



## STATE OF WISCONSIN

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### Modifications From Agency

Senator Leah Vukmir  
Committee on Health and Human Services  
Room 131 South  
State Capitol  
Madison, WI 53707

Representative Erik Severson  
Committee on Health  
Room 221 North  
State Capitol  
Madison, WI 53708

RE: Germane modification to Clearinghouse Rule 13-008

Dear Senator Vukmir and Representative Severson:

The Medical Examining Board would like to make a germane modification to Clearinghouse Rule 13-008. The germane modification consists of deleting one section and replacing it with another. The deleted language is as follows:

**Deleted language:**

Med 10.03 2 (o) Abandoning a patient occurs when an active professional relationship between physician and patient is terminated by the physician and any of the following occur:

1. The physician fails to give the patient at least 30 days notice in advance of the date on which the physician's withdrawal becomes effective.
2. The physician fails to allow for patient access to or transfer of the patient's health care record by law.
3. The physician fails to provide for the continuity of prescription medications, if the medications are necessary to avoid unacceptable risk of harm.
4. The physician fails to provide for emergency care during the period between the notice of intent to withdraw from the physician-patient relationship and the date on which the physician-patient relationship ends.

The substitute language includes the following:

**Substitute language:**

(o) Patient abandonment occurs when a physician without reasonable justification unilaterally withdraws from a physician-patient relationship by discontinuing a patient's treatment regimen when further treatment is medically indicated and any of the following occur:

1. The physician fails to give the patient at least 30 days notice in advance of the date on which the physician's withdrawal becomes effective.
2. The physician fails to allow for patient access to or transfer of the patient's health record as required by law.

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3. The physician fails to provide for continuity of prescription medications between the notice of intent to withdraw from the physician-patient relationship and the date on which the physician-patient relationship ends, if the prescription medications are necessary to avoid unacceptable risk of harm.

4. The physician fails to provide for emergency care during the period between the notice of intent to withdraw from the physician-patient relationship and the date on which the physician-patient relationship ends. Nothing in this section shall be interpreted to impose upon the physician a greater duty to provide emergency care to a patient than otherwise required by law.

Please let me know if you have any questions or concerns regarding these modifications. Thank you.

Regards,

Shawn Leatherwood  
Rules Coordinator