



2019 ASSEMBLY BILL 458

September 18, 2019 - Introduced by Representatives MAGNAFICI, EDMING, JAMES, OLDENBURG, FELZKOWSKI, BALLWEG, DITTRICH, HORLACHER, KNODL, KULP, MURSAU, PETRYK, QUINN, RAMTHUN, RODRIGUEZ, SKOWRONSKI, SPIROS, TUSLER and WICHGERS, cosponsored by Senators PETROWSKI, BEWLEY, JACQUE, KAPENGA, KOOYENGA, MARKLEIN, NASS, OLSEN, STROEBEL and TIFFANY. Referred to Committee on Rural Development.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to create** 441.115 (3) of the statutes; **relating to:** temporary practice by
2 registered nurses at camps, providing an exemption from emergency rule
3 procedures, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

The bill allows a person to practice for up to 90 days a year as a registered nurse for campers and staff at a recreational and educational camp licensed in this state if both of the following are satisfied: 1) the person is licensed in good standing to practice professional nursing by another state or territory or a foreign country or province and the licensure standards in that jurisdiction are substantially equivalent to the requirements of this state; and 2) the person is not under active investigation by a licensing authority or law enforcement authority in any state, federal, or foreign jurisdiction. Before practicing as a registered nurse as allowed under the bill, a person is required to submit a form to the Board of Nursing.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 441.115 (3) of the statutes is created to read:
5 441.115 (3) (a) Notwithstanding s. 441.06 (4), a person may at a recreational
6 and educational camp licensed under s. 97.67 (1) practice professional nursing to

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1 provide treatment to campers and staff for not more than 90 days in any year without
2 holding a license granted under this subchapter if all of the following apply:

3 1. The person holds in good standing a license, permit, registration, or
4 certificate granted by another state or territory or by a foreign country or province
5 that authorizes the person to perform acts that are substantially the same as those
6 performed by a person licensed as a registered nurse under this subchapter.

7 2. The requirements for the license, permit, registration, or certificate that the
8 person holds under subd. 1. are substantially equivalent to the requirements for
9 licensure as a registered nurse under this subchapter.

10 3. The person is not under active investigation by a licensing authority or law
11 enforcement authority in any state, federal, or foreign jurisdiction.

12 (b) A person shall submit to the board a form provided by the board before
13 practicing under par. (a). The board may promulgate rules establishing the form to
14 be submitted under this subsection.

15 (c) This subsection does not apply to a person who holds a multistate license,
16 as defined in s. 441.51 (2) (h), issued by a party state, as defined in s. 441.51 (2) (k).

SECTION 2. Nonstatutory provisions.

18 (1) Using the procedure under s. 227.24, the board of nursing may promulgate
19 rules establishing the form that a person shall submit before practicing under s.
20 441.115 (3) (a). Notwithstanding s. 227.24 (1) (a) and (3), the board of nursing is not
21 required to provide evidence that promulgating a rule under this subsection is
22 necessary for the preservation of the public peace, health, safety, or welfare and is
23 not required to provide a finding of emergency for a rule promulgated under this
24 subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated
25 under this subsection may remain in effect until May 1, 2020, or the date on which

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1 permanent rules take effect, whichever is sooner, and the effective period may not
2 be further extended under s. 227.24 (2).

3 **SECTION 3. Effective dates.** This act takes effect on the 60th day after the day
4 of publication, except as follows:

5 (1) SECTION 2 of this act takes effect on the day after publication.

6 (END)