



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-5046/1  
JPC:wlj

## 2021 SENATE BILL 700

November 11, 2021 - Introduced by Senators BALLWEG, COWLES and FELZKOWSKI, cosponsored by Representatives ROZAR, BROOKS, KRUG, MOSES, SUBECK and WICHGERS. Referred to Committee on Labor and Regulatory Reform.

1     **AN ACT relating to:** modifying administrative rules related to home health  
2           agencies.

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***Analysis by the Legislative Reference Bureau***

This bill makes changes to the administrative rules related to home health agencies. Home health agencies provide skilled nursing and other therapeutic services on a visiting basis to persons in their homes. Under current administrative rules, a practitioner develops an initial plan of care for every patient within 72 hours of the patient's acceptance for care to a home health agency. This bill extends to 120 hours the deadline for practitioners to develop an initial plan of care. Current administrative rules require a registered nurse or other therapist providing skilled care to a patient who is under the care of a home health agency to make supervisory visits to the patient's residence at least every two weeks. If a patient is receiving only personal care services, current administrative rules require a registered nurse to make supervisory visits to the patient's residence at least every 60 days. This bill allows a registered nurse or skilled therapist to make the supervisory visits remotely under certain conditions. This bill also eliminates the requirement under current administrative rules that a home health agency establish a professional advisory body that advises the agency on professional issues.

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

**SENATE BILL 700****SECTION 1**

1           **SECTION 1.** DHS 133.05 (2) of the administrative code is repealed.

2           **SECTION 2.** DHS 133.07 (1) of the administrative code is amended to read:

3           DHS 133.07 (1) **REQUIREMENT.** An evaluation of the home health agency's total  
4 program shall be conducted at least once a year by ~~the advisory group required by~~  
5 ~~s. DHS 133.05 (2)~~, home health agency staff and consumers.

6           **SECTION 3.** DHS 133.18 (3) of the administrative code is created to read:

7           DHS 133.18 (3) Supervisory visits under this section may be conducted  
8 remotely using multimedia communication technology that permits 2-way,  
9 real-time, interactive communications.

10          **SECTION 4.** DHS 133.20 (1) of the administrative code is amended to read:

11          DHS 133.20 (1) **REQUIREMENT.** A plan of care, including physician's, advanced  
12 practice nurse prescriber's, or physician assistant's orders, shall be established for  
13 every patient accepted for care and shall be incorporated in the patient's medical  
14 record. An initial plan shall be developed within ~~72~~ 120 hours of acceptance. The  
15 total plan of care shall be developed in consultation with the patient, home health  
16 agency staff, contractual providers, and the patient's physician, advanced practice  
17 nurse prescriber, or physician assistant and shall be signed and dated by the  
18 physician, advanced practice nurse prescriber, or physician assistant within 20  
19 working days following the patient's admission for care.

20          **SECTION 5. Effective date.**

21          (1) Notwithstanding s. 227.265, this act takes effect on the day after  
22 publication.

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(END)