
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Assembly Bill 541

**Assembly
Amendments 1 and 2**

2023 ASSEMBLY BILL 541

2023 Assembly Bill 541 specifies that a mental health care provider in another state may provide mental health services through telehealth to a patient in Wisconsin. The provider is not required to hold a credential in Wisconsin, but must be credentialed in the state from which the person is providing services, with no limitations or pending investigations on the credential. The provider must inform the patient whether the provider is credentialed in Wisconsin, the state from which the person is credentialed and is providing services, and which regulatory board the patient may contact to file a complaint.

The bill defines a “mental health care provider” as a physician, physician assistant, registered professional nurse, psychologist, counselor, therapist, or social worker.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 revises the definition of a “mental health care provider” under the bill to include only a psychologist, counselor, therapist, or social worker. The amendment removes physicians, physician assistants, and registered professional nurses from being able to provide the out-of-state mental health services by telehealth under the bill.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 adds a requirement for the provider to notify the Department of Safety and Professional Services (DSPS) within 30 days of first providing mental health services in Wisconsin from out-of-state by telehealth. The mental health care provider must submit any information required by DSPS to confirm that the mental health care provider possesses a credential that qualifies the person to provide mental health services in Wisconsin by telehealth as provided in the bill.

BILL HISTORY

Representative Gustafson offered Assembly Amendment 1 on November 7, 2023, and Assembly Amendment 2 on November 9, 2023. On November 9, 2023, the Assembly Committee on Health, Aging and Long-Term Care recommended adoption of both amendments on votes of Ayes, 15; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 10; Noes, 5.

For a full history of the bill, visit the Legislature’s [bill history page](#).

MSK:jal