

# State of Wisconsin



1995 Assembly Bill 280

Date of enactment: **March 22, 1996**

Date of publication\*: **April 5, 1996**

## 1995 WISCONSIN ACT 166

AN ACT *to renumber* 448.51; *to amend* 448.52 (intro.); and *to create* 446.02 (10), 448.51 (2) and 448.525 of the statutes; **relating to:** persons who may claim to render physical therapy or physiotherapy services and granting rule-making authority.

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

**SECTION 1.** 446.02 (10) of the statutes is created to read:

446.02 (10) (a) The examining board and the physical therapists affiliated credentialing board acting under s. 448.525 shall jointly promulgate rules that establish the circumstances under which and the extent to which a chiropractor licensed under this chapter may claim to render physical therapy or physiotherapy services within the scope of the practice of chiropractic.

(b) The examining board may promulgate rules relating to the circumstances under which and the extent to which a chiropractor licensed under this chapter may claim to render physical therapy or physiotherapy services within the scope of the practice of chiropractic only as provided under par. (a).

**SECTION 2.** 448.51 of the statutes is renumbered 448.51 (1).

**SECTION 3.** 448.51 (2) of the statutes is created to read:

448.51 (2) (a) In this subsection, "advertisement" includes advertisements that appear on outdoor signs, in print or electronic media, and in material mailed to a person other than a patient or prospective patient who has requested the material.

(b) Except as provided in par. (c), no person may claim to render physical therapy or physiotherapy services unless the person is licensed under this subchapter.

(c) A chiropractor licensed under ch. 446 may claim to render physical therapy or physiotherapy services only as follows:

1. In accordance with the rules promulgated under ss. 446.02 (10) and 448.525.

2. If the rules under ss. 446.02 (10) and 448.525 have not taken effect, as follows:

a. If, anytime before October 17, 1995, the chiropractor claimed in an advertisement to render physical therapy or physiotherapy services, the chiropractor may continue to claim to render physical therapy or physiotherapy services in an advertisement until the rules promulgated under ss. 446.02 (10) and 448.525 take effect.

b. The chiropractor may claim to render physical therapy or physiotherapy services in private communications with an individual who is a patient or prospective patient until the rules promulgated under ss. 446.02 (10) and 448.525 take effect. This subd. 2. b. also applies to an employe or agent of the chiropractor who claims that the chiropractor renders physical therapy or physiotherapy services.

**SECTION 4.** 448.52 (intro.) of the statutes is amended to read:

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

**448.52 Applicability.** (intro.) This subchapter does not require a license under this subchapter for any of the following, if the person does not claim to render physical therapy or physiotherapy services as prohibited under s. 448.51 (2) (b):

**SECTION 5.** 448.525 of the statutes is created to read:

**448.525 Rules concerning claims to render physical therapy or physiotherapy services.** (1) The affiliated credentialing board and the chiropractic examining board acting under s. 446.02 (10) shall jointly promulgate

rules that establish the circumstances under which and the extent to which a chiropractor licensed under ch. 446 may claim to render physical therapy or physiotherapy services within the scope of the practice of chiropractic.

(2) The affiliated credentialing board may promulgate rules relating to the circumstances under which and the extent to which a chiropractor licensed under this chapter may claim to render physical therapy or physiotherapy services within the scope of the practice of chiropractic only as provided under sub. (1).

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