



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Assembly Bill 385

Senate Amendment 1

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2005 Assembly Bill 385 relates to conferring state agent status on a health care provider who, at any time within 10 years before a state of emergency related to public health is declared, has met requirements for a nurse's assistant, has been licensed as a physician, physician assistant, registered nurse, licensed practical nurse, nurse-midwife, pharmacist, podiatrist, dentist, or veterinarian, or has been certified as a respiratory care practitioner. The state agent status does not apply to any of these health care professionals whose license or certificate has, for cause, been revoked, limited, suspended, or denied renewal. The bill also designates these health care providers as employees of the state for purposes of worker's compensation benefits, if the health care provider provides health care services to a health care facility during a state of emergency related to public health.

Senate Amendment 1

Senate Amendment 1 makes the following changes to the bill:

- Includes behavioral health providers, pupil services providers and substance abuse prevention providers in the bill's provisions.
- Provides that any of these additional providers who have had their license, certification or registration revoked, limited, suspended, or denied, as well as nurse's assistants who are listed in the abuse registry, are not eligible for state agent status under the bill's provisions.
- Requires the governing body of a city, village, or town that declares a state of emergency and intends to use behavioral health providers, health care providers, pupil services providers, or substance abuse prevention providers to notify the Department of Health and Family Services of this intent.

- Changes a provision in the bill that requires the health care services to be provided “to” a health care facility on a voluntary, unpaid basis, to health care services provided “on behalf of” a health care facility on a voluntary, unpaid basis.

Legislative History

The Senate Committee on Health, Children, Families, Aging and Long-Term Care took executive action on the bill on August 31, 2005. The Committee recommended introduction and adoption of Senate Amendment 1 by a vote of Ayes, 5; Noes, 0; and recommended concurrence in the bill, as amended, by a vote of Ayes, 5; Noes, 0.

LR:jal