

Report From Agency

**STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
DEPARTMENT OF SAFETY AND : CR 19-066
PROFESSIONAL SERVICES :**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS: N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA is attached.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

This rule project amends chs. SPS 180 to 183 relating to licensure, standards of practice, and grounds for discipline of midwives to bring the rules into conformity with current drafting standards.

Chapter SPS 180 contains a definition for “health care provider,” which includes first responders. 2017 Wisconsin Act 12 amended s. 256.15 (8), Stats. to replace the terminology “first responder” with “emergency medical responder.”

The impetus of this rule is to bring SPS 180 into conformity with this change in terminology. Upon review of ch. SPS 180, it was discovered that the term “health care provider” is not actually used anywhere in SPS 180, and should be removed from the rule rather than amended. Additionally, several of the other definitions in SPS 180 are identical to definitions found in subch. I of ch. 440. Further, the rules contain inaccurate statutory references and the improper use of gender specific pronouns in numerous locations throughout.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Department of Safety and Professional Services held a public hearing on June 7, 2019. No one testified or provided written comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

This proposed rule does not have an economic impact on small business, as defined in s. 227.114 (1), Stats.