,

1 distributed, or stored pharmaceutical products or drugs, and a list of any lawsuits
2 in which such a business was named as a party.

3 8. A description of any misdemeanor or felony criminal offense of which the
4 person was, as an adult, found guilty, whether adjudication of guilt was withheld or
5 the person pleaded guilty or no contest. If the person is appealing a criminal
6 conviction, the application shall include a copy of the notice of appeal, and the person
7 shall submit a copy of the final disposition of the appeal not more than 15 days after
8 a final disposition is reached.

9 9. A photograph of the person taken within the 12-month period immediately
10 preceding the date of the application.

11 (k) A statement that each facility used by the applicant for 3rd-party logistics
12 provider services has been inspected in the 3-year period immediately preceding the
13 date of the application by the board, a pharmacy examining board of another state,
14 the National Association of Boards of Pharmacy, or another accrediting body
15 recognized by the board, with the date of each such inspection.

16 **(3) LICENSURE.** The board shall grant a license to an applicant to act as a
17 3rd-party logistics provider or an out-of-state 3rd-party logistics provider if all of
18 the following apply:

19 (a) The applicant pays the fee specified in s. 440.05 (1).

20 (b) The inspections conducted pursuant to sub. (2) (k) satisfy requirements
21 adopted by the board for 3rd-party logistics providers or out-of-state 3rd-party
22 logistics providers.

23 (c) All of the following apply to each person identified by the applicant as a
24 designated representative:

25 1. The person is at least 21 years old.

1 2. The person has been employed full time for at least 3 years in a pharmacy
2 or with a wholesale prescription drug distributor in a capacity related to the
3 dispensing of and distribution of, and record keeping related to, prescription drugs.

4 3. The person is employed by the applicant full time in a managerial position.

5 4. The person is physically present at the 3rd-party logistics provider's or
6 out-of-state 3rd-party logistics provider's facility during regular business hours
7 and is involved in and aware of the daily operation of the 3rd-party logistics provider
8 or the out-of-state 3rd-party logistics provider. This subdivision does not preclude
9 the person from taking authorized sick leave and vacation time or from being absent
10 from the facility for other authorized business or personal purposes.

11 5. The person is actively involved in and aware of the daily operation of the
12 3rd-party logistics provider or the out-of-state 3rd-party logistics provider.

13 6. The person is a designated representative for only one applicant at any given
14 time. This subdivision does not apply if more than one 3rd-party logistics provider
15 or out-of-state 3rd-party logistics provider is located at the facility and the
16 3rd-party logistics providers or out-of-state 3rd-party logistics providers located at
17 the facility are members of an affiliated group.

18 7. The person has not been convicted of violating any federal, state, or local law
19 relating to distribution of a controlled substance.

20 8. The person has not been convicted of a felony.

21 9. The person submits to the department 2 fingerprint cards, each bearing a
22 complete set of the applicant's fingerprints. The department of justice shall provide
23 for the submission of the fingerprint cards to the federal bureau of investigation for
24 purposes of verifying the identity of the person and obtaining the person's criminal
25 arrest and conviction record.

1 (d) The applicant satisfies any other requirements established by the board by
2 rule.

3 (4) RULES. The board shall promulgate rules implementing this section. The
4 rules shall ensure compliance with the federal drug supply chain security act, 21
5 USC 360eee, et seq. The board may not promulgate rules that impose requirements
6 more strict than the federal drug supply chain security act, or any regulations passed
7 under the federal drug supply chain security act. The board may not promulgate
8 rules that require a license under this section.

9 (5) ACCESS TO RECORDS. Applications for licensure under this section are not
10 subject to inspection or copying under s. 19.35, and may not be disclosed to any
11 person except as necessary for compliance with and enforcement of the provisions of
12 this chapter.

13 (6) INSPECTIONS. A 3rd-party logistics provider or an out-of-state 3rd-party
14 logistics provider shall allow the board and authorized federal, state, and local law
15 enforcement officials to enter and inspect its facilities and delivery vehicles, to audit
16 its records and written operating procedures, and to confiscate prescription drugs
17 and records to the extent authorized by law, rule, or regulation.

18 (7) APPLICABILITY. This section does not apply if the board determines that the
19 federal food and drug administration has established a licensing program for
20 3rd-party logistics providers under 21 USC 360eee-3 and that licensing by this state
21 of resident 3rd-party logistics providers is not required for a resident 3rd-party
22 logistics provider to provide 3rd-party logistics provider services in another state.

23 **SECTION 34.** 450.11 (5) (br) 2. d. of the statutes is amended to read:

1 450.11 (5) (br) 2. d. A pharmacist may not extend a prescription order under
2 subd. 1. for a particular patient if a prescription order was previously extended under
3 subd. 1. for that patient during the applicable period described in subd. 3.

4 **SECTION 35.** 450.11 (5) (br) 3. of the statutes is renumbered 450.11 (5) (br) 3.
5 (intro.) and amended to read:

6 450.11 (5) (br) 3. (intro.) This paragraph applies only during as follows:

7 a. During the public health emergency declared on March 12, 2020, by
8 executive order 72, and for 30 days after the conclusion of that public health
9 emergency. ~~During that time,~~

10 4. While this paragraph applies as specified in subd. 3., it supersedes par. (bm)
11 to the extent of any conflict.

12 **SECTION 36.** 450.11 (5) (br) 3. b. of the statutes is created to read:

13 450.11 (5) (br) 3. b. During the period beginning on the effective date of this
14 subd. 3. b. [LRB inserts date], and ending on June 30, 2021.

15 **SECTION 37.** 609.205 (2) (intro.) and (a) of the statutes are amended to read:

16 609.205 (2) (intro.) All of the following apply to a defined network plan or
17 preferred provider plan ~~during the state of emergency related to public health~~
18 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
19 ~~following the date that the state of emergency terminates~~ until the conclusion of a
20 national emergency declared by the U.S. president under 50 USC 1621 in response
21 to the 2019 novel coronavirus or June 30, 2021, whichever is earlier:

22 (a) The plan may not require an enrollee to pay, including cost sharing, for a
23 service, treatment, or supply provided by a provider that is not a participating
24 provider in the plan's network of providers more than the enrollee would pay if the
25 service, treatment, or supply is provided by a provider that is a participating

1 provider. This subsection applies to any service, treatment, or supply that is related
2 to diagnosis or treatment for COVID-19 and to any service, treatment, or supply that
3 is provided by a provider that is not a participating provider because a participating
4 provider is unavailable due to the ~~public health~~ emergency.

5 **SECTION 38.** 609.205 (3) (intro.) of the statutes is amended to read:

6 609.205 (3) (intro.) ~~During the state of emergency related to public health~~
7 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
8 ~~following the date that the state of emergency terminates~~ Until the conclusion of a
9 national emergency declared by the U.S. president under 50 USC 1621 in response
10 to the 2019 novel coronavirus or June 30, 2021, whichever is earlier, all of the
11 following apply to any health care provider or health care facility that provides a
12 service, treatment, or supply to an enrollee of a defined network plan or preferred
13 provider plan but is not a participating provider of that plan:

14 **SECTION 39.** 632.895 (14g) (b) of the statutes is amended to read:

15 632.895 (14g) (b) ~~Before March 13, 2021~~ Until the conclusion of a national
16 emergency declared by the U.S. president under 50 USC 1621 in response to the 2019
17 novel coronavirus or June 30, 2021, whichever is earlier, every disability insurance
18 policy, and every self-insured health plan of the state or of a county, city, town,
19 village, or school district, that generally covers vaccination and testing for infectious
20 diseases shall provide coverage of testing for COVID-19 and vaccination against the
21 SARS-CoV-2 coronavirus without imposing any copayment or coinsurance on the
22 individual covered under the policy or plan.

23 **SECTION 40.** 632.895 (16v) (a) (intro.) of the statutes is amended to read:

24 632.895 (16v) (a) (intro.) ~~During the period covered by the state of emergency~~
25 ~~related to public health declared by the governor on March 12, 2020, by executive~~

1 ~~order 72~~ Until June 30, 2021, an insurer offering a disability insurance policy that
2 covers prescription drugs, a self-insured health plan of the state or of a county, city,
3 town, village, or school district that covers prescription drugs, or a pharmacy benefit
4 manager acting on behalf of a policy or plan may not do any of the following in order
5 to maintain coverage of a prescription drug:

6 **SECTION 41.** 655.0025 of the statutes is created to read:

7 **655.0025 Participation during COVID-19 national emergency.** Until
8 the conclusion of a national emergency declared by the U.S. president under 50 USC
9 1621 in response to the 2019 novel coronavirus or June 30, 2021, whichever is earlier,
10 all of the following apply to a physician or nurse anesthetist for whom this state is
11 not a principal place of practice but who is authorized to practice in this state on a
12 temporary basis:

13 (1) The physician or nurse anesthetist may fulfill the requirements of s. 655.23

14 (3) (a) by filing with the commissioner a certificate of insurance for a policy of health
15 care liability insurance issued by an insurer that is authorized in a jurisdiction
16 accredited by the National Association of Insurance Commissioners.

17 (2) The physician or nurse anesthetist may elect, in the manner designated by
18 the commissioner by rule under s. 655.004, to be subject to this chapter.

19 **SECTION 42.** 895.476 of the statutes is created to read:

20 **895.476 Civil liability exemption; exposure to the novel coronavirus**
21 **SARS-CoV-2 or COVID-19.** (1) In this section:

22 (a) "COVID-19" means the infection caused by the novel coronavirus
23 SARS-CoV-2 or by any viral strain originating from SARS-CoV-2, and conditions
24 associated with the infection.

1 (b) “Entity” means a partnership, corporation, association, governmental
2 entity, tribal government, tribal entity, or other legal entity, including a school,
3 institution of higher education, or nonprofit organization. “Entity” includes an
4 employer or business owner, employee, agent, or independent contractor of the
5 entity, regardless of whether the person is paid or an unpaid volunteer.

6 (2) Beginning March 1, 2020, an entity is immune from civil liability for the
7 death of or injury to any individual or damages caused by an act or omission resulting
8 in or relating to exposure, directly or indirectly, to the novel coronavirus identified
9 as SARS-CoV-2 or COVID-19 in the course of or through the performance or
10 provision of the entity’s functions or services.

11 (3) Subsection (2) does not apply if the act or omission involves reckless or
12 wanton conduct or intentional misconduct. Noncompliance with any applicable
13 national, state, or local order requiring entities to close or limit capacity does not
14 constitute reckless or wanton conduct or intentional misconduct for purposes of this
15 section.

16 (4) Immunity under this section is in addition to, not in lieu of, other immunity
17 granted by law, and nothing in this section limits immunity granted under any other
18 provision of law, including immunity granted under s. 893.80 (4).

19 **SECTION 43.** 895.4801 (2) (a) (intro.) of the statutes is created to read:

20 895.4801 (2) (a) (intro.) One of the following applies:

21 **SECTION 44.** 895.4801 (2) (a) of the statutes is renumbered 895.4801 (2) (a) 1.

22 **SECTION 45.** 895.4801 (2) (a) 2. of the statutes is created to read:

23 895.4801 (2) (a) 2. Beginning on July 10, 2020, the action or omission is
24 committed while the professional, provider, employee, agent, or contractor is
25 providing services during any public health emergency declared under 42 USC 247d

1 by the secretary of the federal department of health and human services in response
2 to the 2019 novel coronavirus or the 90 days after the expiration of such an
3 emergency.

4 **SECTION 46.** 895.4801 (2) (b) 1. of the statutes is amended to read:

5 895.4801 (2) (b) 1. Any direction, guidance, recommendation, or other
6 statement made by a federal, state, or local official to address or in response to the
7 emergency ~~or disaster~~ declared as described under par. (a).

8 **SECTION 9101. Nonstatutory provisions; Administration.**

9 (1) POSITION TRANSFERS.

10 (a) In this subsection, “state agency” means any office, commission, board,
11 department, or independent agency in the executive branch of state government.

12 (b) The secretary of administration may transfer any employee from one state
13 agency to another state agency to provide services for the receiving state agency. The
14 receiving state agency shall pay all salary and fringe benefit costs of the employee
15 during the time he or she is providing services for the receiving state agency. Any
16 transfer by the secretary under this paragraph shall remain in effect until rescinded
17 by the secretary or June 30, 2021, whichever occurs first.

18 (c) If an employee is transferred under par. (b), the receiving agency may not
19 increase the employee’s salary at the time of transfer or during the time he or she is
20 providing services for the receiving agency and the transferring agency may not
21 increase the employee’s salary at the time the employee returns to the transferring
22 agency.

23 (d) The secretary of administration shall submit a report to the joint committee
24 on finance no later than June 1, 2021, that provides information on all employee
25 transfers, both permanent and temporary, under par. (b). The report shall specify

1 the number of employees transferred, the title of each employee transferred, the title
2 the employee assumed at the receiving agency, and the reasons for each employee
3 transfer.

4 **SECTION 9106. Nonstatutory provisions; Children and Families.**

5 (1) CHILD CARE AND DEVELOPMENT FUND BLOCK GRANT FUNDS. The federal Child
6 Care and Development Fund block grant funds received under the federal
7 Consolidated Appropriations Act, 2021, P.L. 116-260, shall be credited to the
8 appropriations under s. 20.437 (1) (mc) and (md). No moneys credited under this
9 subsection may be encumbered or expended except as provided under s. 16.54 (2) (a)
10 2.

11 **SECTION 9119. Nonstatutory provisions; Health Services.**

12 (1) PAYMENT FOR HOSPITALS FOR NURSING FACILITY CARE.

13 (a) In this subsection, “public health emergency period” means the period
14 ending on June 30, 2021, or the termination of any public health emergency declared
15 under 42 USC 247d by the secretary of the federal department of health and human
16 services in response to the 2019 novel coronavirus, whichever is earlier.

17 (b) During the public health emergency period, subject to par. (c), the
18 department of health services shall provide, under the Medical Assistance program,
19 reimbursement at the statewide average per-diem rate paid to nursing facilities or
20 a supplemental payment to hospitals for providing nursing-facility-level care when
21 all of the following criteria apply:

22 1. The individual for whom the hospital provided nursing-facility-level care
23 is enrolled in the Medical Assistance program, has been admitted on an inpatient
24 basis to the hospital, is eligible for discharge after receiving care in the hospital,
25 requires nursing-facility-level care upon discharge, and due to the hospital being

1 unable to locate a nursing facility that accepts the individual for admission, is unable
2 to be transferred to a nursing facility.

3 2. The services provided to the individual described under subd. 1. are custodial
4 care for which federal financial participation is approved.

5 3. The hospital notifies the department of health services that it is
6 participating as a swing bed hospital under the Medical Assistance program.

7 (c) The department of health services shall use the same standards and criteria
8 for determining whether a hospital is eligible for reimbursement or a supplemental
9 payment under par. (b) as are used by the federal Medicare program under 42 USC
10 1395 et seq. for the payment for use of swing beds or, for any hospital that is not a
11 critical access hospital, under the terms of a federal waiver approved under section
12 1135 of the federal social security act. The department shall seek any approval from
13 the federal government necessary to implement the reimbursement under this
14 subsection.

15 (2) PAYMENT FOR OUTPATIENT SERVICES PROVIDED BY HOSPITALS.

16 (a) Until the conclusion of a public health emergency declared under 42 USC
17 247d by the secretary of the federal department of health and human services in
18 response to the 2019 novel coronavirus or until June 30, 2021, whichever is earlier,
19 the department of health services shall provide reimbursement or a supplemental
20 payment under the Medical Assistance program to a hospital for providing any
21 outpatient service when all of the following criteria are satisfied:

22 1. The facility at which the outpatient service is performed is operated by the
23 hospital and certified under the Medicare program under 42 USC 1395 et seq.,
24 including under the terms of a federal waiver approved under section 1135 of the
25 federal social security act, for outpatient services.

1 2. The outpatient service is reimbursable when provided in the hospital's
2 inpatient facility but is not provided at the inpatient facility due to reasons
3 associated with the 2019 novel coronavirus pandemic.

4 3. The outpatient service is one for which federal financial participation is
5 approved.

6 (b) The department of health services may not include in a reimbursement
7 under par. (a) payments under s. 49.45 (3) (e) 11. or 12. or (59).

8 (c) The department of health services shall seek any approval from the federal
9 department of health and human services that is necessary to provide the
10 reimbursement or a supplemental payment in accordance with this subsection.

11 (3) COVERAGE OF VACCINATIONS UNDER SENIORCARE. By January 15, 2021, the
12 department of health services shall cover and provide reimbursement for
13 vaccinations under the program under s. 49.688 in accordance with 2019 Wisconsin
14 Act 185, sections 15 to 17, regardless of whether a waiver related to coverage or
15 reimbursement of vaccinations is granted by the federal department of health and
16 human services.

17 (4) AUTOPSIES AND CREMATION OF BODIES OF PERSONS WHO DIED OF COVID-19.

18 (a) *Definition.* In this subsection, "COVID-19" means an infection caused by
19 the SARS-CoV-2 coronavirus.

20 (b) *Viewing of a corpse to be cremated following death from COVID-19.*
21 Notwithstanding s. 979.10 (1) (b), until the conclusion of a national emergency
22 declared by the U.S. president under 50 USC 1621 in response to the 2019 novel
23 coronavirus, if any physician, coroner, or medical examiner has signed the death
24 certificate of a deceased person and listed COVID-19 as the underlying cause of

1 death, a coroner or medical examiner shall issue a cremation permit to cremate the
2 corpse of that deceased person without viewing the corpse.

3 (c) *Time for cremation of a person who has died of COVID-19.* Notwithstanding
4 s. 979.10 (1) (a) (intro.), until the conclusion of a national emergency declared by the
5 U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus, a
6 coroner or medical examiner shall issue, within 48 hours after the time of death, a
7 cremation permit for the cremation of a corpse of a deceased person.

8 (d) *Examination of the body of an inmate who has died of COVID-19.*
9 Notwithstanding s. 979.025, until the conclusion of a national emergency declared
10 by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus,
11 if an individual who has been diagnosed with COVID-19 dies while he or she is in
12 the legal custody of the department of corrections and confined to a correctional
13 facility located in this state, the coroner or medical examiner may perform a limited
14 examination of the deceased individual instead of a full autopsy, which may include
15 an external examination of the body of the deceased individual, a review of the
16 deceased individual's medical records, or a review of the deceased individual's
17 radiographs.

18 (e) *Requiring electronic signature on death certificates with 48 hours if death*
19 *is caused by COVID-19.* Notwithstanding s. 69.18 or any other requirements to the
20 contrary, until the conclusion of a national emergency declared by the U.S. president
21 under 50 USC 1621 in response to the 2019 novel coronavirus, if the underlying cause
22 of a death is determined to be COVID-19, the person required to sign the death
23 certificate shall provide an electronic signature on the death certificate within 48
24 hours after the death occurs.

1 (5) CIVIL LIABILITY EXEMPTION FOR HEALTH CARE PROVIDERS. The immunity
2 granted under s. 895.4801 for actions or omissions satisfying s. 895.4801 (2) (a) 2.
3 applies to all claims except those for which actions are filed before the effective date
4 of this subsection.

5 **SECTION 9134. Nonstatutory provisions; Public Instruction.**

6 (1) SCHOOL DISTRICT SEMESTER REPORTS RELATED TO PROVIDING VIRTUAL
7 INSTRUCTION.

8 (a) *Definitions.* In this subsection:

9 1. “Department” means the department of public instruction.

10 2. “End of semester” means the last day on which instruction is provided to
11 pupils in a semester, as indicated on a school district’s calendar. If a school district
12 provides instruction to pupils on a basis other than semesters, the “end of the
13 semester” means the last day of the first half of the school term, as defined in s.
14 115.001 (12), and the last day of the school term.

15 3. “Virtual instruction” means instruction provided through means of the
16 Internet if the pupils participating in and instructional staff providing the
17 instruction are geographically remote from each other.

18 (b) *School board reports.* By no later than 30 days after the end of each semester
19 in the 2020-21 and 2021-22 school years, each school board shall report to the
20 department all of the following:

21 1. Whether or not virtual instruction was implemented in the school district
22 during the semester and, if implemented, in which grades it was implemented. If
23 virtual instruction was implemented in the school district during the semester, the
24 process for implementing the virtual instruction.

1 2. Whether or not in-person instruction was provided in the school district
2 during the semester and, if provided, in which grades was it provided. If in-person
3 instruction was provided during the semester, for each grade in which in-person
4 instruction was provided, the number of school days in-person instruction was
5 provided to pupils during the semester.

6 3. Any challenges or barriers the school board faced related to implementing
7 virtual instruction during the semester.

8 4. The total amount by which the school board reduced or increased
9 expenditures in each of the following categories because the school board provided
10 virtual instruction during the semester:

11 a. Utilities.

12 b. Transportation.

13 c. Food service.

14 d. Salary and fringe benefits for personnel, including teachers, support staff,
15 and administrators. This category includes expenditure reductions that result from
16 layoffs.

17 e. Contract terminations.

18 (c) *Exceptions.*

19 1. In the 2021-22 school year, a school board is not required to submit a report
20 under par. (b) for a semester in which the school board does not provide virtual
21 instruction to pupils in lieu of in-person instruction.

22 2. A school board is not required to include information related to virtual
23 instruction provided by a virtual charter school, as defined in s. 115.001 (16), in a
24 report required under par. (b).

25 (d) *Reports to the legislature.*

1 1. By April 1, 2021, the department shall compile and submit the information
2 it received under par. (b) for the first semester of the 2020-21 school year to the
3 appropriate standing committees of the legislature in the manner provided under s.
4 13.172 (3). By September 1, 2021, the department shall compile and submit the
5 information it received under par. (b) for the 2nd semester of the 2020-21 school year
6 to the appropriate standing committees of the legislature in the manner provided
7 under s. 13.172 (3).

8 2. By April 1, 2022, the department shall compile and submit the information
9 it received under par. (b) for the first semester of the 2021-22 school year to the
10 appropriate standing committees of the legislature in the manner provided under s.
11 13.172 (3). By September 1, 2022, the department shall compile and submit the
12 information it received under par. (b) for the 2nd semester of the 2021-22 school year
13 to the appropriate standing committees of the legislature in the manner provided
14 under s. 13.172 (3).

15 **SECTION 9135. Nonstatutory provisions; Public Lands, Board of**
16 **Commissioners of.**

17 (1) LOANS TO MUNICIPAL UTILITIES.

18 (a) *Definitions.* In this subsection:

19 1. “Board” means the board of commissioners of public lands.

20 2. “Municipal utility” has the meaning given in s. 196.377 (2) (a) 3.

21 (b) *Loans.*

22 1. The board may loan moneys under its control or belonging to the trust funds
23 to a city, village, or town to ensure that a municipal utility under the control of the
24 city, village, or town is able to maintain liquidity. The loan shall be for the sum of

1 money, for the time, and upon the conditions as may be agreed upon between the
2 board and the borrower.

3 2. Each loan under this subsection shall be considered a state trust fund loan
4 for purposes of s. 24.70.

5 3. The board may not award a loan under this subsection after April 15, 2021.

6 4. The legislature finds and determines that the loans authorized under this
7 subsection serve a public purpose.

8 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
9 **Services.**

10 (1) EMERGENCY RULES RELATED TO 3RD-PARTY LOGISTICS PROVIDERS. The pharmacy
11 examining board may promulgate emergency rules under s. 227.24 implementing s.
12 450.075. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated
13 under this subsection remain in effect until June 30, 2023, or the date on which
14 permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a)
15 and (3), the board is not required to provide evidence that promulgating a rule under
16 this subsection as an emergency rule is necessary for the preservation of the public
17 peace, health, safety, or welfare and is not required to provide a finding of emergency
18 for a rule promulgated under this subsection.

19 (2) INTERIM LICENSURE OF 3RD-PARTY LOGISTICS PROVIDERS.

20 (a) In this subsection, the definitions under s. 450.01 apply.

21 (b) The board shall grant an interim license to an applicant to act as a 3rd-party
22 logistics provider or an out-of-state 3rd-party logistics provider if, in the opinion of
23 the board, the applicant is currently in compliance with federal law relating to
24 3rd-party logistics providers. The holder of an interim license under this subsection
25 shall apply for a license under s. 450.075 on or after the date that emergency rules

1 take effect under sub. (1), or the date on which permanent rules take effect,
2 whichever is sooner. An interim license granted under this subsection expires 90
3 days after the date that emergency rules take effect under sub. (1), or 90 days after
4 the date on which permanent rules take effect, whichever is sooner.
5 Notwithstanding s. 440.05, no fee is required for an interim license issued under this
6 subsection.

7 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

8 (1) UNEMPLOYMENT INSURANCE; BACKLOG AND CALL CENTER.

9 (a) *Definitions.* In this subsection, the definitions in s. 108.02 apply.

10 (b) *Plan to address backlog of unemployment insurance claims.* Not later than
11 30 days after the effective date of this paragraph, the department shall develop a
12 plan for the department to reduce the number of weekly claims for benefits in
13 process, adjudication, and appeals to levels comparable to those in January and
14 February 2020. The plan shall include measures to ensure maintenance of program
15 integrity and fraud detection. The department shall submit the plan to the
16 appropriate standing committees of the legislature under s. 13.172(3) and shall
17 publish the plan on its Internet site.

18 (c) *Call center.* The department shall maintain a call center to provide services
19 and support to claimants for benefits under ch. 108 or federal pandemic
20 unemployment assistance benefits via telephone. The department shall operate the
21 call center for 12 hours per day, 7 days per week, until the number of weekly claims
22 in process, adjudication, and appeals is comparable to those in January and
23 February 2020, as determined by the department.

24 **SECTION 9151. Nonstatutory provisions; Other.**

