

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original    Updated    Corrected

2. Administrative Rule Chapter, Title and Number

165- Pod 3.01, 3.04

3. Subject

Continuing Education Audit

4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

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 proposed rule addresses the Podiatry Affiliated Credentialing Board's concern that licensees were not being audited for compliance with the continuing education requirements as specified in Wis. Admin. Code § Pod 3.01. To alleviate this concern, the Board seeks to amend Wis. Admin. Code § Pod 3.01 and 3.04 to allow audits to take place every two years and to require that licensees maintain evidence of continuing education compliance for four years. The proposed rule would accomplish these two goals.

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 proposed rule was posted on the Department of Safety and Professional Services website and on the Wisconsin government website for 14 business days to solicit comments from the public. No businesses, business sectors, associations representing business, local governmental units, or individuals contacted the department about the proposed rule during that time period.

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

No local governmental units participated in developing this EIA.

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 have no economic or fiscal impact on specific business, business sectors, public utility rate payers, local government units or the state's economy as a whole.

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

The benefit of implementing the proposed rule is greater uniformity in the process of determining whether licensees are complying with continuing education requirements.

14. Long Range Implications of Implementing the Rule

A consistent audit of licensee's compliance with the continuing education requirement will, over a period of time, act as a deterrent to non-compliance.

15. Compare With Approaches Being Used by Federal Government

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None.

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

**Illinois:** Illinois does not set a specific time frame for conducting audits or maintaining certificates of compliance with continuing education. It is the responsibility of each licensee to maintain evidence of compliance with continuing education requirements and provide evidence of such upon request pursuant to a random audit. ILL. ADMIN. CODE tit. 68 §. 1360.70 d) 2).

**Iowa:** Even though Iowa defines the term “audit” in 645 IAC 225., the code is silent with regards to a specific time period for auditing continuing education compliance and maintaining evidence of compliance.

**Michigan:** The Department of Licensing and Regulatory Affairs, Bureau of Health Care Services conducts an audit at the conclusion of each renewal period to verify compliance with continuing education requirements. In accordance with Mich. Admin. Code r. 338.3711 (2) licensees are responsible for maintaining evidence of compliance.

**Minnesota:** Licensees must provide the board with proof of attendance in a continuing education program within the renewal period. The evidence must be in the form of a certificate, descriptive receipt, or affidavit. MINN. Rules 6900.0300 Subp. 4. The rules are silent with regards to conducting audits.

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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