



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5049/1
JPC:wlj

2021 BILL

1 **AN ACT** *to create* 146.98 and 440.10 of the statutes; **relating to:** right of health
2 care providers to express professional opinions related to health or medical
3 information or guidance.

Analysis by the Legislative Reference Bureau

This bill establishes a right of health care providers to express their professional opinions related to health or medical information or guidance, including any statements, policies, studies, publications, or orders. The bill prohibits any health care entity from retaliating against, discriminating against, or taking adverse action against a health care provider for expressing his or her professional opinions. Further, the bill prohibits any examining board or affiliated credentialing board in the Department of Safety and Professional Services from retaliating against, discriminating against, or taking adverse action against, or denying, suspending, limiting, or revoking a credential to, a health care provider for expressing his or her professional opinions.

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

4 **SECTION 1.** 146.98 of the statutes is created to read:
5 **146.98 Right of health care providers to express professional opinions.**
6 **(1)** In this section:

BILL**SECTION 1**

1 (a) "Health care entity" has the meaning given for "health care provider" in s.
2 146.81 (1) (i) to (p).

3 (b) "Health care provider" has the meaning given in s. 146.81 (1) (a) to (hp).

4 **(2)** No health care entity may retaliate, discriminate, or take adverse action
5 against a health care provider for expressing the health care provider's professional
6 opinions relating to any health or medical information or guidance, including any
7 statements, policies, studies, publications, or orders.

8 **SECTION 2.** 440.10 of the statutes is created to read:

9 **440.10 Right of health care providers to express professional opinions.**

10 **(1)** In this section, "health care provider" has the meaning given in s. 146.81 (1) (a)
11 to (hp).

12 **(2)** No credentialing board may retaliate against, discriminate against, or take
13 adverse action against, or deny, suspend, limit, or revoke a credential to, a health
14 care provider for expressing the health care provider's professional opinions relating
15 to any health or medical information or guidance, including any statements, policies,
16 studies, publications, or orders.

17 **(END)**