

State of Misconsin 2017 - 2018 LEGISLATURE

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1	AN ACT to amend 447.056 (1) and 448.07 (1) (d); and to create 447.02 (2) (k),
2	448.13 (4), 448.20 (3) (c) and 448.40 (2) (cm) of the statutes; relating to:
3	continuing education in prescribing controlled substances for physician
4	assistants and dentists and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires a physician assistant or dentist who is authorized to prescribe controlled substances, when renewing his or her license issued by the Medical Examining Board or the Dentistry Examining Board, whichever is applicable, to submit proof of completion of continuing education requirements promulgated by rule of the board regarding best practices in prescribing controlled substances.

For further information see the *state* 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:

- 5 SECTION 1. 447.02 (2) (k) of the statutes is created to read:
- 6 447.02 (2) (k) Continuing education requirements for dentists under s. 447.056
- 7 regarding best practices in prescribing controlled substances, as defined in s. 961.01

(4). The board shall specify a minimum number of hours of such instruction that
must be completed in each 2-year period. Continuing education requirements
established in the rules promulgated under this paragraph shall apply only with
respect to a dentist who is authorized to dispense controlled substances under 21
USC 821 to 831.

6 **SECTION 2.** 447.056 (1) (intro.) of the statutes is amended to read:

7 447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible for renewal of a license to practice dentistry, other than a permit issued under s. 8 9 447.02 (3), unless the person has taught, attended, or otherwise completed, during the 2-year period immediately preceding the renewal date specified under s. 440.08 10 11 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or 12the practice of medicine, including not less than 25 credit hours of instruction in 13clinical dentistry or clinical medicine and including the credit hours of instruction regarding best practices in prescribing controlled substances that are required by 14 15the board in rules promulgated under s. 447.02 (2) (k). Not more than 4 of the 30 16 hours may be from teaching. Continuing education does not satisfy the requirements 17under this subsection unless the continuing education is one of the following:

****NOTE: See SECTION 1 of this draft. I did not specify a particular number of credit hours, I left this up to the board, as I did with physician assistants. OK? See also s. 447.056 (1) (a) and (b). I assume those would still work with respect to these hours, but I would suggest confirming that. See also the rest of s. 447.056 and make sure no other qualifications need to be added here. For example, note that under s. 447.056 (2), CE is not required for an first-time license renewal.

18 SECTION 3. 448.07 (1) (d) of the statutes, as affected by 2013 Wisconsin Act 240,

19 is amended to read:

^{****}NOTE: As with physician assistants, I said that these would only apply to dentists who can prescribe controlled substances. I'm not sure if that's necessary (i.e., do all dentists, as a practical matter, have a DEA registration to prescribe controlled substances?) or if you'd like it to apply to all dentists regardless, so let me know if you don't want that caveat.

2017 - 2018 Legislature

1	448.07 (1) (d) No registration may be permitted by the secretary of the board
2	in the case of any physician, physician assistant, or perfusionist who has failed to
3	meet the requirements of s. 448.13 or any person whose license or certificate has been
4	suspended or revoked and the registration of any such person shall be deemed
5	automatically annulled upon receipt by the secretary of the board of a verified report
6	of such suspension or revocation, subject to the person's right of appeal. A person
7	whose license or certificate has been suspended or revoked and subsequently
8	restored shall be registered by the board upon tendering a verified report of such
9	restoration of the license or certificate, together with an application for registration
10	and the registration fee.
11	SECTION 4. 448.13 (4) of the statutes is created to read:
12	448.13 (4) Each person who is licensed as a physician assistant and who is
13	authorized to dispense controlled substances under 21 USC 821 to 831 shall, in each
14	2nd year at the time of application for a certificate of registration under s. 448.07,
15	submit proof of completion of continuing education requirements promulgated by
16	rule by the board regarding best practices in prescribing controlled substances, as
17	defined in s. 961.01 (4).
18	SECTION 5. 448.20 (3) (c) of the statutes is created to read:
19	448.20 (3) (c) Promulgating the rules establishing continuing education
20	requirements under s. 448.13 (4).
21	SECTION 6. 448.40 (2) (cm) of the statutes is created to read:
22	448.40 (2) (cm) Establishing continuing education requirements for renewal
23	of a physician assistant license under s. 448.13 (4). In promulgating rules under this
24	paragraph, the board shall consult with the council on physician assistants.
25	(END)

- 3 -