

State of Wisconsin



2023 Senate Bill 671

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT to amend 257.01 (7) (a) and (b); and to create 146.40 (2d) of the statutes; relating to: student qualification for employment as a nurse aide.

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

SECTION 1. 146.40 (2d) of the statutes is created to read:

146.40 (2d) (a) Notwithstanding sub. (2), subject to par. (b), a hospital, nursing home, intermediate care facility for persons with an intellectual disability, home health agency, or hospice may employ or contract for the services of an individual as a nurse aide, if the individual is enrolled in an instructional program for nurse aides that is approved under sub. (3) or (3g), is employed part-time as a nurse's assistant, home health aide, or hospice aide fewer than 120 days, and has a preceptor. The requirements of sub. (2) (c) 1. and 2. apply to individuals under this subsection. An individual employed or contracted as a nurse aide under this subsection shall pass a Wisconsin-approved nurse aide competency evaluation examination within 120 calendar days of the start of the individual's part-time employment as a nurse aide or may not con-

tinue to be employed or contracted as a nurse aide under this subsection.

(b) The department shall, as soon as possible after the effective date of this paragraph [LRB inserts date], request any necessary federal approval required to implement this subsection and, if approval is granted or if no federal approval is required, the department shall implement this subsection. If federal approval is necessary but not granted, the department may not implement this subsection.

SECTION 2. 257.01 (7) (a) and (b) of the statutes are amended to read:

257.01 (7) (a) An individual who satisfies the requirements for a nurse aide under s. 146.40 (2) (a), (ac), (c), (e), (em), or (g) or (2d).

(b) An individual who did at any time within the previous 10 years, but does not currently, satisfy the requirements for a nurse aide under s. 146.40 (2) (a), (ac), (c), (e), (em), or (g) or (2d), if the individual's name has never been listed under s. 146.40 (4g) (a) 2., 2005 stats., or s. 146.40 (4g) (a) 2.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."