



## 1997 SENATE BILL 331

October 22, 1997 - Introduced by Senators MOEN, ROSENZWEIG, BRESKE, BURKE, ROESSLER, RUDE, FARROW and WELCH, cosponsored by Representatives UNDERHEIM, ROBSON, GOETSCH, LA FAVE, NOTESTEIN, HANSON, GREEN, AINSWORTH, BOCK and PLOUFF. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

1     **AN ACT to amend** 441.11 (3) and 441.11 (4) of the statutes; **relating to:** defining  
2     the practice of nursing to include acting under the direction of optometrists.

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### *Analysis by the Legislative Reference Bureau*

Under current law, with certain exceptions, a person may not practice practical nursing or professional nursing unless he or she is granted a license by the board of nursing in the department of regulation and licensing. The "practice of practical nursing" and the "practice of professional nursing" are both defined to include acting under the direction or order of a licensed podiatrist or dentist. This bill expands these definitions to include acting under the direction or order of a licensed optometrist.

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

3     **SECTION 1.** 441.11 (3) of the statutes is amended to read:  
4     441.11 (3) PRACTICE OF PRACTICAL NURSING. The practice of practical nursing  
5     under this chapter means the performance for compensation of any simple acts in the  
6     care of convalescent, subacutely or chronically ill, injured or infirm persons, or of any  
7     act or procedure in the care of the more acutely ill, injured or infirm under the specific  
8     direction of a nurse, physician, podiatrist licensed under ch. 448 or, dentist licensed  
9     under ch. 447 or optometrist licensed under ch. 449, or under an order of a person  
10    who is licensed to practice medicine, podiatry or, dentistry or optometry in another

1 state if that person prepared the order after examining the patient in that other state  
2 and directs that the order be carried out in this state. A simple act is one which does  
3 not require any substantial nursing skill, knowledge or training, or the application  
4 of nursing principles based on biological, physical or social sciences, or the  
5 understanding of cause and effect in such acts and is one which is of a nature of those  
6 approved by the board for the curriculum of schools for licensed practical nurses.

7 **SECTION 2.** 441.11 (4) of the statutes is amended to read:

8 441.11 (4) PRACTICE OF PROFESSIONAL NURSING. The practice of professional  
9 nursing within the terms of this chapter means the performance for compensation  
10 of any act in the observation or care of the ill, injured or infirm, or for the maintenance  
11 of health or prevention of illness of others, which act requires substantial nursing  
12 skill, knowledge or training, or application of nursing principles based on biological,  
13 physical and social sciences, such as the observation and recording of symptoms and  
14 reactions, the execution of procedures and techniques in the treatment of the sick  
15 under the general or special supervision or direction of a physician, podiatrist  
16 licensed under ch. 448 or, dentist licensed under ch. 447 or optometrist licensed  
17 under ch. 449, or under an order of a person who is licensed to practice medicine,  
18 podiatry or, dentistry or optometry in another state if that person prepared the order  
19 after examining the patient in that other state and directs that the order be carried  
20 out in this state, and the execution of general nursing procedures and techniques.  
21 Except as provided in s. 50.04 (2) (b), the practice of professional nursing includes the  
22 supervision of a patient and the supervision and direction of licensed practical  
23 nurses and less skilled assistants.

24 (END)