



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 329
[2017 Assembly Bill 903]

**Various Changes in the
Department of Safety and
Professional Services**

2017 Wisconsin Act 329 makes various changes related to the regulation of occupations, buildings, and safety, as administered by the Department of Safety and Professional Services (DSPS) and the professional credentialing boards it houses. The changes in the Act relate to recommendations made by DSPS. This Act Memo provides a general overview of the Act.

BOARD MEMBERSHIP

The Act modifies the membership of certain credentialing boards housed within DSPS as follows.

First, the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board consists of 13 members. Among other membership criteria, prior law required that the membership had to include: (1) one licensed advance practice social worker; (2) one certified independent social worker; (3) one licensed clinical social worker; and (4) at least one member who was employed as a social worker by a federal, state, or local agency. The Act modifies these requirements to instead provide that the membership must include: (1) at least one licensed advance practice social worker; (2) at least one licensed clinical social worker; and (3) at least one member who is employed as a social worker by a federal, state, or local agency.

Second, prior law required that the Board of Nursing had to consist of five licensed registered nurses (RN), two licensed practical nurses (LPN), and two public members. The Act modifies the board's membership to instead consist of five RNs, one LPN, one member who is either an RN or LPN, and two public members.

Third, under prior law, the Real Estate Appraisers Board consisted of one assessor, three public members, one certified general appraiser, one certified residential appraiser, and one licensed appraiser. Under the Act, the board consists of one assessor, three public members, and three appraiser members, including at least one certified general appraiser and at least one

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

certified residential appraiser. The third appraiser member may hold any level of appraiser credential. With regard to the Real Estate Appraisers Board, prior law also required that at least two appraiser members and one public member had to be present to constitute a quorum. The Act removes the requirement that these specific board members be present to constitute a quorum.

Fourth, the Massage and Therapy and Bodywork Therapy Affiliated Credentialing Board consists of seven members, including one public member. Prior law required that the public member be recognized by or meet the established standards of either a professional organization or credentialing association that recognizes a person in a practice after that person demonstrates an adequate level of training and competency and adherence to ethical standards. The Act removes this requirement.

OTHER CHANGES

The Act makes a number of other changes to the regulation of occupations, buildings, and safety through DSPS, including:

- Eliminating the requirement that DSPS or the local government provide a copy of any request to inspect or copy building plans to the person who submitted the building plans, as well as to the party that owns the structure or proposed structure.
- Modifying a requirement that mining inspectors employed by DSPS who do not have a degree of mining engineering must have at least 10 years experience in underground mining. Under the Act, such individuals must only have some experience in underground mining.
- Eliminating a provision that had allowed a retailer to evacuate a liquefied petroleum gas container not under the retailer's ownership in order to transfer the remaining liquefied petroleum gas that was in the container into a container that was under the retailer's ownership.
- Reducing the frequency with which DSPS must issue a written determination regarding whether local governments are complying with certain standards related to construction site erosion, from every three years to every five years.
- Eliminating the requirement that DSPS annually distribute to all school districts and charter schools that offer kindergarten a form that was created by the Medical and Optometry Examining Boards for use during student eye examinations.
- Eliminating the requirement that the DSPS Secretary prepare an annual report on minorities who applied for and held a certified public accountant license during the previous year.
- Eliminating the requirement that certain information submitted to DSPS or the Cemetery Board by a religious cemetery be notarized.
- Moving the renewal date for physician assistants from March 1 of each odd-numbered year to March 1 of each even-numbered year.

- Moving the renewal date for physicians with a degree of doctor of osteopathy from March 1 of each even-numbered year to November 1 of each odd-numbered year.
- Eliminating a provision which imposed a \$50 forfeiture on a credential holder or applicant who failed to report a change of name or address within 30 days of the change.
- Specifying that only RNs and LPNs are required to complete and pay for the nursing workforce survey as a condition of credential renewal.
- Generally prohibiting local governments from regulating tattoo and body piercing, unless authority is delegated by DSPS.

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