



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-1538/P4  
MED&TJD:emw&jm

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1        **AN ACT** *to repeal* 50.01 (1b), 77.54 (14) (f) 3., 118.2925 (1) (b), 146.89 (1) (r) 3.,  
2            252.01 (1c), 440.03 (13) (b) 3., 440.03 (13) (b) 42., 440.08 (2) (a) 4m., 440.08 (2)  
3            (a) 50., 441.11 (title), 441.11 (1), 441.11 (3), 441.15, 441.16, 448.035 (1) (a) and  
4            450.01 (1m); *to renumber and amend* 253.13 (1), 255.06 (1) (d), 441.06 (7) and  
5            441.11 (2); *to amend* 29.193 (1m) (a) 2. (intro.), 29.193 (2) (b) 2., 29.193 (2) (c)  
6            3., 29.193 (2) (cd) 2. b., 29.193 (2) (cd) 2. c., 29.193 (2) (e), 29.193 (3) (a), 45.40  
7            (1g) (a), 46.03 (44), 50.08 (2), 50.09 (1) (a) (intro.), 50.09 (1) (f) 1., 50.09 (1) (h),  
8            50.09 (1) (k), 50.49 (1) (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14)  
9            (f) 4., 97.59, 102.13 (1) (a), 102.13 (1) (b) (intro.), 1., 3. and 4., 102.13 (1) (d) 1.,  
10           2., 3. and 4., 102.13 (2) (a), 102.13 (2) (b), 102.17 (1) (d) 1. and 2., 102.29 (3),  
11           102.42 (2) (a), 106.30 (1), 118.15 (3) (a), 118.29 (1) (e), 118.2925 (3), 118.2925 (4)  
12           (c), 118.2925 (5), 146.343 (1) (c), 146.82 (3) (a), 146.89 (1) (r) 1., 146.89 (1) (r) 8.,  
13           146.89 (6), 252.07 (8) (a) 2., 252.07 (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7) and  
14           (10), 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3. and (7m)  
15           (intro.) and (b), 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d),

1 253.115 (4), 253.115 (7) (a) (intro.), 253.15 (2), 255.06 (2) (d), 255.07 (1) (d),  
2 257.01 (5) (a) and (b), 341.14 (1a), (1e) (a), (1m) and (1q), 343.16 (5) (a), 343.51  
3 (1), 343.62 (4) (a) 4., 440.981 (1), 440.982 (1), 440.987 (2), 441.01 (7) (a) (intro.)  
4 and 1., 441.01 (7) (b), 441.06 (3), 441.07 (1g) (intro.), (a), (c) and (e), 441.18 (2)  
5 (a) (intro.), 441.18 (2) (b), 441.18 (3), 448.03 (2) (a), 448.035 (2), (3) and (4),  
6 448.56 (1) and (1m) (b), 448.67 (2), 448.956 (1m), 450.01 (16) (h) 2., 450.01 (16)  
7 (hr) 2., 450.03 (1) (e), 450.11 (1i) (a) 1., 450.11 (1i) (b) 2. b., 450.11 (7) (b), 450.11  
8 (8) (e), 450.13 (5) (b), 462.04, 655.001 (7t), 655.001 (9), 655.005 (2) (a), 961.01  
9 (19) (a) and 961.395; and **to create** 253.115 (1) (f), 253.13 (1) (a), 253.15 (1) (em),  
10 255.06 (1) (f) 2., 440.03 (13) (b) 39m., 440.08 (2) (a) 47. and 441.09 of the statutes;  
11 **relating to:** advanced practice registered nurses and granting rule-making  
12 authority.

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### ***Analysis by the Legislative Reference Bureau***

#### **NURSING PRACTICE AND LICENSURE**

This bill makes various changes to practice, licensure, and certification requirements for nurses, which are administered by the Board of Nursing.

#### ***Licensure of advanced practice registered nurses***

Under current law, a person who wishes to practice professional nursing must be licensed by the Board of Nursing as a registered nurse (RN). This bill creates an additional system of licensure for advanced practice registered nurses (APRNs), to be administered by the board. Under the bill, in order to apply for an APRN license, a person must 1) hold, or concurrently apply for, an RN license, 2) have completed an accredited graduate-level or postgraduate-level education program preparing the person to practice as an APRN in one of four recognized roles, and 3) pay a fee set by the Department of Safety and Professional Services. The bill also allows a person who has not completed an accredited education program described above to receive an APRN license if the person 1) on January 1, 2017, was both licensed as an RN in Wisconsin and practicing in one of the four recognized roles and 2) satisfies additional practice or education criteria established by the board. The four recognized roles, as defined in the bill, are 1) certified nurse-midwife, 2) certified registered nurse anesthetist, 3) clinical nurse specialist, and 4) nurse practitioner. The bill also requires the board, upon granting a person an APRN license, to also grant the person one or more endorsements corresponding to the recognized role or

roles for which the person qualifies. The holder of an APRN license may append the title “A.P.R.N.” to his or her name, as well as a title corresponding to whichever endorsements that the person possesses.

The bill prohibits any person from using the title “A.P.R.N.,” and from otherwise indicating that he or she is an APRN, unless the person is licensed by the board as an APRN. The bill also prohibits the use of titles and abbreviations corresponding to a recognized role unless the person has an endorsement for that role. Under the bill, when an APRN renews his or her APRN license, the board must grant the person the renewal of both the person’s RN license and the person’s APRN license. The bill requires an APRN to complete continuing education requirements in clinical pharmacology or therapeutics relevant to the APRN’s area of practice, including a minimum number of hours regarding best practices in prescribing controlled substances. The bill also requires an APRN, when applying for a license or license renewal or upon request of the board, to submit to the board evidence that he or she has in effect malpractice liability insurance coverage in the minimum amounts required by the rules of the board.

### ***Practice of nurse-midwifery***

This bill repeals licensure and practice requirements specific to nurse-midwives and the practice of nurse-midwifery, including specific requirements to practice with an obstetrician and maintain malpractice insurance. Under the bill, “certified nurse-midwife” is one of the four recognized roles for APRNs, and a person who practices nurse-midwifery under current law who satisfies the APRN licensure requirements may apply for and receive an APRN license and a certified nurse-midwife endorsement, except that the bill also requires that a person applying for a certified nurse-midwife endorsement be certified by the American Midwifery Certification Board. In addition, the bill prohibits the practice of nurse-midwifery, as defined under current law, without a certified nurse-midwife endorsement.

### ***Advanced practice registered nurse prescribers***

Under current law, a person licensed as an RN may apply to the board for a certificate to issue prescription orders if the person meets certain requirements established by the board. A person holding the certificate is subject to various practice requirements established by the board and must possess malpractice liability insurance in an amount determined by the board.

The bill eliminates certificates to issue prescription orders and instead provides that the board may grant an APRN who applies for licensure and who meets the education, training, and examination requirements established by the board the authority to issue prescription orders. The bill requires the board to maintain a register of all APRNs who are authorized to issue prescription orders.

## **OTHER CHANGES**

The bill makes numerous other changes throughout the statutes relating to APRNs and APRN prescribers, including changing references to “advanced practice nurse” and “advanced practice nurse prescriber” in favor of the terms “advanced

practice registered nurse” and “advanced practice registered nurse who has prescribing authority.”

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

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

1           **SECTION 1.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

2           29.193 **(1m)** (a) 2. (intro.) Has a permanent substantial loss of function in one  
3 or both arms or one or both hands and fails to meet the minimum standards of any  
4 one of the following standard tests, administered under the direction of a licensed  
5 physician, a licensed physician assistant, a licensed chiropractor, or a ~~certified~~  
6 licensed advanced practice registered nurse prescriber:

7           **SECTION 2.** 29.193 (2) (b) 2. of the statutes is amended to read:

8           29.193 **(2)** (b) 2. An applicant shall submit an application on a form prepared  
9 and furnished by the department, which shall include a written statement or report  
10 prepared and signed by a licensed physician, a licensed physician assistant, a  
11 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice  
12 registered nurse prescriber prepared no more than 6 months preceding the  
13 application and verifying that the applicant is physically disabled.

14           **SECTION 3.** 29.193 (2) (c) 3. of the statutes is amended to read:

15           29.193 **(2)** (c) 3. The department may issue a Class B permit to an applicant  
16 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under  
17 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the  
18 applicant and the recommendation of a licensed physician, a licensed physician  
19 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed

1 advanced practice registered nurse ~~prescriber~~ selected by the applicant from a list  
2 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed  
3 podiatrists, and ~~certified~~ licensed advanced practice nurse ~~prescribers~~ registered  
4 nurses compiled by the department, the department finds that issuance of a permit  
5 complies with the intent of this subsection. The use of this review procedure is  
6 discretionary with the department and all costs of the review procedure shall be paid  
7 by the applicant.

8 **SECTION 4.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

9 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function  
10 in one or both arms and fails to meet the minimum standards of the standard upper  
11 extremity pinch test, the standard grip test, or the standard nine-hole peg test,  
12 administered under the direction of a licensed physician, a licensed physician  
13 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered  
14 nurse ~~prescriber~~.

15 **SECTION 5.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

16 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in  
17 one or both shoulders and fails to meet the minimum standards of the standard  
18 shoulder strength test, administered under the direction of a licensed physician, a  
19 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced  
20 practice registered nurse ~~prescriber~~.

21 **SECTION 6.** 29.193 (2) (e) of the statutes is amended to read:

22 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this  
23 subsection, except a permit under par. (c) 3., may obtain a review of that decision by  
24 a licensed physician, a licensed physician assistant, a licensed chiropractor, a  
25 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse

**SECTION 6**

1 prescriber designated by the department and with an office located in the  
2 department district in which the applicant resides. The department shall pay for the  
3 cost of a review under this paragraph unless the denied application on its face fails  
4 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is  
5 the only method of review of a decision to deny a permit under this subsection and  
6 is not subject to further review under ch. 227.

7 **SECTION 7.** 29.193 (3) (a) of the statutes is amended to read:

8 29.193 (3) (a) Produces a certificate from a licensed physician, a licensed  
9 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice  
10 registered nurse prescriber stating that his or her sight is impaired to the degree that  
11 he or she cannot read ordinary newspaper print with or without corrective glasses.

12 **SECTION 8.** 45.40 (1g) (a) of the statutes is amended to read:

13 45.40 (1g) (a) "Health care provider" means an advanced practice registered  
14 nurse prescriber ~~certified under s. 441.16 (2)~~ licensed under ch. 441, an audiologist  
15 licensed under ch. 459, a dentist licensed under ch. 447, an optometrist licensed  
16 under ch. 449, a physician licensed under s. 448.02, or a podiatrist licensed under s.  
17 448.63.

18 **SECTION 9.** 46.03 (44) of the statutes is amended to read:

19 46.03 (44) **SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION.** Prepare and  
20 keep current an information sheet to be distributed to a patient by a physician,  
21 physician assistant, or ~~certified~~ advanced practice registered nurse prescriber who  
22 has prescribing authority under s. 441.09 (2) (c) providing expedited partner therapy  
23 to that patient under s. 448.035. The information sheet shall include information  
24 about sexually transmitted diseases and their treatment and about the risk of drug  
25 allergies. The information sheet shall also include a statement advising a person

1 with questions about the information to contact his or her physician, pharmacist, or  
2 local health department, as defined in s. 250.01 (4).

3 **SECTION 10.** 50.01 (1b) of the statutes is repealed.

4 **SECTION 11.** 50.08 (2) of the statutes is amended to read:

5 50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~  
6 ~~certified under s. 441.16 (2)~~ who has prescribing authority under s. 441.09 (2) (c), or  
7 a physician assistant licensed under ch. 448, who prescribes a psychotropic  
8 medication to a nursing home resident who has degenerative brain disorder shall  
9 notify the nursing home if the prescribed medication has a boxed warning under 21  
10 CFR 201.57.

11 **SECTION 12.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

12 50.09 (1) (a) (intro.) Private and unrestricted communications with the  
13 resident's family, physician, physician assistant, advanced practice registered nurse  
14 ~~prescriber~~, attorney, and any other person, unless medically contraindicated as  
15 documented by the resident's physician, physician assistant, or advanced practice  
16 registered nurse ~~prescriber~~ in the resident's medical record, except that  
17 communications with public officials or with the resident's attorney shall not be  
18 restricted in any event. The right to private and unrestricted communications shall  
19 include, but is not limited to, the right to:

20 **SECTION 13.** 50.09 (1) (f) 1. of the statutes is amended to read:

21 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses  
22 or both domestic partners under ch. 770 are residents of the same facility, the spouses  
23 or domestic partners shall be permitted to share a room unless medically  
24 contraindicated as documented by the resident's physician, physician assistant, or  
25 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

1           **SECTION 14.** 50.09 (1) (h) of the statutes is amended to read:

2           50.09 (1) (h) Meet with, and participate in activities of social, religious, and  
3 community groups at the resident's discretion, unless medically contraindicated as  
4 documented by the resident's physician, physician assistant, or advanced practice  
5 registered nurse ~~prescriber~~ in the resident's medical record.

6           **SECTION 15.** 50.09 (1) (k) of the statutes is amended to read:

7           50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical  
8 and physical restraints except as authorized in writing by a physician, physician  
9 assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and  
10 limited period of time and documented in the resident's medical record. Physical  
11 restraints may be used in an emergency when necessary to protect the resident from  
12 injury to himself or herself or others or to property. However, authorization for  
13 continuing use of the physical restraints shall be secured from a physician, physician  
14 assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use  
15 of physical restraints shall be noted in the resident's medical records. "Physical  
16 restraints" includes, but is not limited to, any article, device, or garment that  
17 interferes with the free movement of the resident and that the resident is unable to  
18 remove easily, and confinement in a locked room.

19           **SECTION 16.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

20           50.49 (1) (b) (intro.) "Home health services" means the following items and  
21 services that are furnished to an individual, who is under the care of a physician,  
22 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home  
23 health agency, or by others under arrangements made by the home health agency,  
24 that are under a plan for furnishing those items and services to the individual that  
25 is established and periodically reviewed by a physician, physician assistant, or



1 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in  
2 subd. 6., provided on a visiting basis in a place of residence used as the individual's  
3 home:

4 **SECTION 17.** 51.41 (1d) (b) 4. of the statutes is amended to read:

5 51.41 **(1d)** (b) 4. A psychiatric mental health advanced practice registered  
6 nurse who is suggested by the Milwaukee County board of supervisors. The  
7 Milwaukee County board of supervisors shall solicit suggestions from organizations  
8 including the Wisconsin Nurses Association for individuals who specialize in a full  
9 continuum of behavioral health and medical services including emergency  
10 detention, inpatient, residential, transitional, partial hospitalization, intensive  
11 outpatient, and wraparound community-based services. The Milwaukee County  
12 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric  
13 mental health advanced practice registered nurses for this board membership  
14 position.

15 **SECTION 18.** 70.47 (8) (intro.) of the statutes is amended to read:

16 70.47 **(8)** HEARING. (intro.) The board shall hear upon oath all persons who  
17 appear before it in relation to the assessment. Instead of appearing in person at the  
18 hearing, the board may allow the property owner, or the property owner's  
19 representative, at the request of either person, to appear before the board, under  
20 oath, by telephone or to submit written statements, under oath, to the board. The  
21 board shall hear upon oath, by telephone, all ill or disabled persons who present to  
22 the board a letter from a physician, osteopath, physician assistant, as defined in s.  
23 448.01 (6), or advanced practice registered nurse ~~prescriber certified under s. 441.16~~  
24 ~~(2)~~ licensed under ch. 441 that confirms their illness or disability. At the request of  
25 the property owner or the property owner's representative, the board may postpone

1 and reschedule a hearing under this subsection, but may not postpone and  
2 reschedule a hearing more than once during the same session for the same property.

3 The board at such hearing shall proceed as follows:

4 **SECTION 19.** 77.54 (14) (f) 3. of the statutes is repealed.

5 **SECTION 20.** 77.54 (14) (f) 4. of the statutes is amended to read:

6 77.54 (14) (f) 4. An advanced practice registered nurse who has prescribing  
7 authority under s. 441.09 (2) (c).

8 **SECTION 21.** 97.59 of the statutes is amended to read:

9 **97.59 Handling foods.** No person in charge of any public eating place or other  
10 establishment where food products to be consumed by others are handled may  
11 knowingly employ any person handling food products who has a disease in a form  
12 that is communicable by food handling. If required by the local health officer or any  
13 officer of the department for the purposes of an investigation, any person who is  
14 employed in the handling of foods or is suspected of having a disease in a form that  
15 is communicable by food handling shall submit to an examination by the officer or  
16 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~  
17 designated by the officer. The expense of the examination, if any, shall be paid by the  
18 person examined. Any person knowingly infected with a disease in a form that is  
19 communicable by food handling who handles food products to be consumed by others  
20 and any persons knowingly employing or permitting such a person to handle food  
21 products to be consumed by others shall be punished as provided by s. 97.72.

22 **SECTION 22.** 102.13 (1) (a) of the statutes is amended to read:

23 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed  
24 by an employee, the employee shall, upon the written request of the employee's  
25 employer or worker's compensation insurer, submit to reasonable examinations by

1 physicians, chiropractors, psychologists, dentists, physician assistants, advanced  
2 practice nurse prescribers registered nurses, or podiatrists provided and paid for by  
3 the employer or insurer. No employee who submits to an examination under this  
4 paragraph is a patient of the examining physician, chiropractor, psychologist,  
5 dentist, physician assistant, advanced practice registered nurse prescriber, or  
6 podiatrist for any purpose other than for the purpose of bringing an action under ch.  
7 655, unless the employee specifically requests treatment from that physician,  
8 chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
9 nurse prescriber, or podiatrist.

10 **SECTION 23.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended to  
11 read:

12 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee  
13 submit to reasonable examination under par. (a) or (am) shall tender to the employee,  
14 before the examination, all necessary expenses including transportation expenses.  
15 The employee is entitled to have a physician, chiropractor, psychologist, dentist,  
16 physician assistant, advanced practice registered nurse prescriber, or podiatrist  
17 provided by himself or herself present at the examination and to receive a copy of all  
18 reports of the examination that are prepared by the examining physician,  
19 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced  
20 practice registered nurse prescriber, or vocational expert immediately upon receipt  
21 of those reports by the employer or worker's compensation insurer. The employee is  
22 also entitled to have a translator provided by himself or herself present at the  
23 examination if the employee has difficulty speaking or understanding the English  
24 language. The employer's or insurer's written request for examination shall notify  
25 the employee of all of the following:

1           1. The proposed date, time, and place of the examination and the identity and  
2 area of specialization of the examining physician, chiropractor, psychologist, dentist,  
3 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
4 vocational expert.

5           3. The employee's right to have his or her physician, chiropractor, psychologist,  
6 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
7 podiatrist present at the examination.

8           4. The employee's right to receive a copy of all reports of the examination that  
9 are prepared by the examining physician, chiropractor, psychologist, dentist,  
10 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or  
11 vocational expert immediately upon receipt of these reports by the employer or  
12 worker's compensation insurer.

13           **SECTION 24.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

14           102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,  
15 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational  
16 expert who is present at any examination under par. (a) or (am) may be required to  
17 testify as to the results of the examination.

18           2. Any physician, chiropractor, psychologist, dentist, physician assistant,  
19 advanced practice registered nurse ~~prescriber~~, or podiatrist who attended a worker's  
20 compensation claimant for any condition or complaint reasonably related to the  
21 condition for which the claimant claims compensation may be required to testify  
22 before the division when the division so directs.

23           3. Notwithstanding any statutory provisions except par. (e), any physician,  
24 chiropractor, psychologist, dentist, physician assistant, advanced practice registered  
25 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any

1 condition or complaint reasonably related to the condition for which the claimant  
2 claims compensation may furnish to the employee, employer, worker's compensation  
3 insurer, department, or division information and reports relative to a compensation  
4 claim.

5 4. The testimony of any physician, chiropractor, psychologist, dentist,  
6 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist who  
7 is licensed to practice where he or she resides or practices in any state and the  
8 testimony of any vocational expert may be received in evidence in compensation  
9 proceedings.

10 **SECTION 25.** 102.13 (2) (a) of the statutes is amended to read:

11 102.13 (2) (a) An employee who reports an injury alleged to be work-related  
12 or files an application for hearing waives any physician-patient,  
13 psychologist-patient, or chiropractor-patient privilege with respect to any condition  
14 or complaint reasonably related to the condition for which the employee claims  
15 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any  
16 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,  
17 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider  
18 shall, within a reasonable time after written request by the employee, employer,  
19 worker's compensation insurer, department, or division, or its representative,  
20 provide that person with any information or written material reasonably related to  
21 any injury for which the employee claims compensation.

22 **SECTION 26.** 102.13 (2) (b) of the statutes is amended to read:

23 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,  
24 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or  
25 health service provider shall furnish a legible, certified duplicate of the written

1 material requested under par. (a) in paper format upon payment of the actual costs  
2 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or  
3 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified  
4 duplicate of that material in electronic format upon payment of \$26 per request. Any  
5 person who refuses to provide certified duplicates of written material in the person's  
6 custody that is requested under par. (a) shall be liable for reasonable and necessary  
7 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in  
8 enforcing the requester's right to the duplicates under par. (a).

9 **SECTION 27.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

10 102.17 (1) (d) 1. The contents of certified medical and surgical reports by  
11 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,  
12 advanced practice nurse prescribers registered nurses, and chiropractors licensed in  
13 and practicing in this state, and of certified reports by experts concerning loss of  
14 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation  
15 constitute prima facie evidence as to the matter contained in those reports, subject  
16 to any rules and limitations the division prescribes. Certified reports of physicians,  
17 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced  
18 practice nurse prescribers registered nurses, and chiropractors, wherever licensed  
19 and practicing, who have examined or treated the claimant, and of experts, if the  
20 practitioner or expert consents to being subjected to cross-examination, also  
21 constitute prima facie evidence as to the matter contained in those reports. Certified  
22 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are  
23 admissible as evidence of the diagnosis, necessity of the treatment, and cause and  
24 extent of the disability. Certified reports by doctors of dentistry, physician  
25 assistants, and advanced practice nurse prescribers registered nurses are

1 admissible as evidence of the diagnosis and necessity of treatment but not of the  
2 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,  
3 psychologist, chiropractor, physician assistant, advanced practice registered nurse  
4 ~~prescriber~~, or expert who knowingly makes a false statement of fact or opinion in a  
5 certified report may be fined or imprisoned, or both, under s. 943.395.

6 2. The record of a hospital or sanatorium in this state that is satisfactory to the  
7 division, established by certificate, affidavit, or testimony of the supervising officer  
8 of the hospital or ~~sanitorium~~ sanatorium, any other person having charge of the  
9 record, or a physician, podiatrist, surgeon, dentist, psychologist, physician assistant,  
10 advanced practice registered nurse ~~prescriber~~, or chiropractor to be the record of the  
11 patient in question, and made in the regular course of examination or treatment of  
12 the patient, constitutes prima facie evidence as to the matter contained in the record,  
13 to the extent that the record is otherwise competent and relevant.

14 **SECTION 28.** 102.29 (3) of the statutes is amended to read:

15 102.29 (3) Nothing in this chapter shall prevent an employee from taking the  
16 compensation that the employee may be entitled to under this chapter and also  
17 maintaining a civil action against any physician, chiropractor, psychologist, dentist,  
18 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for  
19 malpractice.

20 **SECTION 29.** 102.42 (2) (a) of the statutes is amended to read:

21 102.42 (2) (a) When the employer has notice of an injury and its relationship  
22 to the employment, the employer shall offer to the injured employee his or her choice  
23 of any physician, chiropractor, psychologist, dentist, physician assistant, advanced  
24 practice registered nurse ~~prescriber~~, or podiatrist licensed to practice and practicing  
25 in this state for treatment of the injury. By mutual agreement, the employee may

1 have the choice of any qualified practitioner not licensed in this state. In case of  
2 emergency, the employer may arrange for treatment without tendering a choice.  
3 After the emergency has passed the employee shall be given his or her choice of  
4 attending practitioner at the earliest opportunity. The employee has the right to a  
5 2nd choice of attending practitioner on notice to the employer or its insurance carrier.  
6 Any further choice shall be by mutual agreement. Partners and clinics are  
7 considered to be one practitioner. Treatment by a practitioner on referral from  
8 another practitioner is considered to be treatment by one practitioner.

9 **SECTION 30.** 106.30 (1) of the statutes is amended to read:

10 106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse  
11 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse  
12 licensed or permitted under s. 441.10, or an advanced practice registered nurse  
13 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~  
14 441.09.

15 **SECTION 31.** 118.15 (3) (a) of the statutes is amended to read:

16 118.15 (3) (a) Any child who is excused by the school board because the child  
17 is temporarily not in proper physical or mental condition to attend a school program  
18 but who can be expected to return to a school program upon termination or  
19 abatement of the illness or condition. The school attendance officer may request the  
20 parent or guardian of the child to obtain a written statement from a licensed  
21 physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or  
22 ~~nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice~~  
23 registered nurse ~~prescriber~~ or Christian Science practitioner living and residing in  
24 this state, who is listed in the Christian Science Journal, as sufficient proof of the



1 physical or mental condition of the child. An excuse under this paragraph shall be  
2 in writing and shall state the time period for which it is valid, not to exceed 30 days.

3 **SECTION 32.** 118.29 (1) (e) of the statutes is amended to read:

4 118.29 (1) (e) "Practitioner" means any physician, dentist, optometrist,  
5 physician assistant, advanced practice registered nurse ~~prescriber with prescribing~~  
6 authority, or podiatrist licensed in any state.

7 **SECTION 33.** 118.2925 (1) (b) of the statutes is repealed.

8 **SECTION 34.** 118.2925 (3) of the statutes is amended to read:

9 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice  
10 registered nurse ~~prescriber who has prescribing authority under s. 441.09 (2) (c)~~, or  
11 a physician assistant may prescribe epinephrine auto-injectors in the name of a  
12 school that has adopted a plan under sub. (2) (a), to be maintained by the school for  
13 use under sub. (4).

14 **SECTION 35.** 118.2925 (4) (c) of the statutes is amended to read:

15 118.2925 (4) (c) Administer an epinephrine auto-injector to a pupil or other  
16 person who the school nurse or designated school personnel in good faith believes is  
17 experiencing anaphylaxis in accordance with a standing protocol from a physician,  
18 an advanced practice registered nurse ~~prescriber who has prescribing authority~~  
19 under s. 441.09 (2) (c), or a physician assistant, regardless of whether the pupil or  
20 other person has a prescription for an epinephrine auto-injector. If the pupil or other  
21 person does not have a prescription for an epinephrine auto-injector, or the person  
22 who administers the epinephrine auto-injector does not know whether the pupil or  
23 other person has a prescription for an epinephrine auto-injector, the person who  
24 administers the epinephrine auto-injector shall, as soon as practicable, report the  
25 administration by dialing the telephone number "911" or, in an area in which the

1 telephone number “911” is not available, the telephone number for an emergency  
2 medical service provider.

3 **SECTION 36.** 118.2925 (5) of the statutes is amended to read:

4 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF  
5 MEDICINE. A school and its designated school personnel, and a physician, advanced  
6 practice registered nurse prescriber who has prescribing authority under s. 441.09  
7 (2) (c), or physician assistant who provides a prescription or standing protocol for  
8 school epinephrine auto-injectors, are not liable for any injury that results from the  
9 administration or self-administration of an epinephrine auto-injector under this  
10 section, regardless of whether authorization was given by the pupil’s parent or  
11 guardian or by the pupil’s physician, physician assistant, or advanced practice  
12 registered nurse prescriber, unless the injury is the result of an act or omission that  
13 constitutes gross negligence or willful or wanton misconduct. The immunity from  
14 liability provided under this subsection is in addition to and not in lieu of that  
15 provided under s. 895.48.

16 **SECTION 37.** 146.343 (1) (c) of the statutes is amended to read:

17 146.343 (1) (c) “Nurse-midwife” means an individual who is licensed ~~to engage~~  
18 ~~in the practice of nurse-midwifery under s. 441.15 (3) (a)~~ as an advanced practice  
19 registered nurse and possesses a certified nurse-midwife endorsement under s.  
20 441.09.

21 **SECTION 38.** 146.82 (3) (a) of the statutes is amended to read:

22 146.82 (3) (a) Notwithstanding sub. (1), a physician, physician assistant, as  
23 defined in s. 448.01 (6), or advanced practice registered nurse prescriber certified  
24 under s. 441.16 (2) licensed under s. 441.09 who treats a patient whose physical or  
25 mental condition in the physician’s, physician assistant’s, or advanced practice nurse

1     prescriber's registered nurse's judgment affects the patient's ability to exercise  
2     reasonable and ordinary control over a motor vehicle may report the patient's name  
3     and other information relevant to the condition to the department of transportation  
4     without the informed consent of the patient.

5             **SECTION 39.** 146.89 (1) (r) 1. of the statutes is amended to read:

6             146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental  
7     hygienist under ch. 447, a registered nurse, practical nurse, or ~~nurse-midwife~~  
8     advanced practice registered nurse under ch. 441, an optometrist under ch. 449, a  
9     physician assistant under ch. 448, a pharmacist under ch. 450, a chiropractor under  
10    ch. 446, a podiatrist under subch. IV of ch. 448, or a physical therapist under subch.  
11    III of ch. 448.

12            **SECTION 40.** 146.89 (1) (r) 3. of the statutes is repealed.

13            **SECTION 41.** 146.89 (1) (r) 8. of the statutes is amended to read:

14            146.89 (1) (r) 8. An advanced practice registered nurse who has ~~a certificate~~  
15    ~~to issue prescription orders under s. 441.16 (2)~~ prescribing authority under s. 441.09  
16    (2) (c).

17            **SECTION 42.** 146.89 (6) of the statutes is amended to read:

18            146.89 (6) (a) While serving as a volunteer health care provider under this  
19    section, an advanced practice registered nurse who has ~~a certificate to issue~~  
20    ~~prescription orders under s. 441.16 (2)~~ prescribing authority under s. 441.09 (2) (c)  
21    is considered to meet the requirements of s. 655.23, if required to comply with s.  
22    655.23.

23            (b) While serving as a volunteer health care provider under this section, an  
24    advanced practice registered nurse who has ~~a certificate to issue prescription orders~~

1 ~~under s. 441.16 (2) prescribing authority under s. 441.09 (2) (c)~~ is not required to  
2 maintain in effect malpractice insurance.

3 **SECTION 43.** 252.01 (1c) of the statutes is repealed.

4 **SECTION 44.** 252.07 (8) (a) 2. of the statutes is amended to read:

5 252.07 (8) (a) 2. The department or local health officer provides to the court a  
6 written statement from a physician, physician assistant, or advanced practice  
7 registered nurse prescriber that the individual has infectious tuberculosis or suspect  
8 tuberculosis.

9 **SECTION 45.** 252.07 (9) (c) of the statutes is amended to read:

10 252.07 (9) (c) If the court orders confinement of an individual under this  
11 subsection, the individual shall remain confined until the department or local health  
12 officer, with the concurrence of a treating physician, physician assistant, or advanced  
13 practice registered nurse prescriber, determines that treatment is complete or that  
14 the individual is no longer a substantial threat to himself or herself or to the public  
15 health. If the individual is to be confined for more than 6 months, the court shall  
16 review the confinement every 6 months.

17 **SECTION 46.** 252.10 (7) of the statutes is amended to read:

18 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis  
19 shall be purchased by the department from the appropriation account under s.  
20 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local  
21 health departments, physicians, or advanced practice nurse prescribers registered  
22 nurses who have prescribing authority under s. 441.09 (2) (c).

23 **SECTION 47.** 252.11 (2), (4), (5), (7) and (10) of the statutes are amended to read:

24 252.11 (2) An officer of the department or a local health officer having  
25 knowledge of any reported or reasonably suspected case or contact of a sexually

1 transmitted disease for which no appropriate treatment is being administered, or of  
2 an actual contact of a reported case or potential contact of a reasonably suspected  
3 case, shall investigate or cause the case or contact to be investigated as necessary.  
4 If, following a request of an officer of the department or a local health officer, a person  
5 reasonably suspected of being infected with a sexually transmitted disease refuses  
6 or neglects examination by a physician, physician assistant, or advanced practice  
7 registered nurse ~~prescriber~~ or treatment, an officer of the department or a local  
8 health officer may proceed to have the person committed under sub. (5) to an  
9 institution or system of care for examination, treatment, or observation.

10 (4) If a person infected with a sexually transmitted disease ceases or refuses  
11 treatment before reaching what in a physician's, physician assistant's, or advanced  
12 practice nurse ~~prescriber's~~ registered nurse's opinion is the noncommunicable stage,  
13 the physician, physician assistant, or advanced practice registered nurse ~~prescriber~~  
14 shall notify the department. The department shall without delay take the necessary  
15 steps to have the person committed for treatment or observation under sub. (5), or  
16 shall notify the local health officer to take these steps.

17 (5) Any court of record may commit a person infected with a sexually  
18 transmitted disease to any institution or may require the person to undergo a system  
19 of care for examination, treatment, or observation if the person ceases or refuses  
20 examination, treatment, or observation under the supervision of a physician,  
21 physician assistant, or advanced practice registered nurse ~~prescriber~~. The court  
22 shall summon the person to appear on a date at least 48 hours, but not more than  
23 96 hours, after service if an officer of the department or a local health officer petitions  
24 the court and states the facts authorizing commitment. If the person fails to appear  
25 or fails to accept commitment without reasonable cause, the court may cite the

1 person for contempt. The court may issue a warrant and may direct the sheriff, any  
2 constable, or any police officer of the county immediately to arrest the person and  
3 bring the person to court if the court finds that a summons will be ineffectual. The  
4 court shall hear the matter of commitment summarily. Commitment under this  
5 subsection continues until the disease is no longer communicable or until other  
6 provisions are made for treatment that satisfy the department. The certificate of the  
7 petitioning officer is prima facie evidence that the disease is no longer communicable  
8 or that satisfactory provisions for treatment have been made.

9 (7) Reports, examinations and inspections, and all records concerning sexually  
10 transmitted diseases are confidential and not open to public inspection, and may not  
11 be divulged except as may be necessary for the preservation of the public health, in  
12 the course of commitment proceedings under sub. (5), or as provided under s. 938.296  
13 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered  
14 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the  
15 department under sub. (4), information regarding the presence of the disease and  
16 treatment is not privileged when the patient, physician, physician assistant, or  
17 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts  
18 before any court of record.

19 (10) The state laboratory of hygiene shall examine specimens for the diagnosis  
20 of sexually transmitted diseases for any physician, physician assistant, advanced  
21 practice registered nurse ~~prescriber~~, or local health officer in the state, and shall  
22 report the positive results of the examinations to the local health officer and to the  
23 department. All laboratories performing tests for sexually transmitted diseases  
24 shall report all positive results to the local health officer and to the department, with

1 the name of the physician, physician assistant, or advanced practice registered nurse  
2 ~~prescriber~~ to whom reported.

3 **SECTION 48.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3.  
4 and (7m) (intro.) and (b) of the statutes are amended to read:

5 252.15 **(3m)** (d) 11. b. The coroner, medical examiner, or appointed assistant  
6 is investigating the cause of death of the subject of the HIV test and has contact with  
7 the body fluid of the subject of the HIV test that constitutes a significant exposure,  
8 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,  
9 based on information provided to the physician, physician assistant, or advanced  
10 practice registered nurse ~~prescriber~~, determines and certifies in writing that the  
11 coroner, medical examiner, or appointed assistant has had a contact that constitutes  
12 a significant exposure and if the certification accompanies the request for disclosure.

13 13. If the subject of the HIV test has a positive HIV test result and is deceased,  
14 by the subject's attending physician, physician assistant, or advanced practice  
15 registered nurse ~~prescriber~~, to persons, if known to the physician, physician  
16 assistant, or advanced practice registered nurse ~~prescriber~~, with whom the subject  
17 had sexual contact or shared intravenous drug use paraphernalia.

18 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse  
19 ~~prescriber~~, based on information provided to the physician, physician assistant, or  
20 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing  
21 that the person has had contact that constitutes a significant exposure. The  
22 certification shall accompany the request for HIV testing and disclosure. If the  
23 person is a physician, physician assistant, or advanced practice registered nurse  
24 ~~prescriber~~, he or she may not make this determination or certification. The  
25 information that is provided to a physician, physician assistant, or advanced practice

1 ~~registered~~ nurse ~~prescriber~~ to document the occurrence of the contact that  
2 constitutes a significant exposure and the physician's, physician assistant's, or  
3 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person  
4 has had contact that constitutes a significant exposure, shall be provided on a report  
5 form that is developed by the department of safety and professional services under  
6 s. 101.02 (19) (a) or on a report form that the department of safety and professional  
7 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report  
8 form that is developed under s. 101.02 (19) (a).

9 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered  
10 nurse ~~prescriber~~, based on information provided to the physician, physician  
11 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies  
12 in writing that the contact under subd. 1. constitutes a significant exposure. A health  
13 care provider who has a contact under subd. 1. c. may not make the certification  
14 under this subdivision for himself or herself.

15 (e) 2. If the contact occurs as provided under par. (d) 1. b., the attending  
16 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ of  
17 the funeral director, coroner, medical examiner, or appointed assistant.

18 3. If the contact occurs as provided under par. (d) 1. c., the physician, physician  
19 assistant, or advanced practice registered nurse ~~prescriber~~ who makes the  
20 certification under par. (d) 2.

21 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,  
22 validated HIV test result is obtained from a test subject, the test subject's physician,  
23 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains  
24 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist  
25 the name of any person known to the physician, physician assistant, or advanced



1 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test  
2 subject that constitutes a significant exposure, only after the physician, physician  
3 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the  
4 following:

5 (b) Notified the HIV test subject that the name of any person known to the  
6 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ to  
7 have had contact with body fluid of the test subject that constitutes a significant  
8 exposure will be reported to the state epidemiologist.

9 **SECTION 49.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

10 252.16 (3) (c) (intro.) Has submitted to the department a certification from a  
11 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
12 registered nurse ~~prescriber~~ of all of the following:

13 **SECTION 50.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

14 252.17 (3) (c) (intro.) Has submitted to the department a certification from a  
15 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice  
16 registered nurse ~~prescriber~~ of all of the following:

17 **SECTION 51.** 253.07 (4) (d) of the statutes is amended to read:

18 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in  
19 communities of licensed registered nurses, licensed practical nurses, ~~certified~~  
20 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician  
21 assistants who are members of a racial minority.

22 **SECTION 52.** 253.115 (1) (f) of the statutes is created to read:

23 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an  
24 advanced practice registered nurse and possesses a certified nurse-midwife  
25 endorsement under s. 441.09.

1           **SECTION 53.** 253.115 (4) of the statutes is amended to read:

2           253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,  
3 nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife licensed  
4 under s. 440.982 who attended the birth shall ensure that the infant is screened for  
5 hearing loss before being discharged from a hospital, or within 30 days of birth if the  
6 infant was not born in a hospital.

7           **SECTION 54.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

8           253.115 (7) (a) (intro.) The physician, nurse-midwife ~~licensed under s. 441.15~~,  
9 or certified professional midwife licensed under s. 440.982 who is required to ensure  
10 that the infant is screened for hearing loss under sub. (4) shall do all of the following:

11           **SECTION 55.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and  
12 amended to read:

13           253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~  
14 nurse-midwife shall cause every infant born in each hospital or maternity home,  
15 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic  
16 disorders, as specified in rules promulgated by the department. If the infant is born  
17 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~  
18 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth  
19 shall cause the infant, within one week of birth, to be subjected to these tests.

20           **SECTION 56.** 253.13 (1) (a) of the statutes is created to read:

21           253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is  
22 licensed as an advanced practice registered nurse and possesses a certified  
23 nurse-midwife endorsement under s. 441.09.

24           **SECTION 57.** 253.15 (1) (em) of the statutes is created to read:

1           253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an  
2 advanced practice registered nurse and possesses a certified nurse-midwife  
3 endorsement under s. 441.09.

4           **SECTION 58.** 253.15 (2) of the statutes is amended to read:

5           253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or  
6 arrange with a nonprofit organization to prepare printed and audiovisual materials  
7 relating to shaken baby syndrome and impacted babies. The materials shall include  
8 information regarding the identification and prevention of shaken baby syndrome  
9 and impacted babies, the grave effects of shaking or throwing on an infant or young  
10 child, appropriate ways to manage crying, fussing, or other causes that can lead a  
11 person to shake or throw an infant or young child, and a discussion of ways to reduce  
12 the risks that can lead a person to shake or throw an infant or young child. The  
13 materials shall be prepared in English, Spanish, and other languages spoken by a  
14 significant number of state residents, as determined by the board. The board shall  
15 make those written and audiovisual materials available to all hospitals, maternity  
16 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or  
17 make available materials to parents under sub. (3) (a) 1., to the department and to  
18 all county departments and nonprofit organizations that are required to provide the  
19 materials to child care providers under sub. (4) (d), and to all school boards and  
20 nonprofit organizations that are permitted to provide the materials to pupils in one  
21 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make  
22 those written materials available to all county departments and Indian tribes that  
23 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers  
24 of prenatal, postpartum, and young child care coordination services under s. 49.45  
25 (44). The board may make available the materials required under this subsection

1 to be made available by making those materials available at no charge on the board's  
2 Internet site.

3 **SECTION 59.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)  
4 and amended to read:

5 255.06 (1) (f) (intro.) "~~Nurse practitioner~~" "Women's health nurse clinician"  
6 means ~~a~~ any of the following:

7 1. A registered nurse licensed under ch. 441 or in a party state, as defined in  
8 s. 441.50 (2) (j), whose practice of professional nursing under s. 441.001 (4) includes  
9 performance of delegated medical services under the supervision of a physician,  
10 dentist, ~~or podiatrist, or advanced practice registered nurse.~~

11 **SECTION 60.** 255.06 (1) (f) 2. of the statutes is created to read:

12 255.06 (1) (f) 2. An advanced practice registered nurse.

13 **SECTION 61.** 255.06 (2) (d) of the statutes is amended to read:

14 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*  
15 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for  
16 the provision of specialized training of ~~nurse practitioners~~ women's health nurse  
17 clinicians to perform, in rural areas, colposcopic examinations and follow-up  
18 activities for the treatment of cervical cancer.

19 **SECTION 62.** 255.07 (1) (d) of the statutes is amended to read:

20 255.07 (1) (d) "Health care practitioner" means a physician, a physician  
21 assistant licensed under s. 448.04 (1) (f), or an advanced practice registered nurse  
22 ~~who is certified to issue prescription orders under s. 441.16~~ has prescribing authority  
23 under s. 441.09 (2) (c).

24 **SECTION 63.** 257.01 (5) (a) and (b) of the statutes are amended to read:

1           257.01 (5) (a) An individual who is licensed as a physician, a physician  
2           assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed  
3           practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441,  
4           licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed  
5           as a veterinarian or certified as a veterinary technician under ch. 89, or certified as  
6           a respiratory care practitioner under ch. 448.

7           (b) An individual who was at any time within the previous 10 years, but is not  
8           currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448,  
9           licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced  
10          practice registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441,  
11          2015 stats., licensed as a dentist under ch. 447, licensed as a pharmacist under ch.  
12          450, licensed as a veterinarian or certified as a veterinary technician under ch. 89,  
13          or certified as a respiratory care practitioner under ch. 448, if the individual's license  
14          or certification was never revoked, limited, suspended, or denied renewal.

15          **SECTION 64.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended to  
16          read:

17          341.14 (1a) If any resident of this state, who is registering or has registered an  
18          automobile, or a motor truck, dual purpose motor home or dual purpose farm truck  
19          which has a gross weight of not more than 8,000 pounds, a farm truck which has a  
20          gross weight of not more than 12,000 pounds or a motor home, submits a statement  
21          once every 4 years, as determined by the department, from a physician licensed to  
22          practice medicine in any state, from an advanced practice registered nurse licensed  
23          to practice nursing in any state, from a public health nurse certified or licensed to  
24          practice in any state, from a physician assistant licensed or certified to practice in  
25          any state, from a podiatrist licensed to practice in any state, from a chiropractor

1 licensed to practice chiropractic in any state, or from a Christian Science practitioner  
2 residing in this state and listed in the Christian Science journal certifying to the  
3 department that the resident is a person with a disability that limits or impairs the  
4 ability to walk, the department shall procure, issue and deliver to the disabled  
5 person plates of a special design in lieu of plates which ordinarily would be issued  
6 for the vehicle, and shall renew the plates. The plates shall be so designed as to  
7 readily apprise law enforcement officers of the fact that the vehicle is owned by a  
8 nonveteran disabled person and is entitled to the parking privileges specified in s.  
9 346.50 (2a). No charge in addition to the registration fee shall be made for the  
10 issuance or renewal of such plates.

11 (1e) (a) If any resident of this state, who is registering or has registered a  
12 motorcycle, submits a statement once every 4 years, as determined by the  
13 department, from a physician licensed to practice medicine in any state, from an  
14 advanced practice registered nurse licensed to practice nursing in any state, from a  
15 public health nurse certified or licensed to practice in any state, from a physician  
16 assistant licensed or certified to practice in any state, from a podiatrist licensed to  
17 practice in any state, from a chiropractor licensed to practice chiropractic in any  
18 state, from a Christian Science practitioner residing in this state and listed in the  
19 Christian Science journal, or from the U.S. department of veterans affairs certifying  
20 to the department that the resident is a person with a disability that limits or impairs  
21 the ability to walk, the department shall procure, issue and deliver to the disabled  
22 person a plate of a special design in lieu of the plate which ordinarily would be issued  
23 for the motorcycle, and shall renew the plate. The statement shall state whether the  
24 disability is permanent or temporary and, if temporary, the opinion of the physician,  
25 advanced practice registered nurse, public health nurse, physician assistant,

1     podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the  
2     duration of the disability. The plate shall be so designed as to readily apprise law  
3     enforcement officers of the fact that the motorcycle is owned by a disabled person and  
4     is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
5     to the registration fee may be made for the issuance or renewal of the plate.

6           **(1m)** If any licensed driver submits to the department a statement once every  
7     4 years, as determined by the department, from a physician licensed to practice  
8     medicine in any state, from a public health nurse certified or licensed to practice in  
9     any state, from an advanced practice registered nurse licensed to practice nursing  
10    in any state, from a physician assistant licensed or certified to practice in any state,  
11    from a podiatrist licensed to practice in any state, from a chiropractor licensed to  
12    practice chiropractic in any state, or from a Christian Science practitioner residing  
13    in this state and listed in the Christian Science journal certifying that another  
14    person who is regularly dependent on the licensed driver for transportation is a  
15    person with a disability that limits or impairs the ability to walk, the department  
16    shall issue and deliver to the licensed driver plates of a special design in lieu of the  
17    plates which ordinarily would be issued for the automobile or motor truck, dual  
18    purpose motor home or dual purpose farm truck having a gross weight of not more  
19    than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds  
20    or motor home, and shall renew the plates. The plates shall be so designed as to  
21    readily apprise law enforcement officers of the fact that the vehicle is operated by a  
22    licensed driver on whom a disabled person is regularly dependent and is entitled to  
23    the parking privileges specified in s. 346.50 (2a). No charge in addition to the  
24    registration fee may be made for the issuance or renewal of the plates. The plates  
25    shall conform to the plates required in sub. (1a).

1           **(1q)** If any employer who provides an automobile, or a motor truck, dual  
2 purpose motor home or dual purpose farm truck which has a gross weight of not more  
3 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000  
4 pounds or a motor home, for an employee's use submits to the department a  
5 statement once every 4 years, as determined by the department, from a physician  
6 licensed to practice medicine in any state, from an advanced practice registered  
7 nurse licensed to practice nursing in any state, from a public health nurse certified  
8 or licensed to practice in any state, from a physician assistant licensed or certified  
9 to practice in any state, from a podiatrist licensed to practice in any state, from a  
10 chiropractor licensed to practice chiropractic in any state, or from a Christian  
11 Science practitioner residing in this state and listed in the Christian Science journal  
12 certifying that the employee is a person with a disability that limits or impairs the  
13 ability to walk, the department shall issue and deliver to such employer plates of a  
14 special design in lieu of the plates which ordinarily would be issued for the vehicle,  
15 and shall renew the plates. The plates shall be so designed as to readily apprise law  
16 enforcement officers of the fact that the vehicle is operated by a disabled person and  
17 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition  
18 to the registration fee may be made for the issuance or renewal of the plates. The  
19 plates shall conform to the plates required in sub. (1a).

20           **SECTION 65.** 343.16 (5) (a) of the statutes is amended to read:

21           343.16 **(5)** (a) The secretary may require any applicant for a license or any  
22 licensed operator to submit to a special examination by such persons or agencies as  
23 the secretary may direct to determine incompetency, physical or mental disability,  
24 disease, or any other condition that might prevent such applicant or licensed person  
25 from exercising reasonable and ordinary control over a motor vehicle. If the



1 department requires the applicant to submit to an examination, the applicant shall  
2 pay for the examination. If the department receives an application for a renewal or  
3 duplicate license after voluntary surrender under s. 343.265 or receives a report from  
4 a physician, physician assistant, as defined in s. 448.01 (6), advanced practice  
5 registered nurse prescriber certified under s. 441.16 (2) licensed under s. 441.09, or  
6 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests  
7 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or  
8 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally  
9 recognized American Indian tribe or band in this state in conformity with s. 346.63  
10 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09  
11 where the offense involved the use of a vehicle, the department shall determine, by  
12 interview or otherwise, whether the operator should submit to an examination under  
13 this section. The examination may consist of an assessment. If the examination  
14 indicates that education or treatment for a disability, disease or condition concerning  
15 the use of alcohol, a controlled substance or a controlled substance analog is  
16 appropriate, the department may order a driver safety plan in accordance with s.  
17 343.30 (1q). If there is noncompliance with assessment or the driver safety plan, the  
18 department shall revoke the person's operating privilege in the manner specified in  
19 s. 343.30 (1q) (d).

20 **SECTION 66.** 343.51 (1) of the statutes is amended to read:

21 343.51 (1) Any person who qualifies for registration plates of a special design  
22 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits  
23 or impairs the ability to walk may request from the department a special  
24 identification card that will entitle any motor vehicle parked by, or under the  
25 direction of, the person, or a motor vehicle operated by or on behalf of the

1 organization when used to transport such a person, to parking privileges under s.  
2 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined  
3 by the department, upon submission by the applicant, if the applicant is an  
4 individual rather than an organization, of a statement from a physician licensed to  
5 practice medicine in any state, from an advanced practice registered nurse licensed  
6 to practice nursing in any state, from a public health nurse certified or licensed to  
7 practice in any state, from a physician assistant licensed or certified to practice in  
8 any state, from a podiatrist licensed to practice in any state, from a chiropractor  
9 licensed to practice chiropractic in any state, or from a Christian Science practitioner  
10 residing in this state and listed in the Christian Science journal that the person is  
11 a person with a disability that limits or impairs the ability to walk. The statement  
12 shall state whether the disability is permanent or temporary and, if temporary, the  
13 opinion of the physician, advanced practice registered nurse, public health nurse,  
14 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the  
15 disability. The department shall issue the card upon application by an organization  
16 on a form prescribed by the department if the department believes that the  
17 organization meets the requirements under this subsection.

18 **SECTION 67.** 343.62 (4) (a) 4. of the statutes is amended to read:

19 343.62 (4) (a) 4. The applicant submits with the application a statement  
20 completed within the immediately preceding 24 months, except as provided by rule,  
21 by a physician licensed to practice medicine in any state, from an advanced practice  
22 registered nurse licensed to practice nursing in any state, from a physician assistant  
23 licensed or certified to practice in any state, from a podiatrist licensed to practice in  
24 any state, from a chiropractor licensed to practice chiropractic in any state, or from  
25 a Christian Science practitioner residing in this state, and listed in the Christian

1 Science journal certifying that, in the medical care provider's judgment, the  
2 applicant is physically fit to teach driving.

3 **SECTION 68.** 440.03 (13) (b) 3. of the statutes is repealed.

4 **SECTION 69.** 440.03 (13) (b) 39m. of the statutes is created to read:

5 440.03 (13) (b) 39m. Nurse, advanced practice registered.

6 **SECTION 70.** 440.03 (13) (b) 42. of the statutes is repealed.

7 **SECTION 71.** 440.08 (2) (a) 4m. of the statutes is repealed.

8 **SECTION 72.** 440.08 (2) (a) 47. of the statutes is created to read:

9 440.08 (2) (a) 47. Nurse, advanced practice registered: March 1 of each  
10 even-numbered year.

11 **SECTION 73.** 440.08 (2) (a) 50. of the statutes is repealed.

12 **SECTION 74.** 440.981 (1) of the statutes is amended to read:

13 440.981 (1) No person may use the title "licensed midwife," describe or imply  
14 that he or she is a licensed midwife, or represent himself or herself as a licensed  
15 midwife unless the person is granted a license under this subchapter or is licensed  
16 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and  
17 possesses a certified nurse-midwife endorsement under s. 441.09.

18 **SECTION 75.** 440.982 (1) of the statutes is amended to read:

19 440.982 (1) No person may engage in the practice of midwifery unless the  
20 person is granted a license under this subchapter, is granted a temporary permit  
21 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~  
22 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses  
23 a certified nurse-midwife endorsement under s. 441.09.

24 **SECTION 76.** 440.987 (2) of the statutes is amended to read:

1           440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~  
2           an advanced practice registered nurse and possesses a certified nurse-midwife  
3           endorsement under s. 441.09 and who practices in an out-of-hospital setting.

4           **SECTION 77.** 441.01 (7) (a) (intro.) and 1. of the statutes are amended to read:

5           441.01 (7) (a) (intro.) The board shall require each applicant for the renewal  
6           of a license, ~~certificate~~, or permit issued under this chapter to do all of the following  
7           as a condition for renewing the license, ~~certificate~~, or permit:

8           1. Complete and submit to the department with the application for renewal of  
9           the license, ~~certificate~~, or permit a nursing workforce survey developed by the  
10          department of workforce development under s. 106.30 (2).

11          **SECTION 78.** 441.01 (7) (b) of the statutes is amended to read:

12          441.01 (7) (b) The board may not renew a license, ~~certificate~~, or permit under  
13          this chapter unless the renewal applicant has completed the nursing workforce  
14          survey to the satisfaction of the board. The board shall establish standards to  
15          determine whether the survey has been completed. The board shall, by no later than  
16          June 30 of each odd-numbered year, submit all completed nursing workforce survey  
17          forms to the department of workforce development.

18          **SECTION 79.** 441.06 (3) of the statutes is amended to read:

19          441.06 (3) ~~A~~ Except as provided in s. 441.09 (3), a registered nurse practicing  
20          for compensation shall, on or before the applicable renewal date specified under s.  
21          440.08 (2) (a), submit to the board on furnished forms a statement giving name,  
22          residence, and other facts that the board requires, with the applicable renewal fee  
23          determined by the department under s. 440.03 (9) (a).

24          **SECTION 80.** 441.06 (7) of the statutes is renumbered 441.09 (5) and amended  
25          to read:

1           441.09 (5) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced practice  
2           registered nurse prescriber under s. 441.16 (2) this section is liable for civil damages  
3           for any of the following:

4           (a) Reporting in good faith to the department of transportation under s. 146.82  
5           (3) a patient's name and other information relevant to a physical or mental condition  
6           of the patient that in the advanced practice nurse-prescriber's registered nurse's  
7           judgment impairs the patient's ability to exercise reasonable and ordinary control  
8           over a motor vehicle.

9           (b) In good faith, not reporting to the department of transportation under s.  
10          146.82 (3) a patient's name and other information relevant to a physical or mental  
11          condition of the patient that in the advanced practice nurse-prescriber's registered  
12          nurse's judgment does not impair the patient's ability to exercise reasonable and  
13          ordinary control over a motor vehicle.

14          **SECTION 81.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended to  
15          read:

16          441.07 (**1g**) (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
17          board may deny an initial license or revoke, limit, suspend, or deny the renewal of  
18          a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,  
19          or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~  
20          ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~  
21          441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice  
22          registered nurse, or licensed practical nurse, if the board finds that the applicant or  
23          licensee committed any of the following:

24          (a) Fraud in the procuring or renewal of the ~~certificate or~~ license.

1 (c) Acts which show the registered nurse, ~~nurse-midwife~~ advanced practice  
2 registered nurse, or licensed practical nurse to be unfit or incompetent by reason of  
3 negligence, abuse of alcohol or other drugs, or mental incompetency.

4 (e) A violation of any state or federal law that regulates prescribing or  
5 dispensing drugs or devices, if the person ~~has a certificate to prescribe drugs or~~  
6 ~~devices under s. 441.16~~ is authorized to issue prescription orders under s. 441.09.

7 **SECTION 82.** 441.09 of the statutes is created to read:

8 **441.09 Advanced practice registered nurses. (1) DEFINITIONS.** In this  
9 section:

10 (a) “Advanced practice registered nursing” means practicing in one of the 4  
11 recognized roles based on advanced clinical knowledge and skills focusing on direct  
12 care of individuals, greater responsibility, autonomy, and accountability for the  
13 provision of care, health promotion and maintenance, management of patient  
14 conditions, and the use and prescription of pharmacological interventions.

15 (b) “Clinical pharmacology or therapeutics” means the identification of  
16 individual and classes of drugs, their indications and contraindications, their  
17 efficacy, their side effects and their interactions, as well as, clinical judgment skills  
18 and decision-making based on thorough interviewing, history-taking, physical  
19 assessment, test selection and interpretation, pathophysiology, epidemiology,  
20 diagnostic reasoning, differentiation of conditions, treatment decisions, case  
21 evaluation, and nonpharmacological interventions.

22 (c) “Practice of nurse-midwifery” means the management of women’s health  
23 care, pregnancy, childbirth, postpartum care for newborns, family planning, and  
24 gynecological services consistent with the standards of practice of the American

1 College of Nurse-Midwives and the education, training, and experience of the  
2 nurse-midwife.

3 (d) "Recognized role" means one of the following roles:

- 4 1. Certified nurse-midwife.
- 5 2. Certified registered nurse anesthetist.
- 6 3. Clinical nurse specialist.
- 7 4. Nurse practitioner.

8 **(2) INITIAL LICENSE.** (a) Any person who satisfies all of the following  
9 requirements may apply to the department for initial licensure by the board as an  
10 advanced practice registered nurse:

11 1. The person holds a valid license to practice as a registered nurse issued under  
12 s. 441.06 (1) or (1m) or applies concurrently for a license under s. 441.06 (1) or (1m)  
13 with the application for a license under this paragraph.

14 2. The person provides evidence satisfactory to the board that he or she satisfies  
15 one of the following criteria:

16 a. The person has completed an accredited graduate-level or  
17 postgraduate-level education program that prepares the person for the practice of  
18 advanced practice registered nursing.

19 b. On January 1, 2017, the person was licensed as a registered nurse in this  
20 state and was practicing in a recognized role, and the person satisfies additional  
21 criteria established by the board by rule under this subd. 2. b. relating to practice or  
22 education.

23 3. The person pays the fee specified under s. 440.05 (1).

24 4. The person provides evidence of malpractice liability insurance coverage as  
25 provided in sub. (7).

1           5. If the person is applying to receive a certified nurse-midwife endorsement  
2 under par. (b), the person provides evidence satisfactory to the board that the person  
3 is certified by the American Midwifery Certification Board.

4           (b) The board shall grant an advanced practice registered nurse license to a  
5 person the board determines meets the requirements under par. (a). The board shall  
6 also grant a person who receives a license under this paragraph one or more  
7 endorsements corresponding to the recognized roles for which the board determines  
8 that the person qualifies based on the person's education and experience under par.  
9 (a) 2. a. or b. and, if applicable, the person's certification under par. (a) 5. The board  
10 may not grant a license under this paragraph to a person applying concurrently for  
11 a license under s. 441.06 (1) or (1m), unless the board also grants the person a license  
12 to practice as a registered nurse.

13           (c) The board, upon application, shall also grant authority to issue prescription  
14 orders to a person who is granted a license under this subsection and who meets the  
15 education, training, and examination requirements established by the board for  
16 authority to issue prescription orders. The board shall maintain a register of all  
17 advanced practice registered nurses authorized to issue prescription orders under  
18 this paragraph. An advanced practice registered nurse with the authority to issue  
19 prescription orders under this paragraph may provide expedited partner therapy in  
20 the manner described in s. 448.035.

21           **(3) LICENSE RENEWAL.** On or before the applicable renewal date specified under  
22 s. 440.08 (2) (a), a person issued a license under sub. (2) shall submit to the board on  
23 a form furnished by the board a statement giving his or her name and residence, the  
24 nursing workforce survey and fee required under s. 441.01 (7), evidence of having  
25 satisfied the continuing education requirements under sub. (6), evidence of



1 malpractice liability insurance coverage as provided in sub. (7), and other  
2 information that the board requires by rule, with the applicable renewal fee  
3 determined by the department under s. 440.03 (9) (a). The board shall grant to a  
4 person who satisfies the requirements under this subsection the renewal of his or her  
5 advanced practice registered nurse license and endorsements granted under sub. (2)  
6 (b) and shall grant the renewal of his or her license to practice as a registered nurse.

7 (4) PRACTICE; TITLES. (a) 1. The holder of a license issued under this section is  
8 an “advanced practice registered nurse” and may append to his or her name the title  
9 “A.P.R.N.” and is authorized to practice advanced practice registered nursing.

10 2. The holder of an endorsement for a recognized role granted under sub. (2)  
11 (b) may append to his or her name the title and an abbreviation corresponding to that  
12 recognized role.

13 3. The holder of a certified nurse–midwife endorsement granted under sub. (2)  
14 (b) is a certified nurse–midwife and is authorized to engage in the practice of  
15 nurse–midwifery.

16 (b) 1. Except as provided in s. 257.03, no person may practice or attempt to  
17 practice advanced practice registered nursing, nor use the title “advanced practice  
18 registered nurse,” the title “A.P.R.N.,” or anything else to indicate that he or she is  
19 an advanced practice registered nurse unless he or she is licensed under this section.

20 2. Except as provided in s. 257.03, no person may do any of the following:

21 a. Use the title “certified nurse–midwife,” the title “C.N.M.,” or anything else  
22 to indicate that he or she is a certified nurse–midwife unless he or she has been  
23 granted a certified nurse–midwife endorsement under sub. (2) (b).

24 b. Engage in the practice of nurse–midwifery unless he or she has been granted  
25 a certified nurse–midwife endorsement under sub. (2) (b).

1           c. Use the title “certified registered nurse anesthetist,” the title “C.R.N.A.,” or  
2 anything else to indicate that he or she is a certified registered nurse anesthetist  
3 unless he or she has been granted a certified registered nurse anesthetist  
4 endorsement under sub. (2) (b).

5           d. Use the title “clinical nurse specialist,” the title “C.N.S.,” or anything else to  
6 indicate that he or she is a clinical nurse specialist unless he or she has been granted  
7 a clinical nurse specialist endorsement under sub. (2) (b).

8           e. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate  
9 that he or she is a nurse practitioner unless he or she has been granted a nurse  
10 practitioner endorsement under sub. (2) (b).

11           **(6) CONTINUING EDUCATION.** Every advanced practice registered nurse shall  
12 submit to the board evidence of having completed at least 16 contact hours per  
13 biennium in clinical pharmacology or therapeutics relevant to the advanced practice  
14 registered nurse’s area of practice. The hours required under this subsection must  
15 include at least 2 contact hours regarding best practices in prescribing controlled  
16 substances.

17           **(7) MALPRACTICE LIABILITY INSURANCE.** Every advanced practice registered  
18 nurse shall at all times have in effect malpractice liability insurance coverage in the  
19 minimum amounts required by the rules of the board. An advanced practice  
20 registered nurse shall submit evidence of that coverage to the board when applying  
21 for an initial license under this section or a renewal of a license under this section.  
22 An advanced practice registered nurse shall also submit such evidence to the board  
23 upon request of the board.

24           **(8) DELEGATION.** An advanced practice registered nurse who has authority to  
25 issue prescription orders may not delegate the act of issuing a prescription order to

1 any nurse who is not authorized to issue prescription orders. Nothing in this section  
2 prohibits a nurse from issuing a prescription order as an act delegated by a physician.

3 **(9) RULES.** The board shall promulgate rules necessary to administer this  
4 section, including rules for all of the following:

5 (a) Establishing the appropriate education, training, or experience  
6 requirements that a registered nurse must satisfy to be an advanced practice  
7 registered nurse and to qualify to be granted the authority to issue prescription  
8 orders under sub. (2) (c).

9 (b) Specifying the classes of drugs, individual drugs, or devices that may not  
10 be prescribed by an advanced practice registered nurse authorized to issue  
11 prescription orders under sub. (2) (c).

12 (c) Specifying the conditions to be met for registered nurses to do the following:

- 13 1. Administer a drug prescribed by an advanced practice registered nurse.  
14 2. Administer a drug at the direction of an advanced practice registered nurse.

15 **SECTION 83.** 441.11 (title) of the statutes is repealed.

16 **SECTION 84.** 441.11 (1) of the statutes is repealed.

17 **SECTION 85.** 441.11 (2) of the statutes is renumbered 441.09 (8m) and amended  
18 to read:

19 441.09 **(8m)** NURSE ANESTHETISTS. The provisions of s. 448.04 (1) (g) do not apply  
20 to a licensed advanced practice registered nurse who possesses a certified registered  
21 nurse anesthetist endorsement under this section.

22 **SECTION 86.** 441.11 (3) of the statutes is repealed.

23 **SECTION 87.** 441.15 of the statutes is repealed.

24 **SECTION 88.** 441.16 of the statutes is repealed.

25 **SECTION 89.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

1           441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified to issue~~  
2           prescription orders under s. 441.16 who has prescribing authority under s. 441.09 (2)  
3           (c) may do any of the following:

4           **SECTION 90.** 441.18 (2) (b) of the statutes is amended to read:

5           441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers  
6           an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid  
7           antagonist is prescribed has or has the capacity to provide the knowledge and  
8           training necessary to safely administer the opioid antagonist to an individual  
9           undergoing an opioid-related overdose and that the person demonstrates the  
10          capacity to ensure that any individual to whom the person further delivers the opioid  
11          antagonist has or receives that knowledge and training.

12          **SECTION 91.** 441.18 (3) of the statutes is amended to read:

13          441.18 (3) An advanced practice registered nurse who, acting in good faith,  
14          prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting  
15          in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall  
16          be immune from criminal or civil liability and may not be subject to professional  
17          discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,  
18          or dispensing the opioid antagonist.

19          **SECTION 92.** 448.03 (2) (a) of the statutes is amended to read:

20          448.03 (2) (a) Any person lawfully practicing within the scope of a license,  
21          permit, registration, certificate or certification granted to practice midwifery under  
22          subch. XIII of ch. 440, to practice professional ~~or~~ practical, or advanced practice  
23          registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice chiropractic under  
24          ch. 446, to practice dentistry or dental hygiene under ch. 447, to practice optometry

1 under ch. 449, to practice acupuncture under ch. 451 or under any other statutory  
2 provision, or as otherwise provided by statute.

3 **SECTION 93.** 448.035 (1) (a) of the statutes is repealed.

4 **SECTION 94.** 448.035 (2), (3) and (4) of the statutes are amended to read:

5 448.035 **(2)** Notwithstanding the requirements of s. 448.30, a physician,  
6 physician assistant, or ~~certified~~ advanced practice registered nurse prescriber who  
7 has prescribing authority under s. 441.09 (2) (c) may provide expedited partner  
8 therapy if the patient is diagnosed as infected with a chlamydial infection,  
9 gonorrhea, or trichomoniasis and the patient has had sexual contact with a sexual  
10 partner during which the chlamydial infection, gonorrhea, or trichomoniasis may  
11 have been transmitted to or from the sexual partner. The physician, physician  
12 assistant, or ~~certified~~ advanced practice registered nurse prescriber shall attempt to  
13 obtain the name of the patient's sexual partner. A prescription order for an  
14 antimicrobial drug prepared under this subsection shall include the name and  
15 address of the patient's sexual partner, if known. If the physician, physician  
16 assistant, or ~~certified~~ advanced practice registered nurse prescriber is unable to  
17 obtain the name of the patient's sexual partner, the prescription order shall include,  
18 in ordinary bold-faced capital letters, the words, "expedited partner therapy" or the  
19 letters "EPT."

20 **(3)** The physician, physician assistant, or ~~certified~~ advanced practice  
21 registered nurse prescriber shall provide the patient with a copy of the information  
22 sheet prepared by the department of health services under s. 46.03 (44) and shall  
23 request that the patient give the information sheet to the person with whom the  
24 patient had sexual contact.

1           (4) (a) Except as provided in par. (b), a physician, physician assistant, or  
2 ~~certified advanced practice~~ registered nurse ~~prescriber~~ is immune from civil liability  
3 for injury to or the death of a person who takes any antimicrobial drug if the  
4 antimicrobial drug is prescribed, dispensed, or furnished under this section and if  
5 expedited partner therapy is provided as specified under this section.

6           (b) The immunity under par. (a) does not extend to the donation, distribution,  
7 furnishing, or dispensing of an antimicrobial drug by a physician, physician  
8 assistant, or ~~certified advanced practice~~ registered nurse ~~prescriber~~ whose act or  
9 omission involves reckless, wanton, or intentional misconduct.

10           **SECTION 95.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

11           448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.  
12 448.52, a person may practice physical therapy only upon the written referral of a  
13 physician, physician assistant, chiropractor, dentist, podiatrist, or advanced practice  
14 registered nurse ~~prescriber~~ ~~certified under s. 441.16 (2)~~. Written referral is not  
15 required if a physical therapist provides services in schools to children with  
16 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the  
17 department of public instruction; provides services as part of a home health care  
18 agency; provides services to a patient in a nursing home pursuant to the patient's  
19 plan of care; provides services related to athletic activities, conditioning, or injury  
20 prevention; or provides services to an individual for a previously diagnosed medical  
21 condition after informing the individual's physician, physician assistant,  
22 chiropractor, dentist, podiatrist, or advanced practice registered nurse ~~prescriber~~  
23 ~~certified under s. 441.16 (2)~~ who made the diagnosis. The examining board may  
24 promulgate rules establishing additional services that are excepted from the written  
25 referral requirements of this subsection.

1           **(1m)** (b) The examining board shall promulgate rules establishing the  
2 requirements that a physical therapist must satisfy if a physician, physician  
3 assistant, chiropractor, dentist, podiatrist, or advanced practice registered nurse  
4 ~~prescriber~~ makes a written referral under sub. (1). The purpose of the rules shall be  
5 to ensure continuity of care between the physical therapist and the health care  
6 practitioner.

7           **SECTION 96.** 448.67 (2) of the statutes is amended to read:

8           448.67 **(2)** SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a licensee  
9 who renders any podiatric service or assistance, or gives any podiatric advice or any  
10 similar advice or assistance, to any patient, podiatrist, physician, physician  
11 assistant, advanced practice registered nurse ~~prescriber~~ ~~certified under s. 441.16 (2)~~,  
12 partnership, or corporation, or to any other institution or organization, including a  
13 hospital, for which a charge is made to a patient, shall, except as authorized by  
14 Title 18 or Title 19 of the federal Social Security Act, render an individual statement  
15 or account of the charge directly to the patient, distinct and separate from any  
16 statement or account by any other podiatrist, physician, physician assistant,  
17 advanced practice registered nurse ~~prescriber~~, or other person.

18           **SECTION 97.** 448.956 (1m) of the statutes is amended to read:

19           448.956 **(1m)** Subject to sub. (1) (a), a licensee may provide athletic training  
20 to an individual without a referral, except that a licensee may not provide athletic  
21 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation  
22 setting unless the licensee has obtained a written referral for the individual from a  
23 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;  
24 under ch. 446; or under s. ~~441.16 (2)~~ 441.09.

25           **SECTION 98.** 450.01 (1m) of the statutes is repealed.

**SECTION 99**

1           **SECTION 99.** 450.01 (16) (h) 2. of the statutes is amended to read:

2           450.01 (16) (h) 2. The patient's advanced practice registered nurse ~~prescriber,~~  
3 if the advanced practice registered nurse ~~prescriber has entered into a written~~  
4 ~~agreement to collaborate with a physician~~ has prescribing authority under s. 441.09  
5 (2) (c).

6           **SECTION 100.** 450.01 (16) (hr) 2. of the statutes is amended to read:

7           450.01 (16) (hr) 2. An advanced practice registered nurse ~~prescriber~~ who has  
8 prescribing authority under s. 441.09 (2) (c).

9           **SECTION 101.** 450.03 (1) (e) of the statutes is amended to read:

10          450.03 (1) (e) Any person lawfully practicing within the scope of a license,  
11 permit, registration, certificate, or certification granted to provide home medical  
12 oxygen under s. 450.076, to practice professional ~~or~~ practical, or advanced practice  
13 registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice dentistry or dental  
14 hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice  
15 optometry under ch. 449 or to practice veterinary medicine under ch. 89, or as  
16 otherwise provided by statute.

17          **SECTION 102.** 450.11 (1i) (a) 1. of the statutes is amended to read:

18          450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the  
19 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.  
20 441.18 (2) (a) 1., or of a physician or physician assistant under s. 448.037 (2) (a) 1.,  
21 that complies with the requirements of sub. (1), deliver an opioid antagonist to a  
22 person specified in the prescription order and may, upon and in accordance with the  
23 standing order of an advanced practice registered nurse ~~prescriber~~ under s. 441.18  
24 (2) (a) 2., or of a physician or physician assistant under s. 448.037 (2) (a) 2., that  
25 complies with the requirements of sub. (1), deliver an opioid antagonist to an



1 individual in accordance with the order. The pharmacist shall provide a consultation  
2 in accordance with rules promulgated by the board for the delivery of a prescription  
3 to the person to whom the opioid antagonist is delivered.

4 **SECTION 103.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

5 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only  
6 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in  
7 accordance with his or her other legal authority to dispense prescription drugs.

8 **SECTION 104.** 450.11 (7) (b) of the statutes is amended to read:

9 450.11 (7) (b) Information communicated to a physician, physician assistant,  
10 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully  
11 a prescription drug or the administration of a prescription drug is not a privileged  
12 communication.

13 **SECTION 105.** 450.11 (8) (e) of the statutes is amended to read:

14 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced  
15 practice nurse ~~prescribers~~ registered nurses.

16 **SECTION 106.** 450.13 (5) (b) of the statutes is amended to read:

17 450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the  
18 advanced practice registered nurse ~~prescriber~~ has entered into a written agreement  
19 ~~to collaborate with a physician~~ has prescribing authority under s. 441.09 (2) (c).

20 **SECTION 107.** 462.04 of the statutes is amended to read:

21 **462.04 Prescription or order required.** A person who holds a license or  
22 limited X-ray machine operator permit under this chapter may not use diagnostic  
23 X-ray equipment on humans for diagnostic purposes unless authorized to do so by  
24 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed  
25 under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed

1 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.  
2 441.16 (2) 441.09, a physician assistant licensed under s. 448.04 (1) (f), or, subject to  
3 s. 448.56 (7) (a), a physical therapist licensed under s. 448.53.

4 **SECTION 108.** 655.001 (7t) of the statutes is amended to read:

5 655.001 (7t) "Health care practitioner" means a health care professional, as  
6 defined in s. 180.1901 (1m), who is an employee of a health care provider described  
7 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care  
8 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b) or under~~  
9 the direction and supervision of a physician or nurse anesthetist.

10 **SECTION 109.** 655.001 (9) of the statutes is amended to read:

11 655.001 (9) "Nurse anesthetist" means ~~a nurse~~ an individual who is licensed  
12 ~~under ch. 441 or in a party state, as defined in s. 441.50 (2) (j), who is certified as a~~  
13 ~~nurse anesthetist by the American association of nurse anesthetists~~ as an advanced  
14 practice registered nurse and possesses a certified registered nurse anesthetist  
15 endorsement under s. 441.09.

16 **SECTION 110.** 655.005 (2) (a) of the statutes is amended to read:

17 655.005 (2) (a) An employee of a health care provider if the employee is a  
18 physician or a nurse anesthetist or is a health care practitioner who is providing  
19 health care services that are not ~~in collaboration with a physician under s. 441.15 (2)~~  
20 ~~(b) or under the direction and supervision of a physician or nurse anesthetist.~~

21 **SECTION 111.** 961.01 (19) (a) of the statutes is amended to read:

22 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,  
23 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.21  
24 (3), a physician assistant, or other person licensed, registered, certified or otherwise  
25 permitted to distribute, dispense, conduct research with respect to, administer or use

1 in teaching or chemical analysis a controlled substance in the course of professional  
2 practice or research in this state.

3 **SECTION 112.** 961.395 of the statutes is amended to read:

4 **961.395 Limitation on advanced practice registered nurses.** (1) An  
5 advanced practice registered nurse ~~who is certified under s. 441.16~~ who has  
6 prescribing authority under s. 441.09 (2) (c) may prescribe controlled substances only  
7 as permitted by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (9).

8 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ shall  
9 include with each prescription order the advanced practice registered nurse  
10 ~~prescriber certification number~~ identifier issued to him or her by the board of  
11 nursing.

12 (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who has  
13 prescribing authority under s. 441.09 (2) (c) may dispense a controlled substance only  
14 by prescribing or administering the controlled substance or as otherwise permitted  
15 by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (9).

16 **SECTION 113. Effective date.**

17 (1) This act takes effect on March 1, 2020.

18

(END)