

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

N 7

3. Subject

Misconduct or unprofessional conduct

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.165(1)(g)

6. Fiscal Effect of Implementing the Rule

No Fiscal Effect Increase Existing Revenues Increase Costs
 Indeterminate Decrease Existing Revenues Could Absorb Within Agency's Budget
 Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)

State's Economy Specific Businesses/Sectors
 Local Government Units Public Utility Rate Payers
 Small Businesses (if checked, complete Attachment A)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

The policy problem addressed by the rule is to update and modernize the misconduct or unprofessional conduct rule which has not been updated since 1995.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This rule was posted for 14 days for economic comments and none were received.

11. Identify the local governmental units that participated in the development of this EIA.

None

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

This rule will not have an economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the state's economy as a whole. The rule addresses conduct of the licensee.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The benefit of implementing the rule is including current minimum standards of the profession necessary for the protection of the public. In addition, as a member state of the Nurse Licensure Compact, the benefit is to have consistency among the compact states as to what practices are construed as misconduct or unprofessional conduct.

The alternate to updating and modernizing the misconduct or unprofessional conduct rule is to continue with a current rule that creates uncertainty to the licensee as to what is misconduct or unprofessional conduct when a situation arises involving technology, practices or laws that were not in place in 1995.

14. Long Range Implications of Implementing the Rule

The long range implication is notice provided to the licensees and public as to what constitutes unprofessional conduct.

15. Compare With Approaches Being Used by Federal Government

None

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The grounds for disciplinary actions in our neighboring states include: behavior which crosses professional boundaries; sexual conduct; fraud; departure from or failure to conform to the standards of nursing; practicing outside the scope; obtaining, possessing

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or attempting to obtain a controlled substance outside the practice of nursing; unethical business practices; criminal convictions; violating confidentiality; obtaining money, property or services from a patient through the use of undue influence; failing to or inability to perform nursing with reasonable skill and safety; engaging in unethical practices; improper management of patient records; and improper supervision.

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