



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-4279/1  
JPC:amn

## 2023 ASSEMBLY BILL 500

October 18, 2023 - Introduced by Representatives SCHUTT, DONOVAN, GUSTAFSON, KITCHENS, MURPHY, MURSAU, RETTINGER and ORTIZ-VELEZ, cosponsored by Senators TESTIN, BALLWEG, COWLES and QUINN. Referred to Committee on Health, Aging and Long-Term Care.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT to create** 49.45 (61m) of the statutes; **relating to:** provision of health  
2           services through telehealth by out-of-state providers under the Medical  
3           Assistance program.

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### *Analysis by the Legislative Reference Bureau*

Under current administrative code, out-of-state health care providers that regularly provide services to Wisconsin Medical Assistance recipients and that provide services to Wisconsin Medical Assistance recipients through telehealth may apply for certification as a Medical Assistance provider in Wisconsin regardless of the provider's location. This bill codifies this administrative code provision by prohibiting the Department of Health Services from requiring a health care provider that is licensed, certified, registered, or otherwise authorized to provide health care services in this state and that exclusively offers health care services in this state through telehealth to maintain a physical address or site in this state to be eligible for enrollment as a certified provider under the Medical Assistance program. Additionally, this bill prohibits DHS from requiring a provider group with health care providers that are licensed, certified, registered, or otherwise authorized to provide health care services in this state and that exclusively offer health care services in this state through telehealth to maintain a physical address or site in this state to be eligible for enrollment as a provider group under the Medical Assistance

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program. The Medical Assistance program is a joint state and federal program that provides health services to individuals who have limited financial resources.

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

1           **SECTION 1.** 49.45 (61m) of the statutes is created to read:

2           49.45 **(61m)** SERVICES PROVIDED THROUGH TELEHEALTH BY OUT-OF-STATE  
3 PROVIDERS. (a) In this subsection, “telehealth” has the meaning given in sub. (61) (a)  
4 4.

5           (b) The department may not require a health care provider that is licensed,  
6 certified, registered, or otherwise authorized to provide health care services in this  
7 state and that exclusively offers health care services in this state through telehealth  
8 to maintain a physical address or site in this state to be eligible for enrollment as a  
9 certified provider under the Medical Assistance program.

10          (c) The department may not require a provider group with health care  
11 providers that are licensed, certified, registered, or otherwise authorized to provide  
12 health care services in this state and that exclusively offer health care services in this  
13 state through telehealth to maintain a physical address or site in this state to be  
14 eligible for enrollment as a provider group under the Medical Assistance program.

15                                   **(END)**