

ERIC GENRICH

STATE REPRESENTATIVE — 90TH DISTRICT



August 24, 2015

Testimony on Assembly Bill 382

Chairman Thiesfeldt and Members of the Assembly Education Committee:

Thank you for holding a hearing today on Assembly Bill 382 (AB 382), which makes Wisconsin law consistent with modern public health practice by changing the TB *testing* requirement to a *screening* requirement, involving a questionnaire and examination, followed by a TB test only if deemed necessary by the practitioner. By adopting a "screening first" requirement, AB 382 will save money for school districts and reduce their administrative burden.

Additionally, AB 382 makes the following changes:

- adds definition of "Practitioner" that includes physician and Advanced Practice Nurse Practitioner (APNP), physician assistant, or doctor of osteopathy;
- replaces the term "physical examinations" with "health examinations" and removes references to "chest X-rays" and "tuberculin tests;"
- and allows school nurses and registered nurses to administer mandatory follow-up screening questionnaires for tuberculosis.

I want to thank the Wisconsin Association of School Nurses for bringing this legislation to my attention and the Wisconsin Association of School Boards for their efforts to make this bill stronger and beneficial to all stakeholders.

This legislation is a common sense change that maintains the health and safety of our schools while providing welcome flexibility and financial savings for school districts.

Thank you again Chairman Thiesfeldt and committee members for your consideration of AB 382. I would be happy to answer any questions you may have.



Luther S. Olsen

State Senator

14th District

TO: Assembly Committee on Education
FROM: Senator Olsen
DATE: August 24th, 2017
SUBJECT: Testimony for Assembly Bill 382

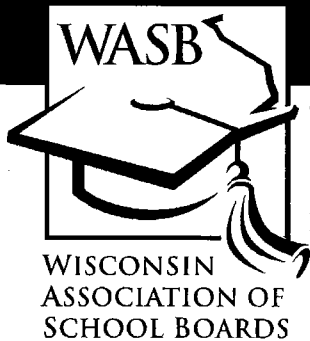
Thank you Representative Thiesfeldt and members of the Assembly Committee on Education for holding a hearing and allowing me to testify in support of Assembly Bill 382. This piece of legislation has been brought to my attention by school nurses and administrators with concerns regarding the current statute that requires tuberculosis (TB) tests for all new school employees.

Under current law, the Milwaukee Public School District, is not required to condition employment on the completion of a TB test. Though, current law requires other school districts to condition employment on the completion of a physical examination that includes a TB test and a chest X-ray. This can be a costly and oppressive requirement for many school districts.

The purpose of Assembly Bill 382, is to save school districts money, and to streamline our law with modern public health practices. Assembly Bill 382 changes the TB testing requirement to a screening requirement, which includes a questionnaire (approved by the Department of Health Services) and an examination. If a TB test is deemed necessary by the examination, a TB test would follow the questionnaire and examination. To create more savings for school districts, the definition of "Practitioner" adds physician and advanced practice nurse practitioner, physician assistant, or doctor of osteopathy, all to be allowed to conduct the physical examination. Therefore, a school nurse or other registered nurse would be allowed to administer the TB screening.

Assembly Bill 382 also includes the Milwaukee Public School District in requiring school boards to condition employment on the completion of the TB screening. A school board may also determine intervals for which a screening questionnaire for TB be required for a school district employee.

Thank you members, I ask for your support on Assembly Bill 382 and I am happy to answer any questions that you may have.



"Leadership in Public School Governance"

JOHN H. ASHLEY, EXECUTIVE DIRECTOR

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TO: Members, Assembly Committee on Education
FROM: Dan Rossmiller, WASB Government Relations Director
DATE: August 24, 2017
RE: **SUPPORT for ASSEMBLY BILL 382**, relating to screening school district employees for tuberculosis.

The Wisconsin Association of School Boards (WASB), on behalf of all 422 public school boards in the state of Wisconsin, **supports** Assembly Bill 382.

The WASB worked with the Wisconsin Association of School Nurses and Rep. Genrich to develop this bill. We believe this bill will safeguard student, staff and public health while reducing school district costs.

Current law requires school districts to condition the employment of school personnel who come in contact with children or who handle or prepare food for children upon a physical examination by a licensed physician that includes a chest X-ray or a tuberculin test. The cost of such examinations, including X-rays and tuberculin tests, must be paid out of school district funds.

Assembly Bill 382 would still require a physical examination paid for by the district, but would provide flexibility by allowing the exam to be performed by a range of medical practitioners beyond licensed physicians, including a doctor of osteopathy, physician assistant, or advanced practice nurse prescriber (practitioner). In addition, AB 382 substitutes a provision that the physical exam must include completion of a screening questionnaire for TB for the current provision specifying a chest X-ray or a tuberculin test, either of which is costly and intrusive.

Current law also permits a school district to require employees to undergo additional physical examinations at intervals determined by the school district. Under the bill, the school districts may require a school district employee to complete a screening questionnaire for tuberculosis at intervals determined by the school board and these additional screening questionnaires may be administered by a school nurse or other registered nurse.

One ambiguity in the existing law that the bill does not address concerns the extent to which a tuberculin assessment/screening may, by itself, be deemed a sufficient physical examination for purposes of section 118.25. Common sense suggests there are several positions within a school district, such as clerical positions, for which the physical demands of the essential job functions are minimal and for which a requirement to have a physical exam that includes assessments beyond the tuberculin assessment would be unnecessary. It would be helpful to school officials if section 118.25 were clarified to expressly and unambiguously state that the school district may determine, at its discretion, that the tuberculin assessment is a sufficient physical assessment for purposes of that statute. The current ambiguity on this issue creates unnecessary uncertainty that is not resolved by the bill. Nonetheless, we believe the issues that the bill *does* address represent an improvement over current law.

For the reasons indicated, the WASB supports Assembly Bill 382. Thank you for the opportunity to address the committee today.