

2019 APRN Modernization Act
For education purposes only



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0429/1
MED&TJD:emw&kjf

2019 ASSEMBLY BILL 267

June 7, 2019 - Introduced by Representatives ROHRKASTE, SUBECK, MAGNAFICI, ANDERSON, BOWEN, BRANDTJEN, BROSTOFF, DUCHOW, EMERSON, GUNDRUM, HUTTON, KITCHENS, KUGLITSCH, KULP, KURTZ, L. MYERS, MURSAU, NEUBAUER, NOVAK, OTT, PETERSEN, QUINN, RIEMER, SINICKI, SKOWRONSKI, SPIROS, STEFFEN, TUSLER, VRUWINK and WICHGERS, cosponsored by Senators LEMAHIEU, RINGHAND, TESTIN, CARPENTER, HANSEN, KOOYENGA, MARKLEIN, OLSEN, RISSER, SCHACHTNER, WANGGAARD and WIRCH. Referred to Committee on Health.

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) 42., 440.08 (2) (a) 50., 441.11 (title), 441.11 (1), 441.11
3 (3), 441.15, 441.16, 441.19, 448.035 (1) (a) and 450.01 (1m); **to renumber and**
4 **amend** 253.13 (1), 255.06 (1) (d), 441.06 (7) and 441.11 (2); **to amend** 14.87
5 (title), 29.193 (1m) (a) 2. (intro.), 29.193 (2) (b) 2., 29.193 (2) (c) 3., 29.193 (2) (cd)
6 2. b., 29.193 (2) (cd) 2. c., 29.193 (2) (e), 29.193 (3) (a), 45.40 (1g) (a), 46.03 (44),
7 50.08 (2), 50.09 (1) (a) (intro.), 50.09 (1) (f) 1., 50.09 (1) (h), 50.09 (1) (k), 50.49
8 (1) (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 4., 97.59, 102.13
9 (1) (a), 102.13 (1) (b) (intro.), 1., 3. and 4., 102.13 (1) (d) 1., 2., 3. and 4., 102.13
10 (2) (a), 102.13 (2) (b), 102.17 (1) (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30
11 (1), 118.15 (3) (a), 118.25 (1) (a), 118.29 (1) (e), 118.2925 (3), 118.2925 (4) (c),
12 118.2925 (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)

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1 (intro.) and (b), 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d),
2 253.115 (4), 253.115 (7) (a) (intro.), 253.15 (2), 255.06 (2) (d), 255.07 (1) (d),
3 257.01 (5) (a) and (b), 341.14 (1a), (1e) (a), (1m) and (1q), 343.16 (5) (a), 343.51
4 (1), 343.62 (4) (a) 4., 440.03 (13) (b) 3., 440.08 (2) (a) 4m., 440.981 (1), 440.982
5 (1), 440.987 (2), 441.01 (3), 441.01 (4), 441.01 (7) (a) (intro.), 441.01 (7) (b),
6 441.06 (3), 441.06 (4), 441.07 (1g) (intro.), (a), (c) and (e), 441.10 (7), 441.18 (2)
7 (a) (intro.), 441.18 (2) (b), 441.18 (3), subchapter II (title) of chapter 441
8 [precedes 441.51], 441.51 (title), 448.03 (2) (a), 448.035 (2), (3) and (4), 448.56
9 (1) and (1m) (b), 448.62 (2m), 448.67 (2), 448.956 (1m), 450.01 (16) (h) 2., 450.01
10 (16) (hr) 2., 450.03 (1) (e), 450.11 (1i) (a) 1., 450.11 (1i) (b) 2. b., 450.11 (7) (b),
11 450.11 (8) (e), 450.13 (5) (b), 450.135 (7) (b), 462.04, 655.001 (7t), 655.001 (9),
12 655.005 (2) (a), 961.01 (19) (a) and 961.395; **to repeal and recreate** 441.06
13 (title); and **to create** 253.115 (1) (f), 253.13 (1) (a), 253.15 (1) (em), 255.06 (1)
14 (f) 2., 440.03 (13) (b) 39m., 440.08 (2) (a) 47., 441.001 (1c), 441.001 (1m), 441.001
15 (5), 441.01 (7) (c) and 441.09 of the statutes; **relating to:** advanced practice
16 registered nurses, extending the time limit for emergency rule procedures,
17 providing an exemption from emergency rule procedures, and granting
18 rule-making authority.

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

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an accredited graduate-level or postgraduate-level education program preparing the person to practice as an APRN in one of four recognized roles and hold a current national certification approved by the board; 3) possess malpractice liability insurance in an amount determined as provided in the bill; 4) pay a fee determined by the Department of Safety and Professional Services; and 5) satisfy certain other criteria specified in the bill. 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 specialty designations 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 specialty designations 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 a specialty designation for that role. However, the bill allows an APRN to delegate a task or order to another clinically trained health care worker if the task or order is within the scope of the APRN's practice, the APRN is competent to perform the task or issue the order, and the APRN has reasonable evidence that the health care worker is minimally competent to perform the task or issue the order under the circumstances. The bill requires an APRN to adhere to professional standards when managing situations that are beyond the advanced practice nurse's expertise.

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 all APRNs to complete continuing education requirements each biennium in clinical pharmacology or therapeutics relevant to the APRN's area of practice and to satisfy certain other requirements when renewing a license.

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. 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 specialty designation, except that the bill also requires that a person applying for a certified nurse-midwife specialty designation be certified by a national certifying body approved by the board.

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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. An RN holding a certificate is subject to various practice requirements and limitations 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 replaces them with permits to issue prescription orders. The bill allows the holder of an APRN license to apply for a permit or for an applicant for an APRN license to apply for a permit concurrently with his or her APRN license application. The bill requires the board to establish the appropriate education, training, or experience requirements that a registered nurse must satisfy to be granted a permit to issue prescription orders. As under current law, an APRN holding a permit is subject to various practice requirements and limitations established by the board.

The bill repeals a provision concerning the ability of advanced practice nurses who are certified to issue prescription orders and who are required to work in collaboration with or under the supervision of a physician to obtain and practice under a federal waiver to dispense narcotic drugs to individuals for addiction treatment.

OTHER CHANGES

The bill makes numerous other changes throughout the statutes relating to APRNs and APRN prescribers, including various terminology changes and technical changes relating to the Nurse Licensure Compact.

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

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

1 **SECTION 1.** 14.87 (title) of the statutes is amended to read:

2 **14.87** (title) ~~Enhanced nurse~~ **Nurse licensure compact.**

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

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

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

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

8 **SECTION 4.** 29.193 (2) (c) 3. of the statutes is amended to read:

9 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
10 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
11 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
12 applicant and the recommendation of a licensed physician, a licensed physician
13 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed
14 advanced practice registered nurse ~~prescriber~~ selected by the applicant from a list
15 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed
16 podiatrists, and ~~certified~~ licensed advanced practice nurse ~~prescribers~~ registered
17 nurses compiled by the department, the department finds that issuance of a permit
18 complies with the intent of this subsection. The use of this review procedure is
19 discretionary with the department and all costs of the review procedure shall be paid
20 by the applicant.

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

22 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function
23 in one or both arms and fails to meet the minimum standards of the standard upper
24 extremity pinch test, the standard grip test, or the standard nine-hole peg test,
25 administered under the direction of a licensed physician, a licensed physician

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1 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered
2 nurse ~~prescriber~~.

3 **SECTION 6.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

4 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in
5 one or both shoulders and fails to meet the minimum standards of the standard
6 shoulder strength test, administered under the direction of a licensed physician, a
7 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced
8 practice registered nurse ~~prescriber~~.

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

10 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this
11 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
12 a licensed physician, a licensed physician assistant, a licensed chiropractor, a
13 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse
14 ~~prescriber~~ designated by the department and with an office located in the
15 department district in which the applicant resides. The department shall pay for the
16 cost of a review under this paragraph unless the denied application on its face fails
17 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is
18 the only method of review of a decision to deny a permit under this subsection and
19 is not subject to further review under ch. 227.

20 **SECTION 8.** 29.193 (3) (a) of the statutes is amended to read:

21 29.193 (3) (a) Produces a certificate from a licensed physician, a licensed
22 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice
23 registered nurse ~~prescriber~~ stating that his or her sight is impaired to the degree that
24 he or she cannot read ordinary newspaper print with or without corrective glasses.

25 **SECTION 9.** 45.40 (1g) (a) of the statutes is amended to read:

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1 45.40 **(1g)** (a) “Health care provider” means an advanced practice registered
2 nurse ~~prescriber-certified~~ who holds a permit to issue prescription orders under s.
3 ~~441.16~~ 441.09 (2), an audiologist licensed under ch. 459, a dentist licensed under ch.
4 447, an optometrist licensed under ch. 449, a physician licensed under s. 448.02, or
5 a podiatrist licensed under s. 448.63.

6 **SECTION 10.** 46.03 (44) of the statutes is amended to read:

7 46.03 **(44)** SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION. Prepare and
8 keep current an information sheet to be distributed to a patient by a physician, a
9 physician assistant, or ~~certified~~ an advanced practice registered nurse prescriber
10 who holds a permit to issue prescription orders under s. 441.09 (2) providing
11 expedited partner therapy to that patient under s. 448.035. The information sheet
12 shall include information about sexually transmitted diseases and their treatment
13 and about the risk of drug allergies. The information sheet shall also include a
14 statement advising a person with questions about the information to contact his or
15 her physician, pharmacist, or local health department, as defined in s. 250.01 (4).

16 **SECTION 11.** 50.01 (1b) of the statutes is repealed.

17 **SECTION 12.** 50.08 (2) of the statutes is amended to read:

18 50.08 **(2)** A physician, an advanced practice registered nurse ~~prescriber~~
19 ~~certified~~ who holds a permit to issue prescription orders under s. ~~441.16~~ 441.09 (2),
20 or a physician assistant licensed under ch. 448, who prescribes a psychotropic
21 medication to a nursing home resident who has degenerative brain disorder shall
22 notify the nursing home if the prescribed medication has a boxed warning under 21
23 CFR 201.57.

24 **SECTION 13.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

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1 50.09 (1) (a) (intro.) Private and unrestricted communications with the
2 resident's family, physician, physician assistant, advanced practice registered nurse
3 ~~prescriber~~, attorney, and any other person, 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, except that
6 communications with public officials or with the resident's attorney shall not be
7 restricted in any event. The right to private and unrestricted communications shall
8 include, but is not limited to, the right to:

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

10 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses
11 or both domestic partners under ch. 770 are residents of the same facility, the spouses
12 or domestic partners shall be permitted to share a room unless medically
13 contraindicated as documented by the resident's physician, physician assistant, or
14 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

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

16 50.09 (1) (h) Meet with, and participate in activities of social, religious, and
17 community groups at the resident's discretion, unless medically contraindicated as
18 documented by the resident's physician, physician assistant, or advanced practice
19 registered nurse ~~prescriber~~ in the resident's medical record.

20 **SECTION 16.** 50.09 (1) (k) of the statutes is amended to read:

21 50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical
22 and physical restraints except as authorized in writing by a physician, physician
23 assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and
24 limited period of time and documented in the resident's medical record. Physical
25 restraints may be used in an emergency when necessary to protect the resident from

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1 injury to himself or herself or others or to property. However, authorization for
2 continuing use of the physical restraints shall be secured from a physician, physician
3 assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use
4 of physical restraints shall be noted in the resident's medical records. "Physical
5 restraints" includes, but is not limited to, any article, device, or garment that
6 interferes with the free movement of the resident and that the resident is unable to
7 remove easily, and confinement in a locked room.

8 **SECTION 17.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

9 50.49 (1) (b) (intro.) "Home health services" means the following items and
10 services that are furnished to an individual, who is under the care of a physician,
11 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home
12 health agency, or by others under arrangements made by the home health agency,
13 that are under a plan for furnishing those items and services to the individual that
14 is established and periodically reviewed by a physician, physician assistant, or
15 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in
16 subd. 6., provided on a visiting basis in a place of residence used as the individual's
17 home:

18 **SECTION 18.** 51.41 (1d) (b) 4. of the statutes is amended to read:

19 51.41 (1d) (b) 4. A psychiatric mental health advanced practice registered
20 nurse who is suggested by the Milwaukee County board of supervisors. The
21 Milwaukee County board of supervisors shall solicit suggestions from organizations
22 including the Wisconsin Nurses Association for individuals who specialize in a full
23 continuum of behavioral health and medical services including emergency
24 detention, inpatient, residential, transitional, partial hospitalization, intensive
25 outpatient, and wraparound community-based services. The Milwaukee County

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1 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric
2 mental health advanced practice registered nurses for this board membership
3 position.

4 **SECTION 19.** 70.47 (8) (intro.) of the statutes is amended to read:

5 70.47 (8) HEARING. (intro.) The board shall hear upon oath all persons who
6 appear before it in relation to the assessment. Instead of appearing in person at the
7 hearing, the board may allow the property owner, or the property owner's
8 representative, at the request of either person, to appear before the board, under
9 oath, by telephone or to submit written statements, under oath, to the board. The
10 board shall hear upon oath, by telephone, all ill or disabled persons who present to
11 the board a letter from a physician, osteopath, physician assistant, as defined in s.
12 448.01 (6), or advanced practice registered nurse ~~prescriber certified under s. 441.16~~
13 ~~(2)~~ licensed under ch. 441 that confirms their illness or disability. At the request of
14 the property owner or the property owner's representative, the board may postpone
15 and reschedule a hearing under this subsection, but may not postpone and
16 reschedule a hearing more than once during the same session for the same property.
17 The board at such hearing shall proceed as follows:

18 **SECTION 20.** 77.54 (14) (f) 3. of the statutes is repealed.

19 **SECTION 21.** 77.54 (14) (f) 4. of the statutes is amended to read:

20 77.54 (14) (f) 4. An advanced practice registered nurse who holds a permit to
21 issue prescription orders under s. 441.09 (2).

22 **SECTION 22.** 97.59 of the statutes is amended to read:

23 **97.59 Handling foods.** No person in charge of any public eating place or other
24 establishment where food products to be consumed by others are handled may
25 knowingly employ any person handling food products who has a disease in a form

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1 that is communicable by food handling. If required by the local health officer or any
2 officer of the department for the purposes of an investigation, any person who is
3 employed in the handling of foods or is suspected of having a disease in a form that
4 is communicable by food handling shall submit to an examination by the officer or
5 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
6 designated by the officer. The expense of the examination, if any, shall be paid by the
7 person examined. Any person knowingly infected with a disease in a form that is
8 communicable by food handling who handles food products to be consumed by others
9 and any persons knowingly employing or permitting such a person to handle food
10 products to be consumed by others shall be punished as provided by s. 97.72.

11 **SECTION 23.** 102.13 (1) (a) of the statutes is amended to read:

12 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed
13 by an employee, the employee shall, upon the written request of the employee's
14 employer or worker's compensation insurer, submit to reasonable examinations by
15 physicians, chiropractors, psychologists, dentists, physician assistants, advanced
16 practice ~~nurse prescribers~~ registered nurses, or podiatrists provided and paid for by
17 the employer or insurer. No employee who submits to an examination under this
18 paragraph is a patient of the examining physician, chiropractor, psychologist,
19 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
20 podiatrist for any purpose other than for the purpose of bringing an action under ch.
21 655, unless the employee specifically requests treatment from that physician,
22 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
23 nurse ~~prescriber~~, or podiatrist.

24 **SECTION 24.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended to
25 read:

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

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

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

22 4. The employee's right to receive a copy of all reports of the examination that
23 are prepared by the examining physician, chiropractor, psychologist, dentist,
24 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or

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1 vocational expert immediately upon receipt of these reports by the employer or
2 worker's compensation insurer.

3 **SECTION 25.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

4 102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,
5 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational
6 expert who is present at any examination under par. (a) or (am) may be required to
7 testify as to the results of the examination.

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

13 3. Notwithstanding any statutory provisions except par. (e), any physician,
14 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
15 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any
16 condition or complaint reasonably related to the condition for which the claimant
17 claims compensation may furnish to the employee, employer, worker's compensation
18 insurer, department, or division information and reports relative to a compensation
19 claim.

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

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

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1 102.13 (2) (a) An employee who reports an injury alleged to be work-related
2 or files an application for hearing waives any physician-patient,
3 psychologist-patient, or chiropractor-patient privilege with respect to any condition
4 or complaint reasonably related to the condition for which the employee claims
5 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any
6 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
7 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
8 shall, within a reasonable time after written request by the employee, employer,
9 worker's compensation insurer, department, or division, or its representative,
10 provide that person with any information or written material reasonably related to
11 any injury for which the employee claims compensation.

12 **SECTION 27.** 102.13 (2) (b) of the statutes is amended to read:

13 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,
14 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or
15 health service provider shall furnish a legible, certified duplicate of the written
16 material requested under par. (a) in paper format upon payment of the actual costs
17 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or
18 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified
19 duplicate of that material in electronic format upon payment of \$26 per request. Any
20 person who refuses to provide certified duplicates of written material in the person's
21 custody that is requested under par. (a) shall be liable for reasonable and necessary
22 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in
23 enforcing the requester's right to the duplicates under par. (a).

24 **SECTION 28.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

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1 102.17 (1) (d) 1. The contents of certified medical and surgical reports by
2 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,
3 advanced practice nurse prescribers registered nurses, and chiropractors licensed in
4 and practicing in this state, and of certified reports by experts concerning loss of
5 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation
6 constitute prima facie evidence as to the matter contained in those reports, subject
7 to any rules and limitations the division prescribes. Certified reports of physicians,
8 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced
9 practice nurse prescribers registered nurses, and chiropractors, wherever licensed
10 and practicing, who have examined or treated the claimant, and of experts, if the
11 practitioner or expert consents to being subjected to cross-examination, also
12 constitute prima facie evidence as to the matter contained in those reports. Certified
13 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are
14 admissible as evidence of the diagnosis, necessity of the treatment, and cause and
15 extent of the disability. Certified reports by doctors of dentistry, physician
16 assistants, and advanced practice nurse prescribers registered nurses are
17 admissible as evidence of the diagnosis and necessity of treatment but not of the
18 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,
19 psychologist, chiropractor, physician assistant, advanced practice registered nurse
20 prescriber, or expert who knowingly makes a false statement of fact or opinion in a
21 certified report may be fined or imprisoned, or both, under s. 943.395.

22 2. The record of a hospital or sanatorium in this state that is satisfactory to the
23 division, established by certificate, affidavit, or testimony of the supervising officer
24 of the hospital or sanatorium, any other person having charge of the record, or a
25 physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced

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1 practice registered nurse ~~prescriber~~, or chiropractor to be the record of the patient
2 in question, and made in the regular course of examination or treatment of the
3 patient, constitutes prima facie evidence as to the matter contained in the record, to
4 the extent that the record is otherwise competent and relevant.

5 **SECTION 29.** 102.29 (3) of the statutes is amended to read:

6 102.29 (3) Nothing in this chapter shall prevent an employee from taking the
7 compensation that the employee may be entitled to under this chapter and also
8 maintaining a civil action against any physician, chiropractor, psychologist, dentist,
9 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist for
10 malpractice.

11 **SECTION 30.** 102.42 (2) (a) of the statutes is amended to read:

12 102.42 (2) (a) When the employer has notice of an injury and its relationship
13 to the employment, the employer shall offer to the injured employee his or her choice
14 of any physician, chiropractor, psychologist, dentist, physician assistant, advanced
15 practice registered nurse ~~prescriber~~, or podiatrist licensed to practice and practicing
16 in this state for treatment of the injury. By mutual agreement, the employee may
17 have the choice of any qualified practitioner not licensed in this state. In case of
18 emergency, the employer may arrange for treatment without tendering a choice.
19 After the emergency has passed the employee shall be given his or her choice of
20 attending practitioner at the earliest opportunity. The employee has the right to a
21 2nd choice of attending practitioner on notice to the employer or its insurance carrier.
22 Any further choice shall be by mutual agreement. Partners and clinics are
23 considered to be one practitioner. Treatment by a practitioner on referral from
24 another practitioner is considered to be treatment by one practitioner.

25 **SECTION 31.** 106.30 (1) of the statutes is amended to read:

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1 106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse
2 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse
3 licensed or permitted under s. 441.10, or an advanced practice registered nurse
4 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~
5 441.09.

6 **SECTION 32.** 118.15 (3) (a) of the statutes is amended to read:

7 118.15 (3) (a) Any child who is excused by the school board because the child
8 is temporarily not in proper physical or mental condition to attend a school program
9 but who can be expected to return to a school program upon termination or
10 abatement of the illness or condition. The school attendance officer may request the
11 parent or guardian of the child to obtain a written statement from a licensed
12 physician, dentist, chiropractor, optometrist, psychologist, physician assistant, or
13 ~~nurse practitioner, as defined in s. 255.06 (1) (d), or certified advanced practice~~
14 registered nurse prescriber or Christian Science practitioner living and residing in
15 this state, who is listed in the Christian Science Journal, as sufficient proof of the
16 physical or mental condition of the child. An excuse under this paragraph shall be
17 in writing and shall state the time period for which it is valid, not to exceed 30 days.

18 **SECTION 33.** 118.25 (1) (a) of the statutes is amended to read:

19 118.25 (1) (a) “Practitioner” means a person licensed as a physician or as a
20 physician assistant in any state or licensed as an advanced practice registered nurse
21 or certified as an advanced practice registered nurse prescriber in any state. In this
22 paragraph, “physician” has the meaning given in s. 448.01 (5).

23 **SECTION 34.** 118.29 (1) (e) of the statutes is amended to read:

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1 118.29 (1) (e) “Practitioner” means any physician, dentist, optometrist,
2 physician assistant, advanced practice registered nurse prescriber with prescribing
3 authority, or podiatrist licensed in any state.

4 **SECTION 35.** 118.2925 (1) (b) of the statutes is repealed.

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

6 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice
7 registered nurse prescriber who holds a permit to issue prescription orders under s.
8 441.09 (2), or a physician assistant may prescribe epinephrine auto-injectors in the
9 name of a school that has adopted a plan under sub. (2) (a), to be maintained by the
10 school for use under sub. (4).

11 **SECTION 37.** 118.2925 (4) (c) of the statutes is amended to read:

12 118.2925 (4) (c) Administer an epinephrine auto-injector to a pupil or other
13 person who the school nurse or designated school personnel in good faith believes is
14 experiencing anaphylaxis in accordance with a standing protocol from a physician,
15 an advanced practice registered nurse prescriber who holds a permit to issue
16 prescription orders under s. 441.09 (2), or a physician assistant, regardless of
17 whether the pupil or other person has a prescription for an epinephrine
18 auto-injector. If the pupil or other person does not have a prescription for an
19 epinephrine auto-injector, or the person who administers the epinephrine
20 auto-injector does not know whether the pupil or other person has a prescription for
21 an epinephrine auto-injector, the person who administers the epinephrine
22 auto-injector shall, as soon as practicable, report the administration by dialing the
23 telephone number “911” or, in an area in which the telephone number “911” is not
24 available, the telephone number for an emergency medical service provider.

25 **SECTION 38.** 118.2925 (5) of the statutes is amended to read:

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1 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF
2 MEDICINE. A school and its designated school personnel, and a physician, an advanced
3 practice registered nurse prescriber who holds a permit to issue prescription orders
4 under s. 441.09 (2), or a physician assistant who provides a prescription or standing
5 protocol for school epinephrine auto-injectors, are not liable for any injury that
6 results from the administration or self-administration of an epinephrine
7 auto-injector under this section, regardless of whether authorization was given by
8 the pupil's parent or guardian or by the pupil's physician, physician assistant, or
9 advanced practice registered nurse prescriber, unless the injury is the result of an
10 act or omission that constitutes gross negligence or willful or wanton misconduct.
11 The immunity from liability provided under this subsection is in addition to and not
12 in lieu of that provided under s. 895.48.

13 **SECTION 39.** 146.343 (1) (c) of the statutes is amended to read:

14 146.343 (1) (c) "Nurse-midwife" means an individual who is licensed ~~to engage~~
15 ~~in the practice of nurse-midwifery under s. 441.15 (3) (a)~~ as an advanced practice
16 registered nurse and possesses a certified nurse-midwife specialty designation
17 under s. 441.09.

18 **SECTION 40.** 146.82 (3) (a) of the statutes is amended to read:

19 146.82 (3) (a) Notwithstanding sub. (1), a physician, physician assistant, as
20 defined in s. 448.01 (6), or advanced practice registered nurse prescriber ~~certified~~
21 ~~under s. 441.16 (2)~~ licensed under s. 441.09 who treats a patient whose physical or
22 mental condition in the physician's, physician assistant's, or advanced practice ~~nurse~~
23 ~~prescriber's~~ registered nurse's judgment affects the patient's ability to exercise
24 reasonable and ordinary control over a motor vehicle may report the patient's name

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1 and other information relevant to the condition to the department of transportation
2 without the informed consent of the patient.

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

4 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental
5 hygienist under ch. 447, a registered nurse, practical nurse, or nurse-midwife
6 advanced practice registered nurse under ch. 441, an optometrist under ch. 449, a
7 physician assistant under ch. 448, a pharmacist under ch. 450, a chiropractor under
8 ch. 446, a podiatrist under subch. IV of ch. 448, or a physical therapist under subch.
9 III of ch. 448.

10 **SECTION 42.** 146.89 (1) (r) 3. of the statutes is repealed.

11 **SECTION 43.** 146.89 (1) (r) 8. of the statutes is amended to read:

12 146.89 (1) (r) 8. An advanced practice registered nurse who has holds a
13 certificate permit to issue prescription orders under s. ~~441.16~~ 441.09 (2).

14 **SECTION 44.** 146.89 (6) of the statutes is amended to read:

15 146.89 (6) (a) While serving as a volunteer health care provider under this
16 section, an advanced practice registered nurse who has holds a certificate permit to
17 issue prescription orders under s. ~~441.16~~ 441.09 (2) is considered to meet the
18 requirements of s. 655.23, if required to comply with s. 655.23.

19 (b) While serving as a volunteer health care provider under this section, an
20 advanced practice registered nurse who has holds a certificate permit to issue
21 prescription orders under s. ~~441.16~~ 441.09 (2) is not required to maintain in effect
22 malpractice insurance.

23 **SECTION 45.** 252.01 (1c) of the statutes is repealed.

24 **SECTION 46.** 252.07 (8) (a) 2. of the statutes is amended to read:

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1 252.07 (8) (a) 2. The department or local health officer provides to the court a
2 written statement from a physician, physician assistant, or advanced practice
3 registered nurse prescriber that the individual has infectious tuberculosis or suspect
4 tuberculosis.

5 **SECTION 47.** 252.07 (9) (c) of the statutes is amended to read:

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

13 **SECTION 48.** 252.10 (7) of the statutes is amended to read:

14 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
15 shall be purchased by the department from the appropriation account under s.
16 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local
17 health departments, physicians, or advanced practice ~~nurse prescribers~~ registered
18 nurses who hold a permit to issue prescription orders under s. 441.09 (2).

19 **SECTION 49.** 252.11 (2), (4), (5), (7) and (10) of the statutes are amended to read:

20 252.11 (2) An officer of the department or a local health officer having
21 knowledge of any reported or reasonably suspected case or contact of a sexually
22 transmitted disease for which no appropriate treatment is being administered, or of
23 an actual contact of a reported case or potential contact of a reasonably suspected
24 case, shall investigate or cause the case or contact to be investigated as necessary.
25 If, following a request of an officer of the department or a local health officer, a person

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1 reasonably suspected of being infected with a sexually transmitted disease refuses
2 or neglects examination by a physician, physician assistant, or advanced practice
3 registered nurse ~~prescriber~~ or treatment, an officer of the department or a local
4 health officer may proceed to have the person committed under sub. (5) to an
5 institution or system of care for examination, treatment, or observation.

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

13 (5) Any court of record may commit a person infected with a sexually
14 transmitted disease to any institution or may require the person to undergo a system
15 of care for examination, treatment, or observation if the person ceases or refuses
16 examination, treatment, or observation under the supervision of a physician,
17 physician assistant, or advanced practice registered nurse ~~prescriber~~. The court
18 shall summon the person to appear on a date at least 48 hours, but not more than
19 96 hours, after service if an officer of the department or a local health officer petitions
20 the court and states the facts authorizing commitment. If the person fails to appear
21 or fails to accept commitment without reasonable cause, the court may cite the
22 person for contempt. The court may issue a warrant and may direct the sheriff, any
23 constable, or any police officer of the county immediately to arrest the person and
24 bring the person to court if the court finds that a summons will be ineffectual. The
25 court shall hear the matter of commitment summarily. Commitment under this

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1 subsection continues until the disease is no longer communicable or until other
2 provisions are made for treatment that satisfy the department. The certificate of the
3 petitioning officer is prima facie evidence that the disease is no longer communicable
4 or that satisfactory provisions for treatment have been made.

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

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

23 **SECTION 50.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3.
24 and (7m) (intro.) and (b) of the statutes are amended to read:

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1 252.15 **(3m)** (d) 11. b. The coroner, medical examiner, or appointed assistant
2 is investigating the cause of death of the subject of the HIV test and has contact with
3 the body fluid of the subject of the HIV test that constitutes a significant exposure,
4 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,
5 based on information provided to the physician, physician assistant, or advanced
6 practice registered nurse ~~prescriber~~, determines and certifies in writing that the
7 coroner, medical examiner, or appointed assistant has had a contact that constitutes
8 a significant exposure and if the certification accompanies the request for disclosure.

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

14 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse
15 ~~prescriber~~, based on information provided to the physician, physician assistant, or
16 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing
17 that the person has had contact that constitutes a significant exposure. The
18 certification shall accompany the request for HIV testing and disclosure. If the
19 person is a physician, physician assistant, or advanced practice registered nurse
20 ~~prescriber~~, he or she may not make this determination or certification. The
21 information that is provided to a physician, physician assistant, or advanced practice
22 registered nurse ~~prescriber~~ to document the occurrence of the contact that
23 constitutes a significant exposure and the physician's, physician assistant's, or
24 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person
25 has had contact that constitutes a significant exposure, shall be provided on a report

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1 form that is developed by the department of safety and professional services under
2 s. 101.02 (19) (a) or on a report form that the department of safety and professional
3 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report
4 form that is developed under s. 101.02 (19) (a).

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

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

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

17 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,
18 validated HIV test result is obtained from a test subject, the test subject's physician,
19 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains
20 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist
21 the name of any person known to the physician, physician assistant, or advanced
22 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test
23 subject that constitutes a significant exposure, only after the physician, physician
24 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the
25 following:

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

5 **SECTION 51.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

6 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
7 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
8 registered nurse ~~prescriber~~ of all of the following:

9 **SECTION 52.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

10 252.17 (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 53.** 253.07 (4) (d) of the statutes is amended to read:

14 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
15 communities of licensed registered nurses, licensed practical nurses, ~~certified~~
16 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
17 assistants who are members of a racial minority.

18 **SECTION 54.** 253.115 (1) (f) of the statutes is created to read:

19 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an
20 advanced practice registered nurse and possesses a certified nurse-midwife
21 specialty designation under s. 441.09.

22 **SECTION 55.** 253.115 (4) of the statutes is amended to read:

23 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,
24 nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife licensed
25 under s. 440.982 who attended the birth shall ensure that the infant is screened for

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1 hearing loss before being discharged from a hospital, or within 30 days of birth if the
2 infant was not born in a hospital.

3 **SECTION 56.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

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

7 **SECTION 57.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
8 amended to read:

9 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
10 nurse-midwife shall cause every infant born in each hospital or maternity home,
11 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
12 disorders, as specified in rules promulgated by the department. If the infant is born
13 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~
14 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth
15 shall cause the infant, within one week of birth, to be subjected to these tests.

16 **SECTION 58.** 253.13 (1) (a) of the statutes is created to read:

17 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is
18 licensed as an advanced practice registered nurse and possesses a certified
19 nurse-midwife specialty designation under s. 441.09.

20 **SECTION 59.** 253.15 (1) (em) of the statutes is created to read:

21 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an
22 advanced practice registered nurse and possesses a certified nurse-midwife
23 specialty designation under s. 441.09.

24 **SECTION 60.** 253.15 (2) of the statutes is amended to read:

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1 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
2 arrange with a nonprofit organization to prepare printed and audiovisual materials
3 relating to shaken baby syndrome and impacted babies. The materials shall include
4 information regarding the identification and prevention of shaken baby syndrome
5 and impacted babies, the grave effects of shaking or throwing on an infant or young
6 child, appropriate ways to manage crying, fussing, or other causes that can lead a
7 person to shake or throw an infant or young child, and a discussion of ways to reduce
8 the risks that can lead a person to shake or throw an infant or young child. The
9 materials shall be prepared in English, Spanish, and other languages spoken by a
10 significant number of state residents, as determined by the board. The board shall
11 make those written and audiovisual materials available to all hospitals, maternity
12 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
13 make available materials to parents under sub. (3) (a) 1., to the department and to
14 all county departments and nonprofit organizations that are required to provide the
15 materials to child care providers under sub. (4) (d), and to all school boards and
16 nonprofit organizations that are permitted to provide the materials to pupils in one
17 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make
18 those written materials available to all county departments and Indian tribes that
19 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers
20 of prenatal, postpartum, and young child care coordination services under s. 49.45
21 (44). The board may make available the materials required under this subsection
22 to be made available by making those materials available at no charge on the board's
23 Internet site.

24 **SECTION 61.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
25 and amended to read:

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1 255.06 (1) (f) (intro.) “~~Nurse practitioner~~” “Women’s health nurse clinician”
2 means ~~a~~ any of the following:

3 1. A registered nurse who is licensed under ch. 441 or who holds a multistate
4 license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51
5 (2) (k), and whose practice of professional nursing under s. 441.001 (4) includes
6 performance of delegated medical services under the supervision of a physician,
7 dentist, ~~or podiatrist~~, or advanced practice registered nurse.

8 **SECTION 62.** 255.06 (1) (f) 2. of the statutes is created to read:

9 255.06 (1) (f) 2. An advanced practice registered nurse.

10 **SECTION 63.** 255.06 (2) (d) of the statutes is amended to read:

11 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*
12 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for
13 the provision of specialized training of ~~nurse practitioners~~ women’s health nurse
14 clinicians to perform, in rural areas, colposcopic examinations and follow-up
15 activities for the treatment of cervical cancer.

16 **SECTION 64.** 255.07 (1) (d) of the statutes is amended to read:

17 255.07 (1) (d) “Health care practitioner” means a physician, a physician
18 assistant licensed under s. 448.04 (1) (f), or an advanced practice registered nurse
19 who ~~is certified~~ holds a permit to issue prescription orders under s. ~~441.16~~ 441.09 (2).

20 **SECTION 65.** 257.01 (5) (a) and (b) of the statutes are amended to read:

21 257.01 (5) (a) An individual who is licensed as a physician, a physician
22 assistant, or a podiatrist under ch. 448, licensed as a registered nurse, licensed
23 practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441,
24 licensed as a dentist under ch. 447, licensed as a pharmacist under ch. 450, licensed

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1 as a veterinarian or certified as a veterinary technician under ch. 89, or certified as
2 a respiratory care practitioner under ch. 448.

3 (b) An individual who was at any time within the previous 10 years, but is not
4 currently, licensed as a physician, a physician assistant, or a podiatrist under ch. 448,
5 licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced
6 practice registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441,
7 2017 stats., licensed as a dentist under ch. 447, licensed as a pharmacist under ch.
8 450, licensed as a veterinarian or certified as a veterinary technician under ch. 89,
9 or certified as a respiratory care practitioner under ch. 448, if the individual's license
10 or certification was never revoked, limited, suspended, or denied renewal.

11 **SECTION 66.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended to
12 read:

13 341.14 (1a) If any resident of this state, who is registering or has registered an
14 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
15 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
16 gross weight of not more than 12,000 pounds or a motor home, submits a statement
17 once every 4 years, as determined by the department, from a physician licensed to
18 practice medicine in any state, from an advanced practice registered nurse licensed
19 to practice nursing in any state, from a public health nurse certified or licensed to
20 practice in any state, from a physician assistant licensed or certified to practice in
21 any state, from a podiatrist licensed to practice in any state, from a chiropractor
22 licensed to practice chiropractic in any state, or from a Christian Science practitioner
23 residing in this state and listed in the Christian Science journal certifying to the
24 department that the resident is a person with a disability that limits or impairs the
25 ability to walk, the department shall procure, issue and deliver to the disabled

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1 person plates of a special design in lieu of plates which ordinarily would be issued
2 for the vehicle, and shall renew the plates. The plates shall be so designed as to
3 readily apprise law enforcement officers of the fact that the vehicle is owned by a
4 nonveteran disabled person and is entitled to the parking privileges specified in s.
5 346.50 (2a). No charge in addition to the registration fee shall be made for the
6 issuance or renewal of such plates.

7 (1e) (a) If any resident of this state, who is registering or has registered a
8 motorcycle, submits a statement once every 4 years, as determined by the
9 department, from a physician licensed to practice medicine in any state, from an
10 advanced practice registered nurse licensed to practice nursing in any state, from a
11 public health nurse certified or licensed to practice in any state, from a physician
12 assistant licensed or certified to practice in any state, from a podiatrist licensed to
13 practice in any state, from a chiropractor licensed to practice chiropractic in any
14 state, from a Christian Science practitioner residing in this state and listed in the
15 Christian Science journal, or from the U.S. department of veterans affairs certifying
16 to the department that the resident is a person with a disability that limits or impairs
17 the ability to walk, the department shall procure, issue and deliver to the disabled
18 person a plate of a special design in lieu of the plate which ordinarily would be issued
19 for the motorcycle, and shall renew the plate. The statement shall state whether the
20 disability is permanent or temporary and, if temporary, the opinion of the physician,
21 advanced practice registered nurse, public health nurse, physician assistant,
22 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the
23 duration of the disability. The plate shall be so designed as to readily apprise law
24 enforcement officers of the fact that the motorcycle is owned by a disabled person and

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1 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
2 to the registration fee may be made for the issuance or renewal of the plate.

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

23 **(1q)** If any employer who provides an automobile, or a motor truck, dual
24 purpose motor home or dual purpose farm truck which has a gross weight of not more
25 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000

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1 pounds or a motor home, for an employee's use submits to the department a
2 statement once every 4 years, as determined by the department, from a physician
3 licensed to practice medicine in any state, from an advanced practice registered
4 nurse licensed to practice nursing in any state, from a public health nurse certified
5 or licensed to practice in any state, from a physician assistant licensed or certified
6 to practice in any state, from a podiatrist licensed to practice in any state, from a
7 chiropractor licensed to practice chiropractic in any state, or from a Christian
8 Science practitioner residing in this state and listed in the Christian Science journal
9 certifying that the employee is a person with a disability that limits or impairs the
10 ability to walk, the department shall issue and deliver to such employer plates of a
11 special design in lieu of the plates which ordinarily would be issued for the vehicle,
12 and shall renew the plates. The plates shall be so designed as to readily apprise law
13 enforcement officers of the fact that the vehicle is operated by a disabled person and
14 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
15 to the registration fee may be made for the issuance or renewal of the plates. The
16 plates shall conform to the plates required in sub. (1a).

17 **SECTION 67.** 343.16 (5) (a) of the statutes is amended to read:

18 343.16 (5) (a) The secretary may require any applicant for a license or any
19 licensed operator to submit to a special examination by such persons or agencies as
20 the secretary may direct to determine incompetency, physical or mental disability,
21 disease, or any other condition that might prevent such applicant or licensed person
22 from exercising reasonable and ordinary control over a motor vehicle. If the
23 department requires the applicant to submit to an examination, the applicant shall
24 pay for the examination. If the department receives an application for a renewal or
25 duplicate license after voluntary surrender under s. 343.265 or receives a report from

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

17 **SECTION 68.** 343.51 (1) of the statutes is amended to read:

18 343.51 (1) Any person who qualifies for registration plates of a special design
19 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits
20 or impairs the ability to walk may request from the department a special
21 identification card that will entitle any motor vehicle parked by, or under the
22 direction of, the person, or a motor vehicle operated by or on behalf of the
23 organization when used to transport such a person, to parking privileges under s.
24 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined
25 by the department, upon submission by the applicant, if the applicant is an

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

15 **SECTION 69.** 343.62 (4) (a) 4. of the statutes is amended to read:

16 343.62 (4) (a) 4. The applicant submits with the application a statement
17 completed within the immediately preceding 24 months, except as provided by rule,
18 by a physician licensed to practice medicine in any state, from an advanced practice
19 registered nurse licensed to practice nursing in any state, from a physician assistant
20 licensed or certified to practice in any state, from a podiatrist licensed to practice in
21 any state, from a chiropractor licensed to practice chiropractic in any state, or from
22 a Christian Science practitioner residing in this state, and listed in the Christian
23 Science journal certifying that, in the medical care provider's judgment, the
24 applicant is physically fit to teach driving.

25 **SECTION 70.** 440.03 (13) (b) 3. of the statutes is amended to read:

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1 440.03 (13) (b) 3. Advanced practice registered nurse ~~prescriber~~ permitted to
2 issue prescription orders.

3 **SECTION 71.** 440.03 (13) (b) 39m. of the statutes is created to read:

4 440.03 (13) (b) 39m. Nurse, advanced practice registered.

5 **SECTION 72.** 440.03 (13) (b) 42. of the statutes is repealed.

6 **SECTION 73.** 440.08 (2) (a) 4m. of the statutes is amended to read:

7 440.08 (2) (a) 4m. Advanced practice registered nurse ~~prescriber~~: ~~October~~
8 permitted to issue prescription orders: March 1 of each even-numbered year.

9 **SECTION 74.** 440.08 (2) (a) 47. of the statutes is created to read:

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

12 **SECTION 75.** 440.08 (2) (a) 50. of the statutes is repealed.

13 **SECTION 76.** 440.981 (1) of the statutes is amended to read:

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

19 **SECTION 77.** 440.982 (1) of the statutes is amended to read:

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

25 **SECTION 78.** 440.987 (2) of the statutes is amended to read:

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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 specialty designation under s. 441.09 and who practices in an out-of-hospital
4 setting.

5 **SECTION 79.** 441.001 (1c) of the statutes is created to read:

6 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice
7 registered nursing” means the advanced practice of nursing in one of the 4 recognized
8 roles based on advanced clinical knowledge and skills focusing on direct care of
9 individuals, greater responsibility, autonomy, and accountability for the provision of
10 care, health promotion and maintenance, including prescribing pharmacological
11 agents and therapeutics, and management of patient conditions.

12 **SECTION 80.** 441.001 (1m) of the statutes is created to read:

13 441.001 (1m) CLINICAL PHARMACOLOGY OR THERAPEUTICS. “Clinical
14 pharmacology or therapeutics” means the identification of individual and classes of
15 drugs, their indications and contraindications, their efficacy, their side effects, and
16 their interactions, as well as clinical judgment skills and decision-making based on
17 thorough interviewing, history taking, physical assessment, test selection and
18 interpretation, pathophysiology, epidemiology, diagnostic reasoning, differentiation
19 of conditions, treatment decisions, case evaluation, and nonpharmacological
20 interventions.

21 **SECTION 81.** 441.001 (5) of the statutes is created to read:

22 441.001 (5) RECOGNIZED ROLE. “Recognized role” means one of the following
23 roles:

24 (a) Certified nurse-midwife.

25 (b) Certified registered nurse anesthetist.

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1 (c) Clinical nurse specialist.

2 (d) Nurse practitioner.

3 **SECTION 82.** 441.01 (3) of the statutes is amended to read:

4 441.01 (3) The board may promulgate rules to establish minimum standards
5 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and
6 schools for advanced practice registered nurses, including all related clinical units
7 and facilities, and make and provide periodic surveys and consultations to such
8 schools. ~~It~~ The board may also ~~establish~~ promulgate rules to prevent unauthorized
9 persons from practicing professional nursing. ~~It shall approve all rules for the~~
10 ~~administration of this chapter in accordance with ch. 227.~~

11 **SECTION 83.** 441.01 (4) of the statutes is amended to read:

12 441.01 (4) The board shall direct that those schools that qualify be placed on
13 a list of schools the board has approved for professional nurses ~~or~~, of schools the board
14 has approved for licensed practical nurses, or of schools the board has approved for
15 advanced practice registered nurses on application and proof of qualifications, ~~and~~
16 the board shall make a study of nursing education and ~~initiate~~ promulgate rules and
17 policies to improve it.

18 **SECTION 84.** 441.01 (7) (a) (intro.) of the statutes is amended to read:

19 441.01 (7) (a) (intro.) The board shall require each applicant for the renewal
20 of a registered nurse ~~or~~, licensed practical nurse, or advanced practice registered
21 license issued under this chapter to do all of the following as a condition for renewing
22 the license:

23 **SECTION 85.** 441.01 (7) (b) of the statutes is amended to read:

24 441.01 (7) (b) The board may not renew a registered nurse ~~or~~, licensed practical
25 nurse, or advanced practice registered license under this chapter unless the renewal

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1 applicant has completed the nursing workforce survey to the satisfaction of the
2 board. The board shall establish standards to determine whether the survey has
3 been completed. The board shall, by no later than June 30 of each odd-numbered
4 year, submit all completed nursing workforce survey forms to the department of
5 workforce development.

6 **SECTION 86.** 441.01 (7) (c) of the statutes is created to read:

7 441.01 (7) (c) An applicant who is renewing both a registered nurse and
8 advanced practice registered nurse license under s. 441.09 (1) (d) is only required to
9 pay a single fee under par. (a) 2.

10 **SECTION 87.** 441.06 (title) of the statutes is repealed and recreated to read:

11 **441.06 (title) Registered nurses; civil liability exemption.**

12 **SECTION 88.** 441.06 (3) of the statutes is amended to read:

13 441.06 (3) ~~A~~ Except as provided in s. 441.09 (1) (d), a registered nurse
14 practicing for compensation shall, on or before the applicable renewal date specified
15 under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving
16 name, residence, and other facts that the board requires, with the nursing workforce
17 survey and fee required under s. 441.01 (7) and the applicable renewal fee
18 determined by the department under s. 440.03 (9) (a).

19 **SECTION 89.** 441.06 (4) of the statutes is amended to read:

20 441.06 (4) Except as provided in s. 257.03, no person may practice or attempt
21 to practice professional nursing, nor use the title, letters, or anything else to indicate
22 that he or she is a registered or professional nurse unless he or she is licensed under
23 this section. Except as provided in s. 257.03, no person not so licensed may use in
24 connection with his or her nursing employment or vocation any title or anything else
25 to indicate that he or she is a trained, certified or graduate nurse. This subsection

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1 does not apply to any registered nurse who holds a multistate license, as defined in
2 s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted the
3 ~~enhanced~~ nurse licensure compact under s. 441.51.

4 **SECTION 90.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended
5 to read:

6 441.09 (7) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced practice
7 registered nurse ~~prescriber~~ under s. 441.16 (2) this section is liable for civil damages
8 for any of the following:

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

14 (b) In good faith, not reporting to the department of transportation under s.
15 146.82 (3) a patient's name and other information relevant to a physical or mental
16 condition of the patient that in the advanced practice ~~nurse-prescriber's~~ registered
17 nurse's judgment does not impair the patient's ability to exercise reasonable and
18 ordinary control over a motor vehicle.

19 **SECTION 91.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended to
20 read:

21 441.07 (1g) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
22 board may deny an initial license or revoke, limit, suspend, or deny the renewal of
23 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
24 or licensed practical nurse; deny an initial ~~certificate~~ permit to issue prescription
25 orders under s. 441.09 (2) or revoke, limit, suspend, or deny the renewal of a

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1 ~~certificate permit to prescribe drugs or devices granted under s. 441.16 issue~~
2 ~~prescription orders~~; or reprimand a registered nurse, nurse-midwife advanced
3 practice registered nurse, or licensed practical nurse, if the board finds that the
4 applicant or licensee committed any of the following:

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

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

9 (e) A violation of any state or federal law that regulates prescribing or
10 dispensing drugs or devices, if the person has holds a ~~certificate permit~~ to prescribe
11 ~~drugs or devices under s. 441.16 issue prescription orders under s. 441.09 (2)~~.

12 **SECTION 92.** 441.09 of the statutes is created to read:

13 **441.09 Advanced practice registered nurses; civil liability exemption.**

14 **(1) LICENSE.** (a) An applicant who satisfies all of the following requirements may
15 apply to the board for initial licensure by the board as an advanced practice
16 registered nurse:

17 1. The applicant satisfies one of the following criteria:

18 a. The applicant holds a valid license to practice as a registered nurse issued
19 under s. 441.06 (1), (1c), or (1m).

20 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or
21 (1m) with the application for a license under this paragraph.

22 c. The applicant is a registered nurse who holds a multistate license, as defined
23 in s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted
24 the nurse licensure compact.

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1 2. The applicant provides evidence satisfactory to the board that he or she
2 satisfies one of the following criteria:

3 a. The applicant has completed a graduate-level or postgraduate-level
4 education program that is approved by the board and that prepares the applicant for
5 the practice of advanced practice registered nursing in one of the 4 recognized roles,
6 and the applicant holds a current certification by a national certifying body approved
7 by the board.

8 b. On January 1, 2017, the applicant was licensed as a registered nurse in this
9 state and was practicing in a recognized role, and the applicant satisfies additional
10 criteria established by the board by rule under this subd. 2. b. relating to practice,
11 education, or certification.

12 3. The applicant pays the fee specified under s. 440.05 (1).

13 4. The applicant provides evidence of any malpractice liability insurance
14 coverage required under sub. (5).

15 5. If the applicant is applying to receive a certified nurse-midwife specialty
16 designation under par. (c) 1. a., the applicant provides evidence satisfactory to the
17 board that the applicant is currently certified by a national certifying body approved
18 by the board.

19 6. The applicant does not have an arrest or conviction record, subject to ss.
20 111.321, 111.322, and 111.335.

21 7. The applicant meets any other criteria established by the board by rule
22 relating to the education, training, or experience required for each recognized role.

23 (b) An applicant who satisfies the requirements established by the board under
24 sub. (6) (c) may, concurrently with his or her application for an advanced practice
25 registered nurse under par. (a) and upon payment of the additional fee required for

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1 the permit under sub. (2) (b) 3., apply for a permit to issue prescription orders under
2 sub. (2).

3 (c) 1. Subject to subd. 3. and s. 441.07 (1g), the board shall grant an advanced
4 practice registered nurse license to an applicant the board determines meets the
5 requirements under par. (a). The board shall also grant a person who is granted a
6 license all of the following:

7 a. One or more specialty designations corresponding to the recognized roles for
8 which the board determines that the person qualifies based on the person's
9 qualifications under par. (a).

10 b. A permit to issue prescription orders under sub. (2), if the applicant applies
11 for a permit under par. (b) and the board determines the applicant satisfies the
12 requirements under sub. (6) (c).

13 2. Each specialty designation granted under subd. 1. a. shall appear on the
14 person's advanced practice registered nurse license.

15 3. The board may not grant an advanced practice registered nurse license to
16 a person applying concurrently for a license under s. 441.06 (1), (1c), or (1m), unless
17 the board also grants the person the license under s. 441.06 (1), (1c), or (1m).

18 4. The board may place specific limitations on a person licensed as an advanced
19 practice registered nurse as a condition of licensure.

20 (d) On or before the applicable renewal date specified under s. 440.08 (2) (a),
21 an advanced practice registered nurse shall submit to the board on a form furnished
22 by the board a statement giving his or her name and residence, the nursing workforce
23 survey and fee required under s. 441.01 (7), evidence of having satisfied the
24 continuing education requirements under sub. (4), evidence of any malpractice
25 liability insurance coverage required under sub. (5), current evidence that the person

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1 satisfies each of the requirements under par. (a) 1., 2., 5., and 7. that apply with
2 respect to the person, and any other information that the board requires by rule, with
3 the applicable renewal fee determined by the department under s. 440.03 (9) (a). The
4 board shall grant to a person who satisfies the requirements under this paragraph
5 the renewal of his or her advanced practice registered nurse license and specialty
6 designations granted under par. (c) 1. a. and shall, if the person holds a license under
7 s. 441.06 (1), (1c), or (1m), also grant the renewal of that license.

8 (2) PERMIT TO ISSUE PRESCRIPTION ORDERS. (a) In this subsection, “prescription
9 order” has the meaning given in s. 450.01 (21).

10 (b) Subject to s. 441.07 (1g), the board shall grant a permit to issue prescription
11 orders to an applicant who satisfies all of the following:

12 1. The applicant is licensed as an advanced practice registered nurse under
13 sub. (1) or the applicant applies for the permit under sub. (1) (b) concurrently with
14 his or her application for a license under sub. (1) (a) and is granted the license under
15 sub. (1) (c).

16 2. The applicant meets the additional requirements for granting the permit
17 established by the board under sub. (6) (c).

18 3. The applicant pays the fee specified under s. 440.05 (1).

19 (c) On or before the applicable renewal date specified under s. 440.08 (2) (a),
20 a person issued a permit under par. (b) shall submit to the board on a form furnished
21 by the board a statement giving his or her name and residence and any other
22 information that the board requires by rule with the applicable renewal fee
23 determined by the department under s. 440.03 (9) (a). The board shall grant to a
24 person who satisfies the requirements under this paragraph the renewal of his or her
25 permit to issue prescription orders.

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1 (d) An advanced practice registered nurse who holds a permit under this
2 subsection may issue prescription orders, subject to the rules promulgated under
3 sub. (6) (a) and (d), and may provide expedited partner therapy in the manner
4 described in s. 448.035.

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

8 2. The holder of a specialty designation for a recognized role granted under sub.
9 (1) (c) 1. a. may append to his or her name the title and an abbreviation corresponding
10 to that recognized role.

11 (b) 1. Except as provided in par. (d) and s. 257.03, no person may practice or
12 attempt to practice advanced practice registered nursing, nor use the title “advanced
13 practice registered nurse,” the title “A.P.R.N.,” or anything else to indicate that he
14 or she is an advanced practice registered nurse unless he or she is licensed under this
15 section.

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

17 a. Use the title “certified nurse–midwife,” the title “C.N.M.,” or anything else
18 to indicate that he or she is a certified nurse–midwife unless he or she has been
19 granted a certified nurse–midwife specialty designation under sub. (1) (c) 1. a.

20 b. Use the title “certified registered nurse anesthetist,” the title “C.R.N.A.,” or
21 anything else to indicate that he or she is a certified registered nurse anesthetist
22 unless he or she has been granted a certified registered nurse anesthetist specialty
23 designation under sub. (1) (c) 1. a.

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1 c. Use the title “clinical nurse specialist,” the title “C.N.S.,” or anything else to
2 indicate that he or she is a clinical nurse specialist unless he or she has been granted
3 a clinical nurse specialist specialty designation under sub. (1) (c) 1. a.

4 d. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate
5 that he or she is a nurse practitioner unless he or she has been granted a nurse
6 practitioner specialty designation under sub. (1) (c) 1. a.

7 (c) An advanced practice registered nurse shall adhere to professional
8 standards when managing situations that are beyond the advanced practice nurse’s
9 expertise.

10 (d) An advanced practice registered nurse licensed under this section may
11 delegate a task or order to another clinically trained health care worker if the task
12 or order is within the scope of the advanced practice registered nurse’s practice, the
13 advanced practice registered nurse is competent to perform the task or issue the
14 order, and the advanced practice registered nurse has reasonable evidence that the
15 health care worker is minimally competent to perform the task or issue the order
16 under the circumstances.

17 **(4) CONTINUING EDUCATION.** Every advanced practice registered nurse shall
18 submit to the board evidence of having completed at least 16 contact hours per
19 biennium in clinical pharmacology or therapeutics relevant to the advanced practice
20 registered nurse’s area of practice. The board may promulgate rules regarding the
21 continuing education requirements under this subsection.

22 **(5) MALPRACTICE LIABILITY INSURANCE.** Except for a person whose employer has
23 in effect malpractice liability insurance that provides coverage for the person in the
24 amounts specified under s. 655.23 (4), no person may practice advanced practice
25 registered nursing unless he or she at all times has in effect malpractice liability

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1 insurance coverage in the minimum amounts required by the rules of the board. An
2 advanced practice registered nurse shall submit evidence of that coverage to the
3 board when applying for an initial license under this section or a renewal of a license
4 under this section. An advanced practice registered nurse shall also submit such
5 evidence to the board upon request of the board.

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

8 (a) Further defining the scope of practice of an advanced practice registered
9 nurse, defining the scope of practice for each recognized role, and defining the scope
10 of practice within which an advanced practice registered nurse who holds a permit
11 issued under sub. (2) may issue prescription orders.

12 (b) Determining acceptable national certification for purposes of sub. (1) (a) 2.
13 a.

14 (c) Establishing the appropriate education, training, or experience
15 requirements that a registered nurse must satisfy to be an advanced practice
16 registered nurse and to qualify to be granted a permit to issue prescription orders
17 under sub. (2).

18 (d) Specifying the classes of drugs, individual drugs, or devices that may not
19 be prescribed by an advanced practice registered nurse who holds a permit to issue
20 prescription orders under sub. (2).

21 (e) Specifying the conditions to be met for registered nurses to do the following:

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

24 (f) Establishing the minimum amount of malpractice liability insurance
25 coverage that an advanced practice registered nurse must at all times have in effect

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1 for purposes of sub. (5). The board shall promulgate rules under this paragraph in
2 consultation with the commissioner of insurance.

3 **SECTION 93.** 441.10 (7) of the statutes is amended to read:

4 441.10 (7) No license is required for practical nursing, but, except as provided
5 in s. 257.03, no person without a license may hold himself or herself out as a licensed
6 practical nurse or licensed attendant, use the title or letters “Trained Practical
7 Nurse” or “T.P.N.”, “Licensed Practical Nurse” or “L.P.N.”, “Licensed Attendant” or
8 “L.A.”, “Trained Attendant” or “T.A.”, or otherwise seek to indicate that he or she is
9 a licensed practical nurse or licensed attendant. No licensed practical nurse or
10 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
11 graduate or professional nurse. Anyone violating this subsection shall be subject to
12 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~
13 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~
14 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds
15 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than
16 this state, that has adopted the enhanced nurse licensure compact under s. 441.51.

17 **SECTION 94.** 441.11 (title) of the statutes is repealed.

18 **SECTION 95.** 441.11 (1) of the statutes is repealed.

19 **SECTION 96.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and amended
20 to read:

21 441.09 (5m) NURSE ANESTHETISTS. The provisions of s. 448.04 (1) (g) do not apply
22 to a an advanced practice registered nurse licensed under this section who possesses
23 a certified registered nurse anesthetist specialty designation under sub. (1) (c) 1. a.

24 **SECTION 97.** 441.11 (3) of the statutes is repealed.

25 **SECTION 98.** 441.15 of the statutes is repealed.

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ENHANCED NURSE LICENSURE COMPACT

SECTION 105. 441.51 (title) of the statutes is amended to read:

441.51 (title) ~~Enhanced nurse~~ Nurse licensure compact.

SECTION 106. 448.03 (2) (a) of the statutes is amended to read:

448.03 (2) (a) Any person lawfully practicing within the scope of a license, permit, registration, certificate or certification granted to practice midwifery under subch. XIII of ch. 440, to practice professional ~~or, practical,~~ or advanced practice registered nursing or nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice dentistry or dental hygiene under ch. 447, to practice optometry under ch. 449, to practice acupuncture under ch. 451 or under any other statutory provision, or as otherwise provided by statute.

SECTION 107. 448.035 (1) (a) of the statutes is repealed.

SECTION 108. 448.035 (2), (3) and (4) of the statutes are amended to read:

448.035 (2) Notwithstanding the requirements of s. 448.30, a physician, a physician assistant, or ~~certified~~ an advanced practice registered nurse prescriber who holds a permit to issue prescription orders under s. 441.09 (2) may provide expedited partner therapy if the patient is diagnosed as infected with a chlamydial infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with a sexual partner during which the chlamydial infection, gonorrhea, or trichomoniasis may have been transmitted to or from the sexual partner. The physician, physician assistant, or ~~certified~~ advanced practice registered nurse ~~prescriber~~ shall attempt to obtain the name of the patient's sexual partner. A prescription order for an antimicrobial drug prepared under this subsection shall include the name and address of the patient's sexual partner, if known. If the physician, physician assistant, or ~~certified~~ advanced practice registered nurse

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1 ~~prescriber~~ is unable to obtain the name of the patient's sexual partner, the
2 prescription order shall include, in ordinary bold-faced capital letters, the words,
3 "expedited partner therapy" or the letters "EPT."

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

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

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

18 **SECTION 109.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

19 448.56 **(1)** WRITTEN REFERRAL. Except as provided in this subsection and s.
20 448.52, a person may practice physical therapy only upon the written referral of a
21 physician, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
22 registered nurse ~~prescriber~~ ~~certified under s. 441.16 (2)~~. Written referral is not
23 required if a physical therapist provides services in schools to children with
24 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the
25 department of public instruction; provides services as part of a home health care

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1 agency; provides services to a patient in a nursing home pursuant to the patient's
2 plan of care; provides services related to athletic activities, conditioning, or injury
3 prevention; or provides services to an individual for a previously diagnosed medical
4 condition after informing the individual's physician, physician assistant,
5 chiropractor, dentist, podiatrist, or advanced practice registered nurse ~~prescriber~~
6 ~~certified under s. 441.16 (2)~~ who made the diagnosis. The examining board may
7 promulgate rules establishing additional services that are excepted from the written
8 referral requirements of this subsection.

9 (1m) (b) The examining board shall promulgate rules establishing the
10 requirements that a physical therapist must satisfy if a physician, physician
11 assistant, chiropractor, dentist, podiatrist, or advanced practice registered nurse
12 ~~prescriber~~ makes a written referral under sub. (1). The purpose of the rules shall be
13 to ensure continuity of care between the physical therapist and the health care
14 practitioner.

15 **SECTION 110.** 448.62 (2m) of the statutes is amended to read:

16 448.62 (2m) An advanced practice registered nurse ~~who is certified to issue~~
17 ~~prescription orders under s. 441.16~~ and who is providing nonsurgical patient services
18 as directed, supervised, and inspected by a podiatrist who has the power to direct,
19 decide, and oversee the implementation of the patient services rendered.

20 **SECTION 111.** 448.67 (2) of the statutes is amended to read:

21 448.67 (2) SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a licensee
22 who renders any podiatric service or assistance, or gives any podiatric advice or any
23 similar advice or assistance, to any patient, podiatrist, physician, physician
24 assistant, advanced practice registered nurse ~~prescriber certified under s. 441.16 (2)~~,
25 partnership, or corporation, or to any other institution or organization, including a

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1 hospital, for which a charge is made to a patient, shall, except as authorized by
2 Title 18 or Title 19 of the federal Social Security Act, render an individual statement
3 or account of the charge directly to the patient, distinct and separate from any
4 statement or account by any other podiatrist, physician, physician assistant,
5 advanced practice registered nurse ~~prescriber~~, or other person.

6 **SECTION 112.** 448.956 (1m) of the statutes is amended to read:

7 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training
8 to an individual without a referral, except that a licensee may not provide athletic
9 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
10 setting unless the licensee has obtained a written referral for the individual from a
11 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
12 under ch. 446; or under s. ~~441.16 (2)~~ 441.09.

13 **SECTION 113.** 450.01 (1m) of the statutes is repealed.

14 **SECTION 114.** 450.01 (16) (h) 2. of the statutes is amended to read:

15 450.01 (16) (h) 2. The patient's advanced practice registered nurse ~~prescriber~~,
16 if the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
17 ~~agreement to collaborate with a physician~~ holds a permit to issue prescription orders
18 under s. 441.09 (2).

19 **SECTION 115.** 450.01 (16) (hr) 2. of the statutes is amended to read:

20 450.01 (16) (hr) 2. An advanced practice registered nurse ~~prescriber~~ who holds
21 a permit to issue prescription orders under s. 441.09 (2).

22 **SECTION 116.** 450.03 (1) (e) of the statutes is amended to read:

23 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
24 permit, registration, certificate, or certification granted to provide home medical
25 oxygen under s. 450.076, to practice professional ~~or~~ practical, or advanced practice

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1 ~~registered nursing or nurse-midwifery~~ under ch. 441, to practice dentistry or dental
2 hygiene under ch. 447, to practice medicine and surgery under ch. 448, to practice
3 optometry under ch. 449 or to practice veterinary medicine under ch. 89, or as
4 otherwise provided by statute.

5 **SECTION 117.** 450.11 (1i) (a) 1. of the statutes is amended to read:

6 450.11 **(1i)** (a) 1. A pharmacist may, upon and in accordance with the
7 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
8 441.18 (2) (a) 1., or of a physician or physician assistant under s. 448.037 (2) (a) 1.,
9 that complies with the requirements of sub. (1), deliver an opioid antagonist to a
10 person specified in the prescription order and may, upon and in accordance with the
11 standing order of an advanced practice registered nurse ~~prescriber~~ under s. 441.18
12 (2) (a) 2., or of a physician or physician assistant under s. 448.037 (2) (a) 2., that
13 complies with the requirements of sub. (1), deliver an opioid antagonist to an
14 individual in accordance with the order. The pharmacist shall provide a consultation
15 in accordance with rules promulgated by the board for the delivery of a prescription
16 to the person to whom the opioid antagonist is delivered.

17 **SECTION 118.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

18 450.11 **(1i)** (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only
19 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in
20 accordance with his or her other legal authority to dispense prescription drugs.

21 **SECTION 119.** 450.11 (7) (b) of the statutes is amended to read:

22 450.11 **(7)** (b) Information communicated to a physician, physician assistant,
23 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
24 a prescription drug or the administration of a prescription drug is not a privileged
25 communication.

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1 **SECTION 120.** 450.11 (8) (e) of the statutes is amended to read:

2 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
3 practice nurse prescribers registered nurses.

4 **SECTION 121.** 450.13 (5) (b) of the statutes is amended to read:

5 450.13 (5) (b) The patient's advanced practice registered nurse prescriber, if the
6 advanced practice registered nurse prescriber ~~has entered into a written agreement~~
7 ~~to collaborate with a physician~~ holds a permit to issue prescription orders under s.
8 441.09 (2).

9 **SECTION 122.** 450.135 (7) (b) of the statutes is amended to read:

10 450.135 (7) (b) The patient's advanced practice registered nurse prescriber, if
11 the advanced practice registered nurse prescriber ~~has entered into a written~~
12 ~~agreement to collaborate with a physician~~ holds a permit to issue prescription orders
13 under s. 441.09 (2).

14 **SECTION 123.** 462.04 of the statutes is amended to read:

15 **462.04 Prescription or order required.** A person who holds a license or
16 limited X-ray machine operator permit under this chapter may not use diagnostic
17 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
18 prescription or order of a physician licensed under s. 448.04 (1) (a), a dentist licensed
19 under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed
20 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.
21 ~~441.16 (2)~~ 441.09, a physician assistant licensed under s. 448.04 (1) (f), or, subject to
22 s. 448.56 (7) (a), a physical therapist licensed under s. 448.53.

23 **SECTION 124.** 655.001 (7t) of the statutes is amended to read:

24 655.001 (7t) "Health care practitioner" means a health care professional, as
25 defined in s. 180.1901 (1m), who is an employee of a health care provider described

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1 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care
2 services that are not in collaboration with a physician under s. 441.15 (2) (b) or under
3 the direction and supervision of a physician or nurse anesthetist.

4 **SECTION 125.** 655.001 (9) of the statutes is amended to read:

5 655.001 (9) “Nurse anesthetist” means ~~a nurse~~ an individual who is licensed
6 under ch. 441 or who holds a multistate license, as defined in s. 441.51 (2) (h), issued
7 in a party state, as defined in s. 441.51 (2) (k), and who is certified as a nurse
8 anesthetist by the American association of nurse anesthetists as an advanced
9 practice registered nurse and possesses a certified registered nurse anesthetist
10 specialty designation under s. 441.09.

11 **SECTION 126.** 655.005 (2) (a) of the statutes is amended to read:

12 655.005 (2) (a) An employee of a health care provider if the employee is a
13 physician or a nurse anesthetist or is a health care practitioner who is providing
14 health care services that are not in collaboration with a physician under s. 441.15 (2)
15 (b) or under the direction and supervision of a physician or nurse anesthetist.

16 **SECTION 127.** 961.01 (19) (a) of the statutes is amended to read:

17 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
18 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.21
19 (3), a physician assistant, or other person licensed, registered, certified or otherwise
20 permitted to distribute, dispense, conduct research with respect to, administer or use
21 in teaching or chemical analysis a controlled substance in the course of professional
22 practice or research in this state.

23 **SECTION 128.** 961.395 of the statutes is amended to read:

24 **961.395 Limitation on advanced practice registered nurses.** (1) An
25 advanced practice registered nurse who is ~~certified~~ holds a permit to issue

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1 prescription orders under s. ~~441.16~~ 441.09 (2) may prescribe controlled substances
2 only as permitted by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (d).

3 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ who holds
4 a permit to issue prescription orders under s. 441.09 (2) shall include with each
5 prescription order the ~~advanced practice nurse prescriber certification~~ permit
6 number issued to him or her by the board of nursing.

7 (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who holds
8 a permit to issue prescription orders under s. 441.09 (2) may dispense a controlled
9 substance only by prescribing or administering the controlled substance or as
10 otherwise permitted by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (d).

SECTION 129. Nonstatutory provisions.

11 (1) Using the procedure under s. 227.24, the board of nursing may promulgate
12 rules under ch. 441 that are necessary to implement the changes in this act.
13 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
14 evidence that promulgating a rule under this subsection as an emergency rule is
15 necessary for the preservation of the public peace, health, safety, or welfare and is
16 not required to provide a finding of emergency for a rule promulgated under this
17 subsection. Notwithstanding s. 227.24 (1) (c) and (2), the effective period of a rule
18 promulgated under this subsection is for 2 years after its promulgation, or until
19 permanent rules take effect, whichever is sooner, and the effective period may not
20 be further extended under s. 227.24 (2).

21 **SECTION 130. Effective dates.** This act takes effect on March 1, 2022, except
22 as follows:
23

24 (1) SECTION 129 (1) of this act takes effect on the day after publication.

25 (END)