



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-6592/1
ALL:all

2019 BILL

1 **AN ACT** *to renumber and amend* 450.11 (5) (br) 3.; *to amend* 13.101 (4d), 40.26
2 (5m), 40.26 (6) (intro.), 108.062 (20) (intro.), 323.19 (3), 323.2912, 440.15, 450.01
3 (11m), 450.01 (21s), 450.02 (1), 450.035 (2g), 450.035 (3), 450.035 (4), 450.11 (5)
4 (br) 2. d., 609.205 (2) (intro.) and (a), 609.205 (3) (intro.), 632.895 (14g) (b) and
5 632.895 (16v) (a) (intro.); and *to create* 36.11 (44), 38.04 (33), 49.45 (39n),
6 196.5047, 440.08 (2) (a) 69g., 440.094, 450.01 (13w), 450.01 (23) (p), 450.03 (1)
7 (fm), 450.035 (2i) (am), 450.075, 450.11 (5) (br) 3. b. and 655.0025 of the
8 statutes; **relating to:** state government response to COVID-19 pandemic,
9 extending the time limit for emergency rule procedures, providing an
10 exemption from emergency rule procedures, and granting rule-making
11 authority.

Analysis by the Legislative Reference Bureau
CORRECTIONAL SYSTEM

Death of an inmate

Under current law, if an individual dies while he or she is in the legal custody of the Department of Corrections and confined to a correctional facility located in this

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state, an autopsy on the deceased individual must be performed. Under this bill, through June 30, 2021, if an individual who has been diagnosed with COVID-19 dies, the coroner or medical examiner may perform a limited examination of the deceased individual instead of a full autopsy, which may include an external examination of the body of the deceased individual, a review of the deceased individual's medical records, or a review of the deceased individual's radiographs. These changes were enacted in 2019 Wisconsin Act 185 but applied only during the state of emergency related to public health declared on March 12, 2020.

EDUCATION***Students' use of certain hours to satisfy course requirements***

The bill requires University of Wisconsin institutions and technical colleges to offer students an opportunity to use hours engaged in an eligible activity to satisfy related course requirements to the extent appropriate. An "eligible activity" means volunteering or working, for at least one semester, to assist Wisconsin in responding to the COVID-19 pandemic.

EMPLOYMENT***Unemployment insurance; claims backlog***

The bill requires the Department of Workforce Development to address the backlog of UI claims by publishing, within 30 days of the effective date of the bill, a plan to address the backlog of UI claims to achieve processing times comparable to those that were achieved in January and February 2020.

Unemployment insurance; call center

The bill requires DWD to extend the hours of the unemployment insurance call center to 12 hours per day, seven days per week, until the number of weekly claims in process are at levels comparable to those in January and February 2020.

Work-share programs

Current law allows an employer to create a work-share program within a work unit of the employer. Under a work-share program, the working hours of all of the full-time employees in the program are reduced in an equitable manner in lieu of a layoff of some of the employees and a continuation of full-time employment by the other employees. A claimant for UI benefits who is included in a work-share program may receive UI benefits during his or her continued employment with the work-share employer in an amount equal to the claimant's benefit for total unemployment multiplied by the same percentage reduction in normal working hours that the claimant incurs under the program. Current law also provides for the temporary modification of certain requirements that apply to work-share plans with respect to work-share plans submitted on or after April 17, 2020, and before December 31, 2020. This bill extends the applicability of these modifications through July 3, 2021.

Limited term employees

Under the bill, the director of the Bureau of Merit Recruitment and Selection in the Division of Personnel Management in DOA may adjust the number of hours a state employee in a limited term appointment may work during the period

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beginning on March 12, 2020, and ending on June 30, 2021. Under current law, a limited term appointment may not exceed 1,040 hours per year.

HEALTH AND HUMAN SERVICES***Medical Assistance payment for hospitals for nursing facility care***

The bill requires the Department of Health Services to provide reimbursement or a supplemental payment to hospitals under the Medical Assistance program for providing nursing-facility-level custodial care. To receive reimbursement or a supplemental payment, the hospital must notify DHS that it is participating as a swing bed hospital under the Medical Assistance program and providing custodial care for which federal financial participation is approved to an individual who is eligible for discharge after receiving inpatient care in the hospital, who needs nursing-facility-level care, and for whom the hospital is unable to locate a nursing facility that accepts the individual for admission. If providing reimbursement instead of a supplemental payment, DHS must pay the hospital the statewide average per-diem rate paid to nursing facilities. DHS must use the same standards and eligibility criteria as the federal Medicare program uses to determine reimbursement for swing beds or, for hospitals that are not critical access hospitals, the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. This requirement to reimburse hospitals for providing nursing facility care applies until June 30, 2021.

Reimbursement for outpatient services provided by hospitals

The bill requires DHS to provide reimbursement through the Medical Assistance program to a hospital for services provided on an outpatient basis that are usually reimbursed when provided at the hospital's inpatient facility but are provided at the hospital's outpatient facility due to the 2019 novel coronavirus pandemic. To receive reimbursement under the bill, the outpatient services must be approved for federal financial participation and must be provided in a facility that is operated by the hospital and is certified for outpatient services under the federal Medicare program, including under the terms of a federal waiver issued during the federally declared national emergency related to the 2019 novel coronavirus. DHS must seek any federal approval necessary to provide the reimbursement. The reimbursement requirement applies until June 30, 2021.

Medical Assistance reimbursement for COVID-19 vaccines and tests administered by pharmacists

The bill requires DHS to ensure that vaccines against SARS-CoV-2 coronavirus and tests for COVID-19 that are otherwise covered and reimbursed under the Medical Assistance program are covered and reimbursed when administered by a pharmacist acting under the scope of practice, which currently includes the administration of vaccines by pharmacists that meet certain criteria. DHS must certify pharmacists as Medical Assistance providers as necessary to cover and reimburse pharmacists for administering COVID-19 vaccines and tests as the bill requires. Current law requires DHS to reimburse pharmacists for administering vaccines to children if the federal Department of Health and Human Services has approved the request by DHS to amend the state's Medical Assistance plan to allow

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such reimbursement and if the pharmacist enrolls in the federal Vaccines for Children Program.

Coverage of vaccinations under SeniorCare

DHS administers the SeniorCare program, which provides assistance to individuals who are elderly in the purchase of prescription drugs. 2019 Wisconsin Act 185 requires DHS to include under the SeniorCare program coverage of vaccinations that are recommended for administration to adults by the federal Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices and approved by DHS. DHS must also provide payments to health care providers that administer the vaccinations and submit claims for payment in the manner required. SeniorCare is operated under a waiver of federal Medicaid laws, but DHS is required to operate the program regardless of whether a waiver is received from the federal government. The bill clarifies that DHS must cover and reimburse vaccinations under SeniorCare as required under 2019 Wisconsin Act 185 by January 15, 2021, regardless of whether a federal waiver is received.

Prescription order extensions

Current law allows a pharmacist to extend a prescription order under certain circumstances in the event that the prescription cannot otherwise be refilled, subject to certain criteria and limitations. However, current law also includes an alternative authorization for a pharmacist to extend a prescription during the public health emergency declared on March 12, 2020, by executive order 72, and for 30 days after the conclusion of that public health emergency. Under this alternative authorization, a pharmacist is exempt from having to contact the prescribing practitioner or his or her office, the pharmacist may extend the prescription by up to a 30-day supply, and certain other requirements also do not apply. The bill provides that this alternative authorization to extend a prescription order also applies beginning on the bill's effective date and continuing until June 30, 2021.

Cremation permits and electronic signature of death certificates

Under current law, a coroner or medical examiner must view the corpse of a deceased person before issuing a cremation permit, and the corpse may not be cremated within 48 hours after the death unless the death was caused by a contagious or infectious disease. Under this bill, through June 30, 2021, if a physician, coroner, or medical examiner has signed the death certificate of a deceased person and listed COVID-19 as the cause of death, a coroner or medical examiner must issue a cremation permit without viewing the corpse of a deceased person and a coroner or medical examiner must issue the permit within 48 hours after the time of death. The bill also requires that if the underlying cause of a death is determined to be COVID-19, the person required to sign the death certificate shall provide an electronic signature on the death certificate within 48 hours after the death occurs. These changes to the requirements were enacted in 2019 Wisconsin Act 185, but applied only during the state of emergency related to public health declared on March 12, 2020.

BILL**INSURANCE*****Coverage limits on certain prescription drugs***

The bill prohibits insurers that offer health insurance, self-insured governmental health plans, and pharmacy benefit managers from requiring, until June 30, 2021, prior authorization for early refills of a prescription drug or otherwise restricting the period in which a prescription drug may be refilled and from imposing a limit on the quantity of prescription drugs that may be obtained if the quantity is no more than a 90-day supply. These prohibitions do not apply if the prescription drug is a controlled substance. The bill reinstates the prohibitions that were enacted in 2019 Wisconsin Act 185 but that expired with the termination of the state of emergency related to public health declared on March 12, 2020, by the governor.

Liability insurance for physicians and nurse anesthetists

The bill specifies that, until June 30, 2021, a physician or nurse anesthetist for whom Wisconsin is not a principal place of practice but who is temporarily authorized to practice in Wisconsin may fulfill financial responsibility requirements by filing with the commissioner of insurance a certificate of insurance for a policy of health care liability insurance issued by an insurer authorized in a certain jurisdiction specified in the bill. Additionally, under those same circumstances, the physician or nurse anesthetist may elect to be covered by Wisconsin's health care liability laws. These liability insurance provisions were enacted in 2019 Wisconsin Act 185 but expired with the expiration of the state of emergency related to public health declared on March 12, 2020, by the governor.

Out-of-network costs related to health coverage

The bill prohibits, until June 30, 2021, a defined network plan, including a health maintenance organization, or preferred provider plan from requiring an enrollee of the plan to pay more for a service, treatment, or supply provided by an out-of-network provider than if the service, treatment, or supply is provided by an in-network provider. This prohibition applies to any service, treatment, or supply that is related to the diagnosis of or treatment for COVID-19 and that is provided by an out-of-network provider because a participating provider is unavailable due to the emergency. For a service, treatment, or supply provided under those circumstances, the bill requires the plan to reimburse the out-of-network provider at 225 percent of the federal Medicare program rate. Also, under those circumstances, any health care provider or facility that provides a service, treatment, or supply to an enrollee of a plan but is not a participating provider of that plan shall accept as payment in full any payment by a plan that is at least 225 percent of the federal Medicare program rate and may not charge the enrollee an amount that exceeds the amount that the provider or facility is reimbursed by the plan. Similar prohibitions and requirements to these were created in 2019 Wisconsin Act 185, but those prohibitions and requirements applied only during the state of emergency related to public health declared on March 12, 2020, by the governor and for 60 days following the termination of that state of emergency.

BILL***Coverage of COVID-19 testing without cost sharing***

Current law, as created in 2019 Wisconsin Act 185, requires health insurance policies and self-insured governmental health plans to cover, until March 13, 2021, testing for COVID-19 without imposing any copayment or coinsurance. A health insurance policy is referred to in the bill as a disability insurance policy. The bill extends the Act 185 coverage requirement until June 30, 2021.

LEGISLATURE***Transfer of moneys from sum sufficient appropriations***

The Joint Committee on Finance may currently transfer moneys between sum certain and continuing appropriations if JCF finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result, or legislative intent will be more effectively carried out because of the transfer. This bill authorizes JCF to transfer moneys from sum sufficient appropriations before July 1, 2021, for expenses related to public health. The total amount that may be transferred from all sum sufficient appropriations during this period may not exceed \$100,000,000.

PUBLIC UTILITIES***Loans to assist municipal utilities in maintaining liquidity***

Under current law, the Board of Commissioners of Public Lands manages the common school fund, the normal school fund, the university fund, and the agricultural college fund (trust funds). Current law authorizes BCPL to manage and invest moneys belonging to the trust funds in good faith and with the care an ordinary prudent person in a like position would exercise under similar circumstances.

This bill authorizes BCPL to loan moneys belonging to the trust funds to cities, villages, and towns to ensure that a municipal utility under the control of the city, village, or town is able to maintain liquidity. A municipal utility is a public utility that is a city, village, or town or that is wholly owned or operated by a city, village, or town. Each trust fund loan BCPL awards to a city, village, or town under the bill is secured in the same manner as other trust fund loans BCPL awards to cities, villages, and towns under current law. BCPL may not award a loan under the bill after April 15, 2021.

Electric utilities leasing infrastructure for expansion of broadband services

The bill allows an electric utility to lease its infrastructure to an Internet service provider to increase broadband Internet access and quality. Before leasing infrastructure under the bill, an electric utility must first receive approval from the Public Service Commission.

RETIREMENT AND GROUP INSURANCE***WRS annuities for critical workers***

Under current law, certain people who receive a retirement or disability annuity from the Wisconsin Retirement System and who are hired by an employer that participates in the WRS must suspend that annuity and may not receive a WRS annuity payment until the person is no longer in a WRS-covered position. This

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suspension applies to a person who 1) has reached his or her normal retirement date; 2) is appointed to a position with a WRS-participating employer, or provides employee services as a contractor to a WRS-participating employer; and 3) is expected to work at least two-thirds of what is considered full-time employment by the Department of Employee Trust Funds.

This bill creates an exception to this suspension if 1) the person is either hired or provides employee services as a contractor in a critical position during the period beginning on March 12, 2020, and ending on June 30, 2021; 2) at the time the person initially retires from covered employment with a participating employer, the person does not have an agreement with any participating employer to return to employment; and 3) the person elects to not become a participating employee at the time the person is rehired or enters into a contract after retirement. In other words, the bill allows a WRS annuitant who is either hired or provides employee services as a contractor in a critical position during the period beginning on March 12, 2020, and ending on June 30, 2021, to return to work with an employer that participates in the WRS and continue to receive his or her annuity.

SAFETY AND PROFESSIONAL SERVICES***Optional licensure of third-party logistics providers***

This bill creates an optional license for third-party logistics providers that are located in the state or are located outside the state but provide third-party logistics provider services in the state. A third-party logistics provider is defined under current law as a person that contracts with a prescription drug manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of the manufacturer but that does not take title to the manufacturer's prescription drug or have general responsibility to direct the prescription drug's sale or disposition.

The bill requires an applicant for a third-party logistics provider license to submit certain information prior to licensure, including proof of a recent facility inspection, and a personal statement relating to a designated representative of the facility. The license created by this bill will no longer apply if the federal Food and Drug Administration establishes a licensing program for third-party logistics providers under federal law and the Pharmacy Examining Board determines that state licensure is not required for a resident third-party logistics provider to provide third-party logistics services in another state.

The bill also directs the Pharmacy Examining Board to promulgate rules that regulate third-party logistics providers and out-of-state third-party logistics providers consistent with federal law. The authority of the Pharmacy Examining Board to promulgate rules is restricted to only rules that are equivalent to requirements under federal law, and only rules that do not mandate licensing under state law.

Finally, this bill requires the Pharmacy Examining Board to issue interim licenses for third-party logistics providers and out-of-state third-party logistics providers between the date of enactment until permanent or emergency rules take effect, whichever is sooner, if, in the opinion of the board, the applicant is currently in compliance with federal law relating to third-party logistics providers. An interim license to act as a third-party logistics provider or out-of-state third-party

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logistics provider expires 90 days after the date that emergency rules take effect, or 90 days after the date that permanent rules take effect, whichever is sooner. No fee is required for an interim license to act as a third-party logistics provider or an out-of-state third-party logistics provider.

Practice by health care providers from other states

This bill authorizes, in certain situations, health care providers licensed in another state or territory to obtain a temporary credential granted by the Department of Safety and Professional Services and provide health care services for which they are licensed or certified.

Under the bill, DSPS may grant a temporary credential to a person who applies and holds a valid, unexpired credential granted by another state or territory that authorizes the person to act as any of the following: 1) a physician, physician assistant, or perfusionist; 2) a nurse; 3) a dentist; 4) a pharmacist; 5) a psychologist; 6) a social worker, marriage and family therapist, professional counselor, or clinical substance abuse counselor; 7) a chiropractor; 8) a physical therapist; 9) a podiatrist; 10) a dietitian; 11) an athletic trainer; 12) an occupational therapist; 13) an optometrist; 14) an acupuncturist; 15) a speech-language pathologist or audiologist; or 16) a massage or bodywork therapist. These practitioners may practice in this state if their practice is necessary for a particular health care facility and if they apply for a credential in this state within 10 days of beginning to practice at the health care facility.

The bill also specifies that an out-of-state health care provider may provide services through telehealth to a patient in this state.

Current law generally prohibits a person from engaging in certain health care-related practices without holding a required credential.

Authorizing first- and second-year pharmacy students to administer COVID-19 vaccines

Current law authorizes pharmacy students who have completed two years of pharmacy school to administer vaccines under the supervision of a pharmacist. The bill authorizes pharmacy students in their first or second year of pharmacy school to administer vaccines under the supervision of a pharmacist. A first- or second-year pharmacy student must complete 12 hours of training in vaccine storage, protocols, administration technique, emergency procedures, and record keeping to administer COVID-19 vaccines under the bill.

STATE GOVERNMENT***Transfer of employees between executive branch agencies***

This bill authorizes the secretary of administration to transfer employees from any executive branch agency to another executive branch agency to provide services for that agency. The transfer remains in effect until rescinded by the secretary of administration or June 30, 2021, whichever is earlier. Under the bill, the agency to which an employee is transferred must pay all salary and fringe benefit costs of that employee.

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This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

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.** 13.101 (4d) of the statutes, as created by 2019 Wisconsin Act 185,
2 is amended to read:

3 13.101 (4d) ~~During the public health emergency declared on March 12, 2020,~~
4 ~~by executive order 72, and for a period of 90 days after termination of the emergency~~
5 Until July 1, 2021, the committee may transfer under sub. (4) an amount not to
6 exceed ~~\$75,000,000~~ \$100,000,000 from sum sufficient appropriations, as defined
7 under s. 20.001 (3) (d), to be used for expenditures related to the emergency.

8 **SECTION 2.** 36.11 (44) of the statutes is created to read:

9 36.11 (44) SATISFACTION OF COURSE REQUIREMENTS THROUGH CERTAIN ACTIVITIES.

10 (a) In this subsection, “eligible activity” of a student means volunteering or working,
11 for at least one semester, to assist Wisconsin in responding to the COVID-19
12 pandemic.

13 (b) The board shall ensure that each institution offers students an opportunity
14 to use hours engaged in an eligible activity to satisfy related course requirements to
15 the extent appropriate, as determined by the institution.

16 **SECTION 3.** 38.04 (33) of the statutes is created to read:

17 38.04 (33) SATISFACTION OF COURSE REQUIREMENTS THROUGH CERTAIN ACTIVITIES.

18 (a) In this subsection, “eligible activity” of a student means volunteering or working,
19 for at least one semester, to assist Wisconsin in responding to the COVID-19
20 pandemic.

BILL**SECTION 3**

1 (b) The board shall ensure that each district board offers students an
2 opportunity to use hours engaged in an eligible activity to satisfy related course
3 requirements to the extent appropriate, as determined by the district board.

4 **SECTION 4.** 40.26 (5m) of the statutes, as created by 2019 Wisconsin Act 185,
5 is amended to read:

6 40.26 (5m) During the ~~public health emergency declared period beginning~~ on
7 March 12, 2020, ~~by executive order 72, and ending on June 30, 2021,~~ sub. (5) does not
8 apply if at least 15 days have elapsed between the termination of employment with
9 a participating employer and becoming a participating employee if the position for
10 which the participant is hired is a critical position, as determined by ~~the secretary~~
11 ~~of health services~~ under s. 323.19 (3).

12 **SECTION 5.** 40.26 (6) (intro.) of the statutes, as created by 2019 Wisconsin Act
13 185, is amended to read:

14 40.26 (6) (intro.) A participant who is hired during the ~~public health emergency~~
15 ~~declared period beginning~~ on March 12, 2020, ~~by executive order 72 and ending on~~
16 ~~June 30, 2021,~~ may elect to not suspend his or her retirement annuity or disability
17 annuity under sub. (1m) for the duration of the state of emergency if all of the
18 following conditions are met:

19 **SECTION 6.** 49.45 (39n) of the statutes is created to read:

20 49.45 (39n) PHARMACIST REIMBURSEMENT FOR VACCINES AND COVID-19 TESTS. The
21 department shall ensure that any vaccine against SARS-CoV-2 coronavirus and
22 any test for COVID-19, which is the infection caused by the SARS-CoV-2
23 coronavirus, that are covered under this subchapter and for which reimbursement
24 for administration is made to any provider, are covered and reimbursed when the
25 vaccine or test is administered by a pharmacist acting under his or her scope of

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1 practice, including under s. 450.035. As necessary to comply with this subsection,
2 the department shall certify pharmacists as providers of Medical Assistance services
3 for the purposes of covering and reimbursing pharmacists for administering vaccines
4 and tests described in this subsection.

5 **SECTION 7.** 108.062 (20) (intro.) of the statutes, as created by 2019 Wisconsin
6 Act 185, is amended to read:

7 108.062 (20) SUSPENSIONS OF CERTAIN PROVISIONS. (intro.) Notwithstanding sub.
8 (2), this subsection, and not sub. (2), applies to work-share plans submitted on or
9 after April 17, 2020, and before ~~December 31, 2020~~ July 4, 2021, subject to sub. (19).
10 During that period, prior to implementing a work-share program, an employer shall
11 submit a work-share plan for the approval of the department. In its submittal, the
12 employer shall certify that its plan is in compliance with all requirements under this
13 section. Each plan shall:

14 **SECTION 8.** 196.5047 of the statutes is created to read:

15 **196.5047 Electric utility leasing infrastructure for expansion of**
16 **broadband services.** (1) In this section, “electric utility” has the meaning given
17 in s. 196.491 (1) (d).

18 (2) An electric utility may submit an application and proposed lease to the
19 commission to lease on a nonexclusive basis infrastructure that the electric utility
20 owns to an Internet service provider to increase broadband Internet access and
21 quality.

22 (3) Upon receipt of an application under sub. (2), the commission shall review
23 the application and proposed lease.

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1 (4) If the commission approves an electric utility's application and proposed
2 lease, the electric utility may lease its infrastructure on a nonexclusive basis to an
3 Internet service provider to increase broadband Internet access and quality.

4 **SECTION 9.** 323.19 (3) of the statutes, as created by 2019 Wisconsin Act 185, is
5 amended to read:

6 323.19 (3) Based on guidance provided by the secretary of health services, the
7 head of each state agency and each local health department shall determine which
8 public employee positions within the respective state agency or local government are
9 critical during the ~~public health emergency declared~~ period beginning on March 12,
10 2020, ~~by executive order 72 and ending on June 30, 2021~~, for the purposes of s. 40.26
11 (5m) and (6) (b).

12 **SECTION 10.** 323.2912 of the statutes, as created by 2019 Wisconsin Act 185,
13 is amended to read:

14 **323.2912 Suspension of limited term appointment hours.**
15 Notwithstanding s. 230.26 (1), the director of the bureau of merit recruitment and
16 selection in the division of personnel management in the department of
17 administration may increase or suspend the number of hours for a limited term
18 appointment for the ~~duration of the public health emergency declared~~ period
19 beginning on March 12, 2020, ~~by executive order 72 and ending on June 30, 2021~~.

20 **SECTION 11.** 440.08 (2) (a) 69g. of the statutes is created to read:

21 440.08 (2) (a) 69g. Third-party logistics provider: July 1 of each
22 even-numbered year.

23 **SECTION 12.** 440.094 of the statutes is created to read:

24 **440.094 Practice by health care providers from other states;**
25 **telehealth.** (1) DEFINITIONS. In this section:

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1 (a) “Credential” means a license, permit, certificate, or registration.

2 (b) “Health care facility” means a system, care clinic, care provider, long-term
3 care facility, or any other health care facility where health care services are provided.

4 (c) “Health care provider” means an individual who holds a valid, unexpired
5 credential granted by another state or territory that authorizes or qualifies the
6 individual to perform acts that are substantially the same as the acts that any of the
7 following are licensed or certified to perform:

8 1. A nurse licensed under ch. 441.

9 2. A chiropractor licensed under ch. 446.

10 3. A dentist licensed under ch. 447.

11 4. A physician, physician assistant, perfusionist, or respiratory care
12 practitioner licensed or certified under subch. II of ch. 448.

13 5. A physical therapist or physical therapist assistant licensed under subch. III
14 of ch. 448 or who holds a compact privilege under subch. IX of ch. 448.

15 6. A podiatrist licensed under subch. IV of ch. 448.

16 7. A dietitian certified under subch. V of ch. 448.

17 8. An athletic trainer licensed under subch. VI of ch. 448.

18 9. An occupational therapist or occupational therapy assistant licensed under
19 subch. VII of ch. 448.

20 10. An optometrist licensed under ch. 449.

21 11. A pharmacist licensed under ch. 450.

22 12. An acupuncturist certified under ch. 451.

23 13. A psychologist licensed under ch. 455.

BILL**SECTION 12**

1 14. A social worker, marriage and family therapist, or professional counselor
2 certified or licensed under ch. 457 or a clinical substance abuse counselor certified
3 under s. 440.88.

4 15. A speech-language pathologist or audiologist licensed under subch. II of ch.
5 459.

6 16. A massage therapist or bodywork therapist licensed under ch. 460.

7 **(2) PRACTICE BY HEALTH CARE PROVIDERS FROM OTHER STATES.** (a)
8 Notwithstanding ss. 440.982 (1), 441.06 (4), 441.15 (2), 446.02 (1), 447.03 (1) and (2),
9 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76, 448.961 (1) and (2),
10 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1),
11 459.24 (1), and 460.02, a health care provider may provide services within the scope
12 of the credential that the health care provider holds if all of the following apply:

13 1. Practice by the health care provider is necessary for an identified health care
14 facility to ensure the continued and safe delivery of health care services.

15 2. The identified health care facility's needs reasonably prevented the health
16 care provider from obtaining a credential granted under chs. 440 to 480 before
17 beginning to provide health care services at the facility.

18 3. The health care provider applies for a temporary credential or permanent
19 credential granted under chs. 440 to 480 within 10 days of beginning to provide
20 health care services at a health care facility.

21 4. The health care facility notifies the department within 5 days of the date on
22 which the health care provider begins providing health care services at the facility.

23 (b) A health care provider who provides services authorized under this
24 subsection shall maintain malpractice insurance that satisfies the requirements of
25 the profession for which the health care provider holds a credential.

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1 **(3) TELEHEALTH.** Notwithstanding ss. 440.982 (1), 441.06 (4), 441.15 (2), 446.02
2 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76,
3 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6),
4 and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider may provide
5 services though telehealth to a patient located in this state that are within the scope
6 of the provider's credential.

7 **SECTION 13.** 440.15 of the statutes, as affected by 2019 Wisconsin Act 100, is
8 amended to read:

9 **440.15 No fingerprinting.** Except as provided under ss. 440.03 (13) (c),
10 441.51 (5) (a) 5., 448.980 (5) (b) 3., and 448.985 (3) (a) 4., 450.071 (3) (c) 9., and 450.075
11 (3) (c) 9., the department or a credentialing board may not require that an applicant
12 for a credential or a credential holder be fingerprinted or submit fingerprints in
13 connection with the department's or the credentialing board's credentialing.

14 **SECTION 14.** 450.01 (11m) of the statutes is amended to read:

15 450.01 **(11m)** "Facility" means a location where a wholesale distributor or
16 3rd-party logistics provider stores, distributes, handles, repackages, or offers for
17 sale other services related to prescription drugs.

18 **SECTION 15.** 450.01 (13w) of the statutes is created to read:

19 450.01 **(13w)** "Out-of-state 3rd-party logistics provider" means a person
20 located outside this state that contracts with a prescription drug manufacturer to
21 provide or coordinate warehousing, distribution, or other services within this state
22 on behalf of the manufacturer but that does not take title to the manufacturer's
23 prescription drug or have general responsibility to direct the prescription drug's sale
24 or disposition.

25 **SECTION 16.** 450.01 (21s) of the statutes is amended to read:

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1 450.01 (21s) “~~Third-party~~ Third-party logistics provider” means a person that
2 contracts with a prescription drug manufacturer to provide or coordinate
3 warehousing, distribution, or other services on behalf of the manufacturer but that
4 does not take title to the manufacturer’s prescription drug or have general
5 responsibility to direct the prescription drug’s sale or disposition.

6 **SECTION 17.** 450.01 (23) (p) of the statutes is created to read:

7 450.01 (23) (p) The services of a 3rd-party logistics provider or out-of-state
8 3rd-party logistics provider.

9 **SECTION 18.** 450.02 (1) of the statutes is amended to read:

10 450.02 (1) The department shall keep a record of the proceedings and a register
11 of the names and places of practice or business of pharmacies, manufacturers,
12 wholesale distributors, 3rd-party logistics providers, out-of-state 3rd-party
13 logistics providers, and other persons licensed under this chapter, and the books,
14 registers and records of the department shall be prima facie evidence of the matters
15 recorded.

16 **SECTION 19.** 450.03 (1) (fm) of the statutes is created to read:

17 450.03 (1) (fm) A person who is enrolled at an accredited school of pharmacy
18 and whose practice of pharmacy is limited to administering vaccines against
19 SARS-CoV-2 under the direct supervision of a person licensed as a pharmacist by
20 the board.

21 **SECTION 20.** 450.035 (2g) of the statutes is amended to read:

22 450.035 (2g) A person engaged in the practice of pharmacy under s. 450.03 (1)
23 (f), (fm), or (g) may not administer a vaccine unless he or she acts under the direct
24 supervision of a pharmacist and he or she and the supervising pharmacist have
25 successfully completed 12 hours in a course of study and training, approved by the

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1 Accreditation Council for Pharmacy Education or the board, in vaccination storage,
2 protocols, administration technique, emergency procedures, and record keeping and
3 the supervising pharmacist has satisfied the requirements specified in sub. (2t). A
4 person engaged in the practice of pharmacy under s. 450.03 (1) (f), (fm), or (g) may
5 not administer a vaccine under this subsection to a person who is under the age of
6 6.

7 **SECTION 21.** 450.035 (2i) (am) of the statutes is created to read:

8 450.035 (2i) (am) Subject to sub. (2g), a person engaged in the practice of
9 pharmacy under s. 450.03 (1) (fm) may administer without a prescription order a
10 vaccine against SARS-CoV-2.

11 **SECTION 22.** 450.035 (3) of the statutes is amended to read:

12 450.035 (3) A pharmacist or a person engaged in the practice of pharmacy
13 under s. 450.03 (1) (f), (fm), or (g) who successfully completes a course of study and
14 training specified in sub. (1r), (1t), (2), or (2g) shall maintain proof of completion and,
15 upon request, provide copies of such proof to the department or the board.

16 **SECTION 23.** 450.035 (4) of the statutes, as created by 2019 Wisconsin Act 24,
17 is amended to read:

18 450.035 (4) A pharmacist or person engaged in the practice of pharmacy under
19 s. 450.03 (1) (f), (fm), or (g) who administers a vaccine to a person under this section
20 shall update, or cause a pharmacy to update, the Wisconsin Immunization Registry
21 established by the department of health services within 7 days of administering the
22 vaccine.

23 **SECTION 24.** 450.075 of the statutes is created to read:

24 **450.075 Third-party logistics providers; licensure. (1) LICENSE ALLOWED.**
25 A person acting as a 3rd-party logistics provider or an out-of-state 3rd-party

BILL**SECTION 24**

1 logistics provider of any drug or device may apply to obtain a license from the board
2 under this section. Where operations are conducted at more than one facility, a
3 person acting as a 3rd-party logistics provider or out-of-state 3rd-party logistics
4 provider may apply to obtain a license from the board for each such facility.

5 (2) APPLICATION. An applicant for a license under this section shall submit a
6 form provided by the board showing all of the following and swear or affirm the
7 truthfulness of each item in the application:

8 (a) The name, business address, and telephone number of the applicant.

9 (b) All trade or business names used by the applicant.

10 (c) Names, addresses, and telephone numbers of contact persons for all
11 facilities used by the applicant for the warehousing, distribution, or other services
12 on behalf of the manufacturer of prescription drugs.

13 (d) The type of ownership or operation for the applicant's business.

14 (e) If the applicant's 3rd-party logistics provider business is a partnership, the
15 name of each partner and the name of the partnership.

16 (f) If the applicant's 3rd-party logistics provider business is a corporation, the
17 name of each corporate officer and director, the name of the corporation, and the state
18 of incorporation.

19 (g) If the applicant's 3rd-party logistics provider business is a sole
20 proprietorship, the name of the sole proprietor and the name of the business entity.

21 (h) A list of all licenses and permits issued to the applicant by any other state
22 that authorizes the applicant to warehouse or distribute prescription drugs.

23 (i) The name, address, and telephone number of a designated representative.

24 (j) For the person identified as the designated representative in par. (i), a
25 personal information statement that contains all of the following:

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- 1 1. The person's date and place of birth.
- 2 2. The person's place of residence for the 7-year period immediately preceding
3 the date of the application.
- 4 3. The person's occupations, positions of employment, and offices held during
5 the 7-year period immediately preceding the date of the application.
- 6 4. The name and addresses for each business, corporation, or other entity listed
7 in subd. 3.
- 8 5. A statement indicating whether the person has been, during the 7-year
9 period immediately preceding the date of the application, the subject of any
10 proceeding for the revocation of any business or professional license and the
11 disposition of the proceeding.
- 12 6. A statement indicating whether the person has been, during the 7-year
13 period immediately preceding the date of the application, enjoined by a court, either
14 temporarily or permanently, from possessing, controlling, or distributing any
15 prescription drug, and a description of the circumstances surrounding the
16 injunction.
- 17 7. A description of any involvement by the person during the past 7 years with
18 any business, including investments other than the ownership of stock in a publicly
19 traded company or mutual fund, that manufactured, administered, prescribed,
20 distributed, or stored pharmaceutical products or drugs, and a list of any lawsuits
21 in which such a business was named as a party.
- 22 8. A description of any misdemeanor or felony criminal offense of which the
23 person was, as an adult, found guilty, whether adjudication of guilt was withheld or
24 the person pleaded guilty or no contest. If the person is appealing a criminal
25 conviction, the application shall include a copy of the notice of appeal, and the person

BILL**SECTION 24**

1 shall submit a copy of the final disposition of the appeal not more than 15 days after
2 a final disposition is reached.

3 9. A photograph of the person taken within the 12-month period immediately
4 preceding the date of the application.

5 (k) A statement that each facility used by the applicant for 3rd-party logistics
6 provider services has been inspected in the 3-year period immediately preceding the
7 date of the application by the board, a pharmacy examining board of another state,
8 the National Association of Boards of Pharmacy, or another accrediting body
9 recognized by the board, with the date of each such inspection.

10 **(3) LICENSURE.** The board shall grant a license to an applicant to act as a
11 3rd-party logistics provider or an out-of-state 3rd-party logistics provider if all of
12 the following apply:

13 (a) The applicant pays the fee specified in s. 440.05 (1).

14 (b) The inspections conducted pursuant to sub. (2) (k) satisfy requirements
15 adopted by the board for 3rd-party logistics providers or out-of-state 3rd-party
16 logistics providers.

17 (c) All of the following apply to each person identified by the applicant as a
18 designated representative:

19 1. The person is at least 21 years old.

20 2. The person has been employed full time for at least 3 years in a pharmacy
21 or with a wholesale prescription drug distributor in a capacity related to the
22 dispensing of and distribution of, and record keeping related to, prescription drugs.

23 3. The person is employed by the applicant full time in a managerial position.

24 4. The person is physically present at the 3rd-party logistics provider's or
25 out-of-state 3rd-party logistics provider's facility during regular business hours

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1 and is involved in and aware of the daily operation of the 3rd-party logistics provider
2 or the out-of-state 3rd-party logistics provider. This subdivision does not preclude
3 the person from taking authorized sick leave and vacation time or from being absent
4 from the facility for other authorized business or personal purposes.

5 5. The person is actively involved in and aware of the daily operation of the
6 3rd-party logistics provider or the out-of-state 3rd-party logistics provider.

7 6. The person is a designated representative for only one applicant at any given
8 time. This subdivision does not apply if more than one 3rd-party logistics provider
9 or out-of-state 3rd-party logistics provider is located at the facility and the
10 3rd-party logistics providers or out-of-state 3rd-party logistics providers located at
11 the facility are members of an affiliated group.

12 7. The person has not been convicted of violating any federal, state, or local law
13 relating to distribution of a controlled substance.

14 8. The person has not been convicted of a felony.

15 9. The person submits to the department 2 fingerprint cards, each bearing a
16 complete set of the applicant's fingerprints. The department of justice shall provide
17 for the submission of the fingerprint cards to the federal bureau of investigation for
18 purposes of verifying the identity of the person and obtaining the person's criminal
19 arrest and conviction record.

20 (d) The applicant satisfies any other requirements established by the board by
21 rule.

22 **(4) RULES.** The board shall promulgate rules implementing this section. The
23 rules shall ensure compliance with the federal drug supply chain security act, 21
24 USC 360eee, et seq. The board may not promulgate rules that impose requirements
25 more strict than the federal drug supply chain security act, or any regulations passed

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1 under the federal drug supply chain security act. The board may not promulgate
2 rules that require a license under this section.

3 (5) ACCESS TO RECORDS. Applications for licensure under this section are not
4 subject to inspection or copying under s. 19.35, and may not be disclosed to any
5 person except as necessary for compliance with and enforcement of the provisions of
6 this chapter.

7 (6) APPLICABILITY. This section does not apply if the board determines that the
8 federal food and drug administration has established a licensing program for
9 3rd-party logistics providers under 21 USC 360eee-3 and that licensing by this state
10 of resident 3rd-party logistics providers is not required for a resident 3rd-party
11 logistics provider to provide 3rd-party logistics provider services in another state.

12 **SECTION 25.** 450.11 (5) (br) 2. d. of the statutes, as created by 2019 Wisconsin
13 Act 185, is amended to read:

14 450.11 (5) (br) 2. d. A pharmacist may not extend a prescription order under
15 subd. 1. for a particular patient if a prescription order was previously extended under
16 subd. 1. for that patient during the applicable period described in subd. 3.

17 **SECTION 26.** 450.11 (5) (br) 3. of the statutes, as created by 2019 Wisconsin Act
18 185, is renumbered 450.11 (5) (br) 3. (intro.) and amended to read:

19 450.11 (5) (br) 3. (intro.) This paragraph applies only ~~during~~ as follows:

20 a. During the public health emergency declared on March 12, 2020, by
21 executive order 72, and for 30 days after the conclusion of that public health
22 emergency. ~~During that time,~~

23 4. While this paragraph applies as specified in subd. 3., it supersedes par. (bm)
24 to the extent of any conflict.

25 **SECTION 27.** 450.11 (5) (br) 3. b. of the statutes is created to read:

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1 450.11 (5) (br) 3. b. During the period beginning on the effective date of this
2 subd. 3. b. [LRB inserts date], and ending on June 30, 2021.

3 **SECTION 28.** 609.205 (2) (intro.) and (a) of the statutes, as created by 2019
4 Wisconsin Act 185, are amended to read:

5 609.205 (2) (intro.) All of the following apply to a defined network plan or
6 preferred provider plan ~~during the state of emergency related to public health~~
7 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
8 ~~following the date that the state of emergency terminates~~ until June 30, 2021:

9 (a) The plan may not require an enrollee to pay, including cost sharing, for a
10 service, treatment, or supply provided by a provider that is not a participating
11 provider in the plan's network of providers more than the enrollee would pay if the
12 service, treatment, or supply is provided by a provider that is a participating
13 provider. This subsection applies to any service, treatment, or supply that is related
14 to diagnosis or treatment for COVID-19 and to any service, treatment, or supply that
15 is provided by a provider that is not a participating provider because a participating
16 provider is unavailable due to the ~~public health emergency~~ COVID-19 pandemic.

17 **SECTION 29.** 609.205 (3) (intro.) of the statutes, as created by 2019 Wisconsin
18 Act 185, is amended to read:

19 609.205 (3) (intro.) ~~During the state of emergency related to public health~~
20 ~~declared under s. 323.10 on March 12, 2020, by executive order 72, and for the 60 days~~
21 ~~following the date that the state of emergency terminates~~ Until June 30, 2021, all of
22 the following apply to any health care provider or health care facility that provides
23 a service, treatment, or supply to an enrollee of a defined network plan or preferred
24 provider plan but is not a participating provider of that plan:

BILL**SECTION 30**

1 **SECTION 30.** 632.895 (14g) (b) of the statutes, as created by 2019 Wisconsin Act
2 185, is amended to read:

3 632.895 **(14g)** (b) ~~Before March 13, 2021~~ Until June 30, 2021, every disability
4 insurance policy, and every self-insured health plan of the state or of a county, city,
5 town, village, or school district, that generally covers testing for infectious diseases
6 shall provide coverage of testing for COVID-19 without imposing any copayment or
7 coinsurance on the individual covered under the policy or plan.

8 **SECTION 31.** 632.895 (16v) (a) (intro.) of the statutes, as created by 2019
9 Wisconsin Act 185, is amended to read:

10 632.895 **(16v)** (a) (intro.) ~~During the period covered by the state of emergency~~
11 ~~related to public health declared by the governor on March 12, 2020, by executive~~
12 ~~order 72~~ Until June 30, 2021, an insurer offering a disability insurance policy that
13 covers prescription drugs, a self-insured health plan of the state or of a county, city,
14 town, village, or school district that covers prescription drugs, or a pharmacy benefit
15 manager acting on behalf of a policy or plan may not do any of the following in order
16 to maintain coverage of a prescription drug:

17 **SECTION 32.** 655.0025 of the statutes is created to read:

18 **655.0025 Participation during COVID-19 national emergency.** Until
19 June 30, 2021, all of the following apply to a physician or nurse anesthetist for whom
20 this state is not a principal place of practice but who is authorized to practice in this
21 state on a temporary basis:

22 **(1)** The physician or nurse anesthetist may fulfill the requirements of s. 655.23
23 **(3) (a)** by filing with the commissioner a certificate of insurance for a policy of health
24 care liability insurance issued by an insurer that is authorized in a jurisdiction
25 accredited by the National Association of Insurance Commissioners.

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1 (2) The physician or nurse anesthetist may elect, in the manner designated by
2 the commissioner by rule under s. 655.004, to be subject to this chapter.

SECTION 9101. Nonstatutory provisions; Administration.

(1) POSITION TRANSFERS.

5 (a) In this subsection, “state agency” means any office, commission, board,
6 department, or independent agency in the executive branch of state government.

7 (b) The secretary of administration may transfer any employee from one state
8 agency to another state agency to provide services for the receiving state agency. The
9 receiving state agency shall pay all salary and fringe benefit costs of the employee
10 during the time he or she is providing services for the receiving state agency. Any
11 transfer by the secretary under this paragraph shall remain in effect until rescinded
12 by the secretary or June 30, 2021, whichever occurs first.

13 (c) If an employee is transferred under par. (b), the receiving agency may not
14 increase the employee’s salary at the time of transfer or during the time he or she is
15 providing services for the receiving agency and the transferring agency may not
16 increase the employee’s salary at the time the employee returns to the transferring
17 agency.

18 (d) The secretary of administration shall submit a report to the joint committee
19 on finance no later than June 1, 2020, that provides information on all employee
20 transfers under par. (b). The report shall specify the number of employees
21 transferred, the title of each employee transferred, the title the employee assumed
22 at the receiving agency, and the reasons for each employee transfer.

SECTION 9119. Nonstatutory provisions; Health Services.

(1) PAYMENT FOR HOSPITALS FOR NURSING FACILITY CARE.

BILL**SECTION 9119**

1 (a) Until June 30, 2021, subject to par. (b), the department of health services
2 shall provide, under the Medical Assistance program, reimbursement at the
3 statewide average per-diem rate paid to nursing facilities or a supplemental
4 payment to hospitals for providing nursing-facility-level care when all of the
5 following criteria apply:

6 1. The individual for whom the hospital provided nursing-facility-level care
7 is enrolled in the Medical Assistance program, has been admitted on an inpatient
8 basis to the hospital, is eligible for discharge after receiving care in the hospital,
9 requires nursing-facility-level care upon discharge, and due to the hospital being
10 unable to locate a nursing facility that accepts the individual for admission, is unable
11 to be transferred to a nursing facility.

12 2. The services provided to the individual described under subd. 1. are custodial
13 care for which federal financial participation is approved.

14 3. The hospital notifies the department of health services that it is
15 participating as a swing bed hospital under the Medical Assistance program.

16 (b) The department of health services shall use the same standards and criteria
17 for determining whether a hospital is eligible for reimbursement or a supplemental
18 payment under par. (a) as are used by the federal Medicare program under 42 USC
19 1395 et seq. for the payment for use of swing beds or, for any hospital that is not a
20 critical access hospital, under the terms of a federal waiver approved under section
21 1135 of the federal social security act. The department shall seek any approval from
22 the federal government necessary to implement the reimbursement under this
23 subsection.

24 (2) REIMBURSEMENT FOR OUTPATIENT SERVICES PROVIDED BY HOSPITALS.

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1 (a) Until June 30, 2021, the department of health services shall provide
2 reimbursement under the Medical Assistance program to a hospital for any
3 outpatient service if all of the following criteria are satisfied:

4 1. The facility at which the outpatient service is performed is operated by the
5 hospital and certified under the Medicare program under 42 USC 1395 et seq.,
6 including under the terms of a federal waiver approved under section 1135 of the
7 federal social security act, for outpatient services.

8 2. The outpatient service is reimbursable when provided in the hospital's
9 inpatient facility but is not provided at the inpatient facility due to reasons
10 associated with the 2019 novel coronavirus pandemic.

11 3. The outpatient service is one for which federal financial participation is
12 approved.

13 (b) The department of health services may not include in a reimbursement
14 under par. (a) payments under s. 49.45 (3) (e) 11. or 12. or (59).

15 (c) The department of health services shall seek any approval from the federal
16 department of health and human services that is necessary to provide the
17 reimbursement in accordance with this subsection.

18 (3) COVERAGE OF VACCINATIONS UNDER SENIORCARE. By January 15, 2021, the
19 department of health services shall cover and provide reimbursement for
20 vaccinations under the program under s. 49.688 in accordance with 2019 Wisconsin
21 Act 185, sections 15 to 17, regardless of whether a waiver related to coverage or
22 reimbursement of vaccinations is granted by the federal department of health and
23 human services.

24 (4) AUTOPSIES AND CREMATION OF BODIES OF PERSONS WHO DIED OF COVID-19.

BILL**SECTION 9119**

1 (a) *Definition.* In this subsection, “COVID-19” means an infection caused by
2 the SARS-CoV-2 coronavirus.

3 (b) *Viewing of a corpse to be cremated following death from COVID-19.*
4 Notwithstanding s. 979.10 (1) (b), through June 30, 2021, if any physician, coroner,
5 or medical examiner has signed the death certificate of a deceased person and listed
6 COVID-19 as the underlying cause of death, a coroner or medical examiner shall
7 issue a cremation permit to cremate the corpse of that deceased person without
8 viewing the corpse.

9 (c) *Time for cremation of a person who has died of COVID-19.* Notwithstanding
10 s. 979.10 (1) (a) (intro.), through June 30, 2021, a coroner or medical examiner shall
11 issue, within 48 hours after the time of death, a cremation permit for the cremation
12 of a corpse of a deceased person.

13 (d) *Examination of the body of an inmate who has died of COVID-19.*
14 Notwithstanding s. 979.025, through June 30, 2021, if an individual who has been
15 diagnosed with COVID-19 dies while he or she is in the legal custody of the
16 department of corrections and confined to a correctional facility located in this state,
17 the coroner or medical examiner may perform a limited examination of the deceased
18 individual instead of a full autopsy, which may include an external examination of
19 the body of the deceased individual, a review of the deceased individual’s medical
20 records, or a review of the deceased individual’s radiographs.

21 (e) *Requiring electronic signature on death certificates with 48 hours if death*
22 *is caused by COVID-19.* Notwithstanding s. 69.18 or any other requirements to the
23 contrary, through June 30, 2021, if the underlying cause of a death is determined to
24 be COVID-19, the person required to sign the death certificate shall provide an
25 electronic signature on the death certificate within 48 hours after the death occurs.

BILL**SECTION 9135. Nonstatutory provisions; Public Lands, Board of Commissioners of.**

(1) LOANS TO MUNICIPAL UTILITIES.

(a) *Definitions.* In this subsection:

1. “Board” means the board of commissioners of public lands.

2. “Municipal utility” has the meaning given in s. 196.377 (2) (a) 3.

(b) *Loans.*

1. The board may loan moneys under its control or belonging to the trust funds to a city, village, or town to ensure that a municipal utility under the control of the city, village, or town is able to maintain liquidity. The loan shall be for the sum of money, for the time, and upon the conditions as may be agreed upon between the board and the borrower.

2. Each loan under this subsection shall be considered a state trust fund loan for purposes of s. 24.70.

3. The board may not award a loan under this subsection after April 15, 2021.

4. The legislature finds and determines that the loans authorized under this subsection serve a public purpose.

SECTION 9138. Nonstatutory provisions; Safety and Professional Services.

(1) EMERGENCY RULES RELATED TO 3RD-PARTY LOGISTICS PROVIDERS. The pharmacy examining board may promulgate emergency rules under s. 227.24 implementing s. 450.075. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until June 30, 2023, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide evidence that promulgating a rule under

BILL**SECTION 9138**

1 this subsection as an emergency rule is necessary for the preservation of the public
2 peace, health, safety, or welfare and is not required to provide a finding of emergency
3 for a rule promulgated under this subsection.

4 (2) INTERIM LICENSURE OF 3RD-PARTY LOGISTICS PROVIDERS.

5 (a) In this subsection, the definitions under s. 450.01 apply.

6 (b) The board shall grant an interim license to an applicant to act as a 3rd-party
7 logistics provider or an out-of-state 3rd-party logistics provider if, in the opinion of
8 the board, the applicant is currently in compliance with federal law relating to
9 3rd-party logistics providers. The holder of an interim license under this subsection
10 shall apply for a license under s. 450.075 on or after the date that emergency rules
11 take effect under sub. (1), or the date on which permanent rules take effect,
12 whichever is sooner. An interim license granted under this subsection expires 90
13 days after the date that emergency rules take effect under sub. (1), or 90 days after
14 the date on which permanent rules take effect, whichever is sooner.
15 Notwithstanding s. 440.05, no fee is required for an interim license issued under this
16 subsection.

17 **SECTION 9150. Nonstatutory provisions; Workforce Development.**

18 (1) UNEMPLOYMENT INSURANCE; BACKLOG AND CALL CENTER.

19 (a) *Definitions.* In this subsection, the definitions in s. 108.02 apply.

20 (b) *Plan to address backlog of unemployment insurance claims.* Not later than
21 30 days after the effective date of this paragraph, the department shall develop a
22 plan for the department to achieve processing times comparable to what they were
23 in January and February 2020. The plan shall include measures to ensure
24 maintenance of program integrity and fraud detection. The department shall submit

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1 the plan to the appropriate standing committees of the legislature under s. 13.172
2 (3) and shall publish the plan on its Internet site.

3 (c) *Call center.* The department shall maintain a call center to provide services
4 and support to claimants for benefits under ch. 108 or federal pandemic
5 unemployment assistance benefits via telephone. The department shall operate the
6 call center for 12 hours per day, 7 days per week, until the number of weekly claims
7 in process is comparable to those in January and February 2020, as determined by
8 the department.

9 **SECTION 9342. Initial applicability; Technical College System.**

10 (1) HOURS SATISFYING COURSE REQUIREMENTS. The treatment of s. 38.04 (33) first
11 applies to the first semester beginning after the effective date of this subsection.

12 **SECTION 9347. Initial applicability; University of Wisconsin System.**

13 (1) HOURS SATISFYING COURSE REQUIREMENTS. The treatment of s. 36.11 (44) first
14 applies to the first semester beginning after the effective date of this subsection.

15 (END)