

## Gov. Evers Takes Action on 44 Bills

Written by GOV Press Wisconsin  
Friday, 22 March 2024 14:57 -

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MADISON — Gov. Tony Evers today took action on 44 bills. The governor signed:

[Senate Bill 173](#) , now 2023 Wisconsin Act 171:

- Modifies the format of death records to allow for the inclusion of two additional occupations beginning on Sept. 1, 2025.

[Senate Bill 174](#) , now 2023 Wisconsin Act 172:

- Requires any person who completes and signs a medical certification of death to use the electronic system of vital records to complete and sign the medical certification.

[Senate Bill 175](#) , now 2023 Wisconsin Act 173:

- Requires the Wisconsin Department of Health Services (DHS) to promote and encourage appropriate training for any person who is authorized to complete and sign a medical certification of death; and

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- Requires DHS to compile a recommended set of training materials and resources related to medical certification of deaths, which must be accessible to any person authorized to sign a medical certification.

### [Senate Bill 176](#) , now 2023 Wisconsin Act 174:

- Requires DHS to establish best practices for coroners and medical examiners for completing medical certifications and investigations of reportable deaths in consultation with organizations of coroners, medical examiners, and forensic pathologists, as well as any other organization that the department determines to be appropriate; and
  - Requires DHS to make available and encourage the use of the established best practices by any office of a coroner or medical examiner and to periodically review and update the best practices, if necessary.

### [Senate Bill 178](#) , now 2023 Wisconsin Act 175:

- Creates a requirement, in certain circumstances, for physicians, authorities of various medical institutions, or other persons required to report deaths under current law to contact a medical examiner or coroner within 24 hours after an individual either has presented at or is admitted to a hospital or similar institution, whichever is earlier, to determine whether the medical examiner or coroner is required to investigate a death; and
  - The bill, as amended, would not apply to hospice facilities.

### [Assembly Bill 224](#) , now 2023 Wisconsin Act 176:

- Expands the scope of the exception for respiratory care practitioners to cover any type of aircraft transporting a pediatric patient from one hospital to another.

### [Assembly Bill 616](#) , now 2023 Wisconsin Act 177:

- Requires DHS to seek a waiver to begin to cover short-term stays for acute care in institutions for mental disease under the Medicaid program for beneficiaries ages 21 to 64.

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[Senate Bill 318](#) , now 2023 Wisconsin Act 178:

- Adds tax-exempt search and rescue or recovery organizations that use human remains detection dogs to the list of organizations to whom a person may donate anatomical gifts.

[Senate Bill 373](#) , now 2023 Wisconsin Act 179:

- Provides greater access to over-the-counter hearing aids that do not require a prescription as specified under federal law by allowing hearing instrument specialists and audiologists to order hearing aids; and
  - Clarifies that no license would be required to sell or fit over-the-counter hearing aids as defined under federal law.

[Senate Bill 476](#) , now 2023 Wisconsin Act 180:

- Prohibits the Medicaid program from requiring that telehealth providers have a physical address in the state.

[Senate Bill 526](#) , now 2023 Wisconsin Act 181:

- Adds two voting members to the Emergency Medical Services Board to represent rural volunteer departments and emergency medical technicians;
  - Requires that at least two members of the board be an emergency medical responder, emergency medical technician, advanced emergency medical technician, or emergency medical technician-intermediate and have a local credentialing agreement solely with a volunteer department that serves a rural area or multiple volunteer departments that serve a rural area;
- Defines “rural area” as an area for which the population of the largest single municipality in the volunteer department’s service area is less than 10,000; and
  - Specifies that the two new members of the board appointed on or after the effective date of the bill must meet the new criteria established under the bill.

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[Senate Bill 592](#) , now 2023 Wisconsin Act 182:

- Increases Medicaid reimbursement rates for complex rehabilitation technology; and
- Requires DHS to submit various reports to the Wisconsin State Legislature relating to certain complex rehabilitation technology claims data and supplier data.

[Senate Bill 671](#) , now 2023 Wisconsin Act 183:

- Allows nurse aide students to work part-time as a nurse aide.

[Senate Bill 672](#) , now 2023 Wisconsin Act 184:

- Improves access to prescription drugs for Medicaid members by allowing DHS to enter into a value-based purchasing arrangement with a drug manufacturer for purposes of the Medicaid program.

[Senate Bill 643](#) , now 2023 Wisconsin Act 185:

- Modifies existing graduate medical training grants; and
- Creates a new graduate medical training grant for a graduate medical training consortium.

[Senate Bill 788](#) , now 2023 Wisconsin Act 186:

- Allows for the delegation of adjunctive services by chiropractors to qualified individuals who have completed an accredited medical assistant training program.

[Senate Bill 868](#) , now 2023 Wisconsin Act 187:

- Requires the Wisconsin Department of Revenue to place on income tax returns a method

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allowing a resident to elect to be designated as a donor of an anatomical gift for purposes of the Wisconsin Department of Transportation (WisDOT) donor registry; and

- Requires WisDOT to record these designations even if the donor does not have a driver's license.

[Senate Bill 964](#) , now 2023 Wisconsin Act 188:

- Allows a physical therapist to issue the needed information for a person to be issued a disabled parking plate or card by WisDOT.

[Senate Bill 728](#) , now 2023 Wisconsin Act 189:

- Provides that any dog that is a service animal is exempt from the dog license tax.

[Senate Bill 261](#) , now 2023 Wisconsin Act 190:

- Modifies regulations around tanning facilities to strengthen consumer notifications regarding tanning safety; and

- Requires tanning facility owners to ensure that any child aged 16 or 17 has written permission from a parent or guardian to use the facility.

[Senate Bill 707](#) , now 2023 Wisconsin Act 191:

- Requires the Wisconsin Department of Children and Families to award grants of up to \$10,000 each to nonprofit organizations to support a national reading program, Dolly Parton's Imagination Library, which mails books free of charge to children from birth to age five.

[Senate Bill 990](#) , now 2023 Wisconsin Act 192:

- Expands who may offer literacy professional development as required by 2023 Wisconsin Act 20 to include cooperative educational service agencies (CESA); and

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- Specifies that the criteria for CESA-provided professional development training to satisfy the Act 20 professional training requirements must have been provided by CESA 6, 8, or 9 after May 1, 2021, or before July 1, 2024, and must be on science-based early reading instruction.

### [Senate Bill 447](#) , now 2023 Wisconsin Act 193:

- Allows undesignated glucagon, used to treat individuals with known Type 1 diabetes, to be prescribed by a physician, advanced nurse prescriber, or physician assistant to a school district or public school, independent charter school, private school, or Tribal school in the name of the school rather than a specific pupil;
  - Enables the governing body of a school to authorize certain school personnel to administer the glucagon rescue therapy to a pupil on school premises or at a school-sponsored activity if the pupil's prescribed glucagon is not available on-site or has expired;
  - Specifies that school personnel must report administration of undesignated glucagon as soon as practicable by calling "911" or the number of an emergency medical provider if "911" is unavailable. School personnel must notify the school nurse; the parent, guardian, or emergency contact of the pupil; and the pupil's health provider if known; and
  - Grants civil liability immunity to a school and its school personnel, a physician, an advanced practice nurse prescriber, or a physician assistant who provides a prescription or standing order for undesignated glucagon for injuries that occur as a result of administration of undesignated glucagon, unless the injury is the result of gross negligence or willful or wanton misconduct.

### [Assembly Bill 223](#) , now 2023 Wisconsin Act 194:

- Provides civil immunity for schools and school personnel for administering an opioid antagonist in a school setting; and
  - Specifies that this civil immunity exists regardless of whether a student's parent, guardian, or medical provider gave authorization. However, this civil immunity would not apply if an injury is the result of gross negligence or willful or wanton misconduct of the administering entity or person.

### [Assembly Bill 914](#) , now 2023 Wisconsin Act 195:

- Allows schools to adopt a plan for management of pupils who have asthma to administer a short-acting bronchodilator to a pupil; and

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- Allows a prescription for a short-acting bronchodilator to be issued in the name of a school and grants immunity from civil liability to designated personnel.

[Assembly Bill 251](#) , now 2023 Wisconsin Act 196:

- Modifies Wisconsin Department of Public Instruction (DPI) administrative rules to allow the state superintendent to issue a new type of two-year Tier I renewable license for a clinically trained marriage and family therapist; and
  - States that this license would not allow the individual to work as a school social worker or school counselor, who are separately licensed.

[Senate Bill 742](#) , now 2023 Wisconsin Act 197:

- Removes the requirement that an alternative teacher certification program be operated by a nonstock, nonprofit organization for purposes of an initial license to teach.

[Senate Bill 111](#) , now 2023 Wisconsin Act 198:

- Redefines the terms “strip search” and “private area” to include undergarments to further protect students from any official, employee, or agent of any school or school district conducting strip searches.

[Senate Bill 303](#) , now 2023 Wisconsin Act 199:

- Replace the term “critical incident mapping data” with “interactive critical mapping data” for the purposes of school safety plans and the Critical Incident Mapping Data Grant Program; and
  - Defines “interactive critical mapping data” as “interactive representations of a specific location that are verifiable, digital, shareable, and shown in real-time.”

[Senate Bill 333](#) , now 2023 Wisconsin Act 200:

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- Makes it a Class I felony for any school staff member or volunteer to commit an act of sexual misconduct against a pupil enrolled in the school;
- Adds more violations to the offenses where the state superintendent must revoke a license issued by them without a hearing;
- Prohibits a licensee from ever having their license reinstated by the state superintendent if they are convicted of:
  - A crime against a child that is a Class H felony or higher;
  - A conviction for felony invasion of privacy or sexual misconduct by a school staff person or volunteer (which would be created by the bill); and
  - Any of these violations under another federal law or the laws of another state.
- Provides that if an agency receives a report from a mandatory reporter of conduct that constitutes a violation of sexual misconduct by a school staff person or volunteer, then the agency must notify DPI of the allegation, including the person's name and the name of the district or school where they work or volunteer; and
- Requires law enforcement to notify DPI if it receives a report of an alleged violation of sexual misconduct by a school staff person or volunteer.

[Assembly Bill 1013](#) , now 2023 Wisconsin Act 201:

- Requires DHS, through a competitive selection process, to contract with one or more nonprofit organizations to administer a healthy food incentive program statewide;
- Eligible retailers include supermarkets, grocery stores, farmers' markets, nonprofit cooperatives, and farmers who sell directly to consumers, among other types of food sellers.
- Retailers must be authorized retailers in the FoodShare program participating in the healthy food incentive program.
- Requires a nonprofit organization to prioritize including in the healthy food incentive program eligible retailers that source fruits and vegetables primarily from Wisconsin growers;
- Allows DHS to limit the amount of benefits per day that a recipient is allowed to match through the healthy food incentive program;
- Limits the percentage of funding that is available for the healthy food incentive program that DHS may allocate to program development, promotion of outreach for the program, training, data collection, evaluation, administration, and reporting for the healthy food incentive program;
- DHS must allocate the rest of the funding to participating eligible retailers.

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- Requires DHS to seek any available federal matching moneys from the Gus Schumacher Nutrition Incentive Program, which is a federal grant program administered by the National Institute of Food and Agriculture of the U.S. Department of Agriculture, to fund the healthy food incentive program; and
- Redirects general purpose revenue funding that had been appropriated to a healthy eating incentive pilot program to the healthy food incentive program.

[Assembly Bill 569](#) , now 2023 Wisconsin Act 202:

- Modifies WisDOT's administrative rules to increase the scope of the waiver governing allowable locations of driver education schools relative to department driver testing sites to allow the distance requirement to be waived in municipalities with a population of less than 15,000 rather than the current population maximum of 10,000.

[Senate Bill 416](#) , now 2023 Wisconsin Act 203:

- Changes the requirements for counties to receive a veterans service office grant to require that the county veterans service officer must, if chosen after April 15, 2015, be a Wisconsin resident who served on active duty under honorable conditions in the U.S. Armed Forces or in forces incorporated as part of the U.S. Armed Forces and meets certain other conditions.

[Senate Bill 546](#) , now 2023 Wisconsin Act 204:

- Allows spouses of veterans to become members of the state veterans' homes even if their veteran spouse is not a member.

[Assembly Bill 385](#) , now 2023 Wisconsin Act 205:

- Adds to the definition of "veteran" any person who was admitted to the United States under the Hmong Veterans' Naturalization Act for the purposes of indicating veteran status on a driver's license or identification card.

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### [Assembly Bill 1079](#) , now 2023 Wisconsin Act 206:

- Corrects an error in 2023 Wisconsin Act 47 by aligning the elements of sexual assault under the Wisconsin Code of Military Justice with the Uniform Code of Military Justice;
- Eliminates the requirement that an individual or their family must be a Wisconsin resident to be buried in a state veterans cemetery;
- Directs funding to cover some eligible burial expenses;
- Eliminates certain requirements for applicants for nonsupervisory positions providing direct care to residents of veterans homes;
- Allows veterans homes to fill positions for nurses, nurse aides, medical assistants, and dietitians without using the civil service procedure if the applicant graduates from an institution of higher education in this state or completes an approved instructional or training program in this state, the offer of employment is made before the applicant graduates or completes the instructional or training program, and the offer of employment is contingent upon graduation or successful completion of the instructional training program and eligibility for licensure or certification, where applicable;
- Reduces the period that the director must certify a register for vacant positions in the state civil service from 30 days to seven days after a state agency requests to have a position vacancy announced; and
- Requires the director to maintain the register of certified eligible applicants for vacant permanent positions at veterans homes until notified by the Wisconsin Department of Veterans Affairs that the agency no longer needs the register.

### [Assembly Bill 969](#) , now 2023 Wisconsin Act 207:

- Makes changes to current law regarding the process by which a county sells land it has acquired by a tax-deed for the enforcement and collection of delinquent property taxes;
- Requires that counties give preference to former owners or heirs and beneficiaries of the former owners in selling the property and that counties must generally list properties within 240 days of acquiring them;
- Specifies that equity remaining after the sale of tax-deeded lands that are not claimed within one year shall be treated as unclaimed funds; and
- Provides exceptions for certain properties located in Milwaukee County.

### [Assembly Bill 918](#) , now 2023 Wisconsin Act 208:

- Modernizes and promotes transparency in real estate transactions involving wholesalers;
- Requires the Real Estate Examining Board to notify a real estate brokerage firm regarding any disciplinary orders related to a licensee associated with the firm;

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- Raises the maximum forfeiture that the board is allowed to assess to \$5,000 from \$1,000 and increases the maximum fine to \$5,000 from \$1,000;
- Requires real property wholesalers to provide disclosures to other parties that are involved in real property transactions;
- Requires wholesalers that are party to a purchase agreement to provide written notices prior to entering into an agreement with a seller or third party as follows: (a) to the seller, that the buyer is a wholesaler; and (b) to a third party to which the wholesaler intends to assign the wholesaler's buyer's rights, that the wholesaler is acting as such, holds an equitable interest in the property that is the subject of the transaction, and is transferring to the third party only rights under the purchase agreement (not title to the property itself);
- Provides that if the wholesaler fails to provide proper notice, the seller or third party may rescind the purchase agreement at any time before the closing and retain all deposits or fees paid by the wholesaler; and
- Creates a good faith civil liability exemption if a real estate licensee provides information from state or local governmental or quasi-governmental entities and that information is later determined to be inaccurate.

### [Assembly Bill 1075](#) , now 2023 Wisconsin Act 209:

- Changes the allocation of funding awards by region under the Infrastructure Access Loan Program at the Wisconsin Housing and Economic Development Authority from 25 percent to 12.5 percent of the moneys deposited in the fund; and
- Removes the reference to "in any given application cycle" to ensure the cap would apply to the funding appropriated in the 2023-25 biennial budget.

### [Senate Bill 439](#) , now 2023 Wisconsin Act 210:

- Prohibits discriminatory restrictions in deeds or other instruments affecting real property, including restrictions or covenants that prohibit or restrict the ownership, transfer, occupancy, or use of real property based on being a member of a protected class; and
- Creates a procedure to have a recorded discriminatory restriction discharged and released.

### [Assembly Bill 514](#) , now 2023 Wisconsin Act 211:

- Prohibits contract language between the state or a political subdivision and any private entity performing professional design services that would require a private entity to indemnify or

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defend in a legal action the state or political subdivision; and

- Defines a “design professional service” as any service performed by a design professional, which would include architects, engineers-in-training, landscape architects, professional engineers, professional land surveyors, and Wisconsin-registered interior designers.

[Assembly Bill 437](#) , now 2023 Wisconsin Act 212:

- Modifies 16 different areas of statute relating to insurance, amending certain requirements and procedures of the Wisconsin Office of the Commissioner of Insurance and entities regulated by the office.

[Assembly Bill 1073](#) , now 2023 Wisconsin Act 213:

- Makes various changes to the worker’s compensation law, as administered by the Wisconsin Department of Workforce Development and the Division of Hearings and Appeals (DHA) within DOA.

[Assembly Bill 954](#) , now 2023 Wisconsin Act 214:

- Creates provisional licenses for certain internationally trained physicians to practice as a physician in this state;
  - Establishes that the Medical Examining Board may issue a provisional license to an applicant who:
    - Has an offer of employment from a federally qualified health center, a community health center, a hospital, an ambulatory surgical center, or other health care facility approved by the board;
    - Was granted a medical doctorate or substantially similar degree by an international medical program;
    - Completed a residency or postgraduate medical training program substantially similar to the state’s residency program;
    - Practiced as a fully licensed physician in the country of practice for at least five years after completing a residency program or medical training program substantially similar to a residency program;
    - Has practiced continuously as a physician in their country of practice for at least one of the five years immediately preceding the date of application for a provisional license;
    - Is and has been in good standing with the medical licensing or regulatory agency within

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their country for five years preceding an application and has no pending disciplinary actions before such medical licensing or regulatory agency;

- Obtained certification by the Educational Council for Foreign Medical Graduates or another entity approved by the board;
- Passed all necessary steps in the United States Medical Licensing Examination (administered by the National Board of Medical Examiners and Federation of State Medical Boards) or any successor organizations;
- Has or will have federal immigration status and employment authorization enabling them to work as a physician in Wisconsin; and
- Has basic fluency in the English language.

- Requires that the holder of a provisional license may only practice under the supervision of a physician who is fully licensed to practice medicine and surgery, and the provisional license would automatically be converted to a permanent license once the holder practices in Wisconsin and is determined to be in good standing for three consecutive years.