



2003 SENATE BILL 243

September 10, 2003 - Introduced by Senators ROESSLER, BROWN, CARPENTER, SCHULTZ, ZIEN, CHVALA, DARLING, DECKER, ELLIS, S. FITZGERALD, HARSDORF, LASSA, LAZICH, MOORE, RISSER and ROBSON, cosponsored by Representatives WIECKERT, KAUFERT, ALBERS, BERCEAU, BIES, COGGS, FRISKE, GOTTLIEB, GRONEMUS, GROTHMAN, GUNDERSON, HAHN, HUNDERTMARK, JENSEN, KRAWCZYK, KREIBICH, LADWIG, J. LEHMAN, M. LEHMAN, LOEFFELHOLZ, LOTHIAN, MCCORMICK, MILLER, MUSSER, NASS, OTT, OWENS, PETROWSKI, PETTIS, PLOUFF, RHOADES, SERATTI, STASKUNAS, VAN ROY, VRAKAS, J. WOOD, YOUNG and TAYLOR. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

1 **AN ACT to amend** 146.89 (1), 146.89 (3) (a), 146.89 (3) (b) 8. and 146.89 (3) (d) 2.;

2 **and to create** 146.89 (3m) of the statutes; **relating to:** provision of dental and

3 dental hygiene services to Medical Assistance recipients by a volunteer health

4 care provider.

Analysis by the Legislative Reference Bureau

Under the Volunteer Health Care Provider Program in current law, health care services of a volunteer health care provider and a nonprofit agency whose joint application is approved by the Department of Administration must be provided without charge primarily to low-income persons who are uninsured and are not recipients of Medical Assistance (MA) or Medicare Program benefits. Volunteer health care providers include physicians, dentists, registered nurses, licensed practical nurses, nurse-midwives, optometrists, and physician assistants.

This bill expands the definition of "volunteer health care provider" to include dental hygienists. The bill authorizes a volunteer health care provider who is a dentist or dental hygienist to provide dental or dental hygiene services to MA recipients if the volunteer health care provider is a certified provider of MA services, has received a waiver from the Department of Health and Family Services of the certification requirement, or is not required to be certified. The nonprofit agency with which such a volunteer health care provider is joined in an approved application may charge fees for these services to all persons served, but the agency must accept discounted payments, based on ability to pay, from the persons who are not MA recipients.

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For further information see the *state and local* 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:

1 **SECTION 1.** 146.89 (1) of the statutes is amended to read:

2 146.89 (1) In this section, “volunteer health care provider” means an individual
3 who is licensed as a physician under ch. 448, dentist or dental hygienist under ch.
4 447, registered nurse, practical nurse or nurse–midwife under ch. 441, optometrist
5 under ch. 449, or physician assistant under ch. 448 or who is certified as a dietitian
6 under subch. V of ch. 448 and who receives no income from the practice of that health
7 care profession or who receives no income from the practice of that health care
8 profession when providing services at the nonprofit agency specified under sub. (3).

9 **SECTION 2.** 146.89 (3) (a) of the statutes is amended to read:

10 146.89 (3) (a) The volunteer health care provider shall provide services under
11 par. (b) without charge, except as provided in sub. (3m), at the nonprofit agency, if
12 the joint application of the volunteer health care provider and the nonprofit agency
13 has received approval under sub. (2) (a).

14 **SECTION 3.** 146.89 (3) (b) 8. of the statutes is amended to read:

15 146.89 (3) (b) 8. Dental services, including simple tooth extractions and any
16 necessary suturing related to the extractions, performed by a dentist who is a
17 volunteer health provider; and dental hygiene services, performed by a dental
18 hygienist who is a volunteer health provider.

19 **SECTION 4.** 146.89 (3) (d) 2. of the statutes is amended to read:

20 146.89 (3) (d) 2. Medical assistance Except as provided in sub. (3m), Medical
21 Assistance under subch. IV of ch. 49.

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1 **SECTION 5.** 146.89 (3m) of the statutes is created to read:

2 146.89 **(3m)** A volunteer health care provider who is a dentist may provide
3 dental services or a volunteer health care provider who is a dental hygienist may
4 provide dental hygiene services, to persons who are recipients of Medical Assistance,
5 if all of the following apply:

6 (a) The nonprofit agency's fees for these services apply to the recipients and to
7 persons who are not recipients of Medical Assistance.

8 (b) The agency accepts discounted payments, based on ability to pay, from the
9 persons who are not Medical Assistance recipients.

10 (c) The volunteer health care provider is certified under s. 49.45 (2) (a) 11. a.,
11 the department has waived the requirement for certification, or the volunteer health
12 care provider is not required to be certified under s. 49.45 (2) (a) 11. a.

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(END)