



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2007 Wisconsin Act 153**  
[2007 Senate Bill 548]

**Remedial Legislation [Department  
of Health and Family Services]**

This legislation was suggested as remedial legislation by the Department of Health and Family Services (DHFS) and introduced by the Joint Legislative Council's Law Revision Committee under s. 13.83 (1) (c) 4. and 5., Stats.

Effective January 1, 2009, 2007 Wisconsin Act 153\*:

- Changes the terms “nurse’s assistant,” “hospice aide,” and “home health aide” to “nurse aide” and changes the term “intermediate care facility for the mentally retarded” to “intermediate care facility for persons with mental retardation.” Changes the term “instructional and competency evaluation program” to “instructional program” and requires that DHFS approve, rather than certify, such programs that meet standards specified by DHFS by rule. Further, requires DHFS to review the curriculum of each approved instructional program every 24 months, rather than 36 months, after the date of approval.
- Creates a new classification of caregiver, termed a “feeding assistant.” Requires a feeding assistant to successfully complete a state-approved training and testing program to perform one nursing-related duty before being employed by or contracting with a nursing home or intermediate care facility for persons with mental retardation. Prohibits a nursing home from using hours of service provided by a feeding assistant in fulfilling certain staffing requirements.
- Eliminates the requirement that a facility, organization, or service that is licensed or certified by or registered with DHFS report to the Department of Regulation and Licensing any allegation, for a person who is credentialed, concerning the misappropriation of property of a client or the neglect or abuse of a client.

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\*This summary is based substantially on the Legislative Reference Bureau analysis.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

- Eliminates certain exceptions, by persons who have worked for numerous years as home health aides, hospice aides, or nurse's assistants, to the requirement for successful completion of instructional programs or competency evaluation programs.

For additional information, see the Legislative Reference Bureau analysis and the Law Revision Committee notes included in the original bill.

***Effective Date:*** January 1, 2009

***Prepared by:*** Don Dyke, Chief of Legal Services

April 29, 2008

DD:jb;wu