

1989 Assembly Bill 584

Date of enactment: **March 30, 1990**

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## 1989 WISCONSIN ACT 152

AN ACT to *renumber and amend* 448.075; and to *create* 448.075 (1) (b) of the statutes, **relating to**: the requirement for a licensed podiatrist to carry malpractice insurance.

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

**SECTION 1.** 448.075 of the statutes is renumbered 448.075 (1) (intro.) and amended to read:

448.075 (1) (intro.) Every licensed podiatrist shall annually submit to the board evidence ~~that~~ satisfactory to the board of one of the following:

(a) ~~That~~ the podiatrist has in effect malpractice liability insurance coverage in the amount of at least \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one year.

(2) The board may suspend, revoke or refuse to issue or renew the license of a podiatrist who fails to procure or to submit proof of the malpractice liability insurance coverage required under ~~this section~~ sub. (1).

**SECTION 2.** 448.075 (1) (b) of the statutes is created to read:

448.075 (1) (b) That the podiatrist's principal place of practice is not in this state; that the podiatrist will not be engaged in the practice of podiatry in this state for more than 240 hours during the following 12 months; that the podiatrist has in effect malpractice liability insurance coverage that covers services provided by the podiatrist

to patients in this state; if the podiatrist is required under the laws of the state in which the board determines that his or her principal place of practice is located to have in effect a minimum amount of malpractice liability insurance coverage, that the podiatrist has in effect at least that minimum amount of malpractice liability insurance coverage; and, if the podiatrist is not required under the laws of the state in which the board determines that his or her principal place of practice is located to have in effect a minimum amount of malpractice liability insurance coverage, that the podiatrist has in effect at least the minimum amount of malpractice liability insurance coverage that the board determines is necessary to protect the public. For purposes of this paragraph, a podiatrist's principal place of practice is not in this state if the board determines that, during the following 12 months, any of the following applies:

1. More than 50% of the podiatrist's practice will be performed outside this state.
2. More than 50% of the income from the podiatrist's practice will be derived from outside this state.
3. More than 50% of the podiatrist's patients will be treated by the podiatrist outside this state.