



2019 ASSEMBLY BILL 523

October 11, 2019 - Introduced by Representatives TITTL, BALLWEG, DOYLE, DUCHOW, EDMING, FELZKOWSKI, HORLACHER, JAMES, KNODL, KURTZ, LOUDENBECK, B. MEYERS, MILROY, MURSAU, OLDENBURG, PETERSEN, PETRYK, RODRIGUEZ, ROHRKASTE, SCHRAA, TRANEL, TUSLER, VANDERMEER and WITKE, cosponsored by Senators BERNIER, KOYENGA, NASS and PETROWSKI. Referred to Committee on Regulatory Licensing Reform.

1 **AN ACT** *to repeal* 455.07; *to amend* 51.30 (1) (b), 440.08 (2) (a) (intro.), 455.01
2 (4), 455.02 (3m) and 455.04 (5); *to repeal and recreate* 455.06; and *to create*
3 455.04 (2) of the statutes; **relating to:** an interim psychologist license.

Analysis by the Legislative Reference Bureau

Under current law, no person may engage in the practice of psychology without being licensed as a psychologist by the Psychology Examining Board. This bill requires the board to issue an interim psychologist license to an applicant who satisfies all of the requirements for a psychologist license, other than an experience requirement. An interim license is valid for two years or until the individual obtains a permanent license, subject to a hardship exemption prescribed by the board by rule that could allow renewals beyond two years.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 51.30 (1) (b) of the statutes is amended to read:
5 51.30 (1) (b) "Treatment records" include the registration and all other records
6 that are created in the course of providing services to individuals for mental illness,

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1 developmental disabilities, alcoholism, or drug dependence and that are maintained
2 by the department; by county departments under s. 51.42 or 51.437 and their staffs;
3 by treatment facilities; or by psychologists licensed under s. 455.04 (1) or (2) or
4 licensed mental health professionals who are not affiliated with a county department
5 or treatment facility. Treatment records do not include notes or records maintained
6 for personal use by an individual providing treatment services for the department,
7 a county department under s. 51.42 or 51.437, or a treatment facility, if the notes or
8 records are not available to others.

9 **SECTION 2.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

10 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
11 444.03, 444.11, 447.04 (2) (c) 2., 449.17 (1m) (d), 449.18 (2) (e), 455.06 (1) (b), 463.10,
12 463.12, and 463.25 and subch. II of ch. 448, the renewal dates for credentials are as
13 follows:

14 **SECTION 3.** 455.01 (4) of the statutes is amended to read:

15 455.01 (4) “Licensed psychologist” means a person holding a valid license
16 under s. 455.04 (1) or (2).

17 **SECTION 4.** 455.02 (3m) of the statutes is amended to read:

18 455.02 (3m) USE OF TITLES. Except as provided in s. 257.03, only an individual
19 licensed under s. 455.04 (1) or (2) may use the title “psychologist” or any similar title
20 or state or imply that he or she is licensed to practice psychology, and only an
21 individual licensed under s. 455.04 (4) may use the title “private practice school
22 psychologist” or any similar title or state or imply that he or she is licensed to engage
23 in the private practice of school psychology. Except as provided in s. 257.03, only an
24 individual licensed under s. 455.04 (1), (2), or (4) may represent himself or herself to

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1 the public by any description of services incorporating the word “psychological” or
2 “psychology”.”

3 **SECTION 5.** 455.04 (2) of the statutes is created to read:

4 455.04 (2) The examining board shall grant an interim psychologist license to
5 an individual who submits an application for the license, pays the fee specified under
6 s. 440.05 (6), and satisfies the requirements for a license under sub. (1) (a) to (f), other
7 than the requirement under sub. (1) (d). An individual licensed under this
8 subsection may provide psychological services only under the supervision of
9 qualified supervisors, as determined by the examining board.

10 **SECTION 6.** 455.04 (5) of the statutes is amended to read:

11 455.04 (5) Applicants for licensure under subs. (1) and (4) this section may be
12 required to appear before the examining board in person prior to licensure to allow
13 the examining board to make such inquiry of them as to qualifications and other
14 matters as it considers proper.

15 **SECTION 7.** 455.06 of the statutes is repealed and recreated to read:

16 **455.06 Renewals.** (1) (a) Except as provided in par. (b), the renewal dates for
17 licenses issued under this chapter are specified under s. 440.08 (2) (a), and the
18 renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

19 (b) A license issued under s. 455.04 (2) is valid until the individual obtains a
20 license under s. 455.04 (1), subject to a maximum term of 2 years, and may not be
21 renewed, except that the examining board may promulgate rules specifying
22 circumstances in which the examining board, in cases of hardship, may allow an
23 individual to renew a license issued under s. 455.04 (2). Notwithstanding sub. (2),
24 an individual holding a license issued under s. 455.04 (2) is not required to complete
25 continuing education.

