



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2351/1
SWB:ahe

2017 ASSEMBLY BILL 316

May 11, 2017 - Introduced by Representatives HEBL, SHANKLAND, OHNSTAD, BERCEAU, CROWLEY, POPE and WACHS, cosponsored by Senator LARSON. Referred to Committee on Health.

1 **AN ACT** *to renumber and amend* 254.52 (1); *to amend* 254.52 (title); and *to*
2 *create* 254.52 (1) (b) and 254.52 (3) of the statutes; **relating to:** required
3 notices by a health care provider who orders a test for the presence of Lyme
4 disease.

Analysis by the Legislative Reference Bureau

This bill creates a notice requirement for health care providers who order certain laboratory tests for the presence of Lyme disease. Under the bill, the Department of Health Services must create and make available on the Internet a form with a notice for patients who receive certain specified laboratory tests for the presence of Lyme disease. The form must contain a notice informing the patient 1) about the prevalence of Lyme disease in the United States; 2) about the potential for a false negative or false positive test result for the presence of Lyme disease; and 3) that a patient whose test is negative should contact his or her health care provider about being retested for Lyme disease if the patient continues to experience symptoms. The bill then requires a health care provider who orders any of the specified tests for the presence of Lyme disease for a patient to provide the patient with a copy of the form. Finally, the bill requires the department to update the form annually to account for the most recent statistics and for additional tests that are developed to detect the presence of Lyme disease and that warrant the notice.

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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.** 254.52 (title) of the statutes is amended to read:

2 **254.52** (title) ~~Lyme disease; treatment, information and research.~~

3 **SECTION 2.** 254.52 (1) of the statutes is renumbered 254.52 (1) (intro.) and
4 amended to read:

5 254.52 (1) (intro.) The department shall ~~perform~~ do all of the following:

6 (a) Perform research relating to Lyme disease in humans.

7 **SECTION 3.** 254.52 (1) (b) of the statutes is created to read:

8 254.52 (1) (b) 1. Create and make available on the Internet a form with the
9 following notice to be provided to patients under sub. (3):

10 “According to the Centers for Disease Control and Prevention (CDC), as of
11 [YEAR], Lyme disease is the [RANKING] most common disease in the United States,
12 of the diseases that must be reported to the CDC.

13 Your health care provider has ordered a laboratory test for the presence of Lyme
14 disease for you. Current laboratory testing for Lyme disease can be problematic and
15 standard laboratory tests often result in false negative and false positive results, and
16 if done too early, you may not have produced enough antibodies to be considered
17 positive because your immune response requires time to develop antibodies. If you
18 are tested for Lyme disease, and the results are negative, this does not necessarily
19 mean you do not have Lyme disease. If you continue to experience symptoms, you
20 should contact your health care provider and inquire about the appropriateness of
21 retesting or additional treatment.”

