



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1565/1
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2025 SENATE BILL 258

May 16, 2025 - Introduced by Senators TESTIN, CABRAL-GUEVARA, ROYS, DASSLER-ALFHEIM, HABUSH SINYKIN, HESSELBEIN, KEYESKI, LEMAHIEU, MARKLEIN, QUINN, RATCLIFF, SMITH, SPREITZER, DRAKE and JACQUE, cosponsored by Representatives KURTZ, SUBECK, RODRIGUEZ, ANDRACA, BEHNKE, BROWN, CRUZ, DESMIDT, EMERSON, GUNDRUM, JOERS, KREIBICH, MAXEY, MURPHY, O'CONNOR, ORTIZ-VELEZ, PRADO, SPIROS, TUSLER, UDELL, WICHGERS, DONOVAN, PALMERI, MIRESSE, GOEBEN, KNODL and VINING. Referred to Committee on Health.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT *to repeal*** 50.01 (1b), 77.54 (14) (f) 3., 118.2925 (1) (b), 118.294 (1) (a),
2 146.89 (1) (r) 8., 252.01 (1c), 440.03 (13) (b) 3., 440.03 (13) (b) 42., 440.08 (2) (a)
3 4m., 440.08 (2) (a) 50., 441.11 (title), 441.11 (1), 441.11 (3), 441.15, 441.16,
4 441.19, 448.035 (1) (a), 450.01 (1m) and 655.001 (9); ***to renumber*** 655.001 (1);
5 ***to renumber and amend*** 146.89 (1) (r) 3., 253.13 (1), 255.06 (1) (d), 441.06
6 (7) and 441.11 (2); ***to amend*** 29.193 (1m) (a) 2. (intro.), 29.193 (2) (b) 2., 29.193
7 (2) (c) 3., 29.193 (2) (cd) 2. b., 29.193 (2) (cd) 2. c., 29.193 (2) (e), 29.193 (3) (a),
8 45.40 (1g) (a), 46.03 (44), 50.08 (2), 50.09 (1) (a) (intro.), 50.09 (1) (f) 1., 50.09
9 (1) (h), 50.09 (1) (k), 50.49 (1) (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.),
10 77.54 (14) (f) 4., 97.59, 106.30 (1), 118.15 (3) (a), 118.25 (1) (a), 118.29 (1) (e),
11 118.2915 (2) (a), 118.2915 (3) (a), 118.2915 (4) (c), 118.2915 (6) (a) (intro.),
12 118.2915 (6) (a) 2., 118.2915 (6) (a) 3., 118.2925 (3), 118.2925 (4) (c), 118.2925
13 (5), 118.294 (1) (am), 118.294 (2), 118.294 (4) (a), 146.615 (1) (a), 146.82 (3) (a),

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146.89 (1) (r) 1., 146.89 (6), 154.01 (1g), 252.07 (8) (a) 2., 252.07 (9) (c), 252.10
(7), 252.11 (2), 252.11 (4), 252.11 (5), 252.11 (7), 252.11 (10), 252.15 (3m) (d)
11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3. and (7m) (intro.) and (b),
252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (4), 253.115
(7) (a) (intro.), 253.15 (2), 255.06 (2) (d), 255.07 (1) (d), 257.01 (5) (a), 257.01 (5)
(b), 341.14 (1a), 341.14 (1e) (a), 341.14 (1m), 341.14 (1q), 343.16 (5) (a), 343.51
(1), 343.62 (4) (a) 4., 440.077 (1) (a), 440.077 (2) (c), 440.094 (1) (c) 1., 440.094
(2) (a) (intro.), 440.981 (1), 440.982 (1), 440.987 (2), 441.01 (3), 441.01 (4),
441.01 (7) (a) (intro.), 441.01 (7) (b), 441.06 (3), 441.06 (4), 441.07 (1g) (intro.),
(a), (c) and (e), 441.07 (2), 441.10 (7), 441.18 (2) (a) (intro.), 441.18 (2) (b),
441.18 (3), 448.03 (2) (a), 448.035 (2) to (4), 448.56 (1) and (1m) (b), 448.62
(2m), 448.67 (2), 448.956 (1m), 450.01 (16) (h) 2., 450.01 (16) (hr) 2., 450.03 (1)
(e), 450.11 (1g) (b), 450.11 (1i) (a) 1., 450.11 (1i) (b) 2. b., 450.11 (7) (b), 450.11
(8) (e), 450.13 (5) (b), 450.135 (7) (b), 462.04, 655.001 (7t), 655.002 (1) (a),
655.002 (1) (b), 655.002 (1) (c), 655.002 (1) (d), 655.002 (1) (e), 655.002 (1) (em),
655.002 (2) (a), 655.002 (2) (b), 655.003 (1), 655.003 (3), 655.005 (2) (a),
655.005 (2) (b), 655.23 (5m), 655.27 (3) (a) 4., 655.27 (3) (b) 2m., 655.275 (2),
655.275 (5) (b) 2., 895.478 (3m), 961.01 (19) (a) and 961.395; **to repeal and**
recreate 118.2915 (1) (a), 155.01 (1g) (b), 251.01 (1c) and 441.06 (title); **to**
create 253.115 (1) (f), 253.13 (1) (a), 253.15 (1) (em), 255.06 (1) (f) 2., 440.03
(13) (b) 39m., 440.08 (2) (a) 47r., 441.001 (1c), 441.001 (3c), 441.001 (3g),
441.001 (3n), 441.001 (3r), 441.001 (3w), 441.001 (5), 441.01 (7) (c), 441.065,
441.07 (1r), 441.09, 441.092 and 655.001 (1g) of the statutes; **relating to:**

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- 1 advanced practice registered nurses, extending the time limit for emergency
2 rule procedures, providing an exemption from emergency rule procedures, and
3 granting 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 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 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, 2026, is 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 bill also, however, automatically grants licenses to certain RNs, as further described below. 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 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.

Under the bill, all APRNs, except APRNs with a certified nurse-midwife specialty designation, must practice in collaboration with a physician or dentist. However, under the bill, an APRN may practice without being supervised by a physician or dentist if the board verifies that the APRN has completed 3,840 hours of professional nursing in a clinical setting and has completed 3,840 clinical hours of advanced practice registered nursing practice in their recognized role while working with a physician or dentist during those 3,840 hours of practice. APRNs may count additional hours practiced as an APRN in collaboration with a physician or dentist towards the 3,840 required hours of professional nursing. APRNs with a

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certified nurse-midwife specialty designation are instead required, if they offer to deliver babies outside of a hospital setting, to file and keep current with the board a proactive plan for involving a hospital or a physician who has admitting privileges at a hospital in the treatment of patients with higher acuity or emergency care needs, as further described below. Regardless of whether an APRN has qualified to practice independently, the bill provides that an APRN may provide treatment of pain syndromes through the use of invasive techniques only while working in a collaborative relationship with any physician who, through education, training, and experience, specializes in pain management. Alternatively, if an APRN has qualified to practice independently, the APRN may provide treatment of pain syndromes through the use of invasive techniques in a hospital or clinic associated with a hospital. Further, an APRN may provide treatment of pain syndromes through the use of invasive techniques if the APRN has qualified to practice independently and has privileges in a hospital to provide treatment of pain syndromes through the use of invasive techniques without a collaborative relationship with a physician.

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. The bill further prohibits any person licensed by the board from using, assuming, or appending to his or her name any title that is not granted under the nursing statutes unless the person holds another credential that entitles the person to use, assume, or append to his or her name the title or the person is permitted to use, assume, or append to his or her name the title under any other law of the state. However, the bill provides that a person who is licensed by the board and holds a doctorate degree is not prohibited from using, assuming, or appending to his or her name the title “doctor” or any other words, letters, or abbreviations that represent that the person holds that doctorate degree or the field in which the degree was received. If a person who is licensed by the board uses, assumes, or appends to his or her name the title “doctor,” the bill requires that person to also use, assume, or append to his or her name words, letters, or abbreviations that represent the field in which the person received the doctorate degree. Further, the bill provides that a person who holds a bachelor’s degree or master’s degree is not prohibited from using, assuming, or appending to his or her name any words, letters, or abbreviations that represent that the person holds that degree or the field in which the degree was received.

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

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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 APRN'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 is licensed as a nurse-midwife under current law is automatically granted an APRN license with a certified nurse-midwife specialty designation. The bill otherwise allows nurse-midwives to be licensed as APRNs if they satisfy the licensure requirements, except that the bill also requires that a person applying for a certified nurse-midwife specialty designation be certified by the American Midwifery Certification Board. The bill also requires an APRN with a specialty designation as a certified nurse-midwife to file with the Board of Nursing, and obtain the board's approval of, a plan for ensuring appropriate care or care transitions in treating certain patients if the APRN offers to deliver babies outside of a hospital setting.

Prescribing authority

Under current law, a person licensed as an RN may apply to the Board of Nursing 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 generally authorizes APRNs to issue prescription orders. A person who is certified to issue prescription orders under current law is automatically granted an APRN license with his or her appropriate specialty designation. RNs who are practicing in a recognized role on January 1, 2026, but who do not hold a certificate to issue prescription orders on that date and who are granted an APRN license under the bill may not issue prescription orders. As under current law, an APRN issuing prescription orders 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

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under a federal waiver to dispense narcotic drugs to individuals for addiction treatment.

Malpractice liability insurance

The bill requires all APRNs to maintain malpractice liability insurance coverage evidenced by personal liability coverage in the amounts specified under current law for physicians and nurse anesthetists or coverage under a group liability policy providing individual coverage for the APRN in the amounts specified under current law for physicians and nurse anesthetists. Additionally, the bill requires APRNs who have qualified to practice independently and who practice outside a collaborative or employment relationship to participate in the Injured Patients and Families Compensation Fund. The Injured Patients and Families Compensation Fund provides excess medical malpractice coverage for health care providers who participate in the fund and meet all other participation requirements, which includes maintaining malpractice liability insurance in coverage amounts specified under current law.

OTHER CHANGES

The bill makes numerous other changes throughout the statutes relating to APRNs, including various terminology changes.

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

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

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

8 29.193 (**2**) (b) 2. An applicant shall submit an application on a form prepared
9 and furnished by the department, which shall include a written statement or report

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1 prepared and signed by a licensed physician, a licensed physician assistant, a
2 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice
3 registered nurse ~~prescriber~~ prepared no more than 6 months preceding the
4 application and verifying that the applicant is physically disabled.

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

6 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
7 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit
8 under subd. 1., 2. or 2m. if, upon review and after considering the physical condition
9 of the applicant and the recommendation of a licensed physician, a licensed
10 physician assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~
11 licensed advanced practice registered nurse ~~prescriber~~ selected by the applicant
12 from a list of licensed physicians, licensed physician assistants, licensed
13 chiropractors, licensed podiatrists, and ~~certified~~ licensed advanced practice nurse
14 ~~prescribers~~ registered nurses compiled by the department, the department finds
15 that issuance of a permit complies with the intent of this subsection. The use of this
16 review procedure is discretionary with the department and all costs of the review
17 procedure shall be paid by the applicant.

18 **SECTION 4.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

19 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function
20 in one or both arms and fails to meet the minimum standards of the standard upper
21 extremity pinch test, the standard grip test, or the standard nine-hole peg test,
22 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
2 registered nurse ~~prescriber~~.

3 **SECTION 5.** 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
8 advanced practice registered nurse ~~prescriber~~.

9 **SECTION 6.** 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
16 the cost of a review under this paragraph unless the denied application on its face
17 fails to meet the standards set forth in par. (c) 1. or 2. A review under this
18 paragraph is the only method of review of a decision to deny a permit under this
19 subsection and is not subject to further review under ch. 227.

20 **SECTION 7.** 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

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1 that he or she cannot read ordinary newspaper print with or without corrective
2 glasses.

3 **SECTION 8.** 45.40 (1g) (a) of the statutes is amended to read:

4 45.40 (1g) (a) "Health care provider" means an advanced practice registered
5 nurse ~~prescriber who is certified~~ who may issue prescription orders under s. ~~441.16~~
6 441.09 (2), an audiologist who is licensed under subch. II of ch. 459 or who holds a
7 compact privilege under subch. III of ch. 459, a dentist who is licensed under subch.
8 I of ch. 447 or who holds a compact privilege under subch. II of ch. 447, an
9 optometrist who is licensed under ch. 449, a physician who is licensed under s.
10 448.02, or a podiatrist who is licensed under s. 448.63.

11 **SECTION 9.** 46.03 (44) of the statutes is amended to read:

12 46.03 (44) SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION.
13 Prepare and keep current an information sheet to be distributed to a patient by a
14 physician, a physician assistant, or ~~certified~~ an advanced practice registered nurse
15 ~~prescriber who may issue prescription orders under s. 441.09 (2)~~ providing
16 expedited partner therapy to that patient under s. 441.092, 448.035, or 448.9725.
17 The information sheet shall include information about sexually transmitted
18 diseases and their treatment and about the risk of drug allergies. The information
19 sheet shall also include a statement advising a person with questions about the
20 information to contact his or her physician, advanced practice registered nurse,
21 pharmacist, or local health department, as defined in s. 250.01 (4).

22 **SECTION 10.** 50.01 (1b) of the statutes is repealed.

23 **SECTION 11.** 50.08 (2) of the statutes is amended to read:

24 50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~

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1 ~~certified~~ who may issue prescription orders under s. ~~441.16~~ 441.09 (2), or a
2 physician assistant who prescribes a psychotropic medication to a nursing home
3 resident who has degenerative brain disorder shall notify the nursing home if the
4 prescribed medication has a boxed warning under 21 CFR 201.57.

5 **SECTION 12.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

6 50.09 (1) (a) (intro.) Private and unrestricted communications with the
7 resident's family, physician, physician assistant, advanced practice registered
8 nurse ~~prescriber~~, attorney, and any other person, unless medically contraindicated
9 as documented by the resident's physician, physician assistant, or advanced
10 practice registered nurse ~~prescriber~~ in the resident's medical record, except that
11 communications with public officials or with the resident's attorney shall not be
12 restricted in any event. The right to private and unrestricted communications shall
13 include, but is not limited to, the right to:

14 **SECTION 13.** 50.09 (1) (f) 1. of the statutes is amended to read:

15 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both
16 spouses or both domestic partners under ch. 770 are residents of the same facility,
17 the spouses or domestic partners shall be permitted to share a room unless
18 medically contraindicated as documented by the resident's physician, physician
19 assistant, or advanced practice registered nurse ~~prescriber~~ in the resident's
20 medical record.

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

22 50.09 (1) (h) Meet with, and participate in activities of social, religious, and
23 community groups at the resident's discretion, unless medically contraindicated as

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1 documented by the resident's physician, physician assistant, or advanced practice
2 registered nurse ~~prescriber~~ in the resident's medical record.

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

4 50.09 (1) (k) Be free from mental and physical abuse, and be free from
5 chemical and physical restraints except as authorized in writing by a physician,
6 physician assistant, or advanced practice registered nurse ~~prescriber~~ for a specified
7 and limited period of time and documented in the resident's medical record.
8 Physical restraints may be used in an emergency when necessary to protect the
9 resident from injury to himself or herself or others or to property. However,
10 authorization for continuing use of the physical restraints shall be secured from a
11 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
12 within 12 hours. Any use of physical restraints shall be noted in the resident's
13 medical records. "Physical restraints" includes, but is not limited to, any article,
14 device, or garment that interferes with the free movement of the resident and that
15 the resident is unable to remove easily, and confinement in a locked room.

16 **SECTION 16.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

17 50.49 (1) (b) (intro.) "Home health services" means the following items and
18 services that are furnished to an individual, who is under the care of a physician,
19 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home
20 health agency, or by others under arrangements made by the home health agency,
21 that are under a plan for furnishing those items and services to the individual that
22 is established and periodically reviewed by a physician, physician assistant, or
23 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in

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1 subd. 6., provided on a visiting basis in a place of residence used as the individual's
2 home:

3 **SECTION 17.** 51.41 (1d) (b) 4. of the statutes is amended to read:

4 51.41 (1d) (b) 4. A psychiatric mental health advanced practice registered
5 nurse who is suggested by the Milwaukee County board of supervisors. The
6 Milwaukee County board of supervisors shall solicit suggestions from organizations
7 including the Wisconsin Nurses Association for individuals who specialize in a full
8 continuum of behavioral health and medical services including emergency
9 detention, inpatient, residential, transitional, partial hospitalization, intensive
10 outpatient, and wraparound community-based services. The Milwaukee County
11 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric
12 mental health advanced practice registered nurses for this board membership
13 position.

14 **SECTION 18.** 70.47 (8) (intro.) of the statutes is amended to read:

15 70.47 (8) HEARING. (intro.) The board shall hear upon oath all persons who
16 appear before it in relation to the assessment. Instead of appearing in person at the
17 hearing, the board may allow the property owner, or the property owner's
18 representative, at the request of either person, to appear before the board, under
19 oath, by telephone or to submit written statements, under oath, to the board. The
20 board shall hear upon oath, by telephone, all ill or disabled persons who present to
21 the board a letter from a physician, physician assistant, or advanced practice
22 registered nurse ~~prescriber certified under s. 441.16 (2)~~ licensed under ch. 441 that
23 confirms their illness or disability. At the request of the property owner or the

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property owner's representative, the board may postpone and reschedule a hearing under this subsection, but may not postpone and reschedule a hearing more than once during the same session for the same property. The board at such hearing shall proceed as follows:

SECTION 19. 77.54 (14) (f) 3. of the statutes is repealed.

SECTION 20. 77.54 (14) (f) 4. of the statutes is amended to read:

77.54 (14) (f) 4. An advanced practice registered nurse who may issue prescription orders under s. 441.09 (2).

SECTION 21. 97.59 of the statutes is amended to read:

97.59 Handling foods. No person in charge of any public eating place or other establishment where food products to be consumed by others are handled may knowingly employ any person handling food products who has a disease in a form that is communicable by food handling. If required by the local health officer or any officer of the department for the purposes of an investigation, any person who is employed in the handling of foods or is suspected of having a disease in a form that is communicable by food handling shall submit to an examination by the officer or by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ designated by the officer. The expense of the examination, if any, shall be paid by the person examined. Any person knowingly infected with a disease in a form that is communicable by food handling who handles food products to be consumed by others and any persons knowingly employing or permitting such a person to handle food products to be consumed by others shall be punished as provided by s. 97.72.

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SECTION 22. 106.30 (1) of the statutes is amended to read:

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

SECTION 23. 118.15 (3) (a) of the statutes is amended to read:

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

SECTION 24. 118.25 (1) (a) of the statutes is amended to read:

118.25 (1) (a) “Practitioner” means a person licensed as a physician, naturopathic doctor, or physician assistant in any state or licensed as an advanced practice registered nurse or certified as an advanced practice registered nurse

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prescriber in any state. In this paragraph, “physician” has the meaning given in s. 448.01 (5).

SECTION 25. 118.29 (1) (e) of the statutes is amended to read:

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

SECTION 26. 118.2915 (1) (a) of the statutes is repealed and recreated to read:

118.2915 (1) (a) “Advanced practice registered nurse” means an individual licensed under s. 441.09 who may issue prescription orders under s. 441.09 (2).

SECTION 27. 118.2915 (2) (a) of the statutes is amended to read:

118.2915 (2) (a) The governing body of a school may adopt a plan for the management of pupils attending the school who have asthma. If the governing body of a school adopts a plan under this paragraph, it shall specify in the plan the training necessary to perform the activities under sub. (4). The governing body of a school may not adopt a plan under this paragraph unless the plan has been approved by a physician, an advanced practice registered nurse ~~prescriber~~, or a physician assistant.

SECTION 28. 118.2915 (3) (a) of the statutes is amended to read:

118.2915 (3) (a) A physician, an advanced practice registered nurse ~~prescriber~~, or a physician assistant may provide a prescription or standing order for a short-acting bronchodilator or components in the name of a school that has adopted a plan under sub. (2) (a) to be maintained by the school for use under sub. (4).

SECTION 29. 118.2915 (4) (c) of the statutes is amended to read:

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1 118.2915 (4) (c) In accordance with a prescription or standing order from a
2 physician, an advanced practice registered nurse ~~prescriber~~, or a physician
3 assistant, administer a short-acting bronchodilator to a pupil or other person who
4 the school nurse or designated school personnel believes in good faith is
5 experiencing respiratory distress, regardless of whether the pupil or other person
6 has a prescription for a short-acting bronchodilator.

7 **SECTION 30.** 118.2915 (6) (a) (intro.) of the statutes is amended to read:

8 118.2915 (6) (a) (intro.) None of the following are liable for any injury that
9 results from the administration or self-administration of a short-acting
10 bronchodilator under this section, regardless of whether authorization was given by
11 the pupil's parent or guardian or by the pupil's physician, physician assistant, or
12 advanced practice registered nurse ~~prescriber~~, unless the injury is the result of an
13 act or omission that constitutes gross negligence or willful or wanton misconduct:

14 **SECTION 31.** 118.2915 (6) (a) 2. of the statutes is amended to read:

15 118.2915 (6) (a) 2. A physician, advanced practice registered nurse ~~prescriber~~,
16 or physician assistant who provides a prescription or standing order for a short-
17 acting bronchodilator or components to a school under sub. (3) (a).

18 **SECTION 32.** 118.2915 (6) (a) 3. of the statutes is amended to read:

19 118.2915 (6) (a) 3. A physician, advanced practice registered nurse ~~prescriber~~,
20 physician assistant, or pharmacist who dispenses a short-acting bronchodilator or
21 components to a school in accordance with a prescription or standing order under
22 sub. (3) (a).

23 **SECTION 33.** 118.2925 (1) (b) of the statutes is repealed.

24 **SECTION 34.** 118.2925 (3) of the statutes is amended to read:

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1 118.2925 (3) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice
2 registered nurse prescriber who may issue prescription orders under s. 441.09 (2),
3 or a physician assistant may prescribe epinephrine delivery systems in the name of
4 a school that has adopted a plan under sub. (2) (a), to be maintained by the school
5 for use under sub. (4).

6 **SECTION 35.** 118.2925 (4) (c) of the statutes is amended to read:

7 118.2925 (4) (c) Administer an epinephrine delivery system to a pupil or other
8 person who the school nurse or designated school personnel in good faith believes is
9 experiencing anaphylaxis in accordance with a standing protocol from a physician,
10 an advanced practice registered nurse prescriber who may issue prescription orders
11 under s. 441.09 (2), or a physician assistant, regardless of whether the pupil or
12 other person has a prescription for an epinephrine delivery system. If the pupil or
13 other person does not have a prescription for an epinephrine delivery system, or the
14 person who administers the epinephrine delivery system does not know whether
15 the pupil or other person has a prescription for an epinephrine delivery system, the
16 person who administers the epinephrine delivery system shall, as soon as
17 practicable, report the administration by dialing the telephone number “911” or, in
18 an area in which the telephone number “911” is not available, the telephone
19 number for an emergency medical service provider.

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

21 118.2925 (5) IMMUNITY FROM CIVIL LIABILITY; EXEMPTION FROM PRACTICE OF
22 MEDICINE. A school and its designated school personnel, and a physician, an
23 advanced practice registered nurse prescriber who may issue prescription orders
24 under s. 441.09 (2), or a physician assistant who provides a prescription or standing

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1 protocol for school epinephrine delivery systems, are not liable for any injury that
2 results from the administration or self-administration of an epinephrine delivery
3 system under this section, regardless of whether authorization was given by the
4 pupil's parent or guardian or by the pupil's physician, physician assistant, or
5 advanced practice registered nurse ~~prescriber~~, unless the injury is the result of an
6 act or omission that constitutes gross negligence or willful or wanton misconduct.
7 The immunity from liability provided under this subsection is in addition to and not
8 in lieu of that provided under s. 895.48.

9 **SECTION 37.** 118.294 (1) (a) of the statutes is repealed.

10 **SECTION 38.** 118.294 (1) (am) of the statutes is amended to read:

11 118.294 (1) (am) "Advanced practice registered nurse" ~~has the meaning given~~
12 ~~in s. 154.01 (1g)~~ means an individual licensed under s. 441.09 who may issue
13 prescription orders under s. 441.09 (2).

14 **SECTION 39.** 118.294 (2) of the statutes is amended to read:

15 118.294 (2) PRESCRIPTIONS FOR SCHOOLS. A physician, an advanced practice
16 registered nurse ~~prescriber~~, or a physician assistant may prescribe undesignated
17 glucagon in the name of a school to be maintained by the school for use under sub.
18 (3).

19 **SECTION 40.** 118.294 (4) (a) of the statutes is amended to read:

20 118.294 (4) (a) A school and its school personnel, and a physician, an
21 advanced practice registered nurse ~~prescriber~~, or a physician assistant who
22 provides a prescription or standing order for undesignated glucagon are not liable
23 for any injury that results from the administration of undesignated glucagon under
24 this section, regardless of whether authorization was given by the pupil's parent or

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guardian or by the pupil's diabetes provider, unless the injury is the result of an act or omission that constitutes gross negligence or willful or wanton misconduct. The immunity from liability provided under this paragraph is in addition to and not in lieu of that provided under s. 895.48.

SECTION 41. 146.615 (1) (a) of the statutes is amended to read:

146.615 (1) (a) "Advanced practice clinician" means a physician assistant or an advanced practice registered nurse, ~~including a nurse practitioner, certified nurse-midwife, clinical nurse specialist, or certified registered nurse anesthetist~~ licensed under s. 441.09.

SECTION 42. 146.82 (3) (a) of the statutes is amended to read:

146.82 (3) (a) Notwithstanding sub. (1), a physician, a naturopathic doctor, a limited-scope naturopathic doctor, a physician assistant, or an advanced practice registered nurse ~~prescriber certified under s. 441.16 (2)~~ licensed under s. 441.09 who treats a patient whose physical or mental condition in the physician's, naturopathic doctor's, limited-scope naturopathic doctor's, physician assistant's, or advanced practice ~~nurse-prescriber's~~ registered nurse's judgment affects the patient's ability to exercise reasonable and ordinary control over a motor vehicle may report the patient's name and other information relevant to the condition to the department of transportation without the informed consent of the patient.

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

146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a registered nurse, practical nurse, or ~~nurse-midwife~~ advanced practice registered nurse under ch. 441, an optometrist under ch. 449, a physician assistant under

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1 subch. IX of ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446, a
2 podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch.
3 448.

4 **SECTION 44.** 146.89 (1) (r) 3. of the statutes is renumbered 146.89 (1) (r) 5e.
5 and amended to read:

6 146.89 (1) (r) 5e. A registered nurse practitioner, as defined in s. 255.06 (1) (d)
7 who holds a multistate license, as defined in s. 441.51 (2) (h), issued by a party
8 state, as defined in s. 441.51 (2) (k), and whose practice of professional nursing
9 under s. 441.001 (4) includes performance of delegated medical services under the
10 supervision of a physician, dentist, podiatrist, or advanced practice registered
11 nurse.

12 **SECTION 45.** 146.89 (1) (r) 8. of the statutes is repealed.

13 **SECTION 46.** 146.89 (6) of the statutes is amended to read:

14 146.89 (6) (a) While serving as a volunteer health care provider under this
15 section, an advanced practice registered nurse ~~who has a certificate to issue~~
16 ~~prescription orders under s. 441.16 (2)~~ is considered to meet the requirements of s.
17 655.23, if required to comply with s. 655.23.

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

22 **SECTION 47.** 154.01 (1g) of the statutes is amended to read:

23 154.01 (1g) “Advanced practice registered nurse” means ~~a nurse~~ an

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1 ~~individual licensed under ch. 441 who is currently certified by a national certifying~~
2 ~~body approved by the board of nursing as a nurse practitioner, certified nurse-~~
3 ~~midwife, certified registered nurse anesthetist, or clinical nurse specialist s. 441.09.~~

4 **SECTION 48.** 155.01 (1g) (b) of the statutes is repealed and recreated to read:

5 155.01 (1g) (b) An individual who is licensed as an advanced practice
6 registered nurse and possesses a nurse practitioner specialty designation under s.
7 441.09.

8 **SECTION 49.** 251.01 (1c) of the statutes is repealed and recreated to read:

9 251.01 (1c) “Advanced practice registered nurse” means an individual
10 licensed under s. 441.09.

11 **SECTION 50.** 252.01 (1c) of the statutes is repealed.

12 **SECTION 51.** 252.07 (8) (a) 2. of the statutes is amended to read:

13 252.07 (8) (a) 2. The department or local health officer provides to the court a
14 written statement from a physician, physician assistant, or advanced practice
15 registered nurse ~~prescriber~~ that the individual has infectious tuberculosis or
16 suspect tuberculosis.

17 **SECTION 52.** 252.07 (9) (c) of the statutes is amended to read:

18 252.07 (9) (c) If the court orders confinement of an individual under this
19 subsection, the individual shall remain confined until the department or local
20 health officer, with the concurrence of a treating physician, physician assistant, or
21 advanced practice registered nurse ~~prescriber~~, determines that treatment is
22 complete or that the individual is no longer a substantial threat to himself or herself

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1 or to the public health. If the individual is to be confined for more than 6 months,
2 the court shall review the confinement every 6 months.

3 **SECTION 53.** 252.10 (7) of the statutes is amended to read:

4 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
5 shall be purchased by the department from the appropriation account under s.
6 20.435 (1) (e) and dispensed to patients through the public health dispensaries,
7 local health departments, physicians, or advanced practice ~~nurse prescribers~~
8 registered nurses who may issue prescription orders under s. 441.09 (2).

9 **SECTION 54.** 252.11 (2) of the statutes is amended to read:

10 252.11 (2) An officer of the department or a local health officer having
11 knowledge of any reported or reasonably suspected case or contact of a sexually
12 transmitted disease for which no appropriate treatment is being administered, or of
13 an actual contact of a reported case or potential contact of a reasonably suspected
14 case, shall investigate or cause the case or contact to be investigated as necessary.
15 If, following a request of an officer of the department or a local health officer, a
16 person reasonably suspected of being infected with a sexually transmitted disease
17 refuses or neglects examination by a physician, physician assistant, or advanced
18 practice registered nurse ~~prescriber~~ or treatment, an officer of the department or a
19 local health officer may proceed to have the person committed under sub. (5) to an
20 institution or system of care for examination, treatment, or observation.

21 **SECTION 55.** 252.11 (4) of the statutes is amended to read:

22 252.11 (4) If a person infected with a sexually transmitted disease ceases or
23 refuses treatment before reaching what in a physician's, physician assistant's, or

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1 advanced practice nurse—prescriber's registered nurse's opinion is the
2 noncommunicable stage, the physician, physician assistant, or advanced practice
3 registered nurse ~~prescriber~~ shall notify the department. The department shall
4 without delay take the necessary steps to have the person committed for treatment
5 or observation under sub. (5), or shall notify the local health officer to take these
6 steps.

7 **SECTION 56.** 252.11 (5) of the statutes is amended to read:

8 252.11 (5) Any court of record may commit a person infected with a sexually
9 transmitted disease to any institution or may require the person to undergo a
10 system of care for examination, treatment, or observation if the person ceases or
11 refuses examination, treatment, or observation under the supervision of a
12 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~.
13 The court shall summon the person to appear on a date at least 48 hours, but not
14 more than 96 hours, after service if an officer of the department or a local health
15 officer petitions the court and states the facts authorizing commitment. If the
16 person fails to appear or fails to accept commitment without reasonable cause, the
17 court may cite the person for contempt. The court may issue a warrant and may
18 direct the sheriff, any constable, or any police officer of the county immediately to
19 arrest the person and bring the person to court if the court finds that a summons
20 will be ineffectual. The court shall hear the matter of commitment summarily.
21 Commitment under this subsection continues until the disease is no longer
22 communicable or until other provisions are made for treatment that satisfy the
23 department. The certificate of the petitioning officer is prima facie evidence that

SENATE BILL 258**SECTION 56**

1 the disease is no longer communicable or that satisfactory provisions for treatment
2 have been made.

3 **SECTION 57.** 252.11 (7) of the statutes is amended to read:

4 252.11 (7) Reports, examinations and inspections, and all records concerning
5 sexually transmitted diseases are confidential and not open to public inspection,
6 and may not be divulged except as may be necessary for the preservation of the
7 public health, in the course of commitment proceedings under sub. (5), or as
8 provided under s. 938.296 (4) or 968.38 (4). If a physician, physician assistant, or
9 advanced practice registered nurse ~~prescriber~~ has reported a case of sexually
10 transmitted disease to the department under sub. (4), information regarding the
11 presence of the disease and treatment is not privileged when the patient, physician,
12 physician assistant, or advanced practice registered nurse ~~prescriber~~ is called upon
13 to testify to the facts before any court of record.

14 **SECTION 58.** 252.11 (10) of the statutes is amended to read:

15 252.11 (10) The state laboratory of hygiene shall examine specimens for the
16 diagnosis of sexually transmitted diseases for any physician, naturopathic doctor,
17 physician assistant, advanced practice registered nurse ~~prescriber~~, or local health
18 officer in the state, and shall report the positive results of the examinations to the
19 local health officer and to the department. All laboratories performing tests for
20 sexually transmitted diseases shall report all positive results to the local health
21 officer and to the department, with the name of the physician, naturopathic doctor,
22 physician assistant, or advanced practice registered nurse ~~prescriber~~ to whom
23 reported.

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SECTION 59. 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3. and (7m) (intro.) and (b) of the statutes are amended to read:

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

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

(5g) (c) A physician, physician assistant, or advanced practice registered nurse ~~prescriber~~, based on information provided to the physician, physician assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies in writing that the person has had contact that constitutes a significant exposure. The certification shall accompany the request for HIV testing and disclosure. If the person is a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~, he or she may not make this determination or

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SECTION 59

1 certification. The information that is provided to a physician, physician assistant,
2 or advanced practice registered nurse ~~prescriber~~ to document the occurrence of the
3 contact that constitutes a significant exposure and the physician's, physician
4 assistant's, or advanced practice ~~nurse-prescriber's~~ registered nurse's certification
5 that the person has had contact that constitutes a significant exposure, shall be
6 provided on a report form that is developed by the department of safety and
7 professional services under s. 101.02 (19) (a) or on a report form that the
8 department of safety and professional services determines, under s. 101.02 (19) (b),
9 is substantially equivalent to the report form that is developed under s. 101.02 (19)
10 (a).

11 (5m) (d) 2. A physician, physician assistant, or advanced practice registered
12 nurse ~~prescriber~~, based on information provided to the physician, physician
13 assistant, or advanced practice registered nurse ~~prescriber~~, determines and
14 certifies in writing that the contact under subd. 1. constitutes a significant
15 exposure. A health care provider who has a contact under subd. 1. c. may not make
16 the certification under this subdivision for himself or herself.

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

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

23 (7m) REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,

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1 validated HIV test result is obtained from a test subject, the test subject's
2 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
3 who maintains a record of the HIV test result under sub. (4) (c) may report to the
4 state epidemiologist the name of any person known to the physician, physician
5 assistant, or advanced practice registered nurse ~~prescriber~~ to have had contact with
6 body fluid of the test subject that constitutes a significant exposure, only after the
7 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ has
8 done all of the following:

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

13 **SECTION 60.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

14 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
15 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
16 registered nurse ~~prescriber~~ of all of the following:

17 **SECTION 61.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

18 252.17 (3) (c) (intro.) Has submitted to the department a certification from a
19 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
20 registered nurse ~~prescriber~~ of all of the following:

21 **SECTION 62.** 253.07 (4) (d) of the statutes is amended to read:

22 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
23 communities of licensed registered nurses, licensed practical nurses, ~~certified~~

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1 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
2 assistants who are members of a racial minority.

3 **SECTION 63.** 253.115 (1) (f) of the statutes is created to read:

4 253.115 (1) (f) "Nurse-midwife" means an individual who is licensed as an
5 advanced practice registered nurse and possesses a certified nurse-midwife
6 specialty designation under s. 441.09.

7 **SECTION 64.** 253.115 (4) of the statutes is amended to read:

8 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the
9 physician, nurse-midwife ~~licensed under s. 441.15~~, or certified professional midwife
10 licensed under s. 440.982 who attended the birth shall ensure that the infant is
11 screened for hearing loss before being discharged from a hospital, or within 30 days
12 of birth if the infant was not born in a hospital.

13 **SECTION 65.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

14 253.115 (7) (a) (intro.) The physician, nurse-midwife ~~licensed under s. 441.15~~,
15 or certified professional midwife licensed under s. 440.982 who is required to ensure
16 that the infant is screened for hearing loss under sub. (4) shall do all of the
17 following:

18 **SECTION 66.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
19 amended to read:

20 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
21 nurse-midwife shall cause every infant born in each hospital or maternity home,
22 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
23 disorders, as specified in rules promulgated by the department. If the infant is born

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1 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~
2 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth
3 shall cause the infant, within one week of birth, to be subjected to these tests.

4 **SECTION 67.** 253.13 (1) (a) of the statutes is created to read:

5 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is
6 licensed as an advanced practice registered nurse and possesses a certified nurse-
7 midwife specialty designation under s. 441.09.

8 **SECTION 68.** 253.15 (1) (em) of the statutes is created to read:

9 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an
10 advanced practice registered nurse and possesses a certified nurse-midwife
11 specialty designation under s. 441.09.

12 **SECTION 69.** 253.15 (2) of the statutes is amended to read:

13 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare
14 or arrange with a nonprofit organization to prepare printed and audiovisual
15 materials relating to shaken baby syndrome and impacted babies. The materials
16 shall include information regarding the identification and prevention of shaken
17 baby syndrome and impacted babies, the grave effects of shaking or throwing on an
18 infant or young child, appropriate ways to manage crying, fussing, or other causes
19 that can lead a person to shake or throw an infant or young child, and a discussion
20 of ways to reduce the risks that can lead a person to shake or throw an infant or
21 young child. The materials shall be prepared in English, Spanish, and other
22 languages spoken by a significant number of state residents, as determined by the
23 board. The board shall make those written and audiovisual materials available to

SENATE BILL 258**SECTION 69**

1 all hospitals, maternity homes, and nurse-midwives ~~licensed under s. 441.15~~ that
2 are required to provide or make available materials to parents under sub. (3) (a) 1.,
3 to the department and to all county departments and nonprofit organizations that
4 are required to provide the materials to child care providers under sub. (4) (d), and
5 to all school boards and nonprofit organizations that are permitted to provide the
6 materials to pupils in one of grades 5 to 8 and in one of grades 10 to 12 under sub.
7 (5). The board shall also make those written materials available to all county
8 departments and Indian tribes that are providing home visitation services under s.
9 48.983 (4) (b) 1. and to all providers of prenatal, postpartum, and young child care
10 coordination services under s. 49.45 (44). The board may make available the
11 materials required under this subsection to be made available by making those
12 materials available at no charge on the board's Internet site.

13 **SECTION 70.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
14 and amended to read:

15 255.06 (1) (f) (intro.) ~~"Nurse practitioner"~~ "Women's health nurse clinician"
16 means ~~a~~ any of the following:

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

22 **SECTION 71.** 255.06 (1) (f) 2. of the statutes is created to read:

23 255.06 (1) (f) 2. An advanced practice registered nurse.

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1 **SECTION 72.** 255.06 (2) (d) of the statutes is amended to read:

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

7 **SECTION 73.** 255.07 (1) (d) of the statutes is amended to read:

8 255.07 **(1)** (d) "Health care practitioner" means a physician, a physician
9 assistant, or an advanced practice registered nurse who ~~is certified to~~ may issue
10 prescription orders under s. ~~441.16~~ 441.09 (2).

11 **SECTION 74.** 257.01 (5) (a) of the statutes is amended to read:

12 257.01 **(5)** (a) An individual who is licensed as a physician, a physician
13 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
14 466, licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~
15 advanced practice registered nurse under ch. 441, licensed as a dentist or dental
16 therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a
17 veterinarian or certified as a veterinary technician under ch. 89, or certified as a
18 respiratory care practitioner under ch. 448.

19 **SECTION 75.** 257.01 (5) (b) of the statutes is amended to read:

20 257.01 **(5)** (b) An individual who was at any time within the previous 10 years,
21 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
22 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
23 registered nurse, licensed practical nurse, or ~~nurse-midwife~~, advanced practice
24 registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441, 2023

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1 stats., licensed as a dentist or dental therapist under ch. 447, licensed as a
2 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary
3 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448,
4 if the individual's license or certification was never revoked, limited, suspended, or
5 denied renewal.

6 **SECTION 76.** 341.14 (1a) of the statutes is amended to read:

7 341.14 (1a) If any resident of this state, who is registering or has registered
8 an automobile, or a motor truck, dual purpose motor home or dual purpose farm
9 truck which has a gross weight of not more than 8,000 pounds, a farm truck which
10 has a gross weight of not more than 12,000 pounds or a motor home, submits a
11 statement once every 4 years, as determined by the department, from a physician
12 licensed to practice medicine in any state, from an advanced practice registered
13 nurse licensed to practice nursing in any state, from a public health nurse certified
14 or licensed to practice in any state, from a physician assistant licensed or certified
15 to practice in any state, from a podiatrist licensed to practice in any state, from a
16 chiropractor licensed to practice chiropractic in any state, from a physical therapist
17 licensed to practice in any state, or from a Christian Science practitioner residing in
18 this state and listed in the Christian Science journal certifying to the department
19 that the resident is a person with a disability that limits or impairs the ability to
20 walk, the department shall procure, issue and deliver to the disabled person plates
21 of a special design in lieu of plates which ordinarily would be issued for the vehicle,
22 and shall renew the plates. The plates shall be so designed as to readily apprise law
23 enforcement officers of the fact that the vehicle is owned by a nonveteran disabled
24 person and is entitled to the parking privileges specified in s. 346.50 (2a). No

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1 charge in addition to the registration fee shall be made for the issuance or renewal
2 of such plates.

3 **SECTION 77.** 341.14 (1e) (a) of the statutes is amended to read:

4 341.14 (1e) (a) If any resident of this state, who is registering or has
5 registered a motorcycle, submits a statement once every 4 years, as determined by
6 the department, from a physician licensed to practice medicine in any state, from an
7 advanced practice registered nurse licensed to practice nursing in any state, from a
8 public health nurse certified or licensed to practice in any state, from a physician
9 assistant licensed or certified to practice in any state, from a podiatrist licensed to
10 practice in any state, from a chiropractor licensed to practice chiropractic in any
11 state, from a physical therapist licensed to practice in any state, from a Christian
12 Science practitioner residing in this state and listed in the Christian Science
13 journal, or from the U.S. department of veterans affairs certifying to the
14 department that the resident is a person with a disability that limits or impairs the
15 ability to walk, the department shall procure, issue and deliver to the disabled
16 person a plate of a special design in lieu of the plate which ordinarily would be
17 issued for the motorcycle, and shall renew the plate. The statement shall state
18 whether the disability is permanent or temporary and, if temporary, the opinion of
19 the physician, advanced practice registered nurse, public health nurse, physician
20 assistant, podiatrist, chiropractor, physical therapist, practitioner, or U.S.
21 department of veterans affairs as to the duration of the disability. The plate shall
22 be so designed as to readily apprise law enforcement officers of the fact that the
23 motorcycle is owned by a disabled person and is entitled to the parking privileges

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

3 **SECTION 78.** 341.14 (1m) of the statutes is amended to read:

4 341.14 (1m) If any licensed driver submits to the department a statement
5 once every 4 years, as determined by the department, from a physician licensed to
6 practice medicine in any state, from a public health nurse certified or licensed to
7 practice in any state, from an advanced practice registered nurse licensed to
8 practice nursing in any state, from a physician assistant licensed or certified to
9 practice in any state, from a podiatrist licensed to practice in any state, from a
10 chiropractor licensed to practice chiropractic in any state, from a physical therapist
11 licensed to practice in any state, or from a Christian Science practitioner residing in
12 this state and listed in the Christian Science journal certifying that another person
13 who is regularly dependent on the licensed driver for transportation is a person
14 with a disability that limits or impairs the ability to walk, the department shall
15 issue and deliver to the licensed driver plates of a special design in lieu of the plates
16 which ordinarily would be issued for the automobile or motor truck, dual purpose
17 motor home or dual purpose farm truck having a gross weight of not more than
18 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds or
19 motor home, and shall renew the plates. The plates shall be so designed as to
20 readily apprise law enforcement officers of the fact that the vehicle is operated by a
21 licensed driver on whom a disabled person is regularly dependent and is entitled to
22 the parking privileges specified in s. 346.50 (2a). No charge in addition to the
23 registration fee may be made for the issuance or renewal of the plates. The plates
24 shall conform to the plates required in sub. (1a).

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1 **SECTION 79.** 341.14 (1q) of the statutes is amended to read:

2 341.14 (1q) If any employer who provides an automobile, or a motor truck,
3 dual purpose motor home or dual purpose farm truck which has a gross weight of
4 not more than 8,000 pounds, a farm truck which has a gross weight of not more
5 than 12,000 pounds or a motor home, for an employee's use submits to the
6 department a statement once every 4 years, as determined by the department, from
7 a physician licensed to practice medicine in any state, from an advanced practice
8 registered nurse licensed to practice nursing in any state, from a public health
9 nurse certified or licensed to practice in any state, from a physician assistant
10 licensed or certified to practice in any state, from a podiatrist licensed to practice in
11 any state, from a physical therapist licensed to practice in any state, from a
12 chiropractor licensed to practice chiropractic in any state, or from a Christian
13 Science practitioner residing in this state and listed in the Christian Science
14 journal certifying that the employee is a person with a disability that limits or
15 impairs the ability to walk, the department shall issue and deliver to such employer
16 plates of a special design in lieu of the plates which ordinarily would be issued for
17 the vehicle, and shall renew the plates. The plates shall be so designed as to readily
18 apprise law enforcement officers of the fact that the vehicle is operated by a
19 disabled person and is entitled to the parking privileges specified in s. 346.50 (2a).
20 No charge in addition to the registration fee may be made for the issuance or
21 renewal of the plates. The plates shall conform to the plates required in sub. (1a).

22 **SECTION 80.** 343.16 (5) (a) of the statutes is amended to read:

23 343.16 (5) (a) The secretary may require any applicant for a license or any
24 licensed operator to submit to a special examination by such persons or agencies as

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1 the secretary may direct to determine incompetency, physical or mental disability,
2 disease, or any other condition that might prevent such applicant or licensed person
3 from exercising reasonable and ordinary control over a motor vehicle. If the
4 department requires the applicant to submit to an examination, the applicant shall
5 pay for the examination. If the department receives an application for a renewal or
6 duplicate license after voluntary surrender under s. 343.265 or receives a report
7 from a physician, physician assistant, advanced practice registered nurse
8 ~~prescriber certified under s. 441.16 (2)~~ licensed under s. 441.09, or optometrist
9 under s. 146.82 (3), or if the department has a report of 2 or more arrests within a
10 one-year period for any combination of violations of s. 346.63 (1) or (5) or a local
11 ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally recognized
12 American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), or
13 s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the
14 offense involved the use of a vehicle, the department shall determine, by interview
15 or otherwise, whether the operator should submit to an examination under this
16 section. The examination may consist of an assessment. If the examination
17 indicates that education or treatment for a disability, disease or condition
18 concerning the use of alcohol, a controlled substance or a controlled substance
19 analog is appropriate, the department may order a driver safety plan in accordance
20 with s. 343.30 (1q). If there is noncompliance with assessment or the driver safety
21 plan, the department shall revoke the person's operating privilege in the manner
22 specified in s. 343.30 (1q) (d).

23 **SECTION 81.** 343.51 (1) of the statutes is amended to read:

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1 343.51 (1) Any person who qualifies for registration plates of a special design
2 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that
3 limits or impairs the ability to walk may request from the department a special
4 identification card that will entitle any motor vehicle parked by, or under the
5 direction of, the person, or a motor vehicle operated by or on behalf of the
6 organization when used to transport such a person, to parking privileges under s.
7 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be
8 determined by the department, upon submission by the applicant, if the applicant
9 is an individual rather than an organization, of a statement from a physician
10 licensed to practice medicine in any state, from an advanced practice registered
11 nurse licensed to practice nursing in any state, from a public health nurse certified
12 or licensed to practice in any state, from a physician assistant licensed or certified
13 to practice in any state, from a podiatrist licensed to practice in any state, from a
14 chiropractor licensed to practice chiropractic in any state, from a physical therapist
15 licensed to practice in any state, or from a Christian Science practitioner residing in
16 this state and listed in the Christian Science journal that the person is a person
17 with a disability that limits or impairs the ability to walk. The statement shall
18 state whether the disability is permanent or temporary and, if temporary, the
19 opinion of the physician, advanced practice registered nurse, public health nurse,
20 physician assistant, podiatrist, chiropractor, physical therapist, or practitioner as to
21 the duration of the disability. The department shall issue the card upon application
22 by an organization on a form prescribed by the department if the department
23 believes that the organization meets the requirements under this subsection.

24 **SECTION 82.** 343.62 (4) (a) 4. of the statutes is amended to read:

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1 343.62 (4) (a) 4. The applicant submits with the application a statement
2 completed within the immediately preceding 24 months, except as provided by rule,
3 by a physician licensed to practice medicine in any state, from an advanced practice
4 registered nurse licensed to practice nursing in any state, from a physician
5 assistant licensed or certified to practice in any state, from a podiatrist licensed to
6 practice in any state, from a chiropractor licensed to practice chiropractic in any
7 state, from a physical therapist licensed to practice in any state, or from a Christian
8 Science practitioner residing in this state, and listed in the Christian Science
9 journal certifying that, in the medical care provider's judgment, the applicant is
10 physically fit to teach driving.

11 **SECTION 83.** 440.03 (13) (b) 3. of the statutes is repealed.

12 **SECTION 84.** 440.03 (13) (b) 39m. of the statutes is created to read:

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

14 **SECTION 85.** 440.03 (13) (b) 42. of the statutes is repealed.

15 **SECTION 86.** 440.077 (1) (a) of the statutes is amended to read:

16 440.077 (1) (a) "Advanced practice registered nurse ~~prescriber~~" means an
17 advanced practice registered nurse ~~prescriber~~ certified licensed under s. ~~441.16 (2)~~
18 441.09.

19 **SECTION 87.** 440.077 (2) (c) of the statutes is amended to read:

20 440.077 (2) (c) Under the program under par. (a), a participating military
21 medical personnel shall be supervised by a physician, physician assistant,
22 podiatrist, registered professional nurse, or advanced practice registered nurse
23 ~~prescriber~~. The supervising physician, physician assistant, podiatrist, registered

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professional nurse, or advanced practice registered nurse ~~prescriber~~ shall retain responsibility for the care of the patient.

SECTION 88. 440.08 (2) (a) 4m. of the statutes is repealed.

SECTION 89. 440.08 (2) (a) 47r. of the statutes is created to read:

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

SECTION 90. 440.08 (2) (a) 50. of the statutes is repealed.

SECTION 91. 440.094 (1) (c) 1. of the statutes is amended to read:

440.094 (1) (c) 1. A registered nurse, licensed practical nurse, or ~~nurse midwife licensed under ch. 441, or an~~ advanced practice registered nurse ~~prescriber~~ ~~certified~~ licensed under ch. 441.

SECTION 92. 440.094 (2) (a) (intro.) of the statutes is amended to read:

440.094 (2) (a) (intro.) Notwithstanding ss. 441.06 (4), ~~441.15 (2), 441.16, 441.09 (3) (b),~~ 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider may provide services within the scope of the credential that the health care provider holds and the department shall grant the health care provider a temporary credential to practice under this section if all of the following apply:

SECTION 93. 440.981 (1) of the statutes is amended to read:

440.981 (1) No person may use the title “licensed midwife,” describe or imply that he or she is a licensed midwife, or represent himself or herself as a licensed midwife unless the person is granted a license under this subchapter or is licensed

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1 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and
2 possesses a certified nurse-midwife specialty designation under s. 441.09.

3 **SECTION 94.** 440.982 (1) of the statutes is amended to read:

4 440.982 (1) No person may engage in the practice of midwifery unless the
5 person is granted a license under this subchapter, is granted a temporary permit
6 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a nurse-~~
7 ~~midwife under s. 441.15~~ an advanced practice registered nurse and possesses a
8 certified nurse-midwife specialty designation under s. 441.09.

9 **SECTION 95.** 440.987 (2) of the statutes is amended to read:

10 440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~
11 an advanced practice registered nurse and possesses a certified nurse-midwife
12 specialty designation under s. 441.09 and who practices in an out-of-hospital
13 setting.

14 **SECTION 96.** 441.001 (1c) of the statutes is created to read:

15 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice
16 registered nursing” means the practice of a certified nurse-midwife, the practice of
17 a certified registered nurse anesthetist, the practice of a clinical nurse specialist,
18 and the practice of a nurse practitioner.

19 **SECTION 97.** 441.001 (3c) of the statutes is created to read:

20 441.001 (3c) PRACTICE OF A CERTIFIED NURSE-MIDWIFE. “Practice of a
21 certified nurse-midwife” means practice in the management of women’s health
22 care, pregnancy, childbirth, postpartum care for newborns, family planning, and

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gynecological services consistent with the standards of practice of the American College of Nurse-Midwives or its successor.

SECTION 98. 441.001 (3g) of the statutes is created to read:

441.001 **(3g)** PRACTICE OF A CERTIFIED REGISTERED NURSE ANESTHETIST.

“Practice of a certified registered nurse anesthetist” means providing anesthesia care, pain management care, and care related to anesthesia and pain management for persons across their lifespan, whose health status may range from healthy through all levels of acuity, including persons with immediate, severe, or life-threatening illness or injury, in diverse settings, including hospitals, ambulatory surgery centers, outpatient clinics, medical offices, and home health care settings.

SECTION 99. 441.001 (3n) of the statutes is created to read:

441.001 **(3n)** PRACTICE OF A CLINICAL NURSE SPECIALIST. “Practice of a clinical nurse specialist” means providing advanced nursing care, primarily in health care facilities, including the diagnosis and treatment of illness for identified specific populations based on a specialty.

SECTION 100. 441.001 (3r) of the statutes is created to read:

441.001 **(3r)** PRACTICE OF A NURSE PRACTITIONER. “Practice of a nurse practitioner” means practice in ambulatory, acute, long-term, or other health care settings as a primary or specialty care provider who provides health services, including assessing, diagnosing, treating, or managing acute, episodic, and chronic illnesses.

SECTION 101. 441.001 (3w) of the statutes is created to read:

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1 441.001 (3w) PRESCRIPTION ORDER. "Prescription order" has the meaning
2 given in s. 450.01 (21).

3 **SECTION 102.** 441.001 (5) of the statutes is created to read:

4 441.001 (5) RECOGNIZED ROLE. "Recognized role" means one of the following
5 roles:

6 (a) Certified nurse-midwife.

7 (b) Certified registered nurse anesthetist.

8 (c) Clinical nurse specialist.

9 (d) Nurse practitioner.

10 **SECTION 103.** 441.01 (3) of the statutes is amended to read:

11 441.01 (3) The board may promulgate rules to establish minimum standards
12 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and
13 schools for advanced practice registered nurses, including all related clinical units
14 and facilities, and make and provide periodic surveys and consultations to such
15 schools. ~~It~~ The board may also ~~establish~~ promulgate rules to prevent unauthorized
16 persons from practicing professional nursing. ~~It shall approve all rules for the~~
17 ~~administration of this chapter in accordance with ch. 227.~~

18 **SECTION 104.** 441.01 (4) of the statutes is amended to read:

19 441.01 (4) The board shall direct that those schools that qualify be placed on
20 a list of schools the board has approved for professional nurses ~~or~~, of schools the
21 board has approved for licensed practical nurses, or of schools the board has
22 approved for advanced practice registered nurses on application and proof of

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1 qualifications, and the board shall make a study of nursing education and ~~initiate~~
2 promulgate rules and policies to improve it.

3 **SECTION 105.** 441.01 (7) (a) (intro.) of the statutes is amended to read:

4 441.01 (7) (a) (intro.) The board shall require each applicant for the renewal of
5 a registered nurse ~~or~~, licensed practical nurse, or advanced practice registered
6 nurse license issued under this chapter to do all of the following as a condition for
7 renewing the license:

8 **SECTION 106.** 441.01 (7) (b) of the statutes is amended to read:

9 441.01 (7) (b) The board may not renew a registered nurse ~~or~~, licensed
10 practical nurse, or advanced practice registered nurse license under this chapter
11 unless the renewal applicant has completed the nursing workforce survey to the
12 satisfaction of the board. The board shall establish standards to determine whether
13 the survey has been completed. The board shall, by no later than June 30 of each
14 odd-numbered year, submit all completed nursing workforce survey forms to the
15 department of workforce development.

16 **SECTION 107.** 441.01 (7) (c) of the statutes is created to read:

17 441.01 (7) (c) An applicant who is renewing both a registered nurse and
18 advanced practice registered nurse license under s. 441.09 (1) (c) is only required to
19 pay a single fee under par. (a) 2.

20 **SECTION 108.** 441.06 (title) of the statutes is repealed and recreated to read:

21 **441.06 (title) Registered nurses; civil liability exemption.**

22 **SECTION 109.** 441.06 (3) of the statutes is amended to read:

23 441.06 (3) ~~—A—~~ Except as provided in s. 441.09 (1) (c), a registered nurse

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1 practicing for compensation shall, on or before the applicable renewal date specified
2 under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving
3 name, residence, and other facts that the board requires, with the nursing
4 workforce survey and fee required under s. 441.01 (7) and the applicable renewal fee
5 determined by the department under s. 440.03 (9) (a).

6 **SECTION 110.** 441.06 (4) of the statutes is amended to read:

7 441.06 (4) Except as provided in ss. 257.03 and 440.077, no person may
8 practice or attempt to practice professional nursing, nor use the title, letters, or
9 anything else to indicate that he or she is a registered or professional nurse unless
10 he or she is licensed under this section. Except as provided in ss. 257.03 and
11 440.077, no person not so licensed may use in connection with his or her nursing
12 employment or vocation any title or anything else to indicate that he or she is a
13 trained, certified or graduate nurse. This subsection does not apply to any
14 registered nurse who holds a multistate license, as defined in s. 441.51 (2) (h),
15 issued by a jurisdiction, other than this state, that has adopted the nurse licensure
16 compact ~~under s. 441.51.~~

17 **SECTION 111.** 441.06 (7) of the statutes is renumbered 441.09 (7) and
18 amended to read:

19 441.09 (7) CIVIL LIABILITY. No person ~~certified~~ licensed as an advanced
20 practice registered nurse ~~prescriber~~ under s. ~~441.16 (2)~~ this section is liable for civil
21 damages for any of the following:

22 (a) Reporting in good faith to the department of transportation under s.
23 146.82 (3) a patient's name and other information relevant to a physical or mental

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1 condition of the patient that in the advanced practice ~~nurse-prescriber's~~ registered
2 nurse's judgment impairs the patient's ability to exercise reasonable and ordinary
3 control over a motor vehicle.

4 (b) In good faith, not reporting to the department of transportation under s.
5 146.82 (3) a patient's name and other information relevant to a physical or mental
6 condition of the patient that in the advanced practice ~~nurse-prescriber's~~ registered
7 nurse's judgment does not impair the patient's ability to exercise reasonable and
8 ordinary control over a motor vehicle.

9 **SECTION 112.** 441.065 of the statutes is created to read:

10 **441.065 Use of titles.** (1) Except as provided in sub. (2), no person licensed
11 under this chapter may use, assume, or append to his or her name any title that is
12 not granted under this chapter unless the person holds another credential, as
13 defined in s. 440.01 (2) (a), that entitles the person to use, assume, or append to his
14 or her name the title or the person is permitted to use, assume, or append to his or
15 her name the title under any law of this state.

16 (2) (a) Subsection (1) does not prohibit a person who holds a doctorate degree
17 from using, assuming, or appending to his or her name the title "doctor" or any
18 other words, letters, or abbreviations that represent that the person holds that
19 doctorate degree or the field in which the degree was received. If a person to whom
20 this paragraph applies uses, assumes, or appends to his or her name the title
21 "doctor," the person shall also use, assume, or append to his or her name words,
22 letters, or abbreviations that represent the field in which the person received the
23 doctorate degree.

24 (b) Subsection (1) does not prohibit a person who holds a bachelor's degree or

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1 master's degree from using, assuming, or appending to his or her name any words,
2 letters, or abbreviations that represent that the person holds that degree or the
3 field in which the degree was received.

4 **SECTION 113.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended
5 to read:

6 441.07 (**1g**) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
7 board may deny an initial license or revoke, limit, suspend, or deny the renewal of a
8 license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse, or
9 licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or deny~~
10 ~~the renewal of a certificate to prescribe drugs or devices granted under s. 441.16;~~ or
11 reprimand a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
12 or licensed practical nurse, if the board finds that the applicant or licensee
13 committed any of the following:

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

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

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

21 **SECTION 114.** 441.07 (1r) of the statutes is created to read:

22 441.07 (**1r**) If the board finds that a person licensed under this chapter has
23 violated s. 441.065, the board shall discipline the person as follows:

24 (a) For a 1st violation, issue a written warning.

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1 (b) For a 2nd violation, suspend the license of the person.

2 (c) For a 3rd violation, revoke the license of the person.

3 **SECTION 115.** 441.07 (2) of the statutes is amended to read:

4 441.07 (2) The board may reinstate a revoked license, no earlier than one year
5 following revocation, upon receipt of an application for reinstatement. This
6 subsection does not apply to a license that is revoked under sub. (1r) or s. 440.12.

7 **SECTION 116.** 441.09 of the statutes is created to read:

8 **441.09 Advanced practice registered nurses; civil liability exemption.**

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

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

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

15 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or
16 (1m) with the application for a license under this paragraph.

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

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

22 a. The applicant has completed a graduate-level or postgraduate-level
23 education program that is approved by the board and that prepares the applicant
24 for the practice of advanced practice registered nursing in one of the 4 recognized

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1 roles, and the applicant holds a current certification by a national certifying body
2 approved by the board.

3 b. On January 1, 2026, the applicant was licensed as a registered nurse in this
4 state and was practicing in a recognized role, and the applicant satisfies additional
5 criteria established by the board by rule under sub. (6) (a) 3. relating to practice,
6 education, or certification.

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

8 4. The applicant provides to the board evidence of any malpractice liability
9 insurance coverage required under sub. (5).

10 5. If the applicant is applying to receive a certified nurse-midwife specialty
11 designation under par. (b) 1., the applicant does all of the following:

12 a. Provides evidence satisfactory to the board that the applicant is currently
13 certified by the American Midwifery Certification Board or its successor.

14 b. Files with the board any plan required under sub. (3m) (f).

15 6. The applicant does not have an arrest or conviction record, subject to ss.
16 111.321, 111.322, and 111.335.

17 7. The applicant meets any other criteria established by the board by rule
18 under sub. (6) (a) 3. relating to the education, training, or experience required for
19 each recognized role.

20 (b) 1. a. Subject to subd. 3. and s. 441.07 (1g), the board shall grant an
21 advanced practice registered nurse license to an applicant the board determines
22 meets the requirements under par. (a). The board shall also grant a person who is
23 granted a license under this subd. 1. a. one or more specialty designations

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1 corresponding to the recognized roles for which the board determines that the
2 person qualifies based on the person's qualifications under par. (a).

3 b. The board shall grant an advanced practice registered nurse license to each
4 individual who, on the day before the effective date of this subd. 1. b. [LRB
5 inserts date], was certified to issue prescription orders under s. 441.16, 2023 stats.
6 The board shall also grant a person who is granted a license under this subd. 1. b.
7 one or more specialty designations corresponding to the recognized roles for which
8 the board determines that the person qualifies based on the person's qualifications.

9 c. The board shall grant an advanced practice registered nurse license to each
10 individual who, on the day before the effective date of this subd. 1. c. [LRB
11 inserts date], was licensed as a nurse-midwife under s. 441.15, 2023 stats. The
12 board shall also grant a person who is granted a license under this subd. 1. c. a
13 nurse-midwife specialty designation.

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

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

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

21 5. If all of the following apply to a person, a notation indicating that the person
22 may not issue prescription orders shall appear on the person's advanced practice
23 registered nurse license:

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1 a. The person is granted an advanced practice registered nurse license under
2 subd. 1. a. and satisfies only par. (a) 2. b. but not par. (a) 2. a., or the person is
3 granted an advanced practice registered nurse license under subd. 1. c.

4 b. On January 1, 2026, the person did not hold a certificate under s. 441.16
5 (2), 2023 stats.

6 (c) On or before the applicable renewal date specified under s. 440.08 (2) (a),
7 an advanced practice registered nurse shall submit to the board on a form
8 furnished by the board a statement giving his or her name and residence, the
9 nursing workforce survey and fee required under s. 441.01 (7), evidence of having
10 satisfied the continuing education requirements under sub. (4), evidence of any
11 malpractice liability insurance coverage required under sub. (5), any plan required
12 under sub. (3m) (f), current evidence that the person satisfies each of the
13 requirements under par. (a) 1., 2., 5. a., and 7. that apply with respect to the person,
14 and any other information that the board requires by rule, with the applicable
15 renewal fee determined by the department under s. 440.03 (9) (a). The board shall
16 grant to a person who satisfies the requirements under this paragraph the renewal
17 of his or her advanced practice registered nurse license and specialty designations
18 granted under par. (b) 1. and shall, if the person holds a license under s. 441.06 (1),
19 (1c), or (1m), also grant the renewal of that license.

20 (2) PRESCRIBING AUTHORITY. (a) Except as provided in par. (b), an advanced
21 practice registered nurse may issue prescription orders, subject to the rules
22 promulgated under sub. (6) (a) 1. and 4., and may provide expedited partner
23 therapy in the manner described in s. 441.092.

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1 (b) An advanced practice registered nurse may not issue prescription orders if
2 a notation under sub. (1) (b) 5. indicating that the advanced practice registered
3 nurse may not issue prescription orders appears on the advanced practice
4 registered nurse's license.

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

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

12 (b) 1. Except as provided in sub. (3m) (e) and s. 257.03, no person may practice
13 or attempt to practice advanced practice registered nursing, nor use the title
14 "advanced practice registered nurse," the title "A.P.R.N.," or anything else to
15 indicate that he or she is an advanced practice registered nurse unless he or she is
16 licensed under this section.

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

18 a. Use the title "certified nurse-midwife," the title "C.N.M.," or anything else
19 to indicate that he or she is a certified nurse-midwife unless he or she has been
20 granted a certified nurse-midwife specialty designation under sub. (1) (b) 1.

21 b. Use the title "certified registered nurse anesthetist," the title "C.R.N.A.,"
22 or anything else to indicate that he or she is a certified registered nurse anesthetist

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1 unless he or she has been granted a certified registered nurse anesthetist specialty
2 designation under sub. (1) (b) 1.

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

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

9 **(3m)** PRACTICE REQUIREMENTS AND LIMITATIONS. (a) 1. An advanced practice
10 registered nurse licensed under this section may, except as provided in subd. 2. and
11 par. (b), practice advanced practice registered nursing only in collaboration with a
12 physician or dentist.

13 2. Subdivision 1. does not apply to an advanced practice registered nurse with
14 a certified nurse-midwife specialty designation.

15 (b) An advanced practice registered nurse to whom par. (a) 1. applies may,
16 except as provided in pars. (bg) 1. and (c), practice advanced practice registered
17 nursing in a recognized role without being supervised by or collaborating with, and
18 independent of, a physician or dentist if the board verifies, upon application of the
19 advanced practice registered nurse, that the advanced practice registered nurse
20 satisfies all of the following:

21 1. The advanced practice registered nurse has completed 3,840 hours of
22 professional nursing in a clinical setting. Clinical hours completed as a
23 requirement of a nursing program offered by a qualifying school of nursing under s.

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1 441.06 (1) (c) may be used to satisfy the requirement under this subdivision. Hours
2 completed to satisfy a requirement of an education program described in sub. (1) (a)
3 2. a. may not be used to satisfy the requirement under this subdivision.

4 2. At least 24 months have elapsed since the advanced practice registered
5 nurse first began completing the clinical hours required by a nursing program
6 described under subd. 1.

7 3. The advanced practice registered nurse has completed 3,840 clinical hours
8 of advanced practice registered nursing practice in that recognized role while
9 working with a physician or dentist who was immediately available for consultation
10 and accepted responsibility for the actions of the advanced practice registered nurse
11 during those 3,840 hours of practice. The advanced practice registered nurse may
12 substitute additional hours of advanced practice registered nursing working with a
13 physician or dentist described under this subdivision to count toward the
14 requirement under subd. 1. Each such additional hour shall count toward one hour
15 of the requirement under subd. 1.

16 4. At least 24 months have elapsed since the advanced practice registered
17 nurse first began practicing advanced practice registered nursing in that
18 recognized role as described under subd. 3.

19 (bd) For purposes of par. (b) 3., hours of advanced practice registered nursing
20 practice may include the lawful practice of advanced practice registered nursing
21 outside this state or the lawful practice of advanced practice registered nursing in
22 this state prior to the effective date of this paragraph [LRB inserts date].

23 (bg) 1. An advanced practice registered nurse may provide treatment of pain

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1 syndromes, as defined in s. 50.60 (5), through the use of invasive techniques only
2 while working in a collaborative relationship with a physician who, through
3 education, training, and experience, specializes in pain management. Except as
4 provided in subd. 2., this subdivision applies regardless of whether the advanced
5 practice registered nurse has qualified for independent practice under par. (b).

6 2. Except as provided in par. (c), subd. 1. does not apply to an advanced
7 practice registered nurse who is providing treatment of pain syndromes, as defined
8 in s. 50.60 (5), through the use of invasive techniques in a hospital, as defined in s.
9 50.33 (2), or in a clinic associated with a hospital, and who has qualified for
10 independent practice under par. (b).

11 3. Except as provided in par. (c), subd. 1. does not apply to an advanced
12 practice registered nurse who has qualified for independent practice under par. (b)
13 and has privileges in a hospital, as defined in s. 50.33 (2), to provide treatment of
14 pain syndromes, as defined in s. 50.60 (5), through the use of invasive techniques
15 without a collaborative relationship with a physician.

16 (bm) For purposes of pars. (a) 1. and (bg) 1., a collaborative relationship is a
17 process in which an advanced practice registered nurse is working with a physician
18 or dentist, in each other's presence when necessary, to deliver health care services
19 within the scope of the advanced practice registered nurse's training, education,
20 and experience. The advanced practice registered nurse shall document such a
21 collaborative relationship.

22 (c) Nothing in this section prohibits an entity employing or with a relationship
23 with an advanced practice registered nurse from establishing additional

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1 requirements for an advanced practice registered nurse as a condition of
2 employment or relationship.

3 (d) An advanced practice registered nurse shall adhere to professional
4 standards when managing situations that are beyond the advanced practice
5 registered nurse's expertise. If a particular patient's needs are beyond the
6 advanced practice registered nurse's expertise, the advanced practice registered
7 nurse shall, as warranted by the patient's needs, consult or collaborate with or refer
8 the patient to at least one of the following:

9 1. A physician licensed under ch. 448.

10 2. Another health care provider for whom the advanced practice registered
11 nurse has reasonable evidence of having a scope of practice that includes the
12 authorization to address the patient's needs.

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

20 (f) An advanced practice registered nurse with a certified nurse-midwife
21 specialty designation may not offer to deliver babies outside of a hospital setting
22 unless the advanced practice registered nurse files with the board, and the board
23 approves, a proactive plan for ensuring appropriate care or care transitions

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1 conforming with professional standards for patients with higher acuity or
2 emergency care needs that exceed the advanced practice registered nurse's scope of
3 practice. An advanced practice registered nurse who offers to deliver babies outside
4 of a hospital setting shall file a plan under this paragraph when applying for an
5 initial license under this section or a renewal of a license under this section, shall
6 keep the plan current with the board, and shall follow the plan.

7 (4) CONTINUING EDUCATION. Every advanced practice registered nurse shall
8 submit to the board evidence of having completed at least 16 contact hours per
9 biennium in clinical pharmacology or therapeutics relevant to the advanced
10 practice registered nurse's area of practice. The board may promulgate rules
11 regarding the continuing education requirements under this subsection.

12 (5) MALPRACTICE LIABILITY INSURANCE. No person may practice advanced
13 practice registered nursing unless he or she at all times has in effect malpractice
14 liability insurance coverage evidenced by personal liability coverage in the amounts
15 specified for health care providers under s. 655.23 (4) or coverage under a group
16 liability policy providing individual coverage for the person in the amounts
17 specified under s. 655.23 (4). An advanced practice registered nurse shall submit
18 evidence of that coverage to the board when applying for an initial license under
19 this section or a renewal of a license under this section. An advanced practice
20 registered nurse shall also submit such evidence to the board upon request of the
21 board.

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

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1 1. Further defining the scope of practice of an advanced practice registered
2 nurse, practice of a certified nurse-midwife, practice of a certified registered nurse
3 anesthetist, practice of a nurse practitioner, and practice of a clinical nurse
4 specialist and defining the scope of practice within which an advanced practice
5 registered nurse may issue prescription orders under sub. (2).

6 2. Determining acceptable national certification for purposes of sub. (1) (a) 2.
7 a.

8 3. Establishing the appropriate education, training, or experience
9 requirements that a registered nurse must satisfy in order to be an advanced
10 practice registered nurse and to obtain each specialty designation corresponding to
11 the recognized roles.

12 4. Specifying the classes of drugs, individual drugs, or devices that may not be
13 prescribed by an advanced practice registered nurse under sub. (2).

14 5. Specifying the conditions to be met for registered nurses to do the following:

- 15 a. Administer a drug prescribed by an advanced practice registered nurse.
16 b. Administer a drug at the direction of an advanced practice registered nurse.

17 6. Establishing standards of professional conduct for advanced practice
18 registered nurses generally and for practicing in each recognized role.

19 (am) The board may promulgate rules to implement sub. (3m) (b).

20 (b) The board may not promulgate rules that expand the scope of practice of
21 an advanced practice registered nurse beyond the practices within advanced
22 practice registered nursing.

23 **SECTION 117.** 441.092 of the statutes is created to read:

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SECTION 117

1 **441.092 Expedited partner therapy.** (1) In this section:

2 (b) “Antimicrobial drug” has the meaning given in s. 448.035 (1) (b).

3 (c) “Expedited partner therapy” has the meaning given in s. 448.035 (1) (c).

4 (2) Notwithstanding the requirements of s. 448.9785, an advanced practice
5 registered nurse who may issue prescription orders under s. 441.09 (2) may provide
6 expedited partner therapy if a patient is diagnosed as infected with a chlamydial
7 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with
8 a sexual partner during which the chlamydial infection, gonorrhea, or
9 trichomoniasis may have been transmitted to or from the sexual partner. The
10 advanced practice registered nurse shall attempt to obtain the name of the patient’s
11 sexual partner. A prescription order for an antimicrobial drug prepared under this
12 subsection shall include the name and address of the patient’s sexual partner, if
13 known. If the advanced practice registered nurse is unable to obtain the name of
14 the patient’s sexual partner, the prescription order shall include, in ordinary, bold-
15 faced capital letters, the words, “expedited partner therapy” or the letters “EPT.”

16 (3) The advanced practice registered nurse shall provide the patient with a
17 copy of the information sheet prepared by the department of health services under
18 s. 46.03 (44) and shall request that the patient give the information sheet to the
19 person with whom the patient had sexual contact.

20 (4) (a) Except as provided in par. (b), an advanced practice registered nurse is
21 immune from civil liability for injury to or the death of a person who takes any
22 antimicrobial drug if the antimicrobial drug is prescribed, dispensed, or furnished

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1 under this section and if expedited partner therapy is provided as specified under
2 this section.

3 (b) The immunity under par. (a) does not extend to the donation, distribution,
4 furnishing, or dispensing of an antimicrobial drug by an advanced practice
5 registered nurse whose act or omission involves reckless, wanton, or intentional
6 misconduct.

7 **SECTION 118.** 441.10 (7) of the statutes is amended to read:

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

22 **SECTION 119.** 441.11 (title) of the statutes is repealed.

23 **SECTION 120.** 441.11 (1) of the statutes is repealed.

SENATE BILL 258**SECTION 121**

1 **SECTION 121.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and
2 amended to read:

3 441.09 **(5m)** LICENSURE EXEMPTION. The provisions of s. ~~448.04 (1) (g)~~ 448.03
4 (1) (d) do not apply to ~~a~~ an advanced practice registered nurse licensed under this
5 section who possesses a certified registered nurse anesthetist specialty designation
6 under sub. (1) (b) 1. or to a person who engages in the practice of a nurse anesthetist
7 while performing official duties for the armed services or federal health services of
8 the United States.

9 **SECTION 122.** 441.11 (3) of the statutes is repealed.

10 **SECTION 123.** 441.15 of the statutes is repealed.

11 **SECTION 124.** 441.16 of the statutes is repealed.

12 **SECTION 125.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

13 441.18 **(2)** (a) (intro.) An advanced practice registered nurse ~~certified to~~ who
14 may issue prescription orders under s. ~~441.16~~ 441.09 (2) may do any of the
15 following:

16 **SECTION 126.** 441.18 (2) (b) of the statutes is amended to read:

17 441.18 **(2)** (b) An advanced practice registered nurse who prescribes or
18 delivers an opioid antagonist under par. (a) 1. shall ensure that the person to whom
19 the opioid antagonist is prescribed has or has the capacity to provide the knowledge
20 and training necessary to safely administer the opioid antagonist to an individual
21 undergoing an opioid-related overdose and that the person demonstrates the
22 capacity to ensure that any individual to whom the person further delivers the
23 opioid antagonist has or receives that knowledge and training.

SENATE BILL 258**SECTION 127**

1 **SECTION 127.** 441.18 (3) of the statutes is amended to read:

2 441.18 (3) An advanced practice registered nurse who, acting in good faith,
3 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who,
4 acting in good faith, otherwise lawfully prescribes or dispenses an opioid
5 antagonist, shall be immune from criminal or civil liability and may not be subject
6 to professional discipline under s. 441.07 for any outcomes resulting from
7 prescribing, delivering, or dispensing the opioid antagonist.

8 **SECTION 128.** 441.19 of the statutes is repealed.

9 **SECTION 129.** 448.03 (2) (a) of the statutes is amended to read:

10 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
11 permit, registration, certificate, or certification granted to practice midwifery
12 under subch. XIII of ch. 440, to practice professional ~~or~~, practical, or advanced
13 practice registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice
14 chiropractic under ch. 446, to practice dentistry, dental therapy, or dental hygiene
15 or as an expanded function dental auxiliary under ch. 447, to practice optometry
16 under ch. 449, to practice as a physician assistant under subch. IX, to practice
17 acupuncture under ch. 451 or under any other statutory provision, to practice
18 naturopathic medicine under ch. 466, or as otherwise provided by statute.

19 **SECTION 130.** 448.035 (1) (a) of the statutes is repealed.

20 **SECTION 131.** 448.035 (2) to (4) of the statutes are amended to read:

21 448.035 (2) Notwithstanding the requirements of s. 448.30, a physician ~~or~~
22 ~~certified advanced practice nurse prescriber~~ may provide expedited partner
23 therapy if the patient is diagnosed as infected with a chlamydial infection,
24 gonorrhea, or trichomoniasis and the patient has had sexual contact with a sexual

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1 partner during which the chlamydial infection, gonorrhea, or trichomoniasis may
2 have been transmitted to or from the sexual partner. The physician ~~or certified~~
3 ~~advanced practice nurse prescriber~~ shall attempt to obtain the name of the patient's
4 sexual partner. A prescription order for an antimicrobial drug prepared under this
5 subsection shall include the name and address of the patient's sexual partner, if
6 known. If the physician ~~or certified advanced practice nurse prescriber~~ is unable to
7 obtain the name of the patient's sexual partner, the prescription order shall
8 include, in ordinary bold-faced capital letters, the words, "expedited partner
9 therapy" or the letters "EPT."

10 (3) The physician ~~or certified advanced practice nurse prescriber~~ shall
11 provide the patient with a copy of the information sheet prepared by the
12 department of health services under s. 46.03 (44) and shall request that the patient
13 give the information sheet to the person with whom the patient had sexual contact.

14 (4) (a) Except as provided in par. (b), a physician ~~or certified advanced~~
15 ~~practice nurse prescriber~~ is immune from civil liability for injury to or the death of
16 a person who takes any antimicrobial drug if the antimicrobial drug is prescribed,
17 dispensed, or furnished under this section and if expedited partner therapy is
18 provided as specified under this section.

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

23 **SECTION 132.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

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1 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
2 448.52, a person may practice physical therapy only upon the written referral of a
3 physician, naturopathic doctor, physician assistant, chiropractor, dentist,
4 podiatrist, or advanced practice registered nurse ~~prescriber certified under s.~~
5 ~~441.16 (2)~~. Written referral is not required if a physical therapist provides services
6 in schools to children with disabilities, as defined in s. 115.76 (5), pursuant to rules
7 promulgated by the department of public instruction; provides services as part of a
8 home health care agency; provides services to a patient in a nursing home pursuant
9 to the patient's plan of care; provides services related to athletic activities,
10 conditioning, or injury prevention; or provides services to an individual for a
11 previously diagnosed medical condition after informing the individual's physician,
12 naturopathic doctor, physician assistant, chiropractor, dentist, podiatrist, or
13 advanced practice registered nurse ~~prescriber certified under s. 441.16 (2)~~ who
14 made the diagnosis. The examining board may promulgate rules establishing
15 additional services that are excepted from the written referral requirements of this
16 subsection.

17 **(1m)** (b) The examining board shall promulgate rules establishing the
18 requirements that a physical therapist must satisfy if a physician, naturopathic
19 doctor, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
20 registered nurse ~~prescriber~~ makes a written referral under sub. (1). The purpose of
21 the rules shall be to ensure continuity of care between the physical therapist and
22 the health care practitioner.

23 **SECTION 133.** 448.62 (2m) of the statutes is amended to read:

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1 448.62 (2m) An advanced practice registered nurse ~~who is certified to issue~~
2 ~~prescription orders under s. 441.16 and~~ who is providing nonsurgical patient
3 services as directed, supervised, and inspected by a podiatrist who has the power to
4 direct, decide, and oversee the implementation of the patient services rendered.

5 **SECTION 134.** 448.67 (2) of the statutes is amended to read:

6 448.67 (2) SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a
7 licensee who renders any podiatric service or assistance, or gives any podiatric
8 advice or any similar advice or assistance, to any patient, podiatrist, physician,
9 physician assistant, advanced practice registered nurse ~~prescriber certified under~~
10 ~~s. 441.16 (2)~~, partnership, or corporation, or to any other institution or organization,
11 including a hospital, for which a charge is made to a patient, shall, except as
12 authorized by Title 18 or Title 19 of the federal Social Security Act, render an
13 individual statement or account of the charge directly to the patient, distinct and
14 separate from any statement or account by any other podiatrist, physician,
15 physician assistant, advanced practice registered nurse ~~prescriber~~, or other person.

16 **SECTION 135.** 448.956 (1m) of the statutes is amended to read:

17 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training to
18 an individual without a referral, except that a licensee may not provide athletic
19 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
20 setting unless the licensee has obtained a written referral for the individual from a
21 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
22 under ch. 446; or under s. ~~441.16 (2)~~ 441.09 or from a practitioner who holds a
23 compact privilege under subch. XI or XII of ch. 448.

SENATE BILL 258**SECTION 136**

1 **SECTION 136.** 450.01 (1m) of the statutes is repealed.

2 **SECTION 137.** 450.01 (16) (h) 2. of the statutes is amended to read:

3 450.01 **(16)** (h) 2. The patient's advanced practice registered nurse ~~prescriber~~,
4 if the advanced practice registered nurse ~~prescriber has entered into a written~~
5 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
6 441.09 (2).

7 **SECTION 138.** 450.01 (16) (hr) 2. of the statutes is amended to read:

8 450.01 **(16)** (hr) 2. An advanced practice registered nurse ~~prescriber~~ who may
9 issue prescription orders under s. 441.09 (2).

10 **SECTION 139.** 450.03 (1) (e) of the statutes is amended to read:

11 450.03 **(1)** (e) Any person lawfully practicing within the scope of a license,
12 permit, registration, certificate, or certification granted to practice as a pharmacy
13 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
14 practice professional ~~or~~, practical, or advanced practice registered nursing or nurse-
15 ~~midwifery~~ under ch. 441, to practice dentistry, dental therapy, or dental hygiene or
16 as an expanded function dental auxiliary under ch. 447, to practice medicine and
17 surgery under ch. 448, to practice optometry under ch. 449, to practice naturopathic
18 medicine under ch. 466, or to practice veterinary medicine under ch. 89, or as
19 otherwise provided by statute.

20 **SECTION 140.** 450.11 (1g) (b) of the statutes is amended to read:

21 450.11 **(1g)** (b) A pharmacist may, upon the prescription order of a
22 practitioner providing expedited partner therapy, as specified in s. 441.092,
23 448.035, or 448.9725, that complies with the requirements of sub. (1), dispense an
24 antimicrobial drug as a course of therapy for treatment of chlamydial infections,

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1 gonorrhea, or trichomoniasis to the practitioner's patient or a person with whom
2 the patient has had sexual contact for use by the person with whom the patient has
3 had sexual contact. The pharmacist shall provide a consultation in accordance with
4 rules promulgated by the board for the dispensing of a prescription to the person to
5 whom the antimicrobial drug is dispensed. A pharmacist providing a consultation
6 under this paragraph shall ask whether the person for whom the antimicrobial
7 drug has been prescribed is allergic to the antimicrobial drug and advise that the
8 person for whom the antimicrobial drug has been prescribed must discontinue use
9 of the antimicrobial drug if the person is allergic to or develops signs of an allergic
10 reaction to the antimicrobial drug.

11 **SECTION 141.** 450.11 (1i) (a) 1. of the statutes is amended to read:

12 450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the
13 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
14 441.18 (2) (a) 1., of a physician under s. 448.037 (2) (a) 1., or of a physician assistant
15 under s. 448.9727 (2) (a) 1. that complies with the requirements of sub. (1), deliver
16 an opioid antagonist to a person specified in the prescription order and may, upon
17 and in accordance with the standing order of an advanced practice registered nurse
18 ~~prescriber~~ under s. 441.18 (2) (a) 2., of a physician under s. 448.037 (2) (a) 2., or of a
19 physician assistant under s. 448.9727 (2) (a) 2. that complies with the requirements
20 of sub. (1), deliver an opioid antagonist to an individual in accordance with the
21 order. The pharmacist shall provide a consultation in accordance with rules
22 promulgated by the board for the delivery of a prescription to the person to whom
23 the opioid antagonist is delivered.

SENATE BILL 258**SECTION 142**

1 **SECTION 142.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

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

5 **SECTION 143.** 450.11 (7) (b) of the statutes is amended to read:

6 450.11 (7) (b) Information communicated to a physician, physician assistant,
7 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
8 a prescription drug or the administration of a prescription drug is not a privileged
9 communication.

10 **SECTION 144.** 450.11 (8) (e) of the statutes is amended to read:

11 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
12 practice ~~nurse-prescribers~~ registered nurses.

13 **SECTION 145.** 450.13 (5) (b) of the statutes is amended to read:

14 450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if
15 the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
16 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
17 441.09 (2).

18 **SECTION 146.** 450.135 (7) (b) of the statutes is amended to read:

19 450.135 (7) (b) The patient's advanced practice registered nurse ~~prescriber~~, if
20 the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
21 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
22 441.09 (2).

23 **SECTION 147.** 462.04 of the statutes is amended to read:

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1 **462.04 Prescription or order required.** A person who holds a license or
2 limited X-ray machine operator permit under this chapter may not use diagnostic
3 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
4 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
5 doctor licensed under s. 466.04 (1), a dentist who is licensed under s. 447.04 (1) or
6 who holds a compact privilege under subch. II of ch. 447, a dental therapist licensed
7 under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a chiropractor licensed
8 under s. 446.02, an advanced practice registered nurse ~~certified~~ licensed under s.
9 ~~441.16 (2)~~ 441.09, a physician assistant who is licensed under s. 448.974 or who
10 holds a compact privilege under subch. XIII of ch. 448, or, subject to s. 448.56 (7) (a),
11 a physical therapist who is licensed under s. 448.53 or who holds a compact
12 privilege under subch. XI of ch. 448.

13 **SECTION 148.** 655.001 (1) of the statutes is renumbered 655.001 (1r).

14 **SECTION 149.** 655.001 (1g) of the statutes is created to read:

15 655.001 (1g) “Advanced practice registered nurse” means an individual who
16 is licensed under s. 441.09, who has qualified to practice independently in his or her
17 recognized role under s. 441.09 (3m) (b), and who practices advanced practice
18 registered nursing, as defined under s. 441.001 (1c), outside of a collaborative
19 relationship with a physician or dentist, as described under s. 441.09 (3m) (a) 1., or
20 other employment relationship.

21 **SECTION 150.** 655.001 (7t) of the statutes is amended to read:

22 655.001 (7t) “Health care practitioner” means a health care professional, as
23 defined in s. 180.1901 (1m), who is an employee of a health care provider described
24 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care

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1 services that are not ~~in collaboration with a physician under s. 441.15 (2) (b) or~~
2 under the direction and supervision of a physician or ~~nurse anesthetist~~ advanced
3 practice registered nurse.

4 **SECTION 151.** 655.001 (9) of the statutes is repealed.

5 **SECTION 152.** 655.002 (1) (a) of the statutes is amended to read:

6 655.002 (1) (a) A physician or ~~a nurse anesthetist~~ an advanced practice
7 registered nurse for whom this state is a principal place of practice and who
8 practices his or her profession in this state more than 240 hours in a fiscal year.

9 **SECTION 153.** 655.002 (1) (b) of the statutes is amended to read:

10 655.002 (1) (b) A physician or ~~a nurse anesthetist~~ an advanced practice
11 registered nurse for whom Michigan is a principal place of practice, if all of the
12 following apply:

13 1. The physician or ~~nurse anesthetist~~ advanced practice registered nurse is a
14 resident of this state.

15 2. The physician or ~~nurse anesthetist~~ advanced practice registered nurse
16 practices his or her profession in this state or in Michigan or a combination of both
17 more than 240 hours in a fiscal year.

18 3. The physician or ~~nurse anesthetist~~ advanced practice registered nurse
19 performs more procedures in a Michigan hospital than in any other hospital. In this
20 subdivision, "Michigan hospital" means a hospital located in Michigan that is an
21 affiliate of a corporation organized under the laws of this state that maintains its
22 principal office and a hospital in this state.

23 **SECTION 154.** 655.002 (1) (c) of the statutes is amended to read:

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1 655.002 (1) (c) A physician or ~~nurse-anesthetist~~ an advanced practice
2 registered nurse who is exempt under s. 655.003 (1) or (3), but who practices his or
3 her profession outside the scope of the exemption and who fulfills the requirements
4 under par. (a) in relation to that practice outside the scope of the exemption. For a
5 physician or ~~a nurse-anesthetist~~ an advanced practice registered nurse who is
6 subject to this chapter under this paragraph, this chapter applies only to claims
7 arising out of practice that is outside the scope of the exemption under s. 655.003 (1)
8 or (3).

9 **SECTION 155.** 655.002 (1) (d) of the statutes is amended to read:

10 655.002 (1) (d) A partnership comprised of physicians or ~~nurse-anesthetists~~
11 advanced practice registered nurses and organized and operated in this state for the
12 primary purpose of providing the medical services of physicians or ~~nurse~~
13 ~~anesthetists~~ advanced practice registered nurses.

14 **SECTION 156.** 655.002 (1) (e) of the statutes is amended to read:

15 655.002 (1) (e) A corporation organized and operated in this state for the
16 primary purpose of providing the medical services of physicians or ~~nurse~~
17 ~~anesthetists~~ advanced practice registered nurses.

18 **SECTION 157.** 655.002 (1) (em) of the statutes is amended to read:

19 655.002 (1) (em) Any organization or enterprise not specified under par. (d) or
20 (e) that is organized and operated in this state for the primary purpose of providing
21 the medical services of physicians or ~~nurse-anesthetists~~ advanced practice
22 registered nurses.

23 **SECTION 158.** 655.002 (2) (a) of the statutes is amended to read:

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1 655.002 (2) (a) A physician or ~~nurse-anesthetist~~ advanced practice registered
2 nurse for whom this state is a principal place of practice but who practices his or her
3 profession fewer than 241 hours in a fiscal year, for a fiscal year, or a portion of a
4 fiscal year, during which he or she practices his or her profession.

5 **SECTION 159.** 655.002 (2) (b) of the statutes is amended to read:

6 655.002 (2) (b) Except as provided in sub. (1) (b), a physician or ~~nurse~~
7 ~~anesthetist~~ advanced practice registered nurse for whom this state is not a
8 principal place of practice, for a fiscal year, or a portion of a fiscal year, during
9 which he or she practices his or her profession in this state. For a health care
10 provider who elects to be subject to this chapter under this paragraph, this chapter
11 applies only to claims arising out of practice that is in this state and that is outside
12 the scope of an exemption under s. 655.003 (1) or (3).

13 **SECTION 160.** 655.003 (1) of the statutes is amended to read:

14 655.003 (1) A physician or ~~a nurse-anesthetist~~ an advanced practice
15 registered nurse who is a state, county or municipal employee, or federal employee
16 or contractor covered under the federal tort claims act, as amended, and who is
17 acting within the scope of his or her employment or contractual duties.

18 **SECTION 161.** 655.003 (3) of the statutes is amended to read:

19 655.003 (3) Except for a physician or ~~nurse-anesthetist~~ advanced practice
20 registered nurse who meets the criteria under s. 146.89 (5) (a), a physician or ~~a~~
21 ~~nurse-anesthetist~~ an advanced practice registered nurse who provides professional
22 services under the conditions described in s. 146.89, with respect to those
23 professional services provided by the physician or ~~nurse-anesthetist~~ advanced

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1 practice registered nurse for which he or she is covered by s. 165.25 and considered
2 an agent of the department, as provided in s. 165.25 (6) (b).

3 **SECTION 162.** 655.005 (2) (a) of the statutes is amended to read:

4 655.005 (2) (a) An employee of a health care provider if the employee is a
5 physician or ~~a nurse anesthetist~~ an advanced practice registered nurse or is a
6 health care practitioner who is providing health care services that are not ~~in~~
7 ~~collaboration with a physician under s. 441.15 (2) (b) or~~ under the direction and
8 supervision of a physician or ~~nurse anesthetist~~ advanced practice registered nurse.

9 **SECTION 163.** 655.005 (2) (b) of the statutes is amended to read:

10 655.005 (2) (b) A service corporation organized under s. 180.1903 by health
11 care professionals, as defined under s. 180.1901 (1m), if the board of governors
12 determines that it is not the primary purpose of the service corporation to provide
13 the medical services of physicians or ~~nurse anesthetists~~ advanced practice
14 registered nurses. The board of governors may not determine under this paragraph
15 that it is not the primary purpose of a service corporation to provide the medical
16 services of physicians or ~~nurse anesthetists~~ advanced practice registered nurses
17 unless more than 50 percent of the shareholders of the service corporation are
18 neither physicians nor ~~nurse anesthetists~~ advanced practice registered nurses.

19 **SECTION 164.** 655.23 (5m) of the statutes is amended to read:

20 655.23 (5m) The limits set forth in sub. (4) shall apply to any joint liability of
21 a physician or ~~nurse anesthetist~~ advanced practice registered nurse and his or her
22 corporation, partnership, or other organization or enterprise under s. 655.002 (1)
23 (d), (e), or (em).

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1 **SECTION 165.** 655.27 (3) (a) 4. of the statutes is amended to read:

2 655.27 (3) (a) 4. For a health care provider described in s. 655.002 (1) (d), (e),
3 (em), or (f), risk factors and past and prospective loss and expense experience
4 attributable to employees of that health care provider other than employees
5 licensed as a physician or ~~nurse-anesthetist~~ advanced practice registered nurse.

6 **SECTION 166.** 655.27 (3) (b) 2m. of the statutes is amended to read:

7 655.27 (3) (b) 2m. In addition to the fees and payment classifications
8 described under subds. 1. and 2., the commissioner, after approval by the board of
9 governors, may establish a separate payment classification for physicians satisfying
10 s. 655.002 (1) (b) and a separate fee for ~~nurse-anesthetists~~ advanced practice
11 registered nurses satisfying s. 655.002 (1) (b) which take into account the loss
12 experience of health care providers for whom Michigan is a principal place of
13 practice.

14 **SECTION 167.** 655.275 (2) of the statutes is amended to read:

15 655.275 (2) APPOINTMENT. The board of governors shall appoint the members
16 of the council. Section 15.09, except s. 15.09 (4) and (8), does not apply to the
17 council. The board of governors shall designate the chairperson, who shall be a
18 physician, the vice chairperson, and the secretary of the council and the terms to be
19 served by council members. The council shall consist of 5 or 7 persons, not more
20 than 3 of whom are physicians who are licensed and in good standing to practice
21 medicine in this state and one of whom is ~~a nurse-anesthetist~~ an advanced practice
22 registered nurse who is licensed and in good standing to practice nursing in this
23 state. The chairperson or another peer review council member designated by the

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1 chairperson shall serve as an ex officio nonvoting member of the medical examining
2 board and may attend meetings of the medical examining board, as appropriate.

3 **SECTION 168.** 655.275 (5) (b) 2. of the statutes is amended to read:

4 655.275 (5) (b) 2. If a claim was paid for damages arising out of the rendering
5 of care by ~~a nurse anesthetist~~ an advanced practice registered nurse, with at least
6 one ~~nurse anesthetist~~ advanced practice registered nurse.

7 **SECTION 169.** 895.478 (3m) of the statutes is amended to read:

8 895.478 (3m) ELEMENTARY AND SECONDARY SCHOOLS. An elementary or
9 secondary school and its designated school personnel, and a physician, advanced
10 practice registered nurse ~~prescriber~~, or physician assistant who provides or
11 administers an opioid antagonist, are not liable for any injury that results from the
12 opioid antagonist, regardless of whether authorization was given by the pupil's
13 parent or guardian or by the pupil's physician, advanced practice registered nurse
14 ~~prescriber~~, or physician assistant, unless the injury is the result of an act or
15 omission that constitutes gross negligence or willful or wanton misconduct. The
16 immunity from liability provided under this subsection is in addition to and not in
17 lieu of that provided under s. 895.48.

18 **SECTION 170.** 961.01 (19) (a) of the statutes is amended to read:

19 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
20 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.975
21 (1) (b), a physician assistant, or other person licensed, registered, certified or
22 otherwise permitted to distribute, dispense, conduct research with respect to,
23 administer or use in teaching or chemical analysis a controlled substance in the
24 course of professional practice or research in this state.

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SECTION 171

1 **SECTION 171.** 961.395 of the statutes is amended to read:

2 **961.395 Limitation on advanced practice registered nurses.** (1) An
3 advanced practice registered nurse who is ~~certified~~ may issue prescription orders
4 under s. ~~441.16~~ 441.09 (2) may prescribe controlled substances only as permitted by
5 the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (a) 4.

6 **(2)** An advanced practice registered nurse ~~certified under s. 441.16~~ who may
7 issue prescription orders under s. 441.09 (2) shall include with each prescription
8 order the ~~advanced practice nurse prescriber certification~~ license number issued to
9 him or her by the board of nursing.

10 **(3)** An advanced practice registered nurse ~~certified under s. 441.16~~ who may
11 issue prescription orders under s. 441.09 (2) may dispense a controlled substance
12 only by prescribing or administering the controlled substance or as otherwise
13 permitted by the rules promulgated under s. ~~441.16 (3)~~ 441.09 (6) (a) 4.

14 **SECTION 172. Nonstatutory provisions.**

15 (1) Using the procedure under s. 227.24, the board of nursing may promulgate
16 rules under ch. 441 that are necessary to implement the changes in this act.
17 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
18 evidence that promulgating a rule under this subsection as an emergency rule is
19 necessary for the preservation of the public peace, health, safety, or welfare and is
20 not required to provide a finding of emergency for a rule promulgated under this
21 subsection. A rule under this subsection may take effect no later than the date
22 specified in SECTION 173 (intro.) of this act. Notwithstanding s. 227.24 (1) (c) and
23 (2), a rule promulgated under this subsection is effective for 2 years after its

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1 promulgation, or until permanent rules take effect, whichever is sooner, and the
2 effective period of a rule promulgated under this subsection may not be further
3 extended under s. 227.24 (2).

4 (2) (a) In this subsection, the definitions under s. 441.001 apply.

5 (b) Notwithstanding s. 441.09 (3), an individual who, on January 1, 2026, is
6 licensed as a registered nurse in this state and is practicing in a recognized role may
7 continue to practice advanced practice registered nursing and the corresponding
8 recognized role in which he or she is practicing and may continue to use the titles
9 corresponding to the recognized roles in which he or she is practicing during the
10 period before which the board takes final action on the person's application under s.
11 441.09. This paragraph does not apply after the first day of the 13th month
12 beginning after the effective date of this paragraph.

13 **SECTION 173. Effective dates.** This act takes effect on the first day of the
14 13th month beginning after publication, except as follows:

15 (1) SECTION 172 (1) of this act takes effect on the day after publication.

16 **(END)**