



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3461/1
MED:klm

2015 ASSEMBLY BILL 768

January 22, 2016 - Introduced by Representatives CRAIG, SARGENT, BALLWEG, CONSIDINE, JAGLER, KAHL, KREMER, T. LARSON, A. OTT, PETERSEN, SINICKI, SKOWRONSKI, SPREITZER and THIESFELDT, cosponsored by Senators LASEE, C. LARSON, OLSEN and VINEHOUT. Referred to Committee on Health.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT** *to create* 441.16 (3) (f) and 448.40 (3) of the statutes; **relating to:** rules
2 regarding the diagnosis and treatment of Lyme disease and requiring the
3 exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Medical Examining Board (MEB) licenses physicians and physician assistants, and the Board of Nursing (BON) licenses nurses and certifies advanced practice nurses to be authorized to issue prescription orders (APRN prescribers). Current law requires examining boards, including MEB and BON, to promulgate rules for their own guidance and for the guidance of the trade or profession to which they pertain, and to define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

This bill specifically requires both MEB and BON to promulgate rules regarding best practices for the diagnosis and treatment of Lyme disease, as defined in the bill, by physicians, physician assistants, and APRN prescribers and requires those rules to specifically address the diagnosis and treatment of cases of late stage, persistent, or chronic cases of Lyme disease, or of complications related to such cases.

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:

ASSEMBLY BILL 768**SECTION 1**

1 **SECTION 1.** 441.16 (3) (f) of the statutes is created to read:

2 441.16 (3) (f) Best practices for the diagnosis and treatment of Lyme disease,
3 as defined in s. 448.40 (3) (a), by advanced practice nurses certified to issue
4 prescription orders, which shall specifically address the diagnosis and treatment of
5 cases of Lyme disease described under s. 448.40 (3) (a) 2.

6 **SECTION 2.** 448.40 (3) of the statutes is created to read:

7 448.40 (3) (a) In this subsection, "Lyme disease" means the presence in a
8 patient of any of the following:

9 1. A severe infection with borrelia burgdorferi.

10 2. A late stage, persistent, or chronic infection with borrelia burgdorferi, or
11 complications related to such an infection.

12 3. An infection with other strains of borrelia that are recognized by the federal
13 centers for disease control and prevention as a cause of Lyme disease.

14 (b) The board shall promulgate rules regarding best practices for the diagnosis
15 and treatment of Lyme disease by physicians and physician assistants, which shall
16 specifically address the diagnosis and treatment of cases of Lyme disease described
17 under par. (a) 2.

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(END)