

Wisconsin S.B. 678

Synopsis

An Act to create chapter 461 of the statutes; relating to: providing complementary and alternative health care practitioners with exemptions from practice protection laws, requirements and prohibitions for individuals who provide complementary and alternative health care services, and providing a penalty.

Digest

This bill does the following: 1) establishes certain requirements and prohibitions for complementary and alternative health care (CAHC) practitioners; 2) provides exemptions for CAHC practitioners from prohibitions against acting without certain health-care related licenses, certifications, and other credentials if they comply with provisions in the bill; and 3) provides the Department of Safety and Professional Services with authority to investigate and take action against a CAHC practitioner for violating a provision in the bill.

Under current law, DSPS, in conjunction with a number of credentialing boards attached to DSPS, regulates and provides for the credentialing of various types of health-care professions. Current law contains numerous prohibitions against engaging in certain health-care related practices and against using titles associated with certain health-care related professions without a required credential.

This bill establishes certain requirements pertaining to CAHC practitioners, which are not specifically regulated or required to hold a specific credential under current law. The bill requires a CAHC practitioner to provide to each client, before first providing CAHC services to the client, certain information in a plainly worded written statement, including the following: 1) information about the CAHC practitioner; 2) a notice explaining that the CAHC practitioner is not practicing under a health-care related credential granted by the state; 3) information about the nature of the service to be provided; and 4) a list of any degrees, training, experience, or other qualification that the CAHC practitioner has.

The bill requires a CAHC practitioner, before providing CAHC services to a client, to obtain a written and signed acknowledgement from the client stating that the client has received the information required to be provided. The bill requires the CAHC practitioner to provide a copy of the acknowledgement to the client and to retain a copy of it for at least two years.

The bill prohibits a person from acting as a CAHC practitioner if the person is or was a credentialed health care professional and had his or her credential revoked or suspended, unless the credential was subsequently reinstated; if the person was convicted of certain felonies and has not completed his or her sentence; or if the person is an individual found incompetent by a court.

The bill also prohibits a CAHC practitioner from taking other specific actions, including the following: 1) taking certain actions with respect to prescription drugs; 2) recommending the discontinuation of treatment that is prescribed by a health care professional; 3) making a diagnosis of a medical disease; or 4) holding himself or herself out as a credentialed health care professional without a credential.

The bill provides that a CAHC practitioner does not violate any of the prohibitions against engaging in the practices of medicine and surgery, midwifery, nurse-midwifery, professional nursing, chiropractic, dentistry, perfusion, **respiratory care**, physical therapy, podiatry, occupational therapy, optometry, psychology, psychotherapy, clinical social work, marriage and family therapy, professional counseling, pharmacy, speech pathology, audiology, acupuncture, cosmetology, massage or bodywork therapy, and selling and fitting hearing aids; the prohibition against claiming to provide dietetic services; or the prohibitions against acting as a physician assistant or as an ambulance service provider, with respect to the provision of CAHC services to a client, if the CAHC practitioner provides that client with the statement required under the bill and does not violate the prohibitions in the bill.