

# State of Wisconsin



September 2023 Special Session  
Senate Bill 1

Date of enactment:  
Date of publication\*:

## 2023 WISCONSIN ACT

**AN ACT to repeal** 89.073 (1), 89.073 (2) (b), 89.073 (2m), 106.276, 440.09 (1), 440.09 (2) (b), 440.09 (2m), 440.094 (1) (b), 440.992 (6), 452.10 (2) and 456.07 (1) and (3); **to renumber** 252.14 (1) (ar) 14., 440.08 (2) (d), 440.08 (2) (e), 440.09 (2) (intro.), 440.09 (2) (d), 448.978 (1), 448.978 (2) (d) 1. and 2., 457.16 (1) and 457.25 (1); **to renumber and amend** 71.07 (9g) (b), 108.04 (2) (a) 4., 108.04 (15) (a) 2., 440.03 (13) (c), 440.08 (2) (a) 1. to 72., 440.08 (2) (c), 440.09 (2) (a), 440.09 (2) (c), 440.09 (2) (f), 440.09 (3), 440.09 (4) and (5), 446.025 (3) (a), 446.026 (3) (a), 448.015 (4) (am) 2m., 448.974 (2), 448.978 (2) (d) (intro.), 457.12 and 459.24 (3m); **to consolidate, renumber and amend** 108.04 (15) (a) (intro.) and 1.; **to amend** 15.405 (7c) (a) 1., 15.405 (7c) (a) 2., 15.405 (7c) (a) 3., 15.405 (7c) (a) 4., 15.405 (7c) (am) 1., 15.405 (7c) (am) 3., 15.405 (7c) (c), 45.40 (1g) (a), 46.297 (2) (a), 46.298, 46.90 (4) (ab) 4., 48.56 (2), 48.561 (2), 49.45 (9r) (a) 7. e., 49.45 (30j) (a) 1., 51.03 (6) (a), 55.043 (1m) (a) 4., 71.05 (6) (b) 49. h., 71.05 (6) (b) 49. i., 71.06 (1q) (c), 71.06 (2) (i) 3., 71.06 (2) (j) 3., 89.073 (title), 89.073 (2) (c), 89.073 (2) (f), 97.67 (5m) (a) 3., 101.022, 108.04 (2) (a) 3., 108.133 (2) (a) (intro.), 108.133 (2) (am), 118.2925 (1) (f), 146.81 (1) (eu), 146.81 (1) (hg), 146.81 (1) (hm), 146.89 (1) (r) 6., 146.89 (1) (r) 7., 146.997 (1) (d) 4., 146.997 (1) (d) 11., 146.997 (1) (d) 12., 154.01 (3) (b), 155.01 (1g) (c), 155.01 (7), 180.1901 (1m) (f), 252.14 (1) (ar) 7., 252.14 (1) (ar) 8., 252.15 (1) (er), 253.10 (2) (f), 256.215 (2) (b), 257.01 (1) (a), 257.01 (1) (b), 303.08 (1) (f), 440.03 (9) (a) (intro.), 440.03 (9) (a) 2., 440.03 (13) (b) (intro.), 440.03 (14) (am), 440.03 (14) (c), 440.03 (15), 440.032 (5), 440.043 (1), 440.08 (2) (title), 440.08 (2) (a) (intro.), 440.08 (2) (b), 440.08 (4) (a), 440.09 (title), 440.09 (1m) (c) 1., 440.094 (title), (1) (c) (intro.), 3., 4. and 5. and (2), 440.094 (1) (c) 14., 440.094 (3), 440.15, 440.26 (3), 440.26 (5m) (b), 440.313 (1), 440.415 (2) (a), 440.71 (3), 440.88 (4), 440.905 (2), 440.91 (1) (c), 440.91 (1m) (c), 440.91 (4), 440.92 (1) (c), 440.972 (2), 440.974 (2), 440.98 (6), 440.983 (1), 440.9935, 441.06 (3), 441.10 (6), 441.15 (3) (b), 442.083 (1), 442.083 (2) (a), 443.015 (1e), 443.07 (6), 443.08 (3) (b), 443.10 (2) (e), 443.10 (5), 445.06 (1), 445.07 (1) (a) and (b), 445.095 (1) (c), 445.105 (3), 446.01 (1v) (m), 446.02 (1) (b), 446.02 (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a), 447.055 (1) (a), 447.055 (1) (b) 1., 447.055 (1) (b) 2., 447.056 (1) (intro.), 447.056 (3), 447.058 (2) (b), 448.07 (1) (a), 448.08 (4), 448.13 (1) (a) 1., 448.13 (1) (a) 2., 448.13 (1m), 448.55 (2), 448.65 (2) (intro.), 448.665, 448.67 (4), 448.86 (2), 448.9545 (1) (a), 448.9545 (1) (b) (intro.), 448.955 (1), 448.955 (2) (a), 448.955 (3) (a), 448.956 (1) (c), 448.964 (1), 448.967 (2), 448.9703 (3) (a), 448.9706 (2), 448.971 (2), 448.972 (1), 448.973 (2), 448.974 (title), 448.974 (2) (am) 1., 448.978 (2) (intro.), 448.978 (2) (a), 448.978 (2) (g), 449.06 (1), 449.06 (2m), 450.08 (1), 450.08 (2) (a), 450.08 (2) (b), 450.085 (1), 450.10 (3) (a) 5., 450.10 (3) (a) 10., 450.10 (3) (a) 11., 451.04 (4), 452.05 (1) (d), 452.12 (1), 452.12 (5) (a), 452.12 (5) (c), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5), 454.25 (9), 455.06 (1) (a), 455.065 (7), 456.07 (2), 456.07 (5), chapter 457 (title), 457.01 (intro.), 457.01 (1c), 457.01 (1g), 457.01 (1r), 457.01 (1w), 457.01 (2r), 457.01 (7), 457.01 (10), 457.02 (intro.), (1), (2), (3), (4), (5), (5m) and (6) (c), 457.03 (1), (1m) and (2), 457.033, 457.035 (1) and (2), 457.04 (1), (2), (3), (4), (5) (a) and (b), (6) and (7), 457.06 (intro.), 457.09 (2) (b) and (4) (b) 1. and 2., 457.12 (title), 457.13 (1) (c), 457.14 (1) (f), 457.15 (3), 457.20 (1) and (2), 457.20 (2),

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

457.22 (2), 457.24 (1), 457.26 (1) and (2) (intro.) and (h), 458.085 (3), 458.09 (3), 458.11, 458.13, 458.33 (5), 459.09 (1) (intro.), 459.09 (1) (b), 459.22 (2) (b), 459.24 (1) (a), 459.24 (1) (b), 459.24 (5) (intro.), 459.24 (5) (b), 459.34 (2) (intro.), 459.34 (2m) (a) (intro.), 459.34 (2m) (b), 459.34 (2m) (c), 459.34 (3), 460.07 (2) (intro.), 460.10 (1) (a), 462.02 (2) (e), 462.04, 462.05 (1), 466.04 (3) (a) (intro.), 470.045 (3) (b), 470.07, 480.08 (5), 632.89 (1) (e) 4., 632.895 (16) (b) 1. a., 800.035 (2m), 895.48 (1m) (a) (intro.), 905.04 (1) (bm), 905.04 (1) (dm), 905.04 (1) (g), 971.14 (4) (a) and 990.01 (27s); **to repeal and recreate** 16.417 (1) (e) 3m., 252.15 (1) (am), 448.13 (title), 456.07 (title) and 632.89 (1) (dm); and **to create** 13.0963, 14.835, 14.896, 14.8965, 14.897, 15.407 (19), 38.04 (34), 39.381, 71.05 (6) (b) 49. L., 71.07 (9g) (b) 2., 71.07 (9g) (c) 5., 89.073 (2) (g) and (h), 106.276, 108.01 (2m), 108.04 (2) (a) 4. c., 108.04 (2) (a) 5., 108.04 (15) (a) 2. b., 108.04 (15) (am) and (ao), 108.14 (8o), 108.14 (30), 111.335 (4) (jm), 440.023, 440.03 (11m) (c) 2c., 440.03 (11m) (c) 2u., 440.03 (11m) (c) 2ub., 440.03 (11m) (c) 2w., 440.03 (13) (bp), (bt) and (bx), 440.03 (13) (c) 1. i., 440.03 (13) (c) 1. ic., 440.03 (13) (c) 1. id., 440.03 (13) (c) 1. ie., 440.08 (2) (a) 1n., 2n., 3n. and 4n., 440.08 (2) (ag) (intro.), 440.08 (2) (ar), 440.08 (2r) (title), 440.08 (2r) (b), 440.08 (3m), 440.09 (1m) (title), 440.09 (1m) (b) 6. and 7., 440.09 (2g), 440.09 (2r), 440.094 (1) (c) 9g., 9m., 17. and 19., (d), (e) and (f), 440.094 (4), 440.20 (6), 440.88 (3) (d), 441.16 (3m), 443.015 (1c), 446.025 (3) (a) 2., 446.026 (3) (a) 2., 448.05 (6) (av), 448.964 (3), 448.971 (1L), 448.971 (1m), 448.974 (1m), 448.974 (2) (bm), subchapter XIII of chapter 448 [precedes 448.988], 450.04 (4), subchapter I (title) of chapter 457 [precedes 457.01], 457.01 (1t), 457.01 (5g), 457.01 (5m), 457.01 (5r), 457.01 (12), 457.08 (4m), 457.12 (1m) (bm) and (2m) to (4m), 457.125, 457.16 (1) (b), 457.18, 457.25 (1g), subchapter II of chapter 457 [precedes 457.50], subchapter III of chapter 457 [precedes 457.70], 459.20 (2k), 459.20 (2m), 459.20 (3v), 459.24 (3c), 459.24 (3e), 459.30 and subchapter III of chapter 459 [precedes 459.70] of the statutes; **relating to:** fall workforce package; modifying administrative rules; extending the time limit for emergency rule procedures; providing an exemption from emergency rule procedures; and granting rule-making authority.

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

**SECTION 1.** 13.0963 of the statutes is created to read:

**13.0963 Review of bills creating occupational licenses.** (1) **DEFINITION.** In subs. (2) and (3), “license” includes any permit, certificate, approval, registration, charter, or similar form of permission.

(2) **REPORT ON BILLS CREATING OCCUPATIONAL LICENSES.** (a) If any bill that is introduced in either house of the legislature creates a requirement that an individual obtain a license in order to engage in a particular profession or occupation or a requirement that a license be obtained in order for a particular type of business to be owned or operated, the department of administration shall prepare and issue an occupational license report on the bill within 30 business days after it is introduced. The department shall request information from any individual or business that the department considers likely to be affected by the proposed licensure requirement and shall request a statement or analysis from the agency that would be required to administer the licensure requirement. Individuals, businesses, and agencies shall comply with requests by the department for information that is reasonably necessary for the department to prepare the report. To the greatest extent possible, reports under this section shall be based on the information obtained by the department from individuals, businesses, and agencies under this paragraph.

(b) A bill that requires a report by the department of administration under this section shall have that requirement noted on its jacket when the jacket is prepared. When a bill that requires a report under this section is

introduced, the legislative reference bureau shall submit a copy of the bill to the department of administration.

(c) The report prepared under this section shall be printed as an appendix to the applicable bill and shall be distributed in the same manner as amendments. The report shall be distributed before any vote is taken on the bill by either house of the legislature if the bill is not referred to a standing committee, or before any public hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee. The department of administration shall also publish the report on its Internet site.

(3) **FINDINGS TO BE CONTAINED IN THE REPORT.** The department of administration shall include all of the following in a report prepared under sub. (2):

(a) An evaluation of whether the unregulated practice of the profession, occupation, or business can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative.

(b) An evaluation of whether the public can reasonably be expected to benefit from the requirement for the license.

(c) An evaluation of what the least restrictive regulation is that will effectively protect the public, as determined under sub. (4).

(d) An analysis of licensure requirements for that profession, occupation, or business in other states, including educational and reciprocity requirements.

(e) An estimate of the number of individuals or businesses that would be affected by the requirement.

(f) An estimate of the total additional financial burden that will be imposed on an individual or business as a result of the licensure requirement, including education or training costs, examination fees, private credential fees, credential fees imposed by the agency, and other costs that the individual or business will have to incur in order to obtain the license.

(g) Any statement or analysis from the agency that would administer the licensure requirement.

(4) DETERMINATION OF LEAST RESTRICTIVE REGULATION. (a) In this subsection:

1. “Certification” means a voluntary program to which all of the following apply:

a. A private organization or the state grants a non-transferable recognition to an individual who meets certain personal qualifications established by the private organization or by law.

b. Upon approval, the individual may use “certified” as a designated title.

c. A noncertified individual may perform the occupation for compensation but may not use the title “certified.”

2. “Occupational license” means a program to which all of the following apply:

a. The state grants a nontransferable authorization to an individual who meets certain personal qualifications established by law in order to perform an occupation for compensation.

b. It is unlawful for an individual who does not possess the requisite authorization to perform the occupation for compensation.

3. “Personal qualifications” means criteria related to an individual’s personal background and characteristics, including completion of an approved educational program, satisfactory performance on an examination, work experience, other evidence of attainment of requisite skills or knowledge, moral standing, criminal history, and completion of continuing education.

4. “Registration” means a program to which all of the following apply:

a. The program requires an individual to provide notice to the state that may include the individual’s name and address, the individual’s agent for service of process, the location of the activity to be performed, and a description of the service the individual provides.

b. The program does not require certain personal qualifications to be satisfied, but may require a bond or insurance.

c. Upon registering, the individual may use “registered” as a designated title.

d. A nonregistered individual may not perform the occupation for compensation or use “registered” as a designated title.

(b) For purposes of sub. (3) (c), “least restrictive regulation” means one of the following, from least restrictive to most restrictive:

1. Market competition.
2. Third-party or consumer-created ratings and reviews.
3. Private certification.
4. A specific private civil cause of action to remedy consumer harm.
5. The designation of an unfair trade practice or method of competition in business.
6. The regulation of the process of providing the specific goods or services to consumers.
7. An inspection requirement.
8. A bonding or insurance requirement.
9. A registration requirement.
10. A governmental certification requirement.
11. An occupational license requirement.

**SECTION 2.** 14.835 of the statutes is created to read: **14.835 PA licensure compact.** There is created a PA licensure compact commission as specified in s. 448.988. The delegate on the commission representing this state shall be appointed by the physician assistant affiliated credentialing board as provided in s. 448.988 (7) (b) 1. and shall be an individual described in s. 448.988 (7) (b) 2. a. or b. The commission has the powers and duties granted and imposed under s. 448.988.

**SECTION 3.** 14.896 of the statutes is created to read: **14.896 Counseling compact.** There is created a counseling compact commission as specified in s. 457.50. The delegate on the commission representing this state shall be appointed by the marriage and family therapy, professional counseling, and social work examining board as provided in s. 457.50 (9) (b) 1. and shall be an individual described in s. 457.50 (9) (b) 2. a. or b. The commission has the powers and duties granted and imposed under s. 457.50.

**SECTION 4.** 14.8965 of the statutes is created to read: **14.8965 Audiology and speech-language pathology licensure compact.** There is created an audiology and speech-language pathology compact commission as specified in s. 459.70. The delegates of the commission representing this state shall be individuals described in s. 459.70 (8) (b) 1. The commission has the powers and duties granted and imposed under s. 459.70.

**SECTION 5.** 14.897 of the statutes is created to read: **14.897 Social work licensure compact.** There is created a social work licensure compact commission as specified in s. 457.70. The delegate on the commission representing this state shall be appointed by the marriage and family therapy, professional counseling, and social work examining board as provided in s. 457.70 (10) (b) 1. and shall be an individual described in s. 457.70 (10) (b) 2. a. or b. The commission has the powers and duties granted and imposed under s. 457.70.

**SECTION 6.** 15.405 (7c) (a) 1. of the statutes is amended to read:  
15.405 (7c) (a) 1. Four social worker members who are certified or licensed under subch. I of ch. 457.

**SECTION 7.** 15.405 (7c) (a) 2. of the statutes is amended to read:

15.405 (7c) (a) 2. Three marriage and family therapist members who are licensed under subch. I of ch. 457.

**SECTION 8.** 15.405 (7c) (a) 3. of the statutes is amended to read:

15.405 (7c) (a) 3. Three professional counselor members who are licensed under subch. I of ch. 457.

**SECTION 9.** 15.405 (7c) (a) 4. of the statutes is amended to read:

15.405 (7c) (a) 4. Three public members who represent groups that promote the interests of consumers of services provided by persons who are certified or licensed under subch. I of ch. 457.

**SECTION 10.** 15.405 (7c) (am) 1. of the statutes is amended to read:

15.405 (7c) (am) 1. At least one member who is certified under subch. I of ch. 457 as an advanced practice social worker.

**SECTION 11.** 15.405 (7c) (am) 3. of the statutes is amended to read:

15.405 (7c) (am) 3. At least one member who is licensed under subch. I of ch. 457 as a clinical social worker.

**SECTION 12.** 15.405 (7c) (c) of the statutes is amended to read:

15.405 (7c) (c) All matters pertaining to granting, denying, limiting, suspending, or revoking a certificate or license under subch. I of ch. 457, and all other matters of interest to either the social worker, marriage and family therapist, or professional counselor section shall be acted upon solely by the interested section of the examining board.

**SECTION 13.** 15.407 (19) of the statutes is created to read:

15.407 (19) OCCUPATIONAL LICENSE REVIEW COUNCIL. There is created in the department of safety and professional services an occupational license review council. The council shall consist of the following members:

(a) Four members appointed by the governor to serve at the pleasure of the governor.

(b) Two members of the senate appointed by the senate majority leader.

(c) Two members of the assembly appointed by the speaker of the assembly.

(d) The secretary of safety and professional services or his or her designee, who shall serve as chair of the council. The secretary or the secretary's designee shall serve as a nonvoting member, except that he or she may vote in the case of a tie.

(e) The members under pars. (a) to (c) shall be appointed no later than June 30, 2024, and no later than June 30 of every 10th year thereafter. The secretary of safety and professional services shall convene the council no later than July 8, 2024, and no later than the 2nd Monday in July every 10th year thereafter.

**SECTION 14.** 16.417 (1) (e) 3m. of the statutes is repealed and recreated to read:

16.417 (1) (e) 3m. A physician assistant who is licensed under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 15.** 38.04 (34) of the statutes is created to read:

38.04 (34) STUDENT APPRENTICESHIP GRANTS. (a) In this subsection, "apprenticeship program" has the meaning given in s. 106.001 (4).

(b) The board shall award grants to students enrolled in technical colleges who have undertaken an apprenticeship program in conjunction with their course of instruction at the technical college. Grants may be awarded only to pay for the students' actual materials expenses, such as the cost of tools, equipment, and clothing, associated with the apprenticeship program. Grants may not exceed \$1,500 per student or the student's actual materials expenses, whichever is less.

(c) The board may not award a grant to a student under this subsection unless the student's application submitted to the board includes all of the following:

1. A recommendation form signed by the student's apprenticeship employer or another person in the trades.

2. A statement of how the award would help the student complete the student's apprenticeship program.

3. A statement signed by the student certifying all of the following:

a. That the student will be enrolled in the apprenticeship program in the following semester.

b. That the student will use the grant award to pay for materials expenses, such as the cost of tools, equipment, and clothing, that are directly related to the apprenticeship program.

(d) The board may not award a grant to a student under this subsection unless the board has verified the student's enrollment in the apprenticeship program in the semester in which the grant award is made.

(e) The board may not award grants under this subsection totaling more than \$100,000 in any academic year.

(f) The board may structure the grants awarded under this subsection to create incentives for completing apprenticeship programs.

**SECTION 16.** 39.381 of the statutes is created to read:  
**39.381 Apprenticeship grants for tribal college students.** (1) In this section:

(a) "Apprenticeship program" has the meaning given in s. 106.001 (4).

(b) "Tribal college" has the meaning given in s. 39.382 (1) (d).

(2) The board shall award grants to students enrolled in tribal colleges who have undertaken an apprenticeship program in conjunction with their course of instruction at the tribal college. Grants may be awarded only to pay for the students' actual materials expenses, such as the cost

of tools, equipment, and clothing, associated with the apprenticeship program. Grants may not exceed \$1,500 per student or the student's actual materials expenses, whichever is less.

(3) The board may not award a grant to a student under this section unless the student's application submitted to the board includes all of the following:

(a) A recommendation form signed by the student's apprenticeship employer or another person in the trades.

(b) A statement of how the award would help the student complete the student's apprenticeship program.

(c) A statement signed by the student certifying all of the following:

1. That the student will be enrolled in the apprenticeship program in the following semester.

2. That the student will use the grant award to pay for materials expenses, such as the cost of tools, equipment, and clothing, that are directly related to the apprenticeship program.

(4) The board may not award a grant to a student under this section unless the board has verified the student's enrollment in the apprenticeship program in the semester in which the grant award is made.

(5) The board may not award grants under this section totaling more than \$21,000 in any academic year.

(6) The board may structure the grants awarded under this section to create incentives for completing apprenticeship programs.

**SECTION 17.** 45.40 (1g) (a) of the statutes is amended to read:

45.40 (1g) (a) "Health care provider" means an advanced practice nurse prescriber certified under s. 441.16 (2), an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, a dentist licensed under ch. 447, an optometrist licensed under ch. 449, a physician licensed under s. 448.02, or a podiatrist licensed under s. 448.63.

**SECTION 18.** 46.297 (2) (a) of the statutes is amended to read:

46.297 (2) (a) The person is certified as deaf or severely hearing impaired by a physician, an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, or the department.

**SECTION 19.** 46.298 of the statutes is amended to read:

**46.298 Vehicle sticker for the hearing impaired.** Upon the request of a person who is certified as hearing impaired by the department, by a physician, by a hearing instrument specialist licensed under subch. I of ch. 459, or by an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, the department shall issue to the person a decal or sticker for display on a motor vehicle owned or frequently operated by the person to apprise law enforcement officers of the fact that the vehicle is owned or oper-

ated by a hearing-impaired person. No charge shall be made for issuance of the decal or sticker. The department shall specify the design of the decal or sticker. The department shall designate the location on the vehicle at which the decal or sticker shall be affixed by its own adhesive.

**SECTION 20.** 46.90 (4) (ab) 4. of the statutes is amended to read:

46.90 (4) (ab) 4. A social worker, professional counselor, or marriage and family therapist ~~certified~~, as those terms are defined under subch. I of ch. 457.

**SECTION 21.** 48.56 (2) of the statutes is amended to read:

48.56 (2) Each county department shall employ personnel who devote all or part of their time to child welfare services. Whenever possible, these personnel shall be social workers ~~certified under ch. 457, as defined in s. 457.01 (10).~~

**SECTION 22.** 48.561 (2) of the statutes is amended to read:

48.561 (2) The department shall employ personnel in a county having a population of 750,000 or more who devote all of their time directly or indirectly to child welfare services. Whenever possible, these personnel shall be social workers ~~certified under ch. 457, as defined in s. 457.01 (10).~~

**SECTION 23.** 49.45 (9r) (a) 7. e. of the statutes is amended to read:

49.45 (9r) (a) 7. e. A physician assistant who is licensed under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 24.** 49.45 (30j) (a) 1. of the statutes is amended to read:

49.45 (30j) (a) 1. "Competent mental health professional" means a physician who has completed a residence in psychiatry; a psychologist; a private practice school psychologist who is licensed under ch. 455; a marriage and family therapist who is licensed under s. 457.10 or 457.11; a professional counselor licensed under s. 457.12 or 457.13, as defined in s. 457.01 (7); an advanced practice social worker granted a certificate under s. 457.08 (2), as defined in s. 457.01 (1c); an independent social worker granted a certificate under s. 457.08 (3), as defined in s. 457.01 (2g); a clinical social worker licensed under s. 457.08 (4), as defined in s. 457.01 (1r); a clinical substance abuse counselor or independent clinical supervisor who is certified under s. 440.88, or any of these individuals who is practicing under a currently valid training or temporary license or certificate granted under applicable provisions of ch. 457. "Competent mental health professional" does not include an individual whose license or certificate is suspended, revoked, or voluntarily surrendered, or whose license or certificate is limited or restricted, when practicing in areas prohibited by the limitation or restriction.

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**SECTION 25.** 51.03 (6) (a) of the statutes is amended to read:

51.03 (6) (a) In this subsection, “licensed treatment professional” means a physician who has completed a residence in psychiatry; a psychologist; a private practice school psychologist who is licensed under ch. 455; a marriage and family therapist who is licensed under s. 457.10 or 457.11; a professional counselor ~~licensed under s. 457.12 or 457.13, as defined in s. 457.01 (7);~~ an advanced practice social worker ~~granted a certificate under s. 457.08 (2), as defined in s. 457.01 (1c);~~ an independent social worker ~~licensed under s. 457.08 (3), as defined in s. 457.01 (2g);~~ a clinical social worker ~~licensed under s. 457.08 (4), as defined in s. 457.01 (1r);~~ or any of these individuals who is practicing under a currently valid training or temporary license or certificate granted under applicable provisions of ch. 457. “Licensed treatment professional” does not include an individual whose license or certificate is suspended, revoked, or voluntarily surrendered, or whose license or certificate is limited or restricted, when practicing in areas prohibited by the limitation or restriction.

**SECTION 26.** 55.043 (1m) (a) 4. of the statutes is amended to read:

55.043 (1m) (a) 4. A social worker, professional counselor, or marriage and family therapist certified, as those terms are defined under subch. I of ch. 457.

**SECTION 27.** 71.05 (6) (b) 49. h. of the statutes is amended to read:

71.05 (6) (b) 49. h. For each elementary pupil, in each year to which the claim relates, the maximum amount of tuition expenses which a claimant may subtract under this subdivision in a taxable year is \$4,000, except the maximum amount for taxable years beginning after December 31, 2022, subject to subd. 49. L., is \$5,070.

**SECTION 28.** 71.05 (6) (b) 49. i. of the statutes is amended to read:

71.05 (6) (b) 49. i. For each secondary pupil, in each year to which the claim relates, the maximum amount of tuition expenses which a claimant may subtract under this subdivision in a taxable year is \$10,000, except the maximum amount for taxable years beginning after December 31, 2022, subject to subd. 49. L., is \$12,660.

**SECTION 29.** 71.05 (6) (b) 49. L. of the statutes is created to read:

71.05 (6) (b) 49. L. For taxable years beginning after December 31, 2023, the dollar amounts in subd. 49. h. and i. shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 2022, as determined by the federal department of labor, except that the adjustment may occur only if the resulting amount is greater than the corresponding amount that was calculated for

the previous year. Each amount that is revised under this subd. 49. L. shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10. The department of revenue shall annually adjust the changes in dollar amounts required under this subd. 49. L. and incorporate the changes into the income tax forms and instructions.

**SECTION 30.** 71.06 (1q) (c) of the statutes is amended to read:

71.06 (1q) (c) On all taxable income exceeding \$15,000 but not exceeding \$225,000, 6.27 percent, except that for taxable years beginning after December 31, 2020, 5.30 percent and except that the rate is 4.40 percent for taxable years beginning after December 31, 2022.

**SECTION 31.** 71.06 (2) (i) 3. of the statutes is amended to read:

71.06 (2) (i) 3. On all taxable income exceeding \$20,000 but not exceeding \$300,000, 6.27 percent, except that for taxable years beginning after December 31, 2020, 5.30 percent and except that the rate is 4.40 percent for taxable years beginning after December 31, 2022.

**SECTION 32.** 71.06 (2) (j) 3. of the statutes is amended to read:

71.06 (2) (j) 3. On all taxable income exceeding \$10,000 but not exceeding \$150,000, 6.27 percent, except that for taxable years beginning after December 31, 2020, 5.30 percent and except that the rate is 4.40 percent for taxable years beginning after December 31, 2022.

**SECTION 33.** 71.07 (9g) (b) of the statutes is renumbered 71.07 (9g) (b) 1. and amended to read:

71.07 (9g) (b) 1. For taxable years beginning after December 31, 2021, and before January 1, 2023, and subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount equal to 50 percent of the federal child and dependent care tax credit claimed by the claimant on his or her federal income tax return for the taxable year to which the claim under this subsection relates.

**SECTION 34.** 71.07 (9g) (b) 2. of the statutes is created to read:

71.07 (9g) (b) 2. For taxable years beginning after December 31, 2022, and subject to the limitations provided in this subsection, a claimant may claim as a credit against the tax imposed under s. 71.02, up to the amount of those taxes, an amount equal to the amount of the federal child and dependent care tax credit that the claimant may claim on his or her federal income tax return for the taxable year to which the claim under this subsection relates using the expense limitation under par. (c) 5. rather than the expense limitation under 26 USC 21 (c).

**SECTION 35.** 71.07 (9g) (c) 5. of the statutes is created to read:

71.07 (9g) (c) 5. Notwithstanding 26 USC 21 (c), for taxable years beginning after December 31, 2022, the maximum allowable expenses to determine the amount of the credit under par. (b) 2. is \$10,000 for one qualifying individual, as defined in 26 USC 21 (b), and \$20,000 for 2 or more qualifying individuals, as defined in 26 USC 21 (b).

**SECTION 36.** 89.073 (title) of the statutes is amended to read:

**89.073 (title) Reciprocal credentials for service members, former service members, and their spouses.**

**SECTION 37.** 89.073 (1) of the statutes is repealed.

**SECTION 38.** 89.073 (2) (b) of the statutes is repealed.

**SECTION 39.** 89.073 (2) (c) of the statutes is amended to read:

89.073 (2) (c) The individual holds a credential that was granted by a governmental authority in a ~~jurisdiction outside state other than~~ this state that qualifies the individual to perform the acts authorized under the appropriate credential specified under s. 89.06.

**SECTION 40.** 89.073 (2) (f) of the statutes is amended to read:

89.073 (2) (f) The individual is in good standing with the governmental authorities in every ~~jurisdiction outside state other than~~ this state that have granted the individual a credential that qualifies the individual to perform acts authorized under the appropriate credential specified under s. 89.06.

**SECTION 41.** 89.073 (2) (g) and (h) of the statutes are created to read:

89.073 (2) (g) The individual does not have any limitation, restriction, or other encumbrance on any credential issued by a governmental authority in a state other than this state that qualifies the individual to perform the acts authorized under the appropriate credential specified under s. 89.06 and is not under investigation by any governmental authority in a state other than this state related to any credential possessed by the individual that qualifies the individual to perform the acts authorized under the appropriate credential specified under s. 89.06.

(h) Subject to ss. 111.321, 111.322, and 111.335, the individual does not have an arrest or conviction record.

**SECTION 42.** 89.073 (2m) of the statutes is repealed.

**SECTION 43.** 97.67 (5m) (a) 3. of the statutes is amended to read:

97.67 (5m) (a) 3. A physician assistant who is licensed under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 44.** 101.022 of the statutes is amended to read:

**101.022 Certain laws applicable to occupational licenses.** Sections 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b), 440.075,

440.09 (2) (1m), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15, 440.19, 440.20 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the requirements imposed on the department under those statutes, apply to occupational licenses, as defined in s. 101.02 (1) (a) 2., in the same manner as those statutes apply to credentials, as defined in s. 440.01 (2) (a).

**SECTION 45.** 106.276 of the statutes is created to read:

**106.276 Commercial driver training grant program.** (1) (a) The department shall establish and administer a commercial driver training grant program.

(b) A person that satisfies the eligibility requirements under par. (c) may apply to the department for a grant under this section. The department shall prescribe the form, nature, and extent of information that shall be contained in applications for grants under this section.

(c) An applicant is eligible for a grant under this section if all of the following are satisfied:

1. The applicant provides to an individual who resides in this state training in the operation of commercial motor vehicles that satisfies the requirements of 49 CFR part 380, subparts F and G.

2. The applicant is listed on the Training Provider Registry (TPR), as set forth in 49 CFR part 380, subpart G.

2m. The applicant has a facility in this state that is listed in the Training Provider Registry described in subd. 2., and the training described in subd. 1. is provided at or through that facility.

3. The individual for whom the applicant provides training under subd. 1. obtains an initial commercial driver license, as defined in s. 340.01 (7m), in this state after the effective date of this subdivision .... [LRB inserts date].

4. The application is received by the department before July 1, 2025.

(d) The department may award grants to eligible applicants under par. (c). The amount of a grant under this section with regard to each individual trained may not exceed 50 percent of the costs of training the individual in the operation of commercial motor vehicles or \$3,000, whichever is less.

(2) Before July 1 of each year, the department shall prepare a report summarizing the number and amount of grants awarded under sub. (1). The department shall submit the report to the appropriate standing committees of the legislature under s. 13.172 (3).

**SECTION 46.** 106.276 of the statutes, as created by 2023 Wisconsin Act ... (this act), is repealed.

**SECTION 47.** 108.01 (2m) of the statutes is created to read:

108.01 (2m) The federal Social Security Act requires that, in order for an individual to be eligible for reemployment assistance benefits, the individual must be able to work, available to work, and actively seeking work. The unemployment insurance program in Wisconsin should

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enact and focus on policies that complement individuals' efforts to find employment.

**SECTION 48.** 108.04 (2) (a) 3. of the statutes is amended to read:

108.04 (2) (a) 3. The claimant conducts a reasonable search for suitable work during that week and provides verification of that search to the department. The search for suitable work must include at least 4 actions per week that constitute a reasonable search as prescribed by rule of the department. The department shall require, for the 3rd or subsequent week of the claimant's benefit year, that at least 2 actions per week be direct contacts with potential employing units, as prescribed by rule of the department. In addition, the department may, by rule, require a claimant to take more than 4 reasonable work search actions in any week. The department shall require a uniform number of reasonable work search actions for similar types of claimants. The department may require a claimant to apply for one or more of the potential opportunities provided to the claimant under sub. (15) (a) 1. and may refer a claimant to opportunities with a temporary help company as part of the required search for suitable work under this subdivision.

**SECTION 49.** 108.04 (2) (a) 4. of the statutes is renumbered 108.04 (2) (a) 4. (intro.) and amended to read:

108.04 (2) (a) 4. (intro.) If the claimant is claiming benefits for a week other than an initial week, the claimant provides does all of the following:

a. Provides information or job application materials that are requested by the department and participates,

b. Participates in a public employment office workshop or training program or in similar reemployment services that are required by the department under sub. (15) (a) 2.

**SECTION 50.** 108.04 (2) (a) 4. c. of the statutes is created to read:

108.04 (2) (a) 4. c. Submits and keeps posted on the department's job center website a current resume, if the claimant resides in this state.

**SECTION 51.** 108.04 (2) (a) 5. of the statutes is created to read:

108.04 (2) (a) 5. The claimant completes any reemployment counseling session required of the claimant under sub. (15) (ao) 1.

**SECTION 52.** 108.04 (15) (a) (intro.) and 1. of the statutes are consolidated, renumbered 108.04 (15) (a) 1. and amended to read:

108.04 (15) (a) 1. Except as provided in par. (b), the department ~~may do any of the following shall,~~ for the purpose of assisting claimants to find or obtain work: ~~1. Use, use the information or materials, and resume provided under sub. (2) (a) 4. to assess a claimant's efforts, skills, and ability to find or obtain work and to develop a list of potential opportunities for a the claimant to obtain suitable work. A claimant who otherwise satisfies the requirement under sub. (2) (a) 3. is not required to apply~~

~~for any specific positions on the list in order to satisfy that requirement~~ The department shall provide each claimant, prior to the claimant filing a weekly claim for benefits, with at least 4 such potential opportunities each week, one or more of which may be opportunities with a temporary help company.

**SECTION 53.** 108.04 (15) (a) 2. of the statutes is renumbered 108.04 (15) (a) 2. a. and amended to read:

108.04 (15) (a) 2. a. Require Except as provided in par. (b), the department shall require a claimant whom the department identifies as likely to exhaust regular benefits to participate in a public employment office workshop or training program or in similar reemployment services that do not charge the claimant a participation fee and that offer instruction to improve the claimant's ability to obtain suitable work.

**SECTION 54.** 108.04 (15) (a) 2. b. of the statutes is created to read:

108.04 (15) (a) 2. b. Except as provided in par. (b), in addition to the claimants described in subd. 2. a., the department may require other claimants to participate in the reemployment services described in subd. 2. a., but the department shall prioritize claimants who are more likely to have difficulty obtaining reemployment.

**SECTION 55.** 108.04 (15) (am) and (ao) of the statutes are created to read:

108.04 (15) (am) In carrying out this state's program of reemployment services and eligibility assessments using grant funds awarded under 42 USC 506, the department shall, except as provided in par. (b), provide reemployment services to all claimants receiving benefits, including benefits under ss. 108.141 and 108.142, including by doing all of the following for each such claimant:

1. Requiring the claimant to complete an online assessment aimed at identifying the claimant's skills, abilities, and career aptitude.

2. Coordinating with the claimant to develop an individualized employment plan for the claimant.

3. Requiring the claimant to participate in the services described under par. (a) 2. a. as needed pursuant to the individualized employment plan described in subd. 2.

(ao) Except as provided in par. (b), the department shall, when a claimant's remaining benefit entitlement under s. 108.06 (1) is 3 or less times the claimant's weekly benefit rate under s. 108.05 (1), do all of the following:

1. Require the claimant to participate in a live, one-on-one reemployment counseling session between the claimant and an employee of the department.

2. Provide the claimant information about services and benefits that are available to the claimant pursuant to the federal Workforce Innovation and Opportunity Act of 2014, 29 USC 3101 to 3361, once the claimant exhausts his or her benefit entitlement.



**SECTION 56.** 108.133 (2) (a) (intro.) of the statutes is amended to read:

108.133 (2) (a) (intro.) ~~Promulgate~~ Immediately promulgate rules to establish the program. The department shall do all of the following in the rules promulgated under this paragraph:

**SECTION 57.** 108.133 (2) (am) of the statutes is amended to read:

108.133 (2) (am) ~~Promulgate~~ Immediately promulgate rules identifying occupations for which drug testing is regularly conducted in this state. The department shall notify the U.S. department of labor of any rules promulgated under this paragraph.

**SECTION 58.** 108.14 (8o) of the statutes is created to read:

108.14 (8o) The department shall act to continue to receive grants for reemployment services and eligibility assessments under 42 USC 506.

**SECTION 59.** 108.14 (30) of the statutes is created to read:

108.14 (30) (a) The department shall, on at least a weekly basis, perform a comparison of recipients of benefits under this chapter against all of the following for the purpose of detecting fraud or erroneous payments:

1. Nationally recognized databases that contain information on death records, including the federal social security administration's death master file.

2. The National Association of State Workforce Agencies' integrity data hub.

3. The national directory of new hires maintained by the office of child support enforcement in the U.S. department of health and human services.

4. Prisoner databases maintained by the department of justice, the department of corrections, and the U.S. department of justice.

(b) The department may perform comparisons of recipients of benefits under this chapter against public or private databases in addition to those specified in par. (a) 1. to 4.

**SECTION 60.** 111.335 (4) (jm) of the statutes is created to read:

111.335 (4) (jm) Notwithstanding s. 111.322, it is not employment discrimination because of conviction record for the physician assistant affiliated credentialing board to refuse to grant to an individual a compact privilege, as defined in s. 448.988 (2) (b), in accordance with s. 448.988 (4) (a) 3.

**SECTION 61.** 118.2925 (1) (f) of the statutes is amended to read:

118.2925 (1) (f) "Physician assistant" means a person who is licensed under s. 448.974 subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 62.** 146.81 (1) (eu) of the statutes is amended to read:

146.81 (1) (eu) A physician assistant who is licensed under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 63.** 146.81 (1) (hg) of the statutes is amended to read:

146.81 (1) (hg) A social worker, marriage and family therapist, or professional counselor ~~certified or licensed,~~ as those terms are defined under subch. I of ch. 457.

**SECTION 64.** 146.81 (1) (hm) of the statutes is amended to read:

146.81 (1) (hm) A speech–language pathologist or audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, or a speech and language pathologist licensed by the department of public instruction.

**SECTION 65.** 146.89 (1) (r) 6. of the statutes is amended to read:

146.89 (1) (r) 6. A social worker ~~who holds a certificate granted under ch. 457, as defined in s. 457.01 (10).~~

**SECTION 66.** 146.89 (1) (r) 7. of the statutes is amended to read:

146.89 (1) (r) 7. A marriage and family therapist ~~who is licensed under ch. 457, as defined in s. 457.01 (3), or a professional counselor who is licensed under ch. 457, as defined in s. 457.01 (7).~~

**SECTION 67.** 146.997 (1) (d) 4. of the statutes, as affected by 2021 Wisconsin Act 251, is amended to read:

146.997 (1) (d) 4. A physician, physician assistant, podiatrist, perfusionist, physical therapist, physical therapist assistant, occupational therapist, occupational therapy assistant, or genetic counselor licensed under ch. 448; a physical therapist or physical therapist assistant who holds a compact privilege under subch. XI of ch. 448; ~~or an occupational therapist or occupational therapy assistant who holds a compact privilege under subch. XII of ch. 448; or a physician assistant who holds a compact privilege under subch. XIII of ch. 448.~~

**SECTION 68.** 146.997 (1) (d) 11. of the statutes is amended to read:

146.997 (1) (d) 11. A social worker, marriage and family therapist or professional counselor ~~certified,~~ as those terms are defined under subch. I of ch. 457.

**SECTION 69.** 146.997 (1) (d) 12. of the statutes is amended to read:

146.997 (1) (d) 12. A speech–language pathologist or audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, or a speech and language pathologist licensed by the department of public instruction.

**SECTION 70.** 154.01 (3) (b) of the statutes is amended to read:

154.01 (3) (b) A physician assistant ~~licensed under ch. 448.~~

**SECTION 71.** 155.01 (1g) (c) of the statutes is amended to read:

155.01 (1g) (c) A physician assistant ~~licensed under ch. 448~~ who a physician responsible for overseeing the physician assistant's practice affirms is competent to conduct evaluations of the capacity of patients to manage health care decisions.

**SECTION 72.** 155.01 (7) of the statutes, as affected by 2021 Wisconsin Act 251, is amended to read:

155.01 (7) "Health care provider" means a nurse licensed or permitted under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical therapist, physical therapist assistant, occupational therapist, occupational therapy assistant, or genetic counselor licensed under ch. 448, a naturopathic doctor licensed under ch. 466, a person practicing Christian Science treatment, an optometrist licensed under ch. 449, a psychologist who is licensed under ch. 455, who is exercising the temporary authorization to practice, as defined in s. 455.50 (2) (o), in this state, or who is practicing under the authority to practice interjurisdictional telepsychology, as defined in s. 455.50 (2) (b), a physical therapist or physical therapist assistant who holds a compact privilege under subch. XI of ch. 448, an occupational therapist or occupational therapy assistant who holds a compact privilege under subch. XII of ch. 448, a physician assistant who holds a compact privilege under subch. XIII of ch. 448, a partnership thereof, a corporation or limited liability company thereof that provides health care services, a cooperative health care association organized under s. 185.981 that directly provides services through salaried employees in its own facility, or a home health agency, as defined in s. 50.49 (1) (a).

**SECTION 73.** 180.1901 (1m) (f) of the statutes is amended to read:

180.1901 (1m) (f) Marriage and family therapy, professional counseling, and social work examining board under subch. I of ch. 457.

**SECTION 74.** 252.14 (1) (ar) 7. of the statutes is amended to read:

252.14 (1) (ar) 7. A social worker, marriage and family therapist, or professional counselor ~~certified or licensed, as those terms are defined under subch. I of ch. 457~~.

**SECTION 75.** 252.14 (1) (ar) 8. of the statutes is amended to read:

252.14 (1) (ar) 8. A speech–language pathologist or audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, or a speech and language pathologist licensed by the department of public instruction.

**SECTION 76.** 252.14 (1) (ar) 14. of the statutes is renumbered 252.14 (1) (ar) 4rm.

**SECTION 77.** 252.15 (1) (am) of the statutes is repealed and recreated to read:

252.15 (1) (am) "Health care professional" means a physician, physician assistant, or nurse.

**SECTION 78.** 252.15 (1) (er) of the statutes is amended to read:

252.15 (1) (er) "Social worker" means an individual who is ~~certified or licensed as a social worker, advanced practice social worker, independent social worker, or clinical social worker, as those terms are defined under subch. I of ch. 457~~.

**SECTION 79.** 253.10 (2) (f) of the statutes is amended to read:

253.10 (2) (f) "Qualified person assisting the physician" means a social worker ~~certified under ch. 457, as defined in s. 457.01 (10)~~, a registered nurse or a physician assistant to whom a physician who is to perform or induce an abortion has delegated the responsibility, as the physician's agent, for providing the information required under sub. (3) (c) 2.

**SECTION 80.** 256.215 (2) (b) of the statutes is amended to read:

256.215 (2) (b) The emergency medical services provider establishes, submits to the department, and maintains patient care protocols corresponding to the appropriate service level to be used by a community paramedic or a community emergency medical services practitioner. The emergency medical services provider may include in a patient care protocol only those services that do not require a license, certificate, or other credential under subch. II, III, IV, or VII of ch. 448 or subch. I of ch. 457, or ch. 441, 446, 447, 449, 450, 451, 455, ~~457~~, or 459 to provide.

**SECTION 81.** 257.01 (1) (a) of the statutes is amended to read:

257.01 (1) (a) An individual who, under ch. 455, is licensed as a psychologist or, under subch. I of ch. 457, is certified as a social worker or licensed as a clinical social worker, a marriage and family therapist, or a professional counselor.

**SECTION 82.** 257.01 (1) (b) of the statutes is amended to read:

257.01 (1) (b) An individual who was at any time within the previous 10 years, but is not currently, licensed as a psychologist under ch. 455 or certified as a social worker or licensed as a clinical social worker, a marriage and family therapist, or a professional counselor under subch. I of ch. 457, if the individual's license or certification was never revoked, limited, suspended, or denied renewal.

**SECTION 83.** 303.08 (1) (f) of the statutes is amended to read:

303.08 (1) (f) Obtaining counseling or therapy from an approved public treatment facility, as defined in s. 51.45 (2) (c), an approved private treatment facility, as defined in s. 51.45 (2) (b), a psychiatrist, a psychologist, a ~~licensed clinical social worker, as defined in s. 457.01 (1r)~~, a professional counselor ~~licensed under ch. 457, or a certified, as defined in s. 457.01 (7), an independent social worker, as defined in s. 457.01 (2g), or an advanced~~

practice social worker, as defined in s. 457.01 (1c), who is authorized to practice psychotherapy under subch. I of ch. 457.

**SECTION 84.** 440.023 of the statutes is created to read:

**440.023 Occupational license review council.** (1)

DEFINITIONS. In this section:

(a) "Council" means the occupational license review council.

(b) "Occupational license" means any of the following:

1. A license, permit, certification, registration, or other approval granted under s. 167.10 (6m) or under ch. 101 or 145 or under chs. 440 to 480.

2. A license, permit, certification, registration, or other approval not included under subd. 1., if granted to a person by this state in order that the person may engage in a profession, occupation, or trade in this state or in order that the person may use one or more titles in association with his or her profession, occupation, or trade.

(2) REPORT. No later than December 31, 2024, and no later than December 31 of every 10th year thereafter, the council shall submit a report to the governor, the chief of the legislative reference bureau, and the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). In preparing the report, the council shall take into account the impact the council estimates its recommendations will have on state revenues and expenditures. The report shall include all of the following:

(a) The council's recommendations for the elimination of occupational licenses or the modification of laws and rules governing occupational licenses based on all of the following:

1. The council's evaluation of whether the unregulated practice of the profession, occupation, or trade can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative.

2. The council's evaluation of whether the public reasonably benefits from the occupational license requirement.

3. The council's evaluation of whether the public can be effectively protected by any means other than requiring an occupational license and whether the occupational license is the least restrictive regulation, as defined in s. 13.0963 (4) (b), that will effectively protect the public.

4. The council's analysis of licensure requirements for the regulated profession, occupation, or trade in other states, including educational and reciprocity requirements.

5. The council's estimate of the number of individuals or entities that are affected by the occupational license requirement.

6. The council's estimate of the total financial burden imposed on individuals or entities as a result of the occupational licensure requirement, including education or

training costs, examination fees, private credential fees, occupational license fees imposed by the state, and other costs individuals or entities incur in order to obtain the required occupational license.

7. Any statement or analysis provided by the agency or board administering the occupation license.

(b) The council's recommendations for the reduction or elimination of continuing and other education requirements for occupational licenses not recommended for elimination under par. (a).

(3) LEGISLATIVE ACTION. (a) The legislative reference bureau shall prepare legislation that gives effect to the council's recommendations under sub. (2).

(b) The joint committee on legislative organization shall introduce without change in each house of the legislature each bill prepared under par. (a), and the bill shall be referred to the appropriate standing committee of each house.

(c) The legislature shall take final action on a bill introduced under par. (b) no later than June 30, 2025, and no later than June 30 of every 10th year thereafter.

(d) A bill introduced under par. (b) is not subject to s. 13.093 (1).

**SECTION 85.** 440.03 (9) (a) (intro.) of the statutes is amended to read:

440.03 (9) (a) (intro.) Subject to pars. (b) and (c) and s. 458.33 (2) (b) and (5), the department shall, biennially, determine each fee for an initial credential for which no examination is required, for a reciprocal credential, and for a credential renewal and any fees imposed under ss. 448.986 (2) and 448.9875 (2), ~~448.9885 (2), 457.51 (2), and 459.71 (2)~~ by doing all of the following:

**SECTION 86.** 440.03 (9) (a) 2. of the statutes is amended to read:

440.03 (9) (a) 2. Not later than January 31 of each odd-numbered year, adjusting for the succeeding fiscal biennium each fee for an initial credential for which an examination is not required, for a reciprocal credential, and, subject to s. 440.08 (2) (a), for a credential renewal, and any fees imposed under ss. 448.986 (2) and 448.9875 (2), ~~448.9885 (2), 457.51 (2), and 459.71 (2)~~, if an adjustment is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential, credential renewal, or compact privilege is in effect and, for purposes of each fee for a credential renewal, to reflect an estimate of any additional moneys available for the department's general program operations as a result of appropriation transfers that have been or are estimated to be made under s. 20.165 (1) (i) during the fiscal biennium in progress at the time of the deadline for an adjustment under this subdivision or during the fiscal biennium beginning on the July 1 immediately following the deadline for an adjustment under this subdivision.

**SECTION 87.** 440.03 (11m) (c) 2c. of the statutes is created to read:

440.03 (11m) (c) 2c. The coordinated data and reporting system under s. 448.988 (8), if such disclosure is required under the PA licensure compact under s. 448.988.

**SECTION 88.** 440.03 (11m) (c) 2u. of the statutes is created to read:

440.03 (11m) (c) 2u. The coordinated database and reporting system under s. 457.50 (10), if such disclosure is required under the counseling compact under s. 457.50.

**SECTION 89.** 440.03 (11m) (c) 2ub. of the statutes is created to read:

440.03 (11m) (c) 2ub. The coordinated data system under s. 457.70 (11), if such disclosure is required under the social work licensure compact under s. 457.70.

**SECTION 90.** 440.03 (11m) (c) 2w. of the statutes is created to read:

440.03 (11m) (c) 2w. The coordinated database and reporting system under s. 459.70 (9), if such disclosure is required under the audiology and speech–language pathology interstate compact under s. 459.70.

**SECTION 91.** 440.03 (13) (b) (intro.) of the statutes is amended to read:

440.03 (13) (b) (intro.) The department may investigate whether an applicant for or holder of any of the following credentials has been charged with or convicted of a crime only pursuant to rules promulgated by the department under this paragraph, including rules that establish the criteria that the department will use to determine whether an investigation under this paragraph is necessary, except as provided in par. (c) and ss. 441.51 (5) (a) 5., 448.980 (5) (b) 3., 448.985 (3) (a) 4., 448.987 (3) (a) 5. a. and (5) (b) 2. a., and 448.988 (3) (a) 5., 455.50 (3) (e) 4. and (f) 4., 457.50 (3) (b) 3. and (5) (b) 2. a., 457.70 (3) (b) 4. and (7) (b) 3., and 459.70 (3) (b) 2.

**SECTION 92.** 440.03 (13) (bp), (bt) and (bx) of the statutes are created to read:

440.03 (13) (bp) When conducting an investigation of an arrest or conviction record under par. (a) or (bm), or of any other offense if the offense is reviewable by the department or credentialing board that issues the credential, the department shall review information provided by the applicant to determine the circumstances of each case or offense, except that the department may, in its discretion, complete its investigation without reviewing the circumstances of any of the following types of violations:

1. If the violation occurred more than 5 years before the application date, a first conviction for a violation of s. 346.63 (1) (a), (am), or (b) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (a), (am), or (b) or the law of another jurisdiction prohibiting driving or operating a motor vehicle while intoxicated or under the influence of alco-

hol, a controlled substance, a controlled substance analog, or a combination thereof or under the influence of any drug that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction’s laws.

2. A violation of s. 125.07 (4) (a) or (b) or a local ordinance that strictly conforms to s. 125.07 (4) (a) or (b) or of a substantially similar law of another jurisdiction.

3. A minor, nonviolent ordinance violation, as determined by the department.

(bt) 1. As an alternative to conducting an investigation of an arrest or conviction record under par. (a) or (bm), or of any other offense if the offense is reviewable by the department or credentialing board that issues the credential, the department may accept a determination made by the applicant’s employer, or by a contracted entity on behalf of the applicant’s employer, that the applicant does not have an arrest or conviction record and that the applicant has not committed any other offense that is reviewable by the department or credentialing board that issues the credential, or that the circumstances related to the arrest or conviction record or of any other offense if the offense is reviewable by the department or credentialing board that issues the credential are not substantially related to the licensed activity pursuant to s. 111.335.

2. An applicant’s employer or a contracted entity on behalf of an applicant’s employer that submits a determination under this paragraph shall attest that the determination was made to the best of the employer’s or entity’s knowledge and with a reasonable degree of certainty.

3. Prior to accepting a determination made under this paragraph, the department may review the determination made by the employer or the entity contracted by the employer and may request additional information from the applicant.

4. The department shall either accept or reject a determination made under this paragraph within 30 days from the day that the department receives the determination.

5. Neither the department nor any credentialing board shall be subject to suit or liable for damages resulting from its acceptance of or reliance on a determination made under this paragraph.

(bx) The department shall promulgate rules to implement pars. (bp) and (bt).

**SECTION 93.** 440.03 (13) (c) of the statutes is renumbered 440.03 (13) (c) 1. (intro.) and amended to read:

440.03 (13) (c) 1. (intro.) The department shall require an all of the following to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person’s fingerprints:

a. An applicant for a private detective license or a private security permit under s. 440.26,~~an~~

b. An applicant for a juvenile martial arts instructor permit under sub. (17),~~an~~

c. ~~An applicant for a real estate appraiser certification under s. 458.06 or license under s. 458.08, and~~

d. ~~An applicant for a multistate license under s. 441.06 (1c) or 441.10 (1c), and~~

e. ~~An applicant for a compact license under s. 448.05 (2) (f), and~~

f. ~~An applicant for a physical therapist license under s. 448.53 or physical therapist assistant license under s. 448.535, and~~

g. ~~An applicant for an occupational therapist or occupational therapy assistant compact privilege under s. 448.987 (4), and an applicant for an occupational therapist or occupational therapy assistant license described in s. 448.987 (5) (b) 2. a., and~~

h. ~~An applicant for a psychologist license under s. 455.04, and a~~

~~z. A person for whom the department conducts an investigation under par. (b), to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints.~~

~~2. The department of justice may submit the fingerprint cards, and the department of justice shall submit the fingerprint cards of all applicants for a real estate appraiser certification under s. 458.06 or license under s. 458.08, of all applicants for a multistate license under s. 441.06 (1c) or 441.10 (1c), of all applicants for a compact license under s. 448.05 (2) (f), of all applicants for a physical therapist license under s. 448.53 or a physical therapist assistant license under s. 448.535, and of all applicants for a psychologist license under s. 455.04 identified in subd. 1. c. to ie., to the federal bureau of investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions.~~

~~3. Information obtained from the federal bureau of investigation may be shared with the department or the appropriate credentialing board, but shall otherwise be kept confidential and is not subject to disclosure under s. 19.35.~~

**SECTION 94.** 440.03 (13) (c) 1. i. of the statutes is created to read:

440.03 (13) (c) 1. i. An applicant for a professional counselor license or privilege to practice under s. 457.12 when required pursuant to the counseling compact under s. 457.50.

**SECTION 95.** 440.03 (13) (c) 1. ic. of the statutes is created to read:

440.03 (13) (c) 1. ic. An applicant for a physician assistant license or compact privilege under s. 448.974 when required pursuant to the PA licensure compact under s. 448.988.

**SECTION 96.** 440.03 (13) (c) 1. id. of the statutes is created to read:

440.03 (13) (c) 1. id. An applicant for any category of social worker multistate license under s. 457.08 (4m)

when required pursuant to the social work licensure compact under s. 457.70.

**SECTION 97.** 440.03 (13) (c) 1. ie. of the statutes is created to read:

440.03 (13) (c) 1. ie. An applicant for an audiologist or speech-language pathologist license or compact privilege under s. 459.24 when required pursuant to the audiology and speech-language pathology interstate compact under s. 459.70.

**SECTION 98.** 440.03 (14) (am) of the statutes is amended to read:

440.03 (14) (am) The department may promulgate rules that establish requirements for granting a license to practice psychotherapy to a person who is registered under par. (a). Rules promulgated under this paragraph shall establish requirements for obtaining such a license that are comparable to the requirements for obtaining a clinical social worker, marriage and family therapist, or professional counselor license under subch. I of ch. 457. If the department promulgates rules under this paragraph, the department shall grant a license under this paragraph to a person registered under par. (a) who pays the initial credential fee determined by the department under s. 440.03 (9) (a) and provides evidence satisfactory to the department that he or she satisfies the requirements established in the rules.

**SECTION 99.** 440.03 (14) (c) of the statutes is amended to read:

440.03 (14) (c) The renewal dates for certificates granted under par. (a) and licenses granted under par. (am) ~~are specified in~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the person's certification, registration, or accreditation specified in par. (a) 1. a., 2. a., or 3. a. has not been revoked.

**SECTION 100.** 440.03 (15) of the statutes is amended to read:

440.03 (15) The department shall promulgate rules that establish the fees specified in ss. 440.05 (10) and 440.08 ~~(2) (d)~~ (2r) (c).

**SECTION 101.** 440.032 (5) of the statutes is amended to read:

440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under sub. (3) ~~are specified in~~ shall be as determined under s. 440.08 (2) (a) 68e. Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the department that the person's certification or membership specified in sub. (3) that is required for the license has not been revoked or invalidated.

**SECTION 102.** 440.043 (1) of the statutes is amended to read:

440.043 (1) The secretary shall appoint an advisory committee under s. 440.042 to provide advice concerning behavioral health. The advisory committee shall semiannually conduct a review of the requirements for obtaining a credential under s. 440.88 or subch. I of ch. 457 or for other credentials related to behavioral health.

**SECTION 103.** 440.08 (2) (title) of the statutes is amended to read:

440.08 (2) (title) ~~RENEWAL DATES, FEES AND APPLICATIONS.~~

**SECTION 104.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.094 (2) (c) 2., 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, the renewal dates for credentials are as follows:

**SECTION 105.** 440.08 (2) (a) (intro.) of the statutes, as affected by 2023 Wisconsin Act .... (this act), is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.094 (2) (c) 2., 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, ~~the renewal dates for credentials~~ are as follows all of the following apply with respect to renewals of credentials:

**SECTION 106.** 440.08 (2) (a) 1. to 72. of the statutes, as affected by 2021 Wisconsin Act 251, are renumbered 440.08 (2) (ag) 1. to 72. and amended to read:

440.08 (2) (ag) 1. Accountant, certified public: December 15 of each every other odd-numbered year.

3. Accounting corporation or partnership: December 15 of each every other odd-numbered year.

4. Acupuncturist: July 1 of each every other odd-numbered year.

4m. Advanced practice nurse prescriber: October 1 of each every other even-numbered year.

5. Aesthetics: April 1 of each every other odd-numbered year.

6. Aesthetics establishment: April 1 of each every other odd-numbered year.

8. Aesthetics school: April 1 of each every other odd-numbered year.

9. Aesthetics specialty school: April 1 of each every other odd-numbered year.

9m. Substance abuse counselor, clinical supervisor, or prevention specialist: except as limited in s. 440.88 (4), March 1 of each every other odd-numbered year.

10. Anesthesiologist assistant: October 1 of each every other even-numbered year.

10m. Appraisal management company: December 15 of each every other odd-numbered year.

11. Appraiser, real estate, certified general: December 15 of each every other odd-numbered year.

11m. Appraiser, real estate, certified residential: December 15 of each every other odd-numbered year.

12. Appraiser, real estate, licensed: December 15 of each every other odd-numbered year.

13. Architect: August 1 of each every other even-numbered year.

14. Architectural or engineering firm, partnership or corporation: February 1 of each every other even-numbered year.

14d. Athlete agent: July 1 of each every other even-numbered year.

14f. Athletic trainer: July 1 of each every other even-numbered year.

14g. Auction company: December 15 of each every other even-numbered year.

14r. Auctioneer: December 15 of each every other even-numbered year.

15. Audiologist: February 1 of each every other odd-numbered year.

15m. Barber: April 1 of each every other odd-numbered year.

16. Barbering establishment: April 1 of each every other odd-numbered year.

19. Barbering school: April 1 of each every other odd-numbered year.

20m. Behavior analyst: December 15 of each every other even-numbered year.

21. Cemetery authority, licensed: December 15 of each every other even-numbered year.

21m. Cemetery authority, registered: December 15 of each every other even-numbered year; \$10.

22. Cemetery preneed seller: December 15 of each every other even-numbered year.

23. Cemetery salesperson: December 15 of each every other even-numbered year.

23p. Chiropractic radiological technician: December 15 of each every other even-numbered year.

23s. Chiropractic technician: December 15 of each every other even-numbered year.

24. Chiropractor: December 15 of each every other even-numbered year.

24b. Cosmetologist: April 1 of each every other odd-numbered year.

24d. Cosmetology establishment: April 1 of each every other odd-numbered year.

24k. Cosmetology school: April 1 of each every other odd-numbered year.

24m. Crematory authority: January 1 of each every other even-numbered year.

25. Dental hygienist: October 1 of each every other odd-numbered year.

26. Dentist: October 1 of each every other odd-numbered year.

26m. Dentist, faculty member: October 1 of each every other odd-numbered year.

27. Designer of engineering systems: February 1 of each every other even-numbered year.

27m. Dietitian: November 1 of each every other even-numbered year.

29. Drug manufacturer: June 1 of each every other even-numbered year.

30. Electrologist: April 1 of each every other odd-numbered year.

31. Electrology establishment: April 1 of each every other odd-numbered year.

33. Electrology school: April 1 of each every other odd-numbered year.

34. Electrology specialty school: April 1 of each every other odd-numbered year.

35. Engineer, professional: August 1 of each every other even-numbered year.

36. Funeral director: December 15 of each every other odd-numbered year.

37. Funeral establishment: June 1 of each every other odd-numbered year.

37m. Genetic counselor: November 1 of each every other odd-numbered year.

38. Hearing instrument specialist: February 1 of each every other odd-numbered year.

38g. Home inspector: December 15 of each every other even-numbered year.

38h. Home medical oxygen provider: June 1 of each every other even-numbered year.

38i. Interior design firm, partnership, or corporation: February 1 of each every other even-numbered year.

38j. Juvenile martial arts instructor: September 1 of each every other even-numbered year.

38m. Landscape architect: August 1 of each every other even-numbered year.

39. Land surveyor, professional: February 1 of each every other even-numbered year.

39m. Limited X-ray machine operator: September 1 of each every other even-numbered year.

42. Manicuring establishment: April 1 of each every other odd-numbered year.

44. Manicuring school: April 1 of each every other odd-numbered year.

45. Manicuring specialty school: April 1 of each every other odd-numbered year.

46. Manicurist: April 1 of each every other odd-numbered year.

46m. Marriage and family therapist: March 1 of each every other odd-numbered year.

46r. Massage therapist or bodywork therapist: March 1 of each every other odd-numbered year.

46w. Midwife, licensed: July 1 of each every other even-numbered year.

46y. Mobile dentistry program registration: October 1 of each every other odd-numbered year.

47g. Naturopathic doctor: January 1 of each every other odd-numbered year.

47h. Naturopathic doctor, limited-scope: January 1 of each every other odd-numbered year.

48. Nurse, licensed practical: May 1 of each every other odd-numbered year.

49. Nurse, registered: March 1 of each every other even-numbered year.

50. Nurse-midwife: March 1 of each every other even-numbered year.

51. Nursing home administrator: July 1 of each every other even-numbered year.

52. Occupational therapist: June 1 of each every other odd-numbered year.

53. Occupational therapy assistant: June 1 of each every other odd-numbered year.

54. Optometrist: December 15 of each every other odd-numbered year.

54m. Perfusionist: March 1 of each every other even-numbered year.

55. Pharmacist: June 1 of each every other even-numbered year.

56. Pharmacy, in-state and out-of-state: June 1 of each every other even-numbered year.

56m. Pharmacy technician: June 1 of each every other even-numbered year.

57. Physical therapist: March 1 of each every other odd-numbered year.

57m. Physical therapist assistant: March 1 of each every other odd-numbered year.

58. Physician, other than a physician who possesses the degree of doctor of osteopathy: November 1 of each every other odd-numbered year.

58m. Physician who possesses the degree of doctor of osteopathy: November 1 of each every other odd-numbered year.

59. Physician assistant: March 1 of each every other even-numbered year.

60. Podiatrist: November 1 of each every other even-numbered year.

61. Private detective: September 1 of each every other even-numbered year.

62. Private detective agency: September 1 of each every other odd-numbered year.

63. Private practice school psychologist: October 1 of each every other odd-numbered year.

63g. Private security person: September 1 of each every other even-numbered year.

63m. Professional counselor: March 1 of each every other odd-numbered year.

63u. Professional geologist: August 1 of each every other even-numbered year.

63v. Professional geology, hydrology, or soil science firm, partnership, or corporation: August 1 of each every other even-numbered year.

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63w. Professional hydrologist: August 1 of each every other even-numbered year.

63x. Professional soil scientist: August 1 of each every other even-numbered year.

64. Psychologist: October 1 of each every other odd-numbered year.

64g. Radiographer, licensed: September 1 of each every other even-numbered year.

65. Real estate broker: December 15 of each every other even-numbered year.

66. Real estate business entity: December 15 of each every other even-numbered year.

67. Real estate salesperson: December 15 of each every other even-numbered year.

67m. Registered interior designer: August 1 of each every other even-numbered year.

67v. Registered music, art or dance therapist: October 1 of each every other odd-numbered year.

67x. Registered music, art, or dance therapist with psychotherapy license: October 1 of each every other odd-numbered year.

68. Respiratory care practitioner: July 1 of each every other even-numbered year.

68b. Sanitarian: January 1 of each every other even-numbered year.

68c. Sign language interpreter: September 1 of each every other odd-numbered year.

68d. Social worker: March 1 of each every other odd-numbered year.

68h. Social worker, advanced practice: March 1 of each every other odd-numbered year.

68p. Social worker, independent: March 1 of each every other odd-numbered year.

68t. Social worker, independent clinical: March 1 of each every other odd-numbered year.

68v. Speech-language pathologist: February 1 of each every other odd-numbered year.

69g. Third-party logistics provider: July 1 of each every other even-numbered year.

69m. Transportation network company: March 1 of each every other odd-numbered year.

72. Wholesale distributor of prescription drugs: June 1 of each every other even-numbered year.

**SECTION 107.** 440.08 (2) (a) 1n., 2n., 3n. and 4n. of the statutes are created to read:

440.08 (2) (a) 1n. Beginning with the first renewal after the initial issuance of a credential, the credential may be renewed every 4 years as provided in this paragraph.

2n. General renewal dates shall be as specified in par. (ag).

3n. The department may, if practical and expedient, stagger renewal dates among credential holders so that approximately half of renewals occur every 2 years.

4n. The department shall promulgate rules for the implementation of subsds. 1n. to 3n.

**SECTION 108.** 440.08 (2) (ag) (intro.) of the statutes is created to read:

440.08 (2) (ag) (intro.) For the purpose of par. (a), the general renewal dates and years for credentials to which this subsection applies are as follows:

**SECTION 109.** 440.08 (2) (ar) of the statutes is created to read:

440.08 (2) (ar) 1. Notwithstanding pars. (a), (ag), and (c) and chs. 440 to 480, the department may, in cooperation with credentialing boards, establish a system to transition credential holders from 2-year credential periods under chs. 440 to 480, 2021 stats., to 4-year credential periods by phasing in the application of par. (a). The department shall promulgate rules to implement any transition system established under this paragraph, which shall not allow for more than one 2-year renewal of a credential after the effective date of this subdivision ... [LRB inserts date].

2. a. Notwithstanding the requirement to pay the renewal fee under par. (c), a person who renews a credential for 2 years pursuant to the transition system established under this paragraph is required to pay only one-half of the renewal fee that applies to a person renewing a credential for 4 years.

b. Notwithstanding the fees for credential renewals approved under s. 440.03 (9), if the department transitions credential holders from 2-year credential periods under chs. 440 to 480, 2021 stats., to 4-year credential periods before revised renewal fees can be approved under s. 440.03 (9), the department may double the applicable renewal fee until a revised fee can be approved under s. 440.03 (9).

**SECTION 110.** 440.08 (2) (b) of the statutes is amended to read:

440.08 (2) (b) ~~The renewal fee for an apprentice, journeyman, student or temporary credential is \$10. The renewal dates specified in par. (a) determined under pars. (a) to (ar) do not apply to apprentice, journeyman, student or temporary credentials.~~

**SECTION 111.** 440.08 (2) (c) of the statutes is renumbered 440.08 (2r) (a) and amended to read:

440.08 (2r) (a) Except as provided in par. (e) (d) and sub. (3), renewal applications shall include the applicable renewal fee as determined by the department under s. 440.03 (9) (a) or as specified in par. (b).

**SECTION 112.** 440.08 (2) (d) of the statutes is renumbered 440.08 (2r) (c).

**SECTION 113.** 440.08 (2) (e) of the statutes is renumbered 440.08 (2r) (d).

**SECTION 114.** 440.08 (2r) (title) of the statutes is created to read:

440.08 (2r) (title) RENEWAL FEES AND APPLICATIONS.

**SECTION 115.** 440.08 (2r) (b) of the statutes is created to read:

440.08 (2r) (b) The renewal fee for an apprentice, journeyman, student, or temporary credential is \$10.



**SECTION 116.** 440.08 (3m) of the statutes is created to read:

440.08 (3m) CONTINUING EDUCATION. The department or the interested examining board or affiliated credentialing board, as appropriate, may, as provided in s. 440.20 (6), specify makeup continuing education requirements that must be completed in order for the holder of a credential who fails to complete continuing education requirements within a required period to be able to renew the credential, notwithstanding the failure.

**SECTION 117.** 440.08 (4) (a) of the statutes is amended to read:

440.08 (4) (a) *Generally.* If the department or the interested examining board or affiliated credentialing board, as appropriate, determines that an applicant for renewal has failed to comply with sub. (2)-(e) (2r) (a) or (3) or with any other applicable requirement for renewal established under chs. 440 to 480 or that the denial of an application for renewal of a credential is necessary to protect the public health, safety or welfare, the department, examining board or affiliated credentialing board may summarily deny the application for renewal by mailing to the holder of the credential a notice of denial that includes a statement of the facts or conduct that warrant the denial and a notice that the holder may, within 30 days after the date on which the notice of denial is mailed, file a written request with the department to have the denial reviewed at a hearing before the department, if the department issued the credential, or before the examining board or affiliated credentialing board that issued the credential.

**SECTION 118.** 440.09 (title) of the statutes is amended to read:

**440.09 (title) Reciprocal credentials for service members, former service members, and their spouses.**

**SECTION 119.** 440.09 (1) of the statutes is repealed.

**SECTION 120.** 440.09 (1m) (title) of the statutes is created to read:

440.09 (1m) (title) RECIPROCAL CREDENTIALS; GENERALLY.

**SECTION 121.** 440.09 (1m) (b) 6. and 7. of the statutes are created to read:

440.09 (1m) (b) 6. The individual does not have any limitation, restriction, or other encumbrance on any credential issued by a governmental authority in a state other than this state that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board and is not under investigation by any governmental authority in a state other than this state related to any credential possessed by the individual that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board.

7. Subject to ss. 111.321, 111.322, and 111.335, the individual does not have an arrest or conviction record.

**SECTION 122.** 440.09 (1m) (c) 1. of the statutes, as affected by 2023 Wisconsin Act... (this act), is amended to read:

440.09 (1m) (c) 1. A reciprocal credential granted under this subsection expires on the applicable renewal date specified in determined under s. 440.08 (2) (a), except that if the first renewal date specified in s. 440.08 (2)-(a) after the date on which the credential is granted is within ~~180~~ 365 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 440.08 (2)-(a) after the date on which the credential is granted.

**SECTION 123.** 440.09 (2) (intro.) of the statutes is renumbered 440.09 (1m) (intro.).

**SECTION 124.** 440.09 (2) (a) of the statutes is renumbered 440.09 (1m) (b) 1. and amended to read:

440.09 (1m) (b) 1. The individual applies for a reciprocal credential under this ~~section~~ subsection on a form prescribed by the department or credentialing board.

**SECTION 125.** 440.09 (2) (b) of the statutes is repealed.

**SECTION 126.** 440.09 (2) (c) of the statutes is renumbered 440.09 (1m) (b) 3. and amended to read:

440.09 (1m) (b) 3. The individual holds a license, certification, registration, or permit that was granted by a governmental authority in a ~~jurisdiction outside~~ state other than this state that qualifies the individual to perform the acts authorized under the appropriate credential granted by the department or credentialing board.

**SECTION 127.** 440.09 (2) (d) of the statutes is renumbered 440.09 (1m) (b) 4.

**SECTION 128.** 440.09 (2) (f) of the statutes is renumbered 440.09 (1m) (b) 5. and amended to read:

440.09 (1m) (b) 5. The individual is in good standing with the governmental authorities in every ~~jurisdiction outside~~ state other than this state that have granted the individual a license, certification, registration, or permit that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board.

**SECTION 129.** 440.09 (2g) of the statutes is created to read:

440.09 (2g) RECIPROCAL CREDENTIALS; EXCEPTIONS. Subsection (1m) does not apply to a reciprocal credential issued by the accounting examining board or the real estate examining board that grants the holder a limited right to practice law in this state, unless the applicant is licensed to practice law in this state.

**SECTION 130.** 440.09 (2m) of the statutes is repealed.

**SECTION 131.** 440.09 (2r) of the statutes is created to read:

440.09 (2r) RECIPROCAL CREDENTIALS; HEALTH CARE PROVIDER CREDENTIALS. (a) In this subsection, "health care provider credential" means any credential specified in s. 440.094 (1) (c).

(b) 1. The department shall, for each health care provider credential, do all of the following:

a. Determine whether there are any provisions under chs. 440 to 480 for granting a reciprocal credential corresponding to that credential that require an examination of the equivalence, comparability, or similarity of the credentialing requirements in other states or territories in the United States to the laws under chs. 440 to 480, or rules promulgated thereunder, for granting that credential.

b. For each provision identified under subd. 1. a., review the laws of every other state to determine if and how the laws of each state compare to the laws of this state and whether each state's laws qualify, for purposes of granting a reciprocal credential under that provision. The department shall also, as applicable, similarly review the laws of other territories in the United States.

c. Post the results of the department's reviews under subd. 1. b. on the department's website.

2. a. The department shall consult with the appropriate credentialing boards in performing the duties specified under subd. 1.

b. The department shall perform the duties under subd. 1. and update the results posted under subd. 1. c. at least every 4 years.

**SECTION 132.** 440.09 (3) of the statutes is renumbered 440.09 (1m) (c), and 440.09 (1m) (c) 1., as renumbered, is amended to read:

440.09 (1m) (c) 1. A reciprocal credential granted under this section ~~subsection~~ expires on the applicable renewal date specified in s. 440.08 (2) (a), except that if the first renewal date specified in s. 440.08 (2) (a) after the date on which the credential is granted is within 180 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date on which the credential is granted.

**SECTION 133.** 440.09 (4) and (5) of the statutes are renumbered 440.09 (1m) (d) and (e) and amended to read:

440.09 (1m) (d) The department or credentialing board, as appropriate, shall expedite the issuance of a reciprocal credential granted under this section ~~subsection~~.

(e) The department or credentialing board, as appropriate, may promulgate rules necessary to implement this section ~~subsection~~.

**SECTION 134.** 440.094 (title), (1) (c) (intro.), 3., 4. and 5. and (2) of the statutes are amended to read:

**440.094 (title) Practice by health care providers credential holders from other states.**

(1) (c) (intro.) "Health care provider" means an individual who holds a valid, unexpired remote credential granted by another state or territory that authorizes or qualifies the individual to perform acts that are substantially the same as the acts that any of the following are licensed or certified to perform:

3. A dentist, dental hygienist, or expanded function dental auxiliary licensed or certified under ch. 447.

4. A physician, ~~physician assistant~~, perfusionist, or respiratory care practitioner licensed or certified under subch. II of ch. 448.

5. A physical therapist or physical therapist assistant licensed under subch. III of ch. 448 or who holds a compact privilege under subch. IX ~~XI~~ of ch. 448.

(2) ~~PRACTICE BY HEALTH CARE PROVIDERS CREDENTIAL HOLDERS FROM OTHER STATES.~~ (a) Notwithstanding ss. 441.06 (4), 441.15 (2), 441.16, 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51 (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m), 457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider ~~chs. 440 to 480, an individual who holds a valid, unexpired remote credential~~ may provide for an employer services that are within the scope of the remote credential that the ~~health care provider individual~~ holds, and the department shall grant the health care provider individual a temporary preliminary credential to practice under this section, if all of the following apply:

1. The ~~health care provider individual~~ applies to the department for a temporary preliminary credential under this section within 30 days of beginning to provide health care services for ~~a health care an~~ employer. The ~~health care provider individual~~ shall include in the application an attestation of all of the following:

a. The date on which the ~~health care provider individual~~ first provided health care services in this state under this section.

b. That the ~~health care provider individual~~ holds a valid, unexpired remote credential ~~granted in another state~~.

c. The ~~health care provider individual~~ is not currently under investigation and no restrictions or limitations are currently placed on the ~~health care provider's individual's remote~~ credential by the ~~credentialing state that issued the remote credential~~ or by any other jurisdiction.

d. The ~~health care provider individual~~ has applied for a permanent, state-issued credential granted by the department or an ~~examining a credentialing~~ board, as applicable, under chs. 440 to 480 that corresponds to his or her remote credential. This subd. 1. d. does not apply to a health care provider who provides health care services only during the period covered by a national emergency declared by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus or during the 30 days immediately after the national emergency ends.

2. If the ~~health care provider individual~~ provides services other than services provided through telehealth as described in sub. (3), the ~~health care individual's~~ employer of the ~~health care provider~~ attests to all of the following to the department within 10 days of the date on which the ~~health care provider individual~~ begins providing health care services in this state under this section:

a. The health care employer has confirmed that the health care provider individual holds a valid, unexpired remote credential granted by another state.

b. To the best of the health care employer's knowledge and with a reasonable degree of certainty, the health care provider individual is not currently under investigation and no restrictions or limitations are currently placed on the health care provider's individual's remote credential by the credentialing state or any other jurisdiction.

(b) ~~A health care provider~~ An individual who practices within the scope of a temporary preliminary credential granted under this section has all rights and is subject to all responsibilities, malpractice insurance requirements, limitations on scope of practice, and other provisions that apply under chs. 440 to 480 to the practice of the health care provider under the state-issued credential described in par. (a) 1. d.

(c) 1. A temporary preliminary credential granted under this section becomes effective on the date identified in the attestation under par. (a) 1. a. that the health care provider individual first provided health care services in this state under this section.

2. a. Except as provided in subd. 2. b., a temporary preliminary credential granted under this section expires on the date that the department, or ~~an examining a credentialing~~ board in the department, as applicable, grants or denies the application under par. (a) 1. d. for a permanent state-issued credential submitted by the health care provider individual.

b. If ~~a- the individual is a~~ health care provider who provides health care services only during the period covered by a national emergency declared by the U.S. president under 50 USC 1621 in response to the 2019 novel coronavirus or during the 30 days immediately after the national emergency ends, a temporary preliminary credential granted under this section to the health care provider individual expires 30 days after the national emergency ends.

**SECTION 135.** 440.094 (1) (b) of the statutes is repealed.

**SECTION 136.** 440.094 (1) (c) 9g., 9m., 17. and 19., (d), (e) and (f) of the statutes are created to read:

440.094 (1) (c) 9g. A genetic counselor licensed under subch. VIII of ch. 448.

9m. A physician assistant licensed under subch. IX of ch. 448.

17. A radiographer licensed under ch. 462.

19. A naturopathic doctor licensed under ch. 466.

(d) "Remote credential" means a license, permit, certificate, or registration granted to an individual by another state or territory that authorizes or qualifies the individual to perform acts that are substantially the same as the acts that an individual who holds a state-issued credential is authorized or qualified to perform.

(e) "Services" means actions that are within the scope of practice that is defined for a state-issued credential.

(f) "State-issued credential" means a credential, as defined in s. 440.01 (2) (a).

**SECTION 137.** 440.094 (1) (c) 14. of the statutes is amended to read:

440.094 (1) (c) 14. A social worker, marriage and family therapist, or professional counselor certified or licensed under subch. I of ch. 457 or a clinical substance abuse counselor certified under s. 440.88.

**SECTION 138.** 440.094 (3) of the statutes is amended to read:

440.094 (3) TELEHEALTH. A health care provider who practices within the scope of a temporary preliminary credential granted under this section may provide services through telehealth to a patient located in this state.

**SECTION 139.** 440.094 (4) of the statutes is created to read:

440.094 (4) NONAPPLICABILITY. This section does not apply with respect to credentials under subch. IV or V or ch. 442, 444, or 463 or to credentials that authorize a credential holder to engage in the limited practice of law or in the practice of professional land surveying, as defined in s. 443.01 (6s).

**SECTION 140.** 440.15 of the statutes is amended to read:

**440.15 No fingerprinting.** Except as provided under ss. 440.03 (13) (c), 441.51 (5) (a) 5., 448.980 (5) (b) 3., 448.985 (3) (a) 4., 448.987 (3) (a) 5. a. and (5) (b) 2. a., 448.988 (3) (a) 5., 450.071 (3) (c) 9., 450.075 (3) (c) 9., and 455.50 (3) (e) 4. and (f) 4., 457.50 (3) (b) 3. and (5) (b) 2. a., 457.70 (3) (b) 4. and (7) (b) 3., and 459.70 (3) (b) 1., the department or a credentialing board may not require that an applicant for a credential or a credential holder be fingerprinted or submit fingerprints in connection with the department's or the credentialing board's credentialing.

**SECTION 141.** 440.20 (6) of the statutes is created to read:

440.20 (6) (a) The department or appropriate examining board, affiliated credentialing board, or board in the department may reprimand the holder of a credential or deny, limit, suspend, or revoke the credential of any person who fails to satisfy applicable continuing education requirements within a required period and may specify makeup continuing education requirements that must be completed in order to maintain his or her credential or to restore it to good standing.

(b) The grounds for discipline specified under par. (a) are in addition to any grounds for discipline specified in chs. 440 to 480.

**SECTION 142.** 440.26 (3) of the statutes is amended to read:

440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an application executed under sub. (2), and after any investigation that it considers necessary, the department shall, if it determines that the applicant is qualified, grant the proper license upon payment

of the initial credential fee determined by the department under s. 440.03 (9) (a). No license shall be issued for a longer period than ~~2~~ 4 years, and the license of a private detective shall expire on the renewal date of the license of the private detective agency, even if the license of the private detective has not been in effect for a full ~~2~~ 4 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department and shall be accompanied by the applicable fees specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The department may not renew a license unless the applicant provides evidence that the applicant has in force at the time of renewal the bond or liability policy specified in this section.

**SECTION 143.** 440.26 (5m) (b) of the statutes is amended to read:

440.26 (5m) (b) The renewal dates for permits issued under this subsection ~~are specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 144.** 440.313 (1) of the statutes is amended to read:

440.313 (1) The renewal date for licenses granted under this subchapter ~~is specified in~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 145.** 440.415 (2) (a) of the statutes is amended to read:

440.415 (2) (a) The renewal date for a license granted under sub. (1) ~~is specified in~~ shall be as determined under s. 440.08 (2) (a) ~~69m~~. A renewal application shall be submitted to the department on a form prescribed by the department and shall include any information required by the department by rule.

**SECTION 146.** 440.71 (3) of the statutes is amended to read:

440.71 (3) RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 147.** 440.88 (3) (d) of the statutes is created to read:

440.88 (3) (d) 1. The department may not require an applicant for certification as a substance abuse counselor, clinical substance abuse counselor, or substance abuse counselor-in-training to pass a statutes and rules examination as a condition of receiving an initial certification or a certification renewal.

2. The department may require an applicant for certification as a substance abuse counselor, clinical substance abuse counselor, or substance abuse counselor-in-training to affirm that the applicant has read and understands the statutes and rules that apply to the applicant's practice.

**SECTION 148.** 440.88 (4) of the statutes is amended to read:

440.88 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification as a substance abuse counselor, clinical supervisor, or prevention specialist under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee determined by the department under s. 440.03 (9) (a). The renewal date for certification as a substance abuse counselor, clinical supervisor, or prevention specialist ~~is specified~~ shall be as determined under s. 440.08 (2) (a) and the renewal fee for such certifications is determined by the department under s. 440.03 (9) (a). Renewal of certification as a substance abuse counselor-in-training, a clinical supervisor-in-training, or a prevention specialist-in-training may be made only twice.

**SECTION 149.** 440.905 (2) of the statutes is amended to read:

440.905 (2) The board has rule-making authority and may promulgate rules relating to the regulation of cemetery authorities, cemetery salespersons, and cemetery preneed sellers. ~~The board may determine, by rule, a fee under s. 440.05 (1) (a) and under s. 440.08 (2) (a) 21, that is sufficient to fund the board's operating costs.~~

**SECTION 150.** 440.91 (1) (c) of the statutes is amended to read:

440.91 (1) (c) The renewal dates for licenses granted under par. (b) ~~are specified in~~ shall be as determined under s. 440.08 (2) (a) and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a).

**SECTION 151.** 440.91 (1m) (c) of the statutes is amended to read:

440.91 (1m) (c) The renewal date ~~and renewal fee~~ for a registration granted under par. (b) ~~are specified in~~ shall be as determined under s. 440.08 (2). The department shall determine the renewal fee for a registration granted under par. (b) under s. 440.03 (9) (a).

**SECTION 152.** 440.91 (4) of the statutes is amended to read:

440.91 (4) Renewal applications shall be submitted to the board on a form provided by the board on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 153.** 440.92 (1) (c) of the statutes is amended to read:

440.92 (1) (c) Renewal applications shall be submitted to the board on a form provided by the board on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 154.** 440.972 (2) of the statutes is amended to read:

440.972 (2) The renewal date for certificates granted under this section ~~is specified~~ shall be as determined under s. 440.08 (2) (a) ~~38g.~~, and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).

**SECTION 155.** 440.974 (2) of the statutes is amended to read:

440.974 (2) The department shall promulgate rules establishing continuing education requirements for individuals registered under this subchapter. The rules promulgated under this subsection shall require the completion of at least 40 hours of continuing education every 2 years, except that the rules may not require continuing education for an applicant for renewal of a registration that expires on the 1st and 2nd renewal dates ~~date~~ after the date on which the department initially granted the registration.

**SECTION 156.** 440.98 (6) of the statutes is amended to read:

440.98 (6) APPLICATIONS. An application for a sanitarian registration under this section shall be made on a form provided by the department and filed with the department and shall be accompanied by the initial credential fee determined by the department under s. 440.03 (9) (a). The renewal date for a sanitarian registration is ~~specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such registration is determined by the department under s. 440.03 (9) (a).

**SECTION 157.** 440.983 (1) of the statutes is amended to read:

440.983 (1) The renewal date for licenses granted under this subchapter ~~is specified in~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 158.** 440.992 (6) of the statutes is repealed.

**SECTION 159.** 440.9935 of the statutes is amended to read:

**440.9935 Renewal.** The renewal date for certificates of registration issued under this subchapter ~~is specified in~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a). Renewal applications shall be submitted to the department on a form provided by the department.

**SECTION 160.** 441.06 (3) of the statutes is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), submit to the board on furnished forms a statement giving name, residence, and other facts that the board requires, with the nursing workforce survey and fee required under s. 441.01 (7) and the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 161.** 441.10 (6) of the statutes is amended to read:

441.10 (6) On or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit to the board, on forms furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years, the nursing workforce survey and fee required under s. 441.01 (7), and other facts bearing upon current competency that the board requires, accompanied by the applicable license renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 162.** 441.15 (3) (b) of the statutes is amended to read:

441.15 (3) (b) On or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall submit to the board on furnished forms a statement giving his or her name, residence, and other information that the board requires by rule, with the applicable renewal fee determined by the department under s. 440.03 (9) (a). If applicable, the person shall also submit evidence satisfactory to the board that he or she has in effect the malpractice liability insurance required under the rules promulgated under sub. (5) (bm). The board shall grant to a person who pays the fee determined by the department under s. 440.03 (9) (a) for renewal of a license to practice nurse-midwifery and who satisfies the requirements of this paragraph the renewal of his or her license to practice nurse-midwifery and the renewal of his or her license to practice as a registered nurse.

**SECTION 163.** 441.16 (3m) of the statutes is created to read:

441.16 (3m) (a) The board may not require an applicant for certification under this section to pass a statutes and rules examination as a condition of receiving an initial certification or a certification renewal.

(b) The board may require an applicant for certification under this section to affirm that the applicant has read and understands the statutes and rules that apply to the applicant's practice.

**SECTION 164.** 442.083 (1) of the statutes is amended to read:

442.083 (1) The renewal dates for licenses issued under this chapter ~~are specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fees for such

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licenses are determined by the department under s. 440.03 (9) (a). The department may not renew a license issued to a firm unless, at the time of renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction of the department, that the firm has complied with the requirements under s. 442.087.

**SECTION 165.** 442.083 (2) (a) of the statutes is amended to read:

442.083 (2) (a) The examining board shall promulgate rules establishing continuing education requirements for renewal of licenses granted to individuals under this chapter. The rules promulgated under this paragraph may not require an individual to complete more than 80 continuing education credits during the each 2-year period immediately preceding the renewal date specified determined under s. 440.08 (2) (a).

**SECTION 166.** 443.015 (1c) of the statutes is created to read:

443.015 (1c) The rules promulgated under sub. (1) by the professional land surveyor section of the examining board shall require a professional land surveyor to complete at least 20 hours of continuing education during each 2-year period immediately preceding the renewal date determined under s. 440.08 (2). The section may exempt initial licensees from the requirement, may specify minimum numbers of hours for specified categories of continuing education, and may waive the requirement in cases of extreme hardship, as determined by the board.

**SECTION 167.** 443.015 (1e) of the statutes is amended to read:

443.015 (1e) The rules promulgated under sub. (1) by the registered interior designer section of the examining board shall require a Wisconsin registered interior designer to complete at least 15 hours of continuing education during the each 2-year period immediately preceding the renewal date specified determined under s. 440.08 (2) (a). At least 10 of the 15 hours shall be in subjects related to the practice of interior design that safeguard the public's health, safety, and welfare.

**SECTION 168.** 443.07 (6) of the statutes is amended to read:

443.07 (6) The renewal date for permits under this section ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the fee for renewal of such permits is determined by the department under s. 440.03 (9) (a).

**SECTION 169.** 443.08 (3) (b) of the statutes is amended to read:

443.08 (3) (b) The renewal date for certificates of authorization under this section ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).

**SECTION 170.** 443.10 (2) (e) of the statutes is amended to read:

443.10 (2) (e) The renewal ~~date~~ dates for certificates of registration for architects, landscape architects, pro-

fessional engineers, and Wisconsin registered interior designers ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the department under s. 440.03 (9) (a).

**SECTION 171.** 443.10 (5) of the statutes is amended to read:

443.10 (5) FEES; RENEWALS. The professional land surveyor section shall grant a license to engage in the practice of professional land surveying to any applicant who has met the applicable requirements of this chapter. The renewal date for the license ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for the license is determined by the department under s. 440.03 (9) (a).

**SECTION 172.** 445.06 (1) of the statutes is amended to read:

445.06 (1) The renewal date for a funeral director's license ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such license is determined by the department under s. 440.03 (9) (a).

**SECTION 173.** 445.07 (1) (a) and (b) of the statutes are amended to read:

445.07 (1) (a) For the renewal of a license that expires on the first renewal date after the date on which the examining board initially granted the license, completion of 4 19 hours of continuing education subsequent to the date the applicant was granted the initial license. The examining board shall, in the rules promulgated under sub. (3), specify permitted or required subjects for the continuing education under this paragraph, which shall be subjects that the examining board determines prepare a new licensee for practice as a funeral director.

(b) For each renewal subsequent to the renewal described in par. (a), completion of 15 hours of continuing education in the ~~previous~~ each 2-year ~~licensure~~ period immediately preceding the renewal date determined under s. 440.08 (2).

**SECTION 174.** 445.095 (1) (c) of the statutes is amended to read:

445.095 (1) (c) A certificate of apprenticeship issued under this section shall be renewable annually upon the payment on January 1 of each year of the renewal fee specified in s. 440.08 (2) ~~(2r)~~ (b).

**SECTION 175.** 445.105 (3) of the statutes is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on forms provided by the department and filed with the department and shall be accompanied by the initial credential fee determined by the department under s. 440.03 (9) (a). The renewal date for a funeral establishment permit ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such permit is determined by the department under s. 440.03 (9) (a).

**SECTION 176.** 446.01 (1v) (m) of the statutes is amended to read:

446.01 (1v) (m) Marriage and family therapy, professional counseling, and social work examining board under subch. I of ch. 457. “Health care professional” also includes an individual who is exercising the professional counselor privilege to practice, as defined in s. 457.50 (2) (s), in this state, and an individual who is exercising a multistate authorization to practice, as defined in s. 457.70 (2) (q), under any category of social worker multistate license, as defined in s. 457.70 (2) (r), in this state.

**SECTION 177.** 446.02 (1) (b) of the statutes is amended to read:

446.02 (1) (b) Submits evidence satisfactory to the examining board that the person meets the requirements of continuing education for license renewal as the examining board may require, which requirements shall include current proficiency in the use of an automated external defibrillator achieved through instruction provided by an individual, organization, or institution of higher education approved under s. 46.03 (38) to provide such instruction. The person shall include the approval number assigned under sub. (5) (b) to each educational program completed by the person to satisfy the requirements of this paragraph. During the time between initial licensure and commencement of a full 2-year licensure period, new licensees shall not be required to meet continuing education requirements. Any person who has not engaged in the practice of chiropractic for 2 years or more, while holding a valid license under this chapter, and desiring to engage in such practice, shall be required by the examining board to complete a continuing education course at a school of chiropractic approved by the examining board or pass a practical examination administered by the examining board or both.

**SECTION 178.** 446.02 (4) of the statutes is amended to read:

446.02 (4) The renewal date for all licenses granted by the examining board is specified ~~shall be as determined~~ under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 179.** 446.025 (3) (a) of the statutes is renumbered 446.025 (3) (a) 1. and amended to read:

446.025 (3) (a) 1. The renewal date and fees for a certificate issued under this section are specified in ~~shall be as determined under~~ s. 440.08 (2) (a).

**SECTION 180.** 446.025 (3) (a) 2. of the statutes is created to read:

446.025 (3) (a) 2. The renewal fees for a certificate issued under this section are determined by the department under s. 440.03 (9) (a).

**SECTION 181.** 446.025 (3) (b) of the statutes is amended to read:

446.025 (3) (b) A chiropractic radiological technician shall, at the time that he or she applies for renewal of a certificate under par. (a), submit evidence satisfactory to the examining board that he or she has completed

at least 12 continuing educational credit hours in each 2-year period immediately preceding the renewal date determined under s. 440.08 (2) in programs established by rules promulgated by the examining board.

**SECTION 182.** 446.026 (3) (a) of the statutes is renumbered 446.026 (3) (a) 1. and amended to read:

446.026 (3) (a) 1. The renewal date and fees for a certificate issued under this section are specified in ~~shall be as determined under~~ s. 440.08 (2) (a).

**SECTION 183.** 446.026 (3) (a) 2. of the statutes is created to read:

446.026 (3) (a) 2. The renewal fees for a certificate issued under this section are determined by the department under s. 440.03 (9) (a).

**SECTION 184.** 446.026 (3) (b) of the statutes is amended to read:

446.026 (3) (b) A chiropractic technician shall, at the time that he or she applies for renewal of a certificate under par. (a), submit evidence satisfactory to the examining board that he or she has completed at least 6 continuing educational credit hours in each 2-year period immediately preceding the renewal date determined under s. 440.08 (2) in programs established by rules promulgated by the examining board.

**SECTION 185.** 447.05 (1) (a) of the statutes is amended to read:

447.05 (1) (a) Except as provided in par. (b), renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 186.** 447.055 (1) (a) of the statutes is amended to read:

447.055 (1) (a) 1. Except as provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice dental hygiene, other than a permit issued under s. 447.02 (3), unless the person has taught, prepared, attended, or otherwise completed, during each of the 2-year periods within the 4-year period immediately preceding the renewal date specified determined under s. 440.08 (2) (a), 12 credit hours of continuing education relating to the clinical practice of dental hygiene that is sponsored or recognized by a local, state, regional, national, or international dental, dental hygiene, dental assisting, or medical-related professional organization.

2. Notwithstanding subd. 1., the examining board may promulgate a rule requiring not more than 20 nor less than 12 credit hours of continuing education per 2-year period for eligibility for renewal of a license to practice dental hygiene.

**SECTION 187.** 447.055 (1) (b) 1. of the statutes is amended to read:

447.055 (1) (b) 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the credit hours

required in each 2-year period under par. (a) may be satisfied by such training.

**SECTION 188.** 447.055 (1) (b) 2. of the statutes is amended to read:

447.055 (1) (b) 2. Infection control. Not less than 2 of the credit hours required in each 2-year period under par. (a) must be satisfied by such training.

**SECTION 189.** 447.056 (1) (intro.) of the statutes is amended to read:

447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible for renewal of a license to practice dentistry, other than a permit issued under s. 447.02 (3), unless the person has taught, attended, or otherwise completed, during each of the 2-year periods within the 4-year period immediately preceding the renewal date specified determined under s. 440.08 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or the practice of medicine, including not less than 25 credit hours of instruction in clinical dentistry or clinical medicine. Not more than 4 of the 30 hours may be from teaching. Continuing education does not satisfy the requirements under this subsection unless the continuing education is one of the following:

**SECTION 190.** 447.056 (3) of the statutes is amended to read:

447.056 (3) Credit hours completed before the 2-year 4-year period immediately preceding renewal of a license to practice dentistry may not be applied to fulfill the credit hours required under sub. (1).

**SECTION 191.** 447.058 (2) (b) of the statutes is amended to read:

447.058 (2) (b) A mobile dentistry program registrant shall submit an application for renewal, and the applicable renewal fee determined by the department under s. 440.03 (9) (a), to the department on a form provided by the department on or before the applicable renewal date specified determined under s. 440.08 (2) (a).

**SECTION 192.** 448.015 (4) (am) 2m. of the statutes is renumbered 448.978 (1g) (a) and amended to read:

448.978 (1g) (a) ~~A~~ “Unprofessional conduct” includes a determination made by a physician assistant under ch. 154 or 155 if the physician assistant does not have sufficient education, training, and experience to make the determination.

**SECTION 193.** 448.05 (6) (av) of the statutes is created to read:

448.05 (6) (av) 1. The board may not require an applicant for certification as a respiratory care practitioner under s. 448.04 (1) (i) to pass a statutes and rules examination as a condition of receiving an initial certification or a certification renewal.

2. The board may require an applicant described under subd. 1. to affirm that the applicant has read and understands the statutes and rules that apply to the applicant’s practice.

**SECTION 194.** 448.07 (1) (a) of the statutes is amended to read:

448.07 (1) (a) Every person licensed or certified under this subchapter shall register ~~on or before November 1 of each odd-numbered year following issuance of the license or certificate with the board on or before his or her renewal date determined under s. 440.08 (2).~~ Registration shall be completed in such manner as the board shall designate and upon forms the board shall provide, except that registration with respect to a compact license shall be governed by the renewal provisions in s. 448.980 (7). The secretary of the board, ~~on or before October 1 of each odd-numbered year,~~ shall, at least 30 days prior to that date, mail or cause to be mailed to every person required to register a registration form. The board shall furnish to each person registered under this section a certificate of registration, and the person shall display the registration certificate conspicuously in the office at all times. No person may exercise the rights or privileges conferred by any license or certificate granted by the board unless currently registered as required under this subsection.

**SECTION 195.** 448.08 (4) of the statutes is amended to read:

448.08 (4) PROFESSIONAL PARTNERSHIPS AND CORPORATIONS PERMITTED. Notwithstanding any other provision in this section, it is lawful for 2 or more physicians, who have entered into a bona fide partnership for the practice of medicine, to render a single bill for such services in the name of such partnership, and it also is lawful for a service corporation to render a single bill for services in the name of the corporation, provided that each individual licensed, registered or certified under this chapter, ~~subch. I of ch. 457,~~ or ch. 446, 449, 450, 455, 457 or 459 that renders billed services is individually identified as having rendered such services.

**SECTION 196.** 448.13 (title) of the statutes is repealed and recreated to read:

**448.13 (title) Continuing education and professional development.**

**SECTION 197.** 448.13 (1) (a) 1. of the statutes is amended to read:

448.13 (1) (a) 1. Continuing education programs or courses of study approved for at least 30 hours of credit by the board within each 2-year period within the 2-4 calendar years preceding the calendar year for which the registration is effective.

**SECTION 198.** 448.13 (1) (a) 2. of the statutes is amended to read:

448.13 (1) (a) 2. Professional development and maintenance of certification or performance improvement or continuing medical education programs or courses of study required by the board by rule under s. 448.40 (1) and completed within the 2-4 calendar years preceding the calendar year for which the registration is effective.



**SECTION 199.** 448.13 (1m) of the statutes is amended to read:

448.13 (1m) The board shall, on a random basis, verify the accuracy of proof submitted by physicians under sub. (1) (a) and may, at any time ~~during the 2 calendar years specified in sub. (1) (a)~~, require a physician to submit proof of any continuing education, professional development, and maintenance of certification or performance improvement or continuing medical education programs or courses of study that he or she has attended and completed ~~at that time during the 2 calendar years since he or she last registered under s. 448.07.~~

**SECTION 200.** 448.55 (2) of the statutes is amended to read:

448.55 (2) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under rules promulgated under s. 448.53 (2), ~~are specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and proof of compliance with the requirements established in any rules promulgated under sub. (3).

**SECTION 201.** 448.65 (2) (intro.) of the statutes is amended to read:

448.65 (2) (intro.) The renewal date for a license granted under this subchapter, other than a temporary license granted under rules promulgated under s. 448.63 (3), ~~is specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall be accompanied by all of the following:

**SECTION 202.** 448.665 of the statutes is amended to read:

**448.665 Continuing education.** The affiliated credentialing board shall promulgate rules establishing requirements and procedures for licensees to complete continuing education programs or courses of study in order to qualify for renewal of a license granted under this subchapter. The rules shall require a licensee to complete at least 30 hours of continuing education programs or courses of study within ~~each of the 2-year periods within the 4-year period~~ immediately preceding the renewal date ~~specified~~ determined under s. 440.08 (2) (a). The affiliated credentialing board may waive all or part of these requirements for the completion of continuing education programs or courses of study if the affiliated credentialing board determines that prolonged illness, disability or other exceptional circumstances have prevented a licensee from completing the requirements.

**SECTION 203.** 448.67 (4) of the statutes is amended to read:

448.67 (4) **BILLING BY PROFESSIONAL PARTNERSHIPS AND CORPORATIONS.** If 2 or more podiatrists have entered into a bona fide partnership or formed a service corpora-

tion for the practice of podiatry, the partnership or corporation may not render a single bill for podiatry services provided in the name of the partnership or corporation unless each individual licensed, registered or certified under this chapter, subch. I of ch. 457, or ch. 446, 449, 450, 455, 457 or 459, who provided services is individually identified on the bill as having rendered those services.

**SECTION 204.** 448.86 (2) of the statutes is amended to read:

448.86 (2) The renewal dates for certificates granted under this subchapter, other than temporary certificates granted under s. 448.80, ~~are specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 205.** 448.9545 (1) (a) of the statutes is amended to read:

448.9545 (1) (a) To be eligible for renewal of a license issued under s. 448.953 (1) or (2), a licensee shall, ~~during the 2-year~~ each 2-year period within the 4-year period immediately preceding the renewal date ~~specified~~ determined under s. 440.08 (2) (a), complete not less than 30 credit hours of continuing education in courses of study approved by the affiliated credentialing board.

**SECTION 206.** 448.9545 (1) (b) (intro.) of the statutes is amended to read:

448.9545 (1) (b) (intro.) No more than 10 credit hours of the continuing education required in each 2-year period under par. (a) may be on any of the following subject areas or combination of subject areas:

**SECTION 207.** 448.955 (1) of the statutes is amended to read:

448.955 (1) The renewal dates for licenses granted under this subchapter ~~are specified~~ shall be as determined under s. 440.08 (2) (a).

**SECTION 208.** 448.955 (2) (a) of the statutes is amended to read:

448.955 (2) (a) Completed, during ~~the each 2-year period within the 4-year period~~ immediately preceding the renewal date ~~specified in~~ determined under s. 440.08 (2) (a), the continuing education requirements specified in s. 448.9545.

**SECTION 209.** 448.955 (3) (a) of the statutes is amended to read:

448.955 (3) (a) A place for the licensee to describe his or her work history, including the average number of hours worked each week, for the ~~2-year~~ 4-year period immediately preceding the renewal date ~~specified in~~ determined under s. 440.08 (2) (a).

**SECTION 210.** 448.956 (1) (c) of the statutes is amended to read:

448.956 (1) (c) A protocol established under par. (a) shall be updated no later than 30 days before the licensee's renewal date ~~specified in s. 440.08 (2) (a)~~ 14f.

**SECTION 211.** 448.964 (1) of the statutes is amended to read:

448.964 (1) The Except as provided in sub. (3), the affiliated credentialing board shall conduct or arrange for examinations required for occupational therapist and occupational therapy assistant licensure under s. 448.963 (2) (c) and (3) (c) at times and places determined by the affiliated credentialing board.

**SECTION 212.** 448.964 (3) of the statutes is created to read:

448.964 (3) (a) The affiliated credentialing board may not require an applicant for a license under s. 448.963 (2) or (3) to pass a statutes and rules examination as a condition of receiving an initial license or a license renewal.

(b) The affiliated credentialing board may require an applicant for a license under s. 448.963 (2) or (3) to affirm that the applicant has read and understands the statutes and rules that apply to the applicant's practice.

**SECTION 213.** 448.967 (2) of the statutes is amended to read:

448.967 (2) The renewal dates for licenses granted under this subchapter ~~are specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and a statement attesting compliance with the continuing education requirements established in rules promulgated under s. 448.965 (1) (b).

**SECTION 214.** 448.9703 (3) (a) of the statutes is amended to read:

448.9703 (3) (a) Successfully completed at least 30 hours of continuing education ~~in the prior~~ each 2-year period ~~within the prior 4-year period immediately preceding the renewal date determined under s. 440.08 (2).~~

**SECTION 215.** 448.9706 (2) of the statutes is amended to read:

448.9706 (2) Except as provided in s. 448.9705, the renewal dates for licenses granted under this subchapter are ~~specified~~ determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department, and shall include the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and proof of compliance with the requirements established by rules promulgated by the board under s. 448.9703 (3).

**SECTION 216.** 448.971 (1L) of the statutes is created to read:

448.971 (1L) "Compact" means the PA licensure compact under s. 448.988.

**SECTION 217.** 448.971 (1m) of the statutes is created to read:

448.971 (1m) "Compact privilege" means a compact privilege, as defined in s. 448.988 (2) (b), that is granted

under the compact to an individual to practice in this state.

**SECTION 218.** 448.971 (2) of the statutes is amended to read:

448.971 (2) "Physician assistant" means a person who is licensed under this subchapter or who holds a compact privilege.

**SECTION 219.** 448.972 (1) of the statutes is amended to read:

448.972 (1) Except as provided in subs. (2) and (3), no person may represent himself or herself as a "PA" or "physician assistant," use or assume the title "PA" or "physician assistant," or append to the person's name the words or letters "physician assistant," "PA," "PA-C," or any other titles, letters, or designation that represents or may tend to represent the person as a physician assistant, unless he or she is licensed by the board under this subchapter or holds a compact privilege.

**SECTION 220.** 448.973 (2) of the statutes is amended to read:

448.973 (2) The board shall include in the register the board maintains under s. 440.035 (1m) (d) the ~~names~~ name of all persons each person whose licenses license or compact privilege issued under this subchapter ~~were~~ was suspended or revoked within the past 2 years. The register shall be available for purchase at cost.

**SECTION 221.** 448.974 (title) of the statutes is amended to read:

**448.974** (title) **License; compact privilege;** **renewal.**

**SECTION 222.** 448.974 (1m) of the statutes is created to read:

448.974 (1m) The board shall grant a compact privilege to any applicant who satisfies all of the following:

(a) The applicant holds a qualifying license, as defined in s. 448.988 (2) (r), in another state that is a party to the compact and satisfies all other requirements under s. 448.988 (4).

(b) The individual applies for the compact privilege in the manner prescribed by the department.

(c) The individual pays any fee established by the department under s. 448.9885 (2).

**SECTION 223.** 448.974 (2) of the statutes is renumbered 448.974 (2) (am) and amended to read:

448.974 (2) (am) 1. The renewal date for a license issued under this subchapter is specified under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a). Renewal of a license is subject to ~~par. (b) subd. 2.~~

2. An applicant for the renewal of a license under this subchapter shall submit with his or her application for renewal proof of having satisfied the continuing education requirements imposed by the board under s. 448.973 (1) (b). This ~~paragraph~~ subdivision does not apply to an applicant for renewal of a license that expires on the first

renewal date after the date on which the board initially granted the license.

**SECTION 224.** 448.974 (2) (am) 1. of the statutes, as affected by 2023 Wisconsin Act .... (this act), is amended to read:

448.974 (2) (am) 1. The renewal date for a license issued under this subchapter is ~~specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the department under s. 440.03 (9) (a). Renewal of a license is subject to subd. 2.

**SECTION 225.** 448.974 (2) (bm) of the statutes is created to read:

448.974 (2) (bm) Renewal of a compact privilege shall be governed by s. 448.988 (4) (b), except that the board may impose requirements for prescribing controlled substances in accordance with s. 448.988 (4) (d).

**SECTION 226.** 448.978 (1) of the statutes is renumbered 448.978 (1r).

**SECTION 227.** 448.978 (2) (intro.) of the statutes is amended to read:

448.978 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), if a person who applies for or holds a license or compact privilege issued under s. 448.974 does any of the following, the board may reprimand the person or deny, limit, suspend, or revoke the person's license or compact privilege:

**SECTION 228.** 448.978 (2) (a) of the statutes is amended to read:

448.978 (2) (a) Makes a material misstatement in an application for a license or compact privilege or an application for renewal of a license or compact privilege under s. 448.974.

**SECTION 229.** 448.978 (2) (d) (intro.) of the statutes is renumbered 448.978 (2) (d) and amended to read:

448.978 (2) (d) Engages in unprofessional conduct.

**(1g)** In this paragraph, "unprofessional section:"

**(b)** "Unprofessional conduct" does not include any of the following:

**SECTION 230.** 448.978 (2) (d) 1. and 2. of the statutes are renumbered 448.978 (1g) (b) 1. and 2.

**SECTION 231.** 448.978 (2) (g) of the statutes is amended to read:

448.978 (2) (g) Engages in fraud or deceit in obtaining or using his or her license or compact privilege.

**SECTION 232.** Subchapter XIII of chapter 448 [precedes 448.988] of the statutes is created to read:

## CHAPTER 448

### SUBCHAPTER XIII

#### PA LICENSURE COMPACT

**448.988 PA licensure compact.** (1) **PURPOSE.** In order to strengthen access to medical services, and in recognition of the advances in the delivery of medical services, the participating states of the PA licensure compact have allied in common purpose to develop a comprehensive process that complements the existing authority of state licensing boards to license and discipline PAs and

seeks to enhance the portability of a license to practice as a PA while safeguarding the safety of patients. This compact allows medical services to be provided by PAs, via the mutual recognition of the licensee's qualifying license by other compact participating states. This compact also adopts the prevailing standard for PA licensure and affirms that the practice and delivery of medical services by the PA occurs where the patient is located at the time of the patient encounter, and therefore requires the PA to be under the jurisdiction of the state licensing board where the patient is located. State licensing boards that participate in this compact retain the jurisdiction to impose adverse action against a compact privilege in that state issued to a PA through the procedures of this compact. The PA licensure compact will alleviate burdens for military families by allowing active duty military personnel and their spouses to obtain a compact privilege based on having an unrestricted license in good standing from a participating state.

**(2) DEFINITIONS.** In this compact:

(a) "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a PA license or license application or compact privilege such as license denial, censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

(b) "Compact privilege" means the authorization granted by a remote state to allow a licensee from another participating state to practice as a PA to provide medical services and other licensed activity to a patient located in the remote state under the remote state's laws and regulations.

(c) "Conviction" means a finding by a court that an individual is guilty of a felony or misdemeanor offense through adjudication or entry of a plea of guilt or no contest to the charge by the offender

(d) "Criminal background check" means the submission of fingerprints or other biometric-based information for a license applicant for the purpose of obtaining that applicant's criminal history record information, as defined in 28 CFR 20.3 (d), from the state's criminal history record repository, as defined in 28 CFR 20.3 (f).

(e) "Data system" means the repository of information about licensees, including but not limited to license status and adverse actions, which is created and administered under the terms of this compact.

(f) "Executive committee" means a group of directors and ex officio individuals elected or appointed pursuant to sub. (7) (f) 2.

(g) "Impaired practitioner" means a PA whose practice is adversely affected by health-related condition(s) that impact their ability to practice.

(h) "Investigative information" means information, records, or documents received or generated by a licensing board pursuant to an investigation.

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(i) “Jurisprudence requirement” means the assessment of an individual’s knowledge of the laws and rules governing the practice of a PA in a state.

(j) “License” means current authorization by a state, other than authorization pursuant to a compact privilege, for a PA to provide medical services, which would be unlawful without current authorization.

(k) “Licensee” means an individual who holds a license from a state to provide medical services as a PA.

(L) “Licensing board” means any state entity authorized to license and otherwise regulate PAs.

(m) “Medical services” means health care services provided for the diagnosis, prevention, treatment, cure or relief of a health condition, injury, or disease, as defined by a state’s laws and regulations.

(n) “Model compact” means the model for the PA licensure compact on file with the Council of State Governments or other entity as designated by the commission.

(o) “Participating state” means a state that has enacted this compact.

(p) “PA” means an individual who is licensed as a physician assistant in a state. For purposes of this compact, any other title or status adopted by a state to replace the term “physician assistant” shall be deemed synonymous with “physician assistant” and shall confer the same rights and responsibilities to the licensee under the provisions of this compact at the time of its enactment.

(q) “PA licensure compact commission,” “compact commission,” or “commission” mean the national administrative body created pursuant to sub. (7) (a).

(r) “Qualifying license” means an unrestricted license issued by a participating state to provide medical services as a PA.

(s) “Remote state” means a participating state where a licensee who is not licensed as a PA is exercising or seeking to exercise the compact privilege.

(t) “Rule” means a regulation promulgated by an entity that has the force and effect of law.

(u) “Significant investigative information” means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the PA to respond if required by state law, has reason to believe is not groundless and, if proven true, would indicate more than a minor infraction.

(v) “State” means any state, commonwealth, district, or territory of the United States.

**(3) STATE PARTICIPATION IN THIS COMPACT.** (a) To participate in this compact, a participating state shall:

1. License PAs.
2. Participate in the compact commission’s data system.
3. Have a mechanism in place for receiving and investigating complaints against licensees and license applicants.

4. Notify the commission, in compliance with the terms of this compact and commission rules, of any adverse action against a licensee or license applicant and the existence of significant investigative information regarding a licensee or license applicant.

5. Fully implement a criminal background check requirement, within a time frame established by commission rule, by its licensing board receiving the results of a criminal background check and reporting to the commission whether the license applicant has been granted a license.

6. Comply with the rules of the compact commission.

7. Utilize passage of a recognized national exam such as the NCCPA PANCE as a requirement for PA licensure.

8. Grant the compact privilege to a holder of a qualifying license in a participating state.

(b) Nothing in this compact prohibits a participating state from charging a fee for granting the compact privilege.

**(4) COMPACT PRIVILEGE.** (a) To exercise the compact privilege, a licensee must:

1. Have graduated from a PA program accredited by the Accreditation Review Commission on Education for the Physician Assistant, Inc. or other programs authorized by commission rule.

2. Hold current NCCPA certification.

3. Have no felony or misdemeanor conviction.

4. Have never had a controlled substance license, permit, or registration suspended or revoked by a state or by the United States drug enforcement administration.

5. Have a unique identifier as determined by commission rule.

6. Hold a qualifying license.

7. Have had no revocation of a license or limitation or restriction on any license currently held due to an adverse action.

8. If a licensee has had a limitation or restriction on a license or compact privilege due to an adverse action, 2 years must have elapsed from the date on which the license or compact privilege is no longer limited or restricted due to the adverse action.

9. If a compact privilege has been revoked or is limited or restricted in a participating state for conduct that would not be a basis for disciplinary action in a participating state in which the licensee is practicing or applying to practice under a compact privilege, that participating state shall have the discretion not to consider such action as an adverse action requiring the denial or removal of a compact privilege in that state.

10. Notify the compact commission that the licensee is seeking the compact privilege in a remote state.

11. Meet any jurisprudence requirement of a remote state in which the licensee is seeking to practice under the compact privilege and pay any fees applicable to satisfying the jurisprudence requirement.

12. Report to the commission any adverse action taken by a nonparticipating state within thirty (30) days after the action is taken.

(b) The compact privilege is valid until the expiration or revocation of the qualifying license unless terminated pursuant to an adverse action. The licensee must also comply with all of the requirements of par. (a) above to maintain the compact privilege in a remote state. If the participating state takes adverse action against a qualifying license, the licensee shall lose the compact privilege in any remote state in which the licensee has a compact privilege until all of the following occur:

1. The license is no longer limited or restricted; and
2. Two (2) years have elapsed from the date on which the license is no longer limited or restricted due to the adverse action.

(c) Once a restricted or limited license satisfies the requirements of par. (b) 1. and 2., the licensee must meet the requirements of par. (a) to obtain a compact privilege in any remote state.

(d) For each remote state in which a PA seeks authority to prescribe controlled substances, the PA shall satisfy all requirements imposed by such state in granting or renewing such authority.

(5) DESIGNATION OF THE STATE FROM WHICH LICENSEE IS APPLYING FOR A COMPACT PRIVILEGE. Upon a licensee's application for a compact privilege, the licensee shall identify to the commission the participating state from which the licensee is applying, in accordance with applicable rules adopted by the commission, and subject to the following requirements:

(a) When applying for a compact privilege, the licensee shall provide the commission with the address of the licensee's primary residence and thereafter shall immediately report to the commission any change in the address of the licensee's primary residence.

(b) When applying for a compact privilege, the licensee is required to consent to accept service of process by mail at the licensee's primary residence on file with the commission with respect to any action brought against the licensee by the commission or a participating state, including a subpoena, with respect to any action brought or investigation conducted by the commission or a participating state.

(6) ADVERSE ACTIONS. (a) A participating state in which a licensee is licensed shall have exclusive power to impose adverse action against the qualifying license issued by that participating state.

(b) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to do all of the following:

1. Take adverse action against a PA's compact privilege within that state to remove a licensee's compact privilege or take other action necessary under applicable law to protect the health and safety of its citizens.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a participating state for the attendance and testimony of witnesses or the production of evidence from another participating state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Notwithstanding subd. 2., subpoenas may not be issued by a participating state to gather evidence of conduct in another state that is lawful in that other state for the purpose of taking adverse action against a licensee's compact privilege or application for a compact privilege in that participating state.

4. Nothing in this compact authorizes a participating state to impose discipline against a PA's compact privilege or to deny an application for a compact privilege in that participating state for the individual's otherwise lawful practice in another state.

(c) For purposes of taking adverse action, the participating state which issued the qualifying license shall give the same priority and effect to reported conduct received from any other participating state as it would if the conduct had occurred within the participating state which issued the qualifying license. In so doing, that participating state shall apply its own state laws to determine appropriate action.

(d) A participating state, if otherwise permitted by state law, may recover from the affected PA the costs of investigations and disposition of cases resulting from any adverse action taken against that PA.

(e) A participating state may take adverse action based on the factual findings of a remote state, provided that the participating state follows its own procedures for taking the adverse action.

(f) *Joint investigations.* 1. In addition to the authority granted to a participating state by its respective state PA laws and regulations or other applicable state law, any participating state may participate with other participating states in joint investigations of licensees.

2. Participating states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under this compact.

(g) If an adverse action is taken against a PA's qualifying license, the PA's compact privilege in all remote states shall be deactivated until two (2) years have elapsed after all restrictions have been removed from the state license. All disciplinary orders by the participating state which issued the qualifying license that impose adverse action against a PA's license shall include a state-

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ment that the PA's compact privilege is deactivated in all participating states during the pendency of the order.

(h) If any participating state takes adverse action, it promptly shall notify the administrator of the data system.

(7) ESTABLISHMENT OF THE PA LICENSURE COMPACT COMMISSION. (a) The participating states hereby create and establish a joint government agency and national administrative body known as the PA licensure compact commission. The commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in sub. (11) (a).

(b) *Membership, voting, and meetings.* 1. Each participating state shall have and be limited to one (1) delegate selected by that participating state's licensing board or, if the state has more than one licensing board, selected collectively by the participating state's licensing boards.

2. The delegate shall be either:

a. A current PA, physician or public member of a licensing board or PA council/committee; or

b. An administrator of a licensing board.

3. Any delegate may be removed or suspended from office as provided by the laws of the state from which the delegate is appointed.

4. The participating state licensing board shall fill any vacancy occurring in the commission within sixty (60) days.

5. Each delegate shall be entitled to one (1) vote on all matters voted on by the commission and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telecommunications, video conference, or other means of communication.

6. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in this compact and the bylaws.

7. The commission shall establish by rule a term of office for delegates.

(c) The commission shall have the following powers and duties:

1. Establish a code of ethics for the commission;

2. Establish the fiscal year of the commission;

3. Establish fees;

4. Establish bylaws;

5. Maintain its financial records in accordance with the bylaws;

6. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

7. Promulgate rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all participating states;

8. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;

9. Purchase and maintain insurance and bonds;

10. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a participating state;

11. Hire employees and engage contractors, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of this compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

12. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, utilize and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest;

13. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

14. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

15. Establish a budget and make expenditures;

16. Borrow money;

17. Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

18. Provide and receive information from, and cooperate with, law enforcement agencies;

19. Elect a chair, vice chair, secretary and treasurer and such other officers of the commission as provided in the commission's bylaws.

20. Reserve for itself, in addition to those reserved exclusively to the commission under the compact, powers that the executive committee may not exercise;

21. Approve or disapprove a state's participation in the compact based upon its determination as to whether the state's compact legislation departs in a material manner from the model compact language;

22. Prepare and provide to the participating states an annual report; and

23. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of PA licensure and practice.

(d) *Meetings of the commission.* 1. All meetings of the commission that are not closed pursuant to this paragraph shall be open to the public. Notice of public meet-

ings shall be posted on the commission's website at least thirty (30) days prior to the public meeting.

2. Notwithstanding subd. 1., the commission may convene a public meeting by providing at least twenty-four (24) hours prior notice on the commission's website, and any other means as provided in the commission's rules, for any of the reasons it may dispense with notice of proposed rulemaking under sub. (9) (L).

3. The commission may convene in a closed, non-public meeting or nonpublic part of a public meeting to receive legal advice or to discuss:

a. Noncompliance of a participating state with its obligations under this compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to this compact;

j. Legal advice; or

k. Matters specifically exempted from disclosure by federal or participating states' statutes.

4. If a meeting, or portion of a meeting, is closed pursuant to this provision, the chair of the meeting or the chair's designee shall certify that the meeting or portion of the meeting may be closed and shall reference each relevant exempting provision.

5. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(e) *Financing of the commission.* 1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each participating state and may impose compact privilege fees on licensees of participating states to whom a compact privilege is granted to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount levied on participating states shall be allocated based upon a formula to be determined by commission rule.

a. A compact privilege expires when the licensee's qualifying license in the participating state from which the licensee applied for the compact privilege expires.

b. If the licensee terminates the qualifying license through which the licensee applied for the compact privilege before its scheduled expiration, and the licensee has a qualifying license in another participating state, the licensee shall inform the commission that it is changing to that participating state the participating state through which it applies for a compact privilege and pay to the commission any compact privilege fee required by commission rule.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the participating states, except by and with the authority of the participating state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

(f) *The executive committee.* 1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact and commission rules.

2. The executive committee shall be composed of nine (9) members:

a. Seven voting members who are elected by the commission from the current membership of the commission;

b. One ex officio, nonvoting member from a recognized national PA professional association; and

c. One ex officio, nonvoting member from a recognized national PA certification organization.

3. The ex officio members will be selected by their respective organizations.

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4. The commission may remove any member of the executive committee as provided in its bylaws.

5. The executive committee shall meet at least annually.

6. The executive committee shall have the following duties and responsibilities:

a. Recommend to the commission changes to the commission's rules or bylaws, changes to this compact legislation, fees to be paid by compact participating states such as annual dues, and any commission compact fee charged to licensees for the compact privilege;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of participating states and provide compliance reports to the commission;

f. Establish additional committees as necessary;

g. Exercise the powers and duties of the commission during the interim between commission meetings, except for issuing proposed rule making or adopting commission rules or bylaws, or exercising any other powers and duties exclusively reserved to the commission by the commission's rules; and

h. Perform other duties as provided in the commission's rules or bylaws.

7. All meeting of the executive committee at which it votes or plans to vote on matters in exercising the powers and duties of the commission shall be open to the public and public notice of such meetings shall be given as public meetings of the commission are given.

8. The executive committee may convene in a closed, nonpublic meeting for the same reasons that the commission may convene in a nonpublic meeting as set forth in par. (d) 3. and shall announce the closed meeting as the commission is required to under par. (d) 4. and keep minutes of the closed meeting as the commission is required to under par. (d) 5.

(g) *Qualified immunity, defense, and indemnification.* 1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall

not in any way compromise or limit the immunity granted hereunder.

2. The commission shall defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

4. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses in any proceedings as authorized by commission rules.

5. Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

6. Nothing herein shall be construed to designate the venue or jurisdiction to bring actions for alleged acts of malpractice, professional misconduct, negligence, or other such civil action pertaining to the practice of a PA. All such matters shall be determined exclusively by state law other than this compact.

7. Nothing in this compact shall be interpreted to waive or otherwise abrogate a participating state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

8. Nothing in this compact shall be construed to be a waiver of sovereign immunity by the participating states or by the commission.



(8) DATA SYSTEM. (a) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated data and reporting system containing licensure, adverse action, and the reporting of the existence of significant investigative information on all licensed PAs and applicants denied a license in participating states.

(b) Notwithstanding any other state law to the contrary, a participating state shall submit a uniform data set to the data system on all PAs to whom this compact is applicable (utilizing a unique identifier) as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Any denial of application for licensure, and the reason(s) for such denial (excluding the reporting of any criminal history record information where prohibited by law);
5. The existence of significant investigative information; and
6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) Significant investigative information pertaining to a licensee in any participating state shall only be available to other participating states.

(d) The commission shall promptly notify all participating states of any adverse action taken against a licensee or an individual applying for a license that has been reported to it. This adverse action information shall be available to any other participating state.

(e) Participating states contributing information to the data system may, in accordance with state or federal law, designate information that may not be shared with the public without the express permission of the contributing state. Notwithstanding any such designation, such information shall be reported to the commission through the data system.

(f) Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the participating state contributing the information shall be removed from the data system upon reporting of such by the participating state to the commission.

(g) The records and information provided to a participating state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a participating state.

(9) RULE MAKING. (a) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Com-

mission rules shall become binding as of the date specified by the commission for each rule.

(b) The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer this compact and achieve its purposes. A commission rule shall be invalid and have not force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rule-making authority in a manner that is beyond the scope of the purposes of this compact, or the powers granted hereunder, or based upon another applicable standard of review.

(c) The rules of the commission shall have the force of law in each participating state, provided however that where the rules of the commission conflict with the laws of the participating state that establish the medical services a PA may perform in the participating state, as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

(d) If a majority of the legislatures of the participating states rejects a commission rule, by enactment of a statute or resolution in the same manner used to adopt this compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any participating state or to any state applying to participate in the compact.

(e) Commission rules shall be adopted at a regular or special meeting of the commission.

(f) Prior to promulgation and adoption of a final rule or rules by the commission, and at least thirty (30) days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rule making:

1. On the website of the commission or other publicly accessible platform; and
2. To persons who have requested notice of the commission's notices of proposed rule making, and
3. In such other way(s) as the commission may by rule specify.

(g) The notice of proposed rule making shall include:

1. The time, date, and location of the public hearing on the proposed rule and the proposed time, date and location of the meeting in which the proposed rule will be considered and voted upon;
2. The text of the proposed rule and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person and the date by which written comments must be received; and
4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing or provide any written comments.

(h) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts,

opinions, and arguments, which shall be made available to the public.

(i) If the hearing is to be held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall as directed in the notice of proposed rule making, not less than five (5) business days before the scheduled date of the hearing, notify the commission of their desire to appear and testify at the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings shall be recorded. A copy of the recording and the written comments, data, facts, opinions, and arguments received in response to the proposed rule making shall be made available to a person upon request.

4. Nothing in this subsection shall be construed as requiring a separate hearing on each proposed rule. Proposed rules may be grouped for the convenience of the commission at hearings required by this subsection.

(j) Following the public hearing the commission shall consider all written and oral comments timely received.

(k) The commission shall, by majority vote of all delegates, take final action on the proposed rule and shall determine the effective date of the rule, if adopted, based on the rule-making record and the full text of the rule.

1. If adopted, the rule shall be posted on the commission's website.

2. The commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

3. The commission shall provide on its website an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

4. The commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in par. (L), the effective date of the rule shall be no sooner than thirty (30) days after the commission issued the notice that it adopted the rule.

(L) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with twenty-four (24) hours prior notice, without the opportunity for comment, or hearing, provided that the usual rule-making procedures provided in this compact and in this subsection shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately by the commission in order to:

1. Meet an imminent threat to public health, safety, or welfare;

2. Prevent a loss of commission or participating state funds;

3. Meet a deadline for the promulgation of a commission rule that is established by federal law or rule; or

4. Protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted commission rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made as set forth in the notice of revisions and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(n) No participating state's rule-making requirements shall apply under this compact.

**(10) OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.** (a) *Oversight.* 1. The executive and judicial branches of state government in each participating state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

3. The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact or the commission's rules and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission with service of process shall render a judgment or order in such proceeding void as to the commission, this compact, or commission rules.

(b) *Default, technical assistance, and termination.*

1. If the commission determines that a participating state has defaulted in the performance of its obligations or responsibilities under this compact or the commission rules, the commission shall provide written notice to the defaulting state and other participating states. The notice shall describe the default, the proposed means of curing

the default and any other action that the commission may take and shall offer remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from this compact upon an affirmative vote of a majority of the delegates of the participating states, and all rights, privileges and benefits conferred by this compact upon such state may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of participation in this compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and to the licensing board(s) of each of the participating states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from this compact, unless agreed upon in writing between the commission and the defaulting state.

6. The defaulting state may appeal its termination from the compact by the commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

7. Upon the termination of a state's participation in the compact, the state shall immediately provide notice to all licensees within that state of such termination:

a. Licensees who have been granted a compact privilege in that state shall retain the compact privilege for one hundred eighty (180) days following the effective date of such termination.

b. Licensees who are licensed in that state who have been granted a compact privilege in a participating state shall retain the compact privilege for one hundred eighty (180) days unless the licensee also has a qualifying license in a participating state or obtains a qualifying license in a participating state before the one hundred eighty (180)-day period ends, in which case the compact privilege shall continue.

(c) *Dispute resolution.* 1. Upon request by a participating state, the commission shall attempt to resolve disputes related to this compact that arise among participating states and between participating and nonparticipating states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(d) *Enforcement.* 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions of this compact and rules of the commission.

2. If compliance is not secured after all means to secure compliance have been exhausted, by majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices, against a participating state in default to enforce compliance with the provisions of this compact and the commission's promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

(e) *Legal action against the commission.* 1. A participating state may initiate legal action against the commission in the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

2. No person other than a participating state shall enforce this compact against the commission.

**(11) DATE OF IMPLEMENTATION OF THE PA LICENSURE COMPACT COMMISSION.** (a) This compact shall come into effect on the date on which this compact statute is enacted into law in the seventh participating state.

1. On or after the effective date of the compact, the commission shall convene and review the enactment of each of the states that enacted the compact prior to the commission convening ("charter participating states") to determine if the statute enacted by each such charter participating state is materially different than the model compact.

a. A charter participating state whose enactment is found to be materially different from the model compact shall be entitled to the default process set forth in sub. (10) (b).

b. If any participating state later withdraws from the compact or its participation is terminated, the commission shall remain in existence and the compact shall remain in effect even if the number of participating states should be less than seven. Participating states enacting

the compact subsequent to the commission convening shall be subject to the process set forth in sub. (7) (c) 21. to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

2. Participating states enacting the compact subsequent to the seven initial charter participating states shall be subject to the process set forth in sub. (7) (c) 21. to determine if their enactments are materially different from the model compact and whether they qualify for participation in the compact.

3. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

(b) Any state that joins this compact shall be subject to the commission's rules and bylaws as they exist on the date on which this compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day this compact becomes law in that state.

(c) Any participating state may withdraw from this compact by enacting a statute repealing the same.

1. A participating state's withdrawal shall not take effect until one hundred eighty (180) days after enactment of the repealing statute. During this one hundred eighty (180) day-period, all compact privileges that were in effect in the withdrawing state and were granted to licensees licensed in the withdrawing state shall remain in effect. If any licensee licensed in the withdrawing state is also licensed in another participating state or obtains a license in another participating state within the one hundred eighty (180) days, the licensee's compact privileges in other participating states shall not be affected by the passage of the one hundred eighty (180) days.

2. Withdrawal shall not affect the continuing requirement of the state licensing board(s) of the withdrawing state to comply with the investigative, and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

3. Upon the enactment of a statute withdrawing a state from this compact, the state shall immediately provide notice of such withdrawal to all licensees within that state. Such withdrawing state shall continue to recognize all licenses granted pursuant to this compact for a minimum of one hundred eighty (180) days after the date of such notice of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any PA licensure agreement or other cooperative arrangement between participating states and between a participating state and nonparticipating state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the participating states. No amendment to this compact shall become effective and binding upon any participating state until it is enacted materially in the same manner into the laws of all participating states as determined by the commission.

**(12) CONSTRUCTION AND SEVERABILITY.** (a) This compact and the commission's rule-making authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rule-making authority solely for those purposes.

(b) The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any participating state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person or circumstance shall not be affected thereby.

(c) Notwithstanding par. (b) or this subsection, the commission may deny a state's participation in the compact or, in accordance with the requirements of sub. (10) (b), terminate a participating state's participation in the compact, if it determines that a constitutional requirement of a participating state is, or would be with respect to a state seeking to participate in the compact, a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any participating state, the compact shall remain in full force and effect as to the remaining participating states and in full force and effect as to the participating state affected as to all severable matters.

**(13) BINDING EFFECT OF COMPACT.** (a) Nothing herein prevents the enforcement of any other law of a participating state that is not inconsistent with this compact.

(b) Any laws in a participating state in conflict with this compact are superseded to the extent of the conflict.

(c) All agreements between the commission and the participating states are binding in accordance with their terms.

**448.9885 Implementation of the PA licensure compact.** (1) In this section:

(a) "Board" means the physician assistant affiliated credentialing board.

(b) "Compact" means the PA licensure compact under s. 448.988.

(c) "Compact privilege" means a compact privilege, as defined in s. 448.988 (2) (b), that is granted under the compact to an individual to practice in this state.

(2) The department may impose a fee for an individual to receive a compact privilege as provided in s. 448.988 (3) (b).

(3) (a) An individual who holds a compact privilege shall comply with s. 440.03 (13) (am).

(b) Subject to s. 448.988 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who holds a compact privilege in the same manner that they apply to holders of licenses issued under subch. IX.

**SECTION 233.** 449.06 (1) of the statutes is amended to read:

449.06 (1) Persons practicing optometry shall, on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), ~~register with, submit a renewal application to~~ the department, pay the applicable renewal fee determined by the department under s. 440.03 (9) (a), and provide evidence satisfactory to the examining board that he or she has complied with the rules promulgated under sub. (2m).

**SECTION 234.** 449.06 (2m) of the statutes is amended to read:

449.06 (2m) The examining board shall promulgate rules requiring a person who is issued a license to practice optometry to complete, during ~~the each~~ 2-year period within the 4-year period immediately preceding the person's renewal date ~~specified in~~ determined under s. 440.08 (2) (a), not less than 30 hours of continuing education. The rules shall include requirements that apply only to optometrists who are allowed to use topical ocular diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an appendage to the eye under s. 449.18.

**SECTION 235.** 450.04 (4) of the statutes is created to read:

450.04 (4) (a) The board may not require an applicant to pass a statutes and rules examination as a condition of licensure as a pharmacist.

(b) The board may require an applicant to affirm that the applicant has read and understands the statutes and rules that apply to the applicant's practice.

**SECTION 236.** 450.08 (1) of the statutes is amended to read:

450.08 (1) The renewal dates for all licenses and registrations granted by the board are ~~specified~~ determined under s. 440.08 (2) (a). Except as provided under sub. (2) (a), only a holder of an unexpired license or registration may engage in his or her licensed activity.

**SECTION 237.** 450.08 (2) (a) of the statutes is amended to read:

450.08 (2) (a) A pharmacist's license may be renewed by complying with continuing education requirements under s. 450.085 and paying the applicable fee determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date ~~specified~~ deter-

mined under s. 440.08 (2) (a). Notwithstanding s. 440.08 (3) (a), if a pharmacist fails to obtain renewal by that date, the board may suspend the pharmacist's license, and the board may require the pharmacist to pass an examination to the satisfaction of the board to restore that license.

**SECTION 238.** 450.08 (2) (b) of the statutes is amended to read:

450.08 (2) (b) A pharmacy, pharmacy technician's, manufacturer's, distributor's, or home medical oxygen provider's license or registration may be renewed by paying the applicable fee determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a).

**SECTION 239.** 450.085 (1) of the statutes is amended to read:

450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall submit proof that he or she has completed, within ~~the each~~ 2-year period within the 4-year period immediately preceding the date of his or her application, 30 hours of continuing education in courses conducted by a provider that is approved by the Accreditation Council for Pharmacy Education or in courses approved by the board. Courses specified in s. 450.035 (1r) and (2) are courses in continuing education for purposes of this subsection. This subsection does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the board initially granted the license.

**SECTION 240.** 450.10 (3) (a) 5. of the statutes, as affected by 2021 Wisconsin Act 251, is amended to read:

450.10 (3) (a) 5. A physician, physician assistant, podiatrist, physical therapist, physical therapist assistant, occupational therapist, occupational therapy assistant, or genetic counselor licensed under ch. 448, a physical therapist or physical therapist assistant who holds a compact privilege under subch. XI of ch. 448, ~~or an occupational therapist or occupational therapy assistant who holds a compact privilege under subch. XII of ch. 448,~~ or a physician assistant who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 241.** 450.10 (3) (a) 10. of the statutes is amended to read:

450.10 (3) (a) 10. A social worker, marriage and family therapist, or professional counselor ~~certified or licensed under ch. 457,~~ as those terms are defined under subch. I of ch. 457.

**SECTION 242.** 450.10 (3) (a) 11. of the statutes is amended to read:

450.10 (3) (a) 11. A speech-language pathologist or audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, or a speech and language pathologist licensed by the department of public instruction.

**SECTION 243.** 451.04 (4) of the statutes is amended to read:

451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a) and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 244.** 452.05 (1) (d) of the statutes is amended to read:

452.05 (1) (d) After consultation with the council on real estate curriculum and examinations, brokers and salespersons licensed under this chapter, and interested members of the public, establish continuing educational requirements that require brokers and salespersons to complete 18 hours of continuing education per 2-year period. The board shall also establish criteria for the approval of continuing educational programs and courses in real estate related subjects ~~required for renewal under s. 452.12 (5) (e).~~

**SECTION 245.** 452.10 (2) of the statutes is repealed.

**SECTION 246.** 452.12 (1) of the statutes is amended to read:

452.12 (1) EXPIRATION. A license granted by the board entitles the holder to act as a broker or salesperson, as the case may be, until the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a).

**SECTION 247.** 452.12 (5) (a) of the statutes is amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the applicable renewal fee determined by the department under s. 440.03 (9) (a) on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a). The department shall pay \$10 of each renewal fee received under this paragraph to the Board of Regents of the University of Wisconsin System for research and educational, public outreach, and grant activities under s. 36.25 (34).

**SECTION 248.** 452.12 (5) (c) of the statutes is amended to read:

452.12 (5) (c) At the time of renewal, each broker or salesperson who is an individual shall submit proof of ~~attendance at and successful completion of continuing education programs or courses approved~~ satisfying the continuing education requirements established under s. 452.05 (1) ~~(g)~~ (d).

**SECTION 249.** 452.132 (2) (c) of the statutes is amended to read:

452.132 (2) (c) Before a licensee becomes associated with the firm and at the beginning of each ~~biennial~~ 4-year licensure period, ensure that the licensee holds a valid license.

**SECTION 250.** 454.06 (8) of the statutes is amended to read:

454.06 (8) EXPIRATION AND RENEWAL. The renewal date for licenses issued under subs. (2) to (6) ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fees for such licenses are determined by the

department under s. 440.03 (9) (a). The examining board may not renew a license issued to a person under subs. (2) to (6) unless the person certifies to the examining board that the person has reviewed the current digest under s. 454.125.

**SECTION 251.** 454.08 (9) of the statutes is amended to read:

454.08 (9) The renewal date for licenses issued under this section ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 252.** 454.23 (5) of the statutes is amended to read:

454.23 (5) EXPIRATION AND RENEWAL. The renewal date for a license granted under sub. (2) ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for that license is determined by the department under s. 440.03 (9) (a). The department may not renew a license granted to a person under this section unless the person certifies to the department that the person has reviewed the current digest under s. 454.267.

**SECTION 253.** 454.25 (9) of the statutes is amended to read:

454.25 (9) The renewal date for a barbering establishment license ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for a barbering establishment license is determined by the department under s. 440.03 (9) (a).

**SECTION 254.** 455.06 (1) (a) of the statutes is amended to read:

455.06 (1) (a) Except as provided in par. (b), the renewal dates for licenses issued under this subchapter or under s. 455.04 (4), 2019 stats., ~~are specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

**SECTION 255.** 455.065 (7) of the statutes is amended to read:

455.065 (7) Grant an exemption from the continuing education requirements under this section to a psychologist who certifies to the examining board that he or she has permanently retired from the practice of psychology. A psychologist who has been granted an exemption under this subsection may not return to active practice without submitting evidence satisfactory to the examining board of having completed the required continuing education credits within the ~~2-year~~ 4-year period prior to the return to the practice of psychology.

**SECTION 256.** 456.07 (title) of the statutes is repealed and recreated to read:

**456.07 (title) Renewal.**

**SECTION 257.** 456.07 (1) and (3) of the statutes are repealed.

**SECTION 258.** 456.07 (2) of the statutes is amended to read:

456.07 (2) ~~The application for a new certificate of registration. The renewal date for a license issued under this subchapter shall be as determined under s. 440.08 (2). A renewal application shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a), a report of any facts requested by the examining board on forms provided for such purpose, and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the renewal date, the applicant has attended a continuing education program or course of study. During the time between initial licensure and commencement of a full 2-year licensure period, new licensees shall not be required to meet continuing education requirements. All registration fees are payable on or before the applicable renewal date specified under s. 440.08 (2) (a).~~

**SECTION 259.** 456.07 (5) of the statutes is amended to read:

456.07 (5) Only an individual who ~~has qualified as a~~ is licensed and registered as a nursing home administrator under this chapter and who holds a valid current registration certificate under this section for the current registration period may use the title “Nursing Home Administrator”, and the abbreviation “N.H.A.” after the person’s name. No other person may use or be designated by such title or such abbreviation or any other words, letters, sign, card or device tending to or intended to indicate that the person is a licensed and registered nursing home administrator.

**SECTION 260.** Chapter 457 (title) of the statutes is amended to read:

#### CHAPTER 457

#### MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK EXAMINING BOARD

**SECTION 261.** Subchapter I (title) of chapter 457 [precedes 457.01] of the statutes is created to read:

#### CHAPTER 457

#### SUBCHAPTER I

#### REGULATION OF MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK

**SECTION 262.** 457.01 (intro.) of the statutes is amended to read:

**457.01 Definitions.** (intro.) In this chapter ~~subchapter~~:

**SECTION 263.** 457.01 (1c) of the statutes is amended to read:

457.01 (1c) “Advanced practice social worker” means an individual who holds an advanced practice social worker certificate granted by the social worker section ~~or who is exercising a multistate authorization to practice under a master’s-category multistate license.~~

**SECTION 264.** 457.01 (1g) of the statutes is amended to read:

457.01 (1g) “Certificate holder” means an individual who is certified under this chapter ~~subchapter.~~

**SECTION 265.** 457.01 (1r) of the statutes is amended to read:

457.01 (1r) “Clinical social worker” means an individual who holds a license to practice clinical social work granted by the social worker section ~~or who is exercising a multistate authorization to practice under a clinical-category multistate license.~~

**SECTION 266.** 457.01 (1t) of the statutes is created to read:

457.01 (1t) “Counseling compact” means the counseling compact under s. 457.50.

**SECTION 267.** 457.01 (1w) of the statutes is amended to read:

457.01 (1w) “Credential” means a license ~~or~~ certificate, ~~or privilege to practice~~ granted under this chapter ~~subchapter.~~

**SECTION 268.** 457.01 (2r) of the statutes is amended to read:

457.01 (2r) “Licensee” means a person who is licensed under this chapter ~~subchapter.~~

**SECTION 269.** 457.01 (5g) of the statutes is created to read:

457.01 (5g) “Multistate authorization to practice” means the multistate authorization to practice, as defined in s. 457.70 (2) (q), of an individual to practice the appropriate category of social work in this state under a multistate license granted by another state that is a party to the social work licensure compact.

**SECTION 270.** 457.01 (5m) of the statutes is created to read:

457.01 (5m) “Multistate license” has the meaning given in s. 457.70 (2) (r).

**SECTION 271.** 457.01 (5r) of the statutes is created to read:

457.01 (5r) “Privilege to practice” has the meaning given in s. 457.50 (2) (s).

**SECTION 272.** 457.01 (7) of the statutes is amended to read:

457.01 (7) “Professional counselor” means an individual who holds a license to practice professional counseling granted by the professional counselor section ~~or who holds a valid professional counselor privilege to practice in this state.~~

**SECTION 273.** 457.01 (10) of the statutes is amended to read:

457.01 (10) “Social worker” means an individual who holds a social worker certificate granted by the social worker section ~~or who is exercising a multistate authorization to practice under a bachelor’s-category multistate license.~~

**SECTION 274.** 457.01 (12) of the statutes is created to read:

457.01 (12) “Social work licensure compact” means the social work licensure compact under s. 457.70.

**SECTION 275.** 457.02 (intro.), (1), (2), (3), (4), (5), (5m) and (6) (c) of the statutes are amended to read:

**457.02 Applicability.** (intro.) This ~~chapter~~ subchapter does not do any of the following:

(1) Require any individual to be certified or licensed under this ~~chapter~~ subchapter in order to use the title “pastoral counselor,” “investment counselor,” “vocational counselor,” “career counselor,” “alcohol and drug counselor,” “chemical dependency counselor,” or “employee assistance counselor,” or to engage in such counseling, if the individual does not use any other title or designation that represents or may tend to represent that he or she is certified or licensed under this ~~chapter~~ subchapter, and does not represent himself or herself as an individual who engages in social work, advanced practice social work, independent social work, clinical social work, marriage and family therapy, or professional counseling.

(2) Require any individual who is licensed as a school social worker or school counselor by the department of public instruction to be certified or licensed under this ~~chapter~~ subchapter in order to use the title “school social worker” or “school counselor.”

(3) Require a person who is a psychologist or a psychiatrist to be licensed under this ~~chapter~~ subchapter in order to use the title “marriage and family therapist,” “marriage and family counselor,” or “professional counselor” if the psychologist or psychiatrist does not use the term “licensed,” “certified,” or “registered” or any similar term in connection with the title “marriage and family therapist,” “marriage and family counselor,” or “professional counselor.”

(4) Authorize any individual who is certified or licensed under this ~~chapter~~ subchapter to use the title “school social worker” or “school counselor” unless the individual is licensed as a school social worker or school counselor by the department of public instruction.

(5) Authorize any individual who is certified under s. 457.08 (1), 457.09 (1), or 457.14 (1) (a) to (c) or who is exercising a multistate authorization to practice to use the title “alcohol and drug counselor” or “chemical dependency counselor” unless the individual is certified as an alcohol and drug counselor or as a chemical dependency counselor through a process recognized by the department.

(5m) Authorize any individual who is certified under s. 457.08 (1), 457.09 (1), or 457.14 (1) (a) to (c) or who is exercising a multistate authorization to practice to treat substance use disorder as a specialty unless the individual is a certified substance abuse counselor, clinical supervisor, or prevention specialist under s. 440.88, or unless the individual satisfies educational and supervised training requirements established in rules promulgated by the examining board. In promulgating rules under this subsection, the examining board shall consider the requirements for qualifying as a certified substance abuse coun-

selor, clinical supervisor, or prevention specialist under s. 440.88.

(6) (c) Provide a consultation or demonstration with an individual licensed under this ~~chapter~~ subchapter if the person providing the consultation or demonstration is licensed to practice marriage and family therapy, professional counseling, or clinical social work in another state or territory of the United States.

**SECTION 276.** 457.03 (1), (1m) and (2) of the statutes are amended to read:

457.03 (1) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing minimum standards for educational programs that must be completed for certification or licensure under this ~~chapter~~ subchapter and for supervised clinical training that must be completed for licensure as a clinical social worker, marriage and family therapist, or professional counselor under this ~~chapter~~ subchapter and approve educational programs and supervised clinical training programs in accordance with those standards.

(1m) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, and consistent with s. 457.16, promulgate rules establishing examination requirements for certification and licensure under this ~~chapter~~ subchapter.

(2) Upon the advice of the social worker section, marriage and family therapist section, and professional counselor section, promulgate rules establishing a code of ethics to govern the professional conduct of certificate holders ~~and licensees, and individuals exercising a multistate authorization to practice~~. The rules shall specify the services included within the practice of social work, advanced practice social work, or independent social work that ~~an individual who is certified under this chapter~~ as a social worker, advanced practice social worker, or independent social worker may perform and the degree of supervision, if any, required to perform those services.

**SECTION 277.** 457.033 of the statutes is amended to read:

**457.033 Psychometric testing.** The marriage and family therapy, professional counseling, and social work examining board and the psychology examining board shall jointly promulgate rules that specify the different levels of psychometric testing that an individual who is certified or licensed under this ~~chapter~~ subchapter, an individual who holds a valid professional counselor privilege to practice in this state, or an individual who is exercising a multistate authorization to practice is qualified to perform. Such rules shall be consistent with the guidelines of the American Psychological Association, or other nationally recognized guidelines, for performing psychometric testing. A certificate holder ~~or licensee,~~ holder of a professional counselor privilege to practice, or holder of a multistate license may not engage in psy-



chometric testing except as provided under the rules promulgated under this section.

**SECTION 278.** 457.035 (1) and (2) of the statutes are amended to read:

457.035 (1) The individual is licensed under this chapter as a clinical social worker, marriage and family therapist, or professional counselor.

(2) The individual is certified as an advanced practice or independent social worker and the individual engages in psychotherapy only under the supervision of an individual specified in s. 457.08 (4) (c) 1., 2., 3., or 4.

**SECTION 279.** 457.04 (1), (2), (3), (4), (5) (a) and (b), (6) and (7) of the statutes are amended to read:

457.04 (1) Use the title “social worker” unless the person is certified as a social worker under this chapter subchapter or holds a bachelor’s-category multistate license granted in another state that is a party to the social work licensure compact.

(2) Use the title “advanced practice social worker” unless the person is certified as an advanced practice social worker under this chapter subchapter or holds a master’s-category multistate license granted in another state that is a party to the social work licensure compact.

(3) Use the title “independent social worker” unless the person is certified as an independent social worker under this chapter subchapter.

(4) Practice clinical social work or designate himself or herself as a clinical social worker or use or assume the title “clinical social worker” or any other title or designation that represents or may tend to represent the person as a clinical social worker unless the person is licensed as a clinical social worker under this chapter subchapter or holds a clinical-category multistate license granted in another state that is a party to the social work licensure compact or unless the person is certified under this chapter subchapter as an advanced practice social worker or independent social worker or holds a master’s-category multistate license granted in another state that is a party to the social work licensure compact, and the person practices clinical social work under the supervision of a person who is licensed as a clinical social worker under this chapter.

(5) (a) The person is licensed as a marriage and family therapist under this chapter subchapter.

(b) The person is licensed as a clinical social worker under this chapter subchapter and initially became certified as an independent clinical social worker under ch. 457, 1999 stats., on or before May 31, 1995.

(6) Practice professional counseling or designate himself or herself as a professional counselor or use or assume the title “professional counselor,” “professional rehabilitation counselor,” “vocational rehabilitation counselor,” “rehabilitation counselor,” or any other title or designation that represents or may tend to represent the person as a professional counselor unless the person is licensed as a professional counselor under this chapter

subchapter or holds a valid professional counselor privilege to practice in this state.

(7) Practice psychotherapy ~~unless the person is licensed under this chapter or unless the person is a certificate holder who may practice psychotherapy under~~ except in accordance with the rules promulgated under ss. 457.03 and 457.035.

**SECTION 280.** 457.06 (intro.) of the statutes is amended to read:

**457.06 General requirements for certification or licensure.** (intro.) The social worker section, marriage and family therapist section, or professional counselor section may not grant any certificate or license under this chapter subchapter unless the applicant does all of the following:

**SECTION 281.** 457.08 (4m) of the statutes is created to read:

457.08 (4m) MULTISTATE SOCIAL WORK LICENSES. (a) The social worker section shall grant a clinical-category multistate license to any of the following:

1. An individual who holds or is eligible for a clinical social worker license under sub. (4), satisfies the requirements under s. 457.70 (4) (a) and (b), and pays the fee specified in s. 440.05 (1).

2. An individual who holds a clinical-category multistate license in another state that is a party to the social work licensure compact, has changed his or her state of primary domicile to this state, satisfies the requirements under s. 457.70 (7) (b), and pays the fee specified in s. 440.05 (1).

(b) The social worker section shall grant a master’s-category multistate license to any of the following:

1. An individual who holds or is eligible for an advanced practice social worker certificate under sub. (2), satisfies the requirements under s. 457.70 (4) (a) and (c), and pays the fee specified in s. 440.05 (1).

2. An individual who holds a master’s-category multistate license in another state that is a party to the social work licensure compact, has changed his or her state of primary domicile to this state, satisfies the requirements under s. 457.70 (7) (b), and pays the fee specified in s. 440.05 (1).

(c) The social worker section shall grant a bachelor’s-category multistate license to any of the following:

1. An individual who holds or is eligible for a social worker certificate under sub. (1), satisfies the requirements under s. 457.70 (4) (a) and (d), and pays the fee specified in s. 440.05 (1).

2. An individual who holds a bachelor’s-category multistate license in another state that is a party to the social work licensure compact, has changed his or her state of primary domicile to this state, satisfies the requirements under s. 457.70 (7) (b) and pays the fee specified in s. 440.05 (1).

**SECTION 282.** 457.09 (2) (b) and (4) (b) 1. and 2. of the statutes are amended to read:

457.09 (2) (b) A social worker training certificate holder is a social worker certified under this ~~chapter subchapter~~ for purposes of any law governing social workers certified under this ~~chapter subchapter~~.

(4) (b) 1. A human services internship that involves direct practice with clients and that is supervised by a social worker ~~certified under this chapter~~ who has a bachelor's or master's degree in social work.

2. One year of social work employment that involves direct practice with clients and that is supervised by a social worker ~~certified under this chapter~~ who has a bachelor's or master's degree in social work.

**SECTION 283.** 457.12 (title) of the statutes is amended to read:

**457.12 (title) Professional counselor license; privilege to practice.**

**SECTION 284.** 457.12 of the statutes is renumbered 457.12 (1m), and 457.12 (1m) (intro.), (a), (b), (c) (intro.), 1. d. and 2. d. and (d), as renumbered, are amended to read:

457.12 (1m) LICENSE. (intro.) The professional counselor section shall, ~~subject to sub. (4m)~~, grant a professional counselor license to any individual ~~who does to whom~~ all of the following apply:

(a) ~~Satisfies~~ The individual satisfies the requirements in s. 457.06.

(b) ~~Submits~~ The individual submits evidence satisfactory to the professional counselor section that he or she has received a master's or doctorate degree in professional counseling or its equivalent from a program approved by the professional counselor section.

(c) (intro.) ~~Submits~~ The individual submits evidence satisfactory to the professional counselor section that he or she has done any of the following:

1. d. An individual, other than an individual specified in subd. 1., ~~2., or 3.~~ a., b., or c., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the professional counselor section.

2. d. An individual, other than an individual specified in subd. 1., ~~2., or 3.~~ a., b., or c., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the professional counselor section.

(d) ~~Passes~~ The individual passes one or more examinations under s. 457.16 approved by the professional counselor section to determine minimum competence to practice professional counseling.

**SECTION 285.** 457.12 (1m) (bm) and (2m) to (4m) of the statutes are created to read:

457.12 (1m) (bm) The individual does not, subject to ss. 111.321, 111.322, and 111.335, have a conviction record.

(2m) LICENSE BASED UPON PRIVILEGE TO PRACTICE.

The professional counselor section shall grant a professional counselor license to any individual to whom all of the following apply:

(a) The individual satisfies the requirements in s. 457.06.

(b) The individual holds a home state license in another state that is a party to the counseling compact, has changed his or her primary state of residence to this state, and satisfies all other requirements under s. 457.50 (5).

(bm) The individual does not, subject to ss. 111.321, 111.322, and 111.335, have a conviction record.

(d) The individual passes an examination described under s. 457.16 (1) (b), if required.

(3m) PRIVILEGE TO PRACTICE. The professional counselor section shall grant a professional counselor privilege to practice to any individual to whom all of the following apply:

(a) The individual holds an unencumbered home state license in another state that is a party to the counseling compact and satisfies all other requirements under s. 457.50 (4).

(b) The individual applies for the privilege to practice in the manner prescribed by the department.

(c) The individual pays any fee established by the department under s. 457.51 (2).

(d) The individual passes an examination described under s. 457.16 (1) (b), if required.

(4m) TYPES OF LICENSE. (a) A professional counselor license granted under sub. (1m) may be either of the following:

1. A license that, subject to s. 457.50 (4), entitles the holder to obtain and exercise a privilege to practice in other states that are parties to the counseling compact.

2. A single-state license, which only entitles the holder to practice in this state. Nothing in the counseling compact applies to the holder of a single-state license unless otherwise applicable under this subchapter.

(b) When applying for a license under sub. (1m), an individual shall specify whether he or she is applying for a license under par. (a) 1. or 2.

**SECTION 286.** 457.125 of the statutes is created to read:

**457.125 Professional counselor statutes and rules examination.** (1) The examining board may not require an applicant for a license to practice as a professional counselor to pass a statutes and rules examination as a condition of receiving an initial license or a license renewal.

(2) The examining board may require an applicant for a license to practice as a professional counselor to affirm that the applicant has read and understands the statutes and rules that apply to the applicant's practice.

**SECTION 287.** 457.13 (1) (c) of the statutes is amended to read:

457.13 (1) (c) Satisfies the requirements in s. 457.12 (2) (1m) (b).

**SECTION 288.** 457.14 (1) (f) of the statutes is amended to read:

457.14 (1) (f) Satisfies the requirements under s. 457.12 (1) to (3) (1m) (a) to (c) and has submitted an application to take the next available examination for licensure under s. 457.12 (4) (1m) (d).

**SECTION 289.** 457.15 (3) of the statutes is amended to read:

457.15 (3) Upon application and payment of the fee specified in s. 440.05 (2), the professional counselor section may grant a professional counselor license to any individual who holds a similar certificate or license in another state or territory of the United States and who passes an examination approved by the professional counselor section that tests knowledge of state law relating to professional counseling, if the professional counselor section determines that the requirements for obtaining the certificate or license in the other state or territory are substantially equivalent to the requirements under s. 457.12 (1m).

**SECTION 290.** 457.16 (1) of the statutes is renumbered 457.16 (1) (a).

**SECTION 291.** 457.16 (1) (b) of the statutes is created to read:

457.16 (1) (b) The professional counselor section may, in accordance with par. (a), arrange for an examination that tests an applicant's knowledge of state law relating to the practice of professional counseling in accordance with s. 457.51 (3), if such an examination is required for applicants for licensure under s. 457.12 (1m).

**SECTION 292.** 457.18 of the statutes is created to read:

**457.18 Practice under counseling compact.** An individual who holds a valid privilege to practice in this state may, subject to s. 457.51 (4), do any of the following:

(1) Practice professional counseling in this state, subject to s. 457.50 (4).

(2) Practice professional counseling in this state via telehealth, as defined in s. 457.50 (2) (y), subject to s. 457.50 (7).

**SECTION 293.** 457.20 (1) and (2) of the statutes are amended to read:

457.20 (1) The department shall issue a certificate of certification or licensure to each individual who is certified or licensed under this ~~chapter subchapter~~.

(2) The renewal dates for certificates and licenses granted under this ~~chapter subchapter~~, other than training certificates and licenses or temporary certificates or licenses, are specified under s. 440.08 (2) (a).

**SECTION 294.** 457.20 (2) of the statutes, as affected by 2023 Wisconsin Act .... (this act), is amended to read:

457.20 (2) The renewal dates for certificates and licenses granted under this subchapter, other than training certificates and licenses or temporary certificates or

licenses, ~~are specified~~ shall be as determined under s. 440.08 (2) (a).

**SECTION 295.** 457.22 (2) of the statutes is amended to read:

457.22 (2) The rules promulgated under sub. (1) may not require an individual to complete more than 30 hours of continuing education programs or courses of study per 2-year period in order to qualify for renewal. The appropriate section of the examining board may waive all or part of the requirements established in rules promulgated under this section if it determines that prolonged illness, disability, or other exceptional circumstances have prevented the individual from completing the requirements.

**SECTION 296.** 457.24 (1) of the statutes is amended to read:

457.24 (1) Except as provided in sub. (2), a ~~person licensed as a~~ clinical social worker, marriage and family therapist, or professional counselor ~~under this chapter~~ may not practice clinical social work, marriage and family therapy, or professional counseling unless he or she has in effect professional liability insurance. The examining board shall promulgate rules establishing the minimum amount of insurance required under this subsection.

**SECTION 297.** 457.25 (1) of the statutes is renumbered 457.25 (1r).

**SECTION 298.** 457.25 (1g) of the statutes is created to read:

457.25 (1g) In this section, "credential holder" also includes an individual practicing under a multistate authorization to practice.

**SECTION 299.** 457.26 (1) and (2) (intro.) and (h) of the statutes are amended to read:

457.26 (1) Subject to the rules promulgated under s. 440.03 (1), the appropriate section of the examining board may make investigations and conduct hearings to determine whether a violation of this ~~chapter subchapter~~ or any rule promulgated under this ~~chapter subchapter~~ has occurred.

(2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the appropriate section of the examining board may reprimand a credential holder or an individual practicing under a multistate authorization to practice or deny, limit, suspend, or revoke a credential under this ~~chapter subchapter~~ or a multistate authorization to practice if it finds that the ~~applicant or credential holder individual~~ has done any of the following:

(h) Violated this ~~chapter subchapter~~ or any rule promulgated under this ~~chapter subchapter~~.

**SECTION 300.** Subchapter II of chapter 457 [precedes 457.50] of the statutes is created to read:

#### CHAPTER 457

#### SUBCHAPTER II

#### COUNSELING COMPACT

**457.50 Counseling compact. (1) PURPOSE.** The purpose of this compact is to facilitate interstate practice of

licensed professional counselors with the goal of improving public access to professional counseling services. The practice of professional counseling occurs in the state where the client is located at the time of the counseling services. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure. This compact is designed to achieve the following objectives:

(a) Increase public access to professional counseling services by providing for the mutual recognition of other member state licenses;

(b) Enhance the states' ability to protect the public's health and safety;

(c) Encourage the cooperation of member states in regulating multistate practice for licensed professional counselors;

(d) Support spouses of relocating active duty military personnel;

(e) Enhance the exchange of licensure, investigative, and disciplinary information among member states;

(f) Allow for the use of telehealth technology to facilitate increased access to professional counseling services;

(g) Support the uniformity of professional counseling licensure requirements throughout the states to promote public safety and public health benefits;

(h) Invest all member states with the authority to hold a licensed professional counselor accountable for meeting all state practice laws in the state in which the client is located at the time care is rendered through the mutual recognition of member state licenses;

(i) Eliminate the necessity for licenses in multiple states; and

(j) Provide opportunities for interstate practice by licensed professional counselors who meet uniform licensure requirements.

(2) DEFINITIONS. As used in this section, and except as otherwise provided, the following definitions apply:

(a) "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 USC chs. 1209 and 1211.

(b) "Adverse action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against a licensed professional counselor, including actions against an individual's license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a licensed professional counselor's authorization to practice, including issuance of a cease and desist action.

(c) "Alternative program" means a nondisciplinary monitoring or practice remediation process approved by

a professional counseling licensing board to address impaired practitioners.

(d) "Continuing competence/education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

(e) "Counseling compact commission" or "commission" means the national administrative body whose membership consists of all states that have enacted the compact.

(f) "Current significant investigative information" means any of the following:

1. Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for the licensed professional counselor to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction; or

2. Investigative information that indicates that the licensed professional counselor represents an immediate threat to public health and safety regardless of whether the licensed professional counselor has been notified and had an opportunity to respond.

(g) "Data system" means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, privilege to practice and adverse action information.

(h) "Encumbered license" means a license in which an adverse action restricts the practice of licensed professional counseling by the licensee and said adverse action has been reported to the national practitioners data bank (NPDB).

(i) "Encumbrance" means a revocation or suspension of, or any limitation on, the full and unrestricted practice of licensed professional counseling by a licensing board.

(j) "Executive committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(k) "Home state" means the member state that is the licensee's primary state of residence.

(L) "Impaired practitioner" means an individual who has a condition(s) that may impair their ability to practice as a licensed professional counselor without some type of intervention and may include, but is not limited to, alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(m) "Investigative information" means information, records, and documents received or generated by a professional counseling licensing board pursuant to an investigation.

(n) "Jurisprudence requirement" if required by a member state, means the assessment of an individual's knowledge of the laws and rules governing the practice of professional counseling in a state.

(o) “Licensed professional counselor” means a counselor licensed by a member state, regardless of the title used by that state, to independently assess, diagnose, and treat behavioral health conditions.

(p) “Licensee” means an individual who currently holds an authorization from the state to practice as a licensed professional counselor.

(q) “Licensing board” means the agency of a state, or equivalent, that is responsible for the licensing and regulation of licensed professional counselors.

(r) “Member state” means a state that has enacted the compact.

(s) “Privilege to practice” means a legal authorization, which is equivalent to a license, permitting the practice of professional counseling in a remote state.

(t) “Professional counseling” means the assessment, diagnosis, and treatment of behavioral health conditions by a licensed professional counselor.

(u) “Remote state” means a member state other than the home state, where a licensee is exercising or seeking to exercise the privilege to practice.

(v) “Rule” means a regulation promulgated by the commission that has the force of law.

(w) “Single state license” means a licensed professional counselor license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

(x) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of professional counseling.

(y) “Telehealth” means the application of telecommunication technology to deliver professional counseling services remotely to assess, diagnose, and treat behavioral health conditions.

(z) “Unencumbered license” means a license that authorizes a licensed professional counselor to engage in the full and unrestricted practice of professional counseling.

(3) STATE PARTICIPATION IN THE COMPACT. (a) To participate in the compact, a state must currently:

1. License and regulate licensed professional counselors.

2. Require licensees to pass a nationally recognized exam approved by the commission.

3. Require licensees to have a 60 semester-hour (or 90 quarter-hour) master’s degree in counseling or 60 semester-hours (or 90 quarter-hours) of graduate course work including the following topic areas:

a. Professional counseling orientation and ethical practice;

b. Social and cultural diversity;

c. Human growth and development;

d. Career development;

e. Counseling and helping relationships;

f. Group counseling and group work;

g. Diagnosis and treatment; assessment and testing;

h. Research and program evaluation; and

i. Other areas as determined by the commission.

4. Require licensees to complete a supervised post-graduate professional experience as defined by the commission.

5. Have a mechanism in place for receiving and investigating complaints about licensees.

(b) A member state shall:

1. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

2. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of investigative information regarding a licensee;

3. Implement or utilize procedures for considering the criminal history records of applicants for an initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state’s criminal records;

a. A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the federal bureau of investigation record search and shall use the results in making licensure decisions.

b. Communication between a member state, the commission and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the federal bureau of investigation relating to a federal criminal records check performed by a member state under P. L. 92–544.

4. Comply with the rules of the commission;

5. Require an applicant to obtain or retain a license in the home state and meet the home state’s qualifications for licensure or renewal of licensure, as well as all other applicable state laws;

6. Grant the privilege to practice to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the compact and rules; and

7. Provide for the attendance of the state’s commissioner to the counseling compact commission meetings.

(c) Member states may charge a fee for granting the privilege to practice.

(d) Individuals not residing in a member state shall continue to be able to apply for a member state’s single state license as provided under the laws of each member state. However, the single state license granted to these individuals shall not be recognized as granting a privilege to practice professional counseling in any other member state.

(e) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

(f) A license issued to a licensed professional counselor by a home state to a resident in that state shall be recognized by each member state as authorizing a licensed professional counselor to practice professional counseling, under a privilege to practice, in each member state.

(4) PRIVILEGE TO PRACTICE. (a) To exercise the privilege to practice under the terms and provisions of the compact, the licensee shall:

1. Hold a license in the home state;
2. Have a valid United States social security number or national practitioner identifier;
3. Be eligible for a privilege to practice in any member state in accordance with pars. (d), (g), and (h);
4. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years;
5. Notify the commission that the licensee is seeking the privilege to practice within a remote state(s);
6. Pay any applicable fees, including any state fee, for the privilege to practice;
7. Meet any continuing competence/education requirements established by the home state;
8. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a privilege to practice; and
9. Report to the commission any adverse action, encumbrance, or restriction on license taken by any non-member state within 30 days from the date the action is taken.

(b) The privilege to practice is valid until the expiration date of the home state license. The licensee must comply with the requirements of par. (a) to maintain the privilege to practice in the remote state.

(c) A licensee providing professional counseling in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

(d) A licensee providing professional counseling services in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's privilege to practice in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a privilege to practice in any member state until the specific time for removal has passed and all fines are paid.

(e) If a home state license is encumbered, the licensee shall lose the privilege to practice in any remote state until the following occur:

1. The home state license is no longer encumbered; and

2. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years.

(f) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of par. (a) to obtain a privilege to practice in any remote state.

(g) If a licensee's privilege to practice in any remote state is removed, the individual may lose the privilege to practice in all other remote states until the following occur:

1. The specific period of time for which the privilege to practice was removed has ended;
2. All fines have been paid; and
3. Have not had any encumbrance or restriction against any license or privilege to practice within the previous 2 years.

(h) Once the requirements of par. (g) have been met, the licensee must meet the requirements in par. (a) to obtain a privilege to practice in a remote state.

(5) OBTAINING A NEW HOME STATE LICENSE BASED ON A PRIVILEGE TO PRACTICE. (a) A licensed professional counselor may hold a home state license, which allows for a privilege to practice in other member states, in only one member state at a time.

(b) If a licensed professional counselor changes primary state of residence by moving between 2 member states:

1. The licensed professional counselor shall file an application for obtaining a new home state license based on a privilege to practice, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the commission.

2. Upon receipt of an application for obtaining a new home state license by virtue of a privilege to practice, the new home state shall verify that the licensed professional counselor meets the pertinent criteria outlined in sub. (4) via the data system, without need for primary source verification except for:

a. A federal bureau of investigation fingerprint based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with P. L. 92-544;

b. Other criminal background check as required by the new home state; and

c. Completion of any requisite jurisprudence requirements of the new home state.

3. The former home state shall convert the former home state license into a privilege to practice once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission.

4. Notwithstanding any other provision of this compact, if the licensed professional counselor cannot meet

the criteria in sub. (4), the new home state may apply its requirements for issuing a new single state license.

5. The licensed professional counselor shall pay all applicable fees to the new home state in order to be issued a new home state license.

(c) If a licensed professional counselor changes primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, the state criteria shall apply for issuance of a single state license in the new state.

(d) Nothing in this compact shall interfere with a licensee's ability to hold a single state license in multiple states, however for the purposes of this compact, a licensee shall have only one home state license.

(e) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

**(6) ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES.** Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state, or through the process outlined in sub. (5).

**(7) COMPACT PRIVILEGE TO PRACTICE TELEHEALTH.** (a) Member states shall recognize the right of a licensed professional counselor, licensed by a home state in accordance with sub. (3) and under rules promulgated by the commission, to practice professional counseling in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission.

(b) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations of the remote state.

**(8) ADVERSE ACTIONS.** (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against a licensed professional counselor's privilege to practice within that member state; and

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by

the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against a licensed professional counselor's license issued by the home state.

(b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(c) The home state shall complete any pending investigations of a licensed professional counselor who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

(d) A member state, if otherwise permitted by state law, may recover from the affected licensed professional counselor the costs of investigations and dispositions of cases resulting from any adverse action taken against that licensed professional counselor.

(e) A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking the adverse action.

(f) Joint investigations:

1. In addition to the authority granted to a member state by its respective professional counseling practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(g) If adverse action is taken by the home state against the license of a licensed professional counselor, the licensed professional counselor's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against the license of a licensed professional counselor shall include a statement that the licensed professional counselor's privilege to practice is deactivated in all member states during the pendency of the order.

(h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

(i) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

(9) ESTABLISHMENT OF COUNSELING COMPACT COMMISSION. (a) The compact member states hereby create and establish a joint public agency known as the counseling compact commission:

1. The commission is an instrumentality of the compact states.

2. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) *Membership, voting, and meetings.* 1. Each member state shall have and be limited to one delegate selected by that member state's licensing board.

2. The delegate shall be either:

a. A current member of the licensing board at the time of appointment, who is a licensed professional counselor or public member; or

b. An administrator of the licensing board.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state licensing board shall fill any vacancy occurring on the commission within 60 days.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

8. The commission shall by rule establish a term of office for delegates and may by rule establish term limits.

(c) The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission;

2. Establish bylaws;

3. Maintain its financial records in accordance with the bylaws;

4. Meet and take such actions as are consistent with the provisions of this compact and the bylaws;

5. Promulgate rules which shall be binding to the extent and in the manner provided for in the compact;

6. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing

of any state licensing board to sue or be sued under applicable law shall not be affected;

7. Purchase and maintain insurance and bonds;

8. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

9. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

10. Accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest;

11. Lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety;

12. Sell convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

13. Establish a budget and make expenditures;

14. Borrow money;

15. Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

16. Provide and receive information from, and cooperate with, law enforcement agencies;

17. Establish and elect an executive committee; and

18. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of professional counseling licensure and practice.

(d) *The executive committee.* 1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

2. The executive committee shall be composed of up to 11 members:

a. Seven voting members who are elected by the commission from the current membership of the commission; and

b. Up to 4 ex officio, nonvoting members from 4 recognized national professional counselor organizations.

c. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive committee as provided in bylaws.

4. The executive committee shall meet at least annually.



5. The executive committee shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the privilege to practice;

b. Ensure compact administration services are appropriately provided, contractual or otherwise;

c. Prepare and recommend the budget;

d. Maintain financial records on behalf of the commission;

e. Monitor compact compliance of member states and provide compliance reports to the commission;

f. Establish additional committees as necessary; and

g. Other duties as provided in rules or bylaws.

(e) *Meetings of the commission.* 1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rule-making provisions in sub. (11).

2. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

a. Noncompliance of a member state with its obligations under the compact;

b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

c. Current, threatened, or reasonably anticipated litigation;

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

e. Accusing any person of a crime or formally censuring any person;

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(f) *Financing of the commission.* 1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(g) *Qualified immunity, defense, and indemnification.* 1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit and/or liability for any damage,

loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

**(10) DATA SYSTEM.** (a) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

(b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or privilege to practice;
4. Nonconfidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Current significant investigative information; and
7. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) Investigative information pertaining to a licensee in any member state will only be available to other member states.

(d) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action

information pertaining to a licensee in any member state will be available to any other member state.

(e) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(f) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

**(11) RULE MAKING.** (a) The commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purpose of the compact. Notwithstanding the foregoing, in the event the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force or effect.

(b) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(c) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within 4 years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(d) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(e) Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rule making:

1. On the website of the commission or other publicly accessible platform; and
2. On the website of each member state professional counseling licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(f) The notice of proposed rule making shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;
2. The text of the proposed rule or amendment and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person; and
4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(g) Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

(h) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least 25 persons;
2. A state or federal governmental subdivision or agency; or
3. An association having at least 25 members.

(i) If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this subsection shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this subsection.

(j) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(k) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(L) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

(m) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rule-making procedures provided in the compact and in this subsection shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or member state funds;
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
4. Protect public health and safety.

(n) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

**(12) OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.** (a) 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(b) If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the commission; and
2. Provide remedial training and specific technical assistance regarding the default.

(c) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the gover-

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nor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

(e) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(f) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(g) The defaulting state may appeal the action of the commission by petitioning the U.S. district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

(h) 1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and non-member states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(i) 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

**(13) DATE OF IMPLEMENTATION OF THE COUNSELING COMPACT COMMISSION AND ASSOCIATED RULES, WITHDRAWAL, AND AMENDMENT.** (a) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rule-making powers necessary to the implementation and administration of the compact.

(b) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previ-

ously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until 6 months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's professional counseling licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any professional counseling licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

**(14) CONSTRUCTION AND SEVERABILITY.** This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**(15) BINDING EFFECT OF COMPACT AND OTHER LAWS.**

(a) A licensee providing professional counseling services in a remote state under the privilege to practice shall adhere to the laws and regulations, including scope of practice, of the remote state.

(b) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(c) Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(d) Any lawful actions of the commission, including all rules and bylaws properly promulgated by the commission, are binding upon the member states.

(e) All permissible agreements between the commission and the member states are binding in accordance with their terms.

(f) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the

extent of the conflict with the constitutional provision in question in that member state.

**457.51 Implementation of the counseling compact.** (1) In this section:

(a) “Examining board” means the marriage and family therapy, professional counseling, and social work examining board.

(b) “Privilege to practice” has the meaning given in s. 457.50 (2) (s).

(c) “Professional counselor section” means the professional counselor section of the examining board.

(2) The department may impose a fee for an individual to receive a privilege to practice as provided in s. 457.50 (3) (c).

(3) The professional counselor section may, by rule, require an individual applying for a license under s. 457.12 (2m) or an individual seeking a privilege to practice under s. 457.12 (3m) to meet a jurisprudence requirement in accordance with s. 457.50 (4) (a) 8., if such a requirement is imposed by the professional counselor section under s. 457.16 in order to obtain a license under s. 457.12 (1m).

(4) (a) An individual who is exercising the privilege to practice in this state shall comply with s. 440.03 (13) (am).

(b) Subject to s. 457.50 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who is exercising the privilege to practice in this state in the same manner that they apply to holders of licenses issued under subch. I.

**SECTION 301.** Subchapter III of chapter 457 [precedes 457.70] of the statutes is created to read:

#### CHAPTER 457

##### SUBCHAPTER III

##### SOCIAL WORK LICENSURE COMPACT

**457.70 Social work licensure compact.** (1) **PURPOSE.** The purpose of this compact is to facilitate interstate practice of regulated social workers by improving public access to competent social work services. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure. This compact is designed to achieve the following objectives:

- (a) Increase public access to social work services;
- (b) Reduce overly burdensome and duplicative requirements associated with holding multiple licenses;
- (c) Enhance the member states’ ability to protect the public’s health and safety;
- (d) Encourage the cooperation of member states in regulating multistate practice;
- (e) Promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple states by providing for the mutual recognition of other member state licenses;
- (f) Support military families;

(g) Facilitate the exchange of licensure and disciplinary information among member states;

(h) Authorize all member states to hold a regulated social worker accountable for abiding by a member state’s laws, regulations, and applicable professional standards in the member state in which the client is located at the time care is rendered; and

(i) Allow for the use of telehealth to facilitate increased access to regulated social work services.

(2) **DEFINITIONS.** AS used in this compact, and except as otherwise provided, the following definitions shall apply:

(a) “Active military member” means any individual with full-time duty status in the active armed forces of the United States including members of the national guard and reserve.

(b) “Adverse action” means any administrative, civil, equitable or criminal action permitted by a state’s laws which is imposed by a licensing authority or other authority against a regulated social worker, including actions against an individual’s license or multistate authorization to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee’s practice, or any other encumbrance on licensure affecting a regulated social worker’s authorization to practice, including issuance of a cease and desist action.

(c) “Alternative program” means a nondisciplinary monitoring or practice remediation process approved by a licensing authority to address practitioners with an impairment.

(d) “Charter member states” – member states who have enacted legislation to adopt this compact where such legislation predates the effective date of this compact as described in sub. (14).

(e) “Compact commission” or “commission” means the government agency whose membership consists of all states that have enacted this compact, which is known as the social work licensure compact commission, as described in sub. (10), and which shall operate as an instrumentality of the member states.

(f) “Current significant investigative information” means:

1. Investigative information that a licensing authority, after a preliminary inquiry that includes notification and an opportunity for the regulated social worker to respond has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction as may be defined by the commission; or

2. Investigative information that indicates that the regulated social worker represents an immediate threat to public health and safety, as may be defined by the commission, regardless of whether the regulated social worker has been notified and has had an opportunity to respond.

(g) “Data system” means a repository of information about licensees, including, continuing education, exami-

nation, licensure, current significant investigative information, disqualifying event, multistate license(s) and adverse action information or other information as required by the commission.

(h) “Disqualifying event” means any adverse action or incident which results in an encumbrance that disqualifies or makes the licensee ineligible to either obtain, retain or renew a multistate license.

(i) “Domicile” means the jurisdiction in which the licensee resides and intends to remain indefinitely.

(j) “Encumbrance” means a revocation or suspension of, or any limitation on, the full and unrestricted practice of social work licensed and regulated by a licensing authority.

(k) “Executive committee” means a group of delegates elected or appointed to act on behalf of, and within the powers granted to them by, the compact and commission.

(L) “Home state” means the member state that is the licensee’s primary domicile.

(m) “Impairment” means a condition(s) that may impair a practitioner’s ability to engage in full and unrestricted practice as a regulated social worker without some type of intervention and may include alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(n) “Licensee(s)” means an individual who currently holds a license from a state to practice as a regulated social worker.

(o) “Licensing authority” means the board or agency of a member state, or equivalent, that is responsible for the licensing and regulation of regulated social workers.

(p) “Member state” means a state, commonwealth, district, or territory of the United States of America that has enacted this compact.

(q) “Multistate authorization to practice” means a legally authorized privilege to practice, which is equivalent to a license, associated with a multistate license permitting the practice of social work in a remote state.

(r) “Multistate license” means a license to practice as a regulated social worker issued by a home state licensing authority that authorizes the regulated social worker to practice in all member states under multistate authorization to practice.

(s) “Qualifying national exam” means a national licensing examination approved by the commission.

(t) “Regulated social worker” means any clinical, master’s or bachelor’s social worker licensed by a member state regardless of the title used by that member state.

(u) “Remote state” means a member state other than the licensee’s home state.

(v) “Rule(s)” or “rule(s) of the commission” means a regulation or regulations duly promulgated by the commission, as authorized by the compact, that has the force of law.

(w) “Single state license” means a social work license issued by any state that authorizes practice only within the issuing state and does not include multistate authorization to practice in any member state.

(x) “Social work” or “social work services” means the application of social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities through the care and services provided by a regulated social worker as set forth in the member state’s statutes and regulations in the state where the services are being provided.

(y) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of social work.

(z) “Unencumbered license” means a license that authorizes a regulated social worker to engage in the full and unrestricted practice of social work.

**(3) STATE PARTICIPATION IN THE COMPACT.** (a) To be eligible to participate in the compact, a potential member state must currently meet all of the following criteria:

1. License and regulate the practice of social work at either the clinical, master’s, or bachelor’s category.

2. Require applicants for licensure to graduate from a program that is:

a. Operated by a college or university recognized by the licensing authority;

b. Accredited, or in candidacy by an institution that subsequently becomes accredited, by an accrediting agency recognized by either the Council for Higher Education Accreditation, or its successor; or the United States department of education; and

c. Corresponds to the licensure sought as outlined in sub. (4).

3. Require applicants for clinical licensure to complete a period of supervised practice.

4. Have a mechanism in place for receiving, investigating, and adjudicating complaints about licensees.

(b) To maintain membership in the compact a member state shall:

1. Require that applicants for a multistate license pass a qualifying national exam for the corresponding category of multistate license sought as outlined in sub. (4).

2. Participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

3. Notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of current significant investigative information regarding a licensee;

4. Implement procedures for considering the criminal history records of applicants for a multistate license. Such procedures shall include the submission of fingerprints or other biometric-based information by appli-

cants for the purpose of obtaining an applicant's criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state's criminal records.

5. Comply with the rules of the commission;

6. Require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable home state laws;

7. Authorize a licensee holding a multistate license in any member state to practice in accordance with the terms of the compact and rules of the commission; and

8. Designate a delegate to participate in the commission meetings.

(c) A member state meeting the requirements of pars.

(a) and (b) shall designate the categories of social work licensure that are eligible for issuance of a multistate license for applicants in such member state. To the extent that any member state does not meet the requirements for participation in the compact at any particular category of social work licensure, such member state may choose, but is not obligated to, issue a multistate license to applicants that otherwise meet the requirements of sub. (4) for issuance of a multistate license in such category or categories of licensure.

(d) The home state may charge a fee for granting the multistate license.

**(4) SOCIAL WORKER PARTICIPATION IN THE COMPACT.**

(a) To be eligible for a multistate license under the terms and provisions of the compact, an applicant, regardless of category must:

1. Hold or be eligible for an active, unencumbered license in the home state;

2. Pay any applicable fees, including any state fee, for the multistate license;

3. Submit, in connection with an application for a multistate license, fingerprints or other biometric data for the purpose of obtaining criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state's criminal records.

4. Notify the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member state or nonmember state within 30 days from the date the action is taken.

5. Meet any continuing competence requirements established by the home state;

6. Abide by the laws, regulations, and applicable standards in the member state where the client is located at the time care is rendered.

(b) An applicant for a clinical–category multistate license must meet all of the following requirements:

1. Fulfill a competency requirement, which shall be satisfied by either:

a. Passage of a clinical–category qualifying national exam; or

b. Licensure of the applicant in their home state at the clinical category, beginning prior to such time as a qualifying national exam was required by the home state and accompanied by a period of continuous social work licensure thereafter, all of which may be further governed by the rules of the commission; or

c. The substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

2. Attain at least a master's degree in social work from a program that is:

a. Operated by a college or university recognized by the licensing authority; and

b. Accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either the Council for Higher Education Accreditation or its successor; or the United States department of education.

3. Fulfill a practice requirement, which shall be satisfied by demonstrating completion of either:

a. A period of postgraduate supervised clinical practice equal to a minimum of three thousand hours; or

b. A minimum of 2 years of full–time postgraduate supervised clinical practice; or

c. The substantial equivalency of the foregoing practice requirements which the commission may determine by rule.

(c) An applicant for a master's–category multistate license must meet all of the following requirements:

1. Fulfill a competency requirement, which shall be satisfied by either:

a. Passage of a masters–category qualifying national exam;

b. Licensure of the applicant in their home state at the master's category, beginning prior to such time as a qualifying national exam was required by the home state at the master's category and accompanied by a continuous period of social work licensure thereafter, all of which may be further governed by the rules of the commission; or

c. The substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

2. Attain at least a master's degree in social work from a program that is:

a. Operated by a college or university recognized by the licensing authority; and

b. Accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either the Council for Higher Education Accreditation or its successor; or the United States department of education.

(d) An applicant for a bachelor's–category multistate license must meet all of the following requirements:

1. Fulfill a competency requirement, which shall be satisfied by either:

a. Passage of a bachelor's–category qualifying national exam;

b. Licensure of the applicant in their home state at the bachelor's category, beginning prior to such time as a qualifying national exam was required by the home state and accompanied by a period of continuous social work licensure thereafter, all of which may be further governed by the rules of the commission; or

c. The substantial equivalency of the foregoing competency requirements which the commission may determine by rule.

2. Attain at least a bachelor's degree in social work from a program that is:

a. Operated by a college or university recognized by the licensing authority; and

b. Accredited, or in candidacy that subsequently becomes accredited, by an accrediting agency recognized by either the Council for Higher Education Accreditation or its successor; or the United States department of education.

(e) The multistate license for a regulated social worker is subject to the renewal requirements of the home state. The regulated social worker must maintain compliance with the requirements of par. (a) to be eligible to renew a multistate license.

(f) The regulated social worker's services in a remote state are subject to that member state's regulatory authority. A remote state may, in accordance with due process and that member state's laws, remove a regulated social worker's multistate authorization to practice in the remote state for a specific period of time, impose fines, and take any other necessary actions to protect the health and safety of its citizens.

(g) If a multistate license is encumbered, the regulated social worker's multistate authorization to practice shall be deactivated in all remote states until the multistate license is no longer encumbered.

(h) If a multistate authorization to practice is encumbered in a remote state, the regulated social worker's multistate authorization to practice may be deactivated in that state until the multistate authorization to practice is no longer encumbered.

(5) ISSUANCE OF A MULTISTATE LICENSE. (a) Upon receipt of an application for multistate license, the home state licensing authority shall determine the applicant's eligibility for a multistate license in accordance with sub. (4).

(b) If such applicant is eligible pursuant to sub. (4), the home state licensing authority shall issue a multistate license that authorizes the applicant or regulated social worker to practice in all member states under a multistate authorization to practice.

(c) Upon issuance of a multistate license, the home state licensing authority shall designate whether the regulated social worker holds a multistate license in the bachelor's, master's, or clinical category of social work.

(d) A multistate license issued by a home state to a resident in that state shall be recognized by all compact member states as authorizing social work practice under a multistate authorization to practice corresponding to each category of licensure regulated in each member state.

(6) AUTHORITY OF INTERSTATE COMPACT COMMISSION AND MEMBER STATE LICENSING AUTHORITIES. (a) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a member state to enact and enforce laws, regulations, or other rules related to the practice of social work in that state, where those laws, regulations, or other rules are not inconsistent with the provisions of this compact.

(b) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

(c) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a member state to take adverse action against a licensee's single state license to practice social work in that state.

(d) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a remote state to take adverse action against a licensee's multistate authorization to practice in that state.

(e) Nothing in this compact, nor any rule of the commission, shall be construed to limit, restrict, or in any way reduce the ability of a licensee's home state to take adverse action against a licensee's multistate license based upon information provided by a remote state.

(7) REISSUANCE OF A MULTISTATE LICENSE BY A NEW HOME STATE. (a) A licensee can hold a multistate license, issued by their home state, in only one member state at any given time.

(b) If a licensee changes their home state by moving between 2 member states:

1. The licensee shall immediately apply for the reissuance of their multistate license in their new home state. The licensee shall pay all applicable fees and notify the prior home state in accordance with the rules of the commission.

2. Upon receipt of an application to reissue a multistate license, the new home state shall verify that the multistate license is active, unencumbered and eligible for reissuance under the terms of the compact and the rules of the commission. The multistate license issued by the prior home state will be deactivated and all member states notified in accordance with the applicable rules adopted by the commission.

3. Prior to the reissuance of the multistate license, the new home state shall conduct procedures for considering the criminal history records of the licensee. Such procedures shall include the submission of fingerprints or other biometric–based information by applicants for the pur-



pose of obtaining an applicant's criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state's criminal records.

4. If required for initial licensure, the new home state may require completion of jurisprudence requirements in the new home state.

5. Notwithstanding any other provision of this compact, if a licensee does not meet the requirements set forth in this compact for the reissuance of a multistate license by the new home state, then the licensee shall be subject to the new home state requirements for the issuance of a single state license in that state.

(c) If a licensee changes their primary state of residence by moving from a member state to a nonmember state, or from a nonmember state to a member state, then the licensee shall be subject to the state requirements for the issuance of a single state license in the new home state.

(d) Nothing in this compact shall interfere with a licensee's ability to hold a single state license in multiple states; however, for the purposes of this compact, a licensee shall have only one home state, and only one multistate license.

(e) Nothing in this compact shall interfere with the requirements established by a member state for the issuance of a single state license.

**(8) MILITARY FAMILIES.** An active military member or their spouse shall designate a home state where the individual has a multistate license. The individual may retain their home state designation during the period the service member is on active duty.

**(9) ADVERSE ACTIONS.** (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against a regulated social worker's multistate authorization to practice only within that member state, and issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing authority in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing licensing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

2. Only the home state shall have the power to take adverse action against a regulated social worker's multistate license.

(b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported

conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(c) The home state shall complete any pending investigations of a regulated social worker who changes their home state during the course of the investigations. The home state shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the data system shall promptly notify the new home state of any adverse actions.

(d) A member state, if otherwise permitted by state law, may recover from the affected regulated social worker the costs of investigations and dispositions of cases resulting from any adverse action taken against that regulated social worker.

(e) A member state may take adverse action based on the factual findings of another member state, provided that the member state follows its own procedures for taking the adverse action.

(f) *Joint investigations.* 1. In addition to the authority granted to a member state by its respective social work practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(g) If adverse action is taken by the home state against the multistate license of a regulated social worker, the regulated social worker's multistate authorization to practice in all other member states shall be deactivated until all encumbrances have been removed from the multistate license. All home state disciplinary orders that impose adverse action against the license of a regulated social worker shall include a statement that the regulated social worker's multistate authorization to practice is deactivated in all member states until all conditions of the decision, order or agreement are satisfied.

(h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state and all other member states of any adverse actions by remote states.

(i) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

(j) Nothing in this compact shall authorize a member state to demand the issuance of subpoenas for attendance and testimony of witnesses or the production of evidence from another member state for lawful actions within that member state.

(k) Nothing in this compact shall authorize a member state to impose discipline against a regulated social

worker who holds a multistate authorization to practice for lawful actions within another member state.

(10) ESTABLISHMENT OF SOCIAL WORK LICENSURE COMPACT COMMISSION. (a) The compact member states hereby create and establish a joint government agency whose membership consists of all member states that have enacted the compact known as the social work licensure compact commission. The commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in sub. (14).

(b) 1. Each member state shall have and be limited to one (1) delegate selected by that member state's state licensing authority.

2. The delegate shall be either:

a. A current member of the state licensing authority at the time of appointment, who is a regulated social worker or public member of the state licensing authority; or

b. An administrator of the state licensing authority or their designee.

3. The commission shall by rule or bylaw establish a term of office for delegates and may by rule or bylaw establish term limits.

4. The commission may recommend removal or suspension any delegate from office.

5. A member state's state licensing authority shall fill any vacancy of its delegate occurring on the commission within 60 days of the vacancy.

6. Each delegate shall be entitled to one vote on all matters before the commission requiring a vote by commission delegates.

7. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates to meet by telecommunication, video-conference, or other means of communication.

8. The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, video conference or other similar electronic means.

(c) The commission shall have the following powers:

1. Establish the fiscal year of the commission;

2. Establish code of conduct and conflict of interest policies;

3. Establish and amend rules and bylaws;

4. Maintain its financial records in accordance with the bylaws;

5. Meet and take such actions as are consistent with the provisions of this compact, the commission's rules, and the bylaws;

6. Initiate and conclude legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;

7. Maintain and certify records and information provided to a member state as the authenticated business records of the commission, and designate an agent to do so on the commission's behalf;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

10. Conduct an annual financial review;

11. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

12. Assess and collect fees;

13. Accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest;

14. Lease, purchase, retain, own, hold, improve, or use any property, real, personal, or mixed, or any undivided interest therein;

15. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

16. Establish a budget and make expenditures;

17. Borrow money;

18. Appoint committees, including standing committees, composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

19. Provide and receive information from, and cooperate with, law enforcement agencies;

20. Establish and elect an executive committee, including a chair and a vice chair;

21. Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact; and

22. Perform such other functions as may be necessary or appropriate to achieve the purposes of this compact.

(d) 1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee shall include:

a. Oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its rules and bylaws, and other such duties as deemed necessary;

b. Recommend to the commission changes to the rules or bylaws, changes to this compact legislation, fees

charged to compact member states, fees charged to licensees, and other fees;

- c. Ensure compact administration services are appropriately provided, including by contract;
- d. Prepare and recommend the budget;
- e. Maintain financial records on behalf of the commission;
- f. Monitor compact compliance of member states and provide compliance reports to the commission;
- g. Establish additional committees as necessary;
- h. Exercise the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rule or bylaw; and

i. Other duties as provided in the rules or bylaws of the commission.

2. The executive committee shall be composed of up to eleven (11) members:

- a. The chair and vice chair of the commission shall be voting members of the executive committee; and
- b. The commission shall elect five voting members from the current membership of the commission.
- c. Up to four (4) ex officio, nonvoting members from four (4) recognized national social work organizations.
- d. The ex officio members will be selected by their respective organizations.

3. The commission may remove any member of the executive committee as provided in the commission's bylaws.

4. The executive committee shall meet at least annually.

a. Executive committee meetings shall be open to the public, except that the executive committee may meet in a closed, nonpublic meeting as provided in par. (f) 2. below.

b. The executive committee shall give seven (7) days' notice of its meetings, posted on its website and as determined to provide notice to persons with an interest in the business of the commission.

c. The executive committee may hold a special meeting in accordance with par. (f) 1. b. below.

(e) The commission shall adopt and provide to the member states an annual report.

(f) 1. All meetings shall be open to the public, except that the commission may meet in a closed, nonpublic meeting as provided in par. (f) 2. below.

a. Public notice for all meetings of the full commission of meetings shall be given in the same manner as required under the rule-making provisions in sub. (12), except that the commission may hold a special meeting as provided in par. (f) 1. b. below.

b. The commission may hold a special meeting when it must meet to conduct emergency business by giving 48 hours' notice to all commissioners, on the commission's

website, and other means as provided in the commission's rules. The commission's legal counsel shall certify that the commission's need to meet qualifies as an emergency.

2. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting for the commission or executive committee or other committees of the commission to receive legal advice or to discuss:

- a. Noncompliance of a member state with its obligations under the compact;
- b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees;
- c. Current or threatened discipline of a licensee by the commission or by a member state's licensing authority;
- d. Current, threatened, or reasonably anticipated litigation;
- e. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
- f. Accusing any person of a crime or formally censuring any person;
- g. Trade secrets or commercial or financial information that is privileged or confidential;
- h. Information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- i. Investigative records compiled for law enforcement purposes;
- j. Information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;
- k. Matters specifically exempted from disclosure by federal or member state law; or
- L. Other matters as promulgated by the Commission by Rule.

3. If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

4. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(g) 1. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The commission may accept any and all appropriate revenue sources as provided in par. (c) 13.

3. The commission may levy on and collect an annual assessment from each member state and impose fees on licensees of member states to whom it grants a multistate license to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for member states shall be allocated based upon a formula that the commission shall promulgate by rule.

4. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be subject to an annual financial review by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

(h) 1. The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall not in any way compromise or limit the immunity granted hereunder.

2. The commission shall defend any member, officer, executive director, employee, and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that

the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

4. Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

5. Nothing in this compact shall be interpreted to waive or otherwise abrogate a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

6. Nothing in this compact shall be construed to be a waiver of sovereign immunity by the member states or by the commission.

(11) DATA SYSTEM. (a) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated data system.

(b) The commission shall assign each applicant for a multistate license a unique identifier, as determined by the rules of the commission.

(c) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license and information related thereto;
4. Nonconfidential information related to alternative program participation, the beginning and ending dates of such participation, and other information related to such participation not made confidential under member state law;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. The presence of current significant investigative information; and
7. Other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission.

(d) The records and information provided to a member state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a member state.

(e) Current significant investigative information pertaining to a licensee in any member state will only be available to other member states.

1. It is the responsibility of the member states to report any adverse action against a licensee and to monitor the database to determine whether adverse action has been taken against a licensee. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(f) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(g) Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the member state contributing the information shall be removed from the data system.

**(12) RULE MAKING.** (a) The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the compact. A rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rule-making authority in a manner that is beyond the scope and purposes of the compact, or the powers granted hereunder, or based upon another applicable standard of review.

(b) The rules of the commission shall have the force of law in each member state, provided however that where the rules of the commission conflict with the laws of the member state that establish the member state's laws, regulations, and applicable standards that govern the practice of social work as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

(c) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Rules shall become binding on the day following adoption or the date specified in the rule or amendment, whichever is later.

(d) If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(e) Rules shall be adopted at a regular or special meeting of the commission.

(f) Prior to adoption of a proposed rule, the commission shall hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments.

(g) Prior to adoption of a proposed rule by the commission, and at least thirty (30) days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission shall provide a notice of proposed rule making:

1. On the website of the commission or other publicly accessible platform;

2. To persons who have requested notice of the commission's notices of proposed rule making, and

3. In such other way(s) as the commission may by rule specify.

(h) The notice of proposed rule making shall include:

1. The time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule;

2. If the hearing is held via telecommunication, video conference, or other electronic means, the commission shall include the mechanism for access to the hearing in the notice of proposed rule making;

3. The text of the proposed rule and the reason therefor;

4. A request for comments on the proposed rule from any interested person; and

5. The manner in which interested persons may submit written comments.

(i) All hearings will be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule shall be available to the public.

(j) Nothing in this subsection shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this subsection.

(k) The commission shall, by majority vote of all members, take final action on the proposed rule based on the rule-making record and the full text of the rule.

1. The commission may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule.

2. The commission shall provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters.

3. The commission shall determine a reasonable effective date for the rule. Except for an emergency as provided in par. (L), the effective date of the rule shall be no sooner than 30 days after issuing the notice that it adopted or amended the rule.

(L) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule

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with 48 hours' notice, with opportunity to comment, provided that the usual rule-making procedures provided in the compact and in this subsection shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or member state funds;
3. Meet a deadline for the promulgation of a rule that is established by federal law or rule; or
4. Protect public health and safety.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(n) No member state's rule-making requirements shall apply under this compact.

**(13) OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.** (a) 1. The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

2. Except as otherwise provided in this compact, venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

3. The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(b) 1. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall provide written notice to the defaulting state. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the commission may take, and shall offer training and specific technical assistance regarding the default.

2. The commission shall provide a copy of the notice of default to the other member states.

(c) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(d) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority and each of the member states' state licensing authority.

(e) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(f) Upon the termination of a state's membership from this compact, that state shall immediately provide notice to all licensees within that state of such termination. The terminated state shall continue to recognize all licenses granted pursuant to this compact for a minimum of six (6) months after the date of said notice of termination.

(g) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(h) The defaulting state may appeal the action of the commission by petitioning the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

(i) 1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(j) 1. By majority vote as provided by rule, the commission may initiate legal action against a member state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting member state's law.

2. A member state may initiate legal action against the commission in the U.S. District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. No person other than a member state shall enforce this compact against the commission.

**(14) EFFECTIVE DATE, WITHDRAWAL, AND AMENDMENT.**

(a) The compact shall come into effect on the date on which the compact statute is enacted into law in the seventh member state.

1. On or after the effective date of the compact, the commission shall convene and review the enactment of each of the first seven member states ("charter member states") to determine if the statute enacted by each such charter member state is materially different than the model compact statute.

a. A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in sub. (13).

b. If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than seven.

2. Member states enacting the compact subsequent to the seven initial charter member states shall be subject to the process set forth in sub. (10) (c) 21. to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

3. All actions taken for the benefit of the commission or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact or

the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

4. Any state that joins the compact subsequent to the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(b) Any member state may withdraw from this compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until 180 days after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

3. Upon the enactment of a statute withdrawing from this compact, a state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing state shall continue to recognize all licenses granted pursuant to this compact for a minimum of 180 days after the date of such notice of withdrawal.

(c) Nothing contained in this compact shall be construed to invalidate or prevent any licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(d) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

**(15) CONSTRUCTION AND SEVERABILITY.** (a) This compact and the commission's rule-making authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rule-making authority solely for those purposes.

(b) The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person or circumstance shall not be affected thereby.

(c) Notwithstanding par. (b), the commission may deny a state's participation in the compact or, in accordance with the requirements of sub. (13) (b), terminate a member state's participation in the compact, if it determines that a constitutional requirement of a member state is a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**(16) CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS.** (a) A licensee providing services in a remote state under a multistate authorization to practice shall adhere to the laws and regulations, including laws, regulations, and applicable standards, of the remote state where the client is located at the time care is rendered.

(b) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

(c) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

(d) All permissible agreements between the commission and the member states are binding in accordance with their terms.

**457.71 Implementation of the social work licensure compact.** (1) In this section, "multistate authorization to practice" has the meaning given in s. 457.70 (2) (q).

(2) (a) An individual who is exercising the multistate authorization to practice in this state shall comply with s. 440.03 (13) (am).

(b) Subject to s. 457.70 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who is exercising the multistate authorization to practice in this state in the same manner that they apply to holders of certificates or licenses issued under subch. I.

**SECTION 302.** 458.085 (3) of the statutes is amended to read:

458.085 (3) Continuing education requirements for renewal of certificates issued under this subchapter. The rules shall require the completion of 28 class hours of continuing education per 2-year period, subject to s. 458.09 (3) and other exceptions as the department may prescribe.

**SECTION 303.** 458.09 (3) of the statutes is amended to read:

458.09 (3) The number of hours of attendance at and completion of continuing education programs or courses of study required under the rules promulgated under s. 458.085 (3) shall be reduced by one hour for each hour of attendance at and completion of, within the ~~2 years immediately preceding the date on which the renewal application is submitted~~ applicable 2-year period, con-

tinuing education programs or courses of study that the applicant has attended and completed in order to continue to qualify for employment as an assessor and that the department determines is substantially equivalent to attendance at and completion of continuing education programs or courses of study for certified general appraisers, certified residential appraisers or licensed appraisers, as appropriate.

**SECTION 304.** 458.11 of the statutes is amended to read:

**458.11 Expiration and renewal.** Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) ~~(a)~~ and shall include the applicable renewal fee determined by the department under s. 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the individual's appraiser license without payment of the renewal fee for the appraiser license or completion of any additional continuing education requirements that would otherwise be required for renewal of the appraiser license. Renewal applications shall be accompanied by proof of completion of the continuing education requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless the holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable educational requirements specified in rules promulgated under s. 458.085 (1) and the department may not renew a certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the holder of the certificate submits evidence satisfactory to the department that he or she has successfully completed the applicable education and experience requirements specified in rules promulgated under s. 458.085 (1) and (2).

**SECTION 305.** 458.13 of the statutes is amended to read:

**458.13 Continuing education requirements.** At the time of renewal of a certificate issued under this subchapter, each applicant shall submit proof that, ~~within the 2 years immediately preceding the date on which the renewal application is submitted,~~ he or she has satisfied the continuing education requirements specified in the rules promulgated under s. 458.085 (3).

**SECTION 306.** 458.33 (5) of the statutes is amended to read:

458.33 (5) RENEWALS. A licensed appraisal management company shall submit a renewal application, along with the applicable renewal fee determined by the department under s. 440.03 (9) (a), but not to exceed \$2,000, to the department on a form prescribed by the department by the applicable renewal date ~~specified~~ determined



under s. 440.08 (2) (a). A renewal under this subsection is subject to sub. (4).

**SECTION 307.** 459.09 (1) (intro.) of the statutes is amended to read:

459.09 (1) (intro.) Each person issued a license under this subchapter shall, on or before the applicable renewal date ~~specified~~ determined under s. 440.08 (2) (a), do all of the following:

**SECTION 308.** 459.09 (1) (b) of the statutes is amended to read:

459.09 (1) (b) Submit with the renewal application proof that he or she completed, within ~~the 2 years~~ each 2-year period within the 4-year period immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved or required under rules promulgated under s. 459.095. This paragraph does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the examining board initially granted the license.

**SECTION 309.** 459.20 (2k) of the statutes is created to read:

459.20 (2k) “Compact” means the audiology and speech–language pathology interstate compact.

**SECTION 310.** 459.20 (2m) of the statutes is created to read:

459.20 (2m) “Compact privilege” means a compact privilege, as defined in s. 459.70 (2) (h), that is granted under the audiology and speech–language pathology interstate compact under s. 459.70 to an individual to practice in this state.

**SECTION 311.** 459.20 (3v) of the statutes is created to read:

459.20 (3v) “Single–state license” has the meaning given in s. 459.70 (2) (t).

**SECTION 312.** 459.22 (2) (b) of the statutes is amended to read:

459.22 (2) (b) Authorize a speech–language pathologist who is licensed under this subchapter or who holds a valid compact privilege to dispense or sell hearing aids without obtaining a hearing instrument specialist license under subch. I.

**SECTION 313.** 459.24 (1) (a) of the statutes is amended to read:

459.24 (1) (a) Engage in the practice of speech–language pathology or use the title “speech–language pathologist” or any similar title unless the person holds a current speech–language pathologist license granted by the examining board under sub. (2) or (6) (a) or holds a valid compact privilege.

**SECTION 314.** 459.24 (1) (b) of the statutes is amended to read:

459.24 (1) (b) Engage in the practice of audiology or use the title “audiologist,” “clinical audiologist,” or any similar title unless the person holds a current audiologist

license granted by the examining board under sub. (3) or (6) (b) or holds a valid compact privilege.

**SECTION 315.** 459.24 (3c) of the statutes is created to read:

459.24 (3c) TYPES OF LICENSES. (a) A license granted under sub. (2) or (3) may be either of the following:

1. A license that, subject to s. 459.70 (4), entitles the holder to obtain and exercise a compact privilege in other states that are parties to the compact.

2. A single–state license, which only entitles the holder to practice in this state. Nothing in the compact applies to the holder of a single–state license unless otherwise applicable under this subchapter.

(b) When applying for a license under sub. (2) or (3), an individual shall specify whether he or she is applying for a license under par. (a) 1. or 2.

**SECTION 316.** 459.24 (3e) of the statutes is created to read:

459.24 (3e) COMPACT PRIVILEGE. The examining board shall grant to any individual to whom all of the following apply an audiologist or speech–language pathologist, whichever is applicable, compact privilege:

(a) The individual holds an unencumbered home state license in another state that is a party to the compact and satisfies all other requirements under s. 459.70 (4).

(b) The individual applies for the compact privilege in the manner prescribed by the department.

(c) The individual pays any fee established by the department under s. 459.71 (2).

**SECTION 317.** 459.24 (3m) of the statutes is renumbered 459.30 (2), and 459.30 (2) (intro.) and (a), as renumbered, are amended to read:

459.30 (2) FITTING AND SALE OF HEARING AIDS. (intro.) An audiologist licensed under this subchapter, an audiologist who holds a valid compact privilege, or an individual granted a permit to practice audiology under this subchapter who engages in the practice of fitting and dealing in hearing aids shall do all of the following:

(a) Deliver to each person supplied with a hearing aid a receipt. The receipt shall contain the signature and show the business address, license or permit title, and number of the licensee, compact privilege holder, or permittee, together with specifications as to the make and model of the hearing aid and full terms of sale clearly stated. If a hearing aid that is not new is sold, the receipt and the container must be clearly marked as “used” or “reconditioned”, whichever is applicable. The terms of the guarantee, if there is any given, shall be set out in not less than 8–point type.

**SECTION 318.** 459.24 (5) (intro.) of the statutes is amended to read:

459.24 (5) EXPIRATION AND RENEWAL. (intro.) The renewal dates for licenses granted under this subchapter, other than temporary licenses granted under sub. (6), are specified shall be as determined under in s. 440.08 (2) (a).

Renewal applications shall be submitted to the department on a form provided by the department and shall include all of the following:

**SECTION 319.** 459.24 (5) (b) of the statutes is amended to read:

459.24 (5) (b) Proof that the applicant completed, within ~~the 2 years each 2-year period within the 4-year period~~ immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved or required under rules promulgated under sub. (5m). This paragraph does not apply to an applicant for renewal of a license that expires on the first renewal date after the date on which the examining board initially granted the license.

**SECTION 320.** 459.30 of the statutes is created to read:

**459.30 Practice. (1) PRACTICE UNDER COMPACT.** (a) *Audiology.* An individual who holds a valid audiologist compact privilege may, subject to s. 459.71 (3), do any of the following:

1. Practice audiology in this state, subject to s. 459.70 (4).
2. Practice audiology in this state via telehealth, as defined in s. 459.70 (2) (y), subject to s. 459.70 (5).

(b) *Speech–language pathology.* An individual who holds a valid speech–language pathologist compact privilege may, subject to s. 459.71 (3), do any of the following:

1. Practice speech–language pathology in this state, subject to s. 459.70 (4).
2. Practice speech–language pathology in this state via telehealth, as defined in s. 459.70 (2) (y), subject to s. 459.70 (5).

**SECTION 321.** 459.34 (2) (intro.) of the statutes is amended to read:

459.34 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the examining board may reprimand a licensee, compact privilege holder, or permittee or deny, limit, suspend, or revoke a license or permit under this subchapter or a compact privilege if it finds that the applicant, licensee, compact privilege holder, or permittee has done any of the following:

**SECTION 322.** 459.34 (2m) (a) (intro.) of the statutes is amended to read:

459.34 (2m) (a) (intro.) An individual whose license, compact privilege, or limited permit is limited by the examining board under this subchapter may continue to practice under the license, compact privilege, or permit if the individual does all of the following:

**SECTION 323.** 459.34 (2m) (b) of the statutes is amended to read:

459.34 (2m) (b) The examining board may, as a condition of removing a limitation on a license, compact privilege, or limited permit issued under this subchapter or of reinstating a license, compact privilege, or limited permit that has been suspended or revoked under this subchapter, require the licensee, compact privilege, or per-

mit holder to obtain minimum results specified by the examining board on one or more physical, mental, or professional competency examinations if the examining board determines that obtaining the minimum results is related to correcting one or more of the bases upon which the limitation, suspension, or revocation was imposed.

**SECTION 324.** 459.34 (2m) (c) of the statutes is amended to read:

459.34 (2m) (c) The examining board may, as a condition of reinstating a license or compact privilege that has been suspended under this subchapter, require the licensee or compact privilege holder to pass an examination required for initial licensure under s. 459.26 (2).

**SECTION 325.** 459.34 (3) of the statutes is amended to read:

459.34 (3) In addition to or in lieu of a reprimand or denial, limitation, suspension, or revocation of a license, compact privilege, or permit under sub. (2), the examining board may assess against an applicant, licensee, compact privilege holder, or permittee a forfeiture of not less than \$100 nor more than \$2,500 for each violation enumerated under sub. (2).

**SECTION 326.** Subchapter III of chapter 459 [precedes 459.70] of the statutes is created to read:

## CHAPTER 459

### SUBCHAPTER III

#### AUDIOLOGY AND SPEECH–LANGUAGE PATHOLOGY INTERSTATE COMPACT

**459.70 Audiology and speech–language pathology interstate compact. (1) PURPOSE.** (a) The purpose of this compact is to facilitate interstate practice of audiology and speech–language pathology with the goal of improving public access to audiology and speech–language pathology services. The practice of audiology and speech–language pathology occurs in the state where the patient/client/student is located at the time of the patient/client/student encounter. The compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

(b) This compact is designed to achieve all of the following objectives:

1. Increase public access to audiology and speech–language pathology services by providing for the mutual recognition of other member state licenses.
2. Enhance the states' ability to protect the public's health and safety.
3. Encourage the cooperation of member states in regulating multistate audiology and speech–language pathology practice.
4. Support spouses of relocating active duty military personnel.
5. Enhance the exchange of licensure, investigative, and disciplinary information between member states.
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards.

7. Allow for the use of telehealth technology to facilitate increased access to audiology and speech–language pathology services.

(2) DEFINITIONS. As used in this compact, and except as otherwise provided, the following definitions shall apply:

(a) “Active duty military” means full–time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC 1209 and 1211.

(b) “Adverse action” means any administrative, civil, equitable, or criminal action permitted by a state’s laws which is imposed by a licensing board or other authority against an audiologist or speech–language pathologist, including actions against an individual’s license or privilege to practice such as revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee’s practice.

(c) “Alternative program” means a nondisciplinary monitoring process approved by an audiology or speech–language pathology licensing board to address impaired practitioners.

(d) “Audiologist” means an individual who is licensed by a state to practice audiology.

(e) “Audiology” means the care and services provided by a licensed audiologist as set forth in the member state’s statutes and rules.

(f) “Audiology and speech–language pathology compact commission” or “commission” means the national administrative body whose membership consists of all states that have enacted the compact.

(g) “Audiology and speech–language pathology licensing board,” “audiology licensing board,” “speech–language pathology licensing board,” or “licensing board” means the agency of a state that is responsible for the licensing and regulation of audiologists and/or speech–language pathologists.

(h) “Compact privilege” means the authorization granted by a remote state to allow a licensee from another member state to practice as an audiologist or speech–language pathologist in the remote state under its laws and rules. The practice of audiology or speech–language pathology occurs in the member state where the patient/client/student is located at the time of the patient/client/student encounter.

(i) “Current significant investigative information” means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the audiologist or speech–language pathologist to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

(j) “Data system” means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, investigative, compact privilege, and adverse action.

(k) “Encumbered license” means a license in which an adverse action restricts the practice of audiology or speech–language pathology by the licensee and said adverse action has been reported to the National Practitioners Data Bank (NPDB).

(L) “Executive committee” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the commission.

(m) “Home state” means the member state that is the licensee’s primary state of residence.

(n) “Impaired practitioner” means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health–related conditions.

(o) “Licensee” means an individual who currently holds an authorization from the state licensing board to practice as an audiologist or speech–language pathologist.

(p) “Member state” means a state that has enacted the compact.

(q) “Privilege to practice” means a legal authorization permitting the practice of audiology or speech–language pathology in a remote state.

(r) “Remote state” means a member state other than the home state where a licensee is exercising or seeking to exercise the compact privilege.

(s) “Rule” means a regulation, principle, or directive promulgated by the commission that has the force of law.

(t) “Single–state license” means an audiology or speech–language pathology license issued by a member state that authorizes practice only within the issuing state and does not include a privilege to practice in any other member state.

(u) “Speech–language pathologist” means an individual who is licensed by a state to practice speech–language pathology.

(v) “Speech–language pathology” means the care and services provided by a licensed speech–language pathologist as set forth in the member state’s statutes and rules.

(w) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of audiology and speech–language pathology.

(x) “State practice laws” means a member state’s laws, rules, and regulations that govern the practice of audiology or speech–language pathology, define the scope of audiology or speech–language pathology practice, and create the methods and grounds for imposing discipline.

(y) “Telehealth” means the application of telecommunication technology to deliver audiology or speech–language pathology services at a distance for assessment, intervention, and/or consultation.

(3) STATE PARTICIPATION IN THE COMPACT. (a) A license issued to an audiologist or speech–language pathologist by a home state to a resident in that state shall

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be recognized by each member state as authorizing an audiologist or speech–language pathologist to practice audiology or speech–language pathology, under a privilege to practice, in each member state.

(b) 1. A state must implement or utilize procedures for considering the criminal history records of applicants for initial privilege to practice. These procedures shall include the submission of fingerprints or other biometric–based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the federal bureau of investigation and the agency responsible for retaining that state’s criminal records.

2. A member state must fully implement a criminal background check requirement, within a time frame established by rule, by receiving the results of the federal bureau of investigation record search on criminal background checks and use the results in making licensure decisions.

3. Communication between a member state, the commission, and among member states regarding the verification of eligibility for licensure through the compact shall not include any information received from the federal bureau of investigation relating to a federal criminal records check performed by a member state under P.L. 92–544.

(c) Upon application for a privilege to practice, the licensing board in the issuing remote state shall ascertain, through the data system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on any license or privilege to practice held by the applicant, and whether any adverse action has been taken against any license or privilege to practice held by the applicant.

(d) Each member state shall require an applicant to obtain or retain a license in the home state and meet the home state’s qualifications for licensure or renewal of licensure, as well as, all other applicable state laws.

(e) For an audiologist:

1. Must meet one of the following educational requirements:

a. On or before, December 31, 2007, has graduated with a master’s degree or doctorate in audiology, or equivalent degree regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the U.S. department of education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board.

b. On or after, January 1, 2008, has graduated with a doctoral degree in audiology, or equivalent degree, regardless of degree name, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the U.S. department of education and operated by a

college or university accredited by a regional or national accrediting organization recognized by the board.

c. Has graduated from an audiology program that is housed in an institution of higher education outside of the United States for which the program and institution have been approved by the authorized accrediting body in the applicable country and the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board–approved program.

2. Has completed a supervised clinical practicum experience from an accredited educational institution or its cooperating programs as required by the commission.

3. Has successfully passed a national examination approved by the commission.

4. Holds an active, unencumbered license.

5. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of audiology, under applicable state or federal criminal law.

6. Has a valid U.S. social security or national practitioner identification number.

(f) For a speech–language pathologist:

1. Must meet one of the following educational requirements:

a. Has graduated with a master’s degree from a speech–language pathology program that is accredited by an organization recognized by the U.S. department of education and operated by a college or university accredited by a regional or national accrediting organization recognized by the board.

b. Has graduated from a speech–language pathology program that is housed in an institution of higher education outside of the United States for which the program and institution have been approved by the authorized accrediting body in the applicable country and the degree program has been verified by an independent credentials review agency to be comparable to a state licensing board–approved program.

2. Has completed a supervised clinical practicum experience from an educational institution or its cooperating programs as required by the commission.

3. Has completed a supervised postgraduate professional experience as required by the commission.

4. Has successfully passed a national examination approved by the commission.

5. Holds an active, unencumbered license.

6. Has not been convicted or found guilty, and has not entered into an agreed disposition, of a felony related to the practice of speech–language pathology, under applicable state or federal criminal law.

7. Has a valid U.S. social security or national practitioner identification number.

(g) The privilege to practice is derived from the home state license.

(h) An audiologist or speech–language pathologist practicing in a member state must comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of audiology and speech–language pathology shall include all audiology and speech–language pathology practice as defined by the state practice laws of the member state in which the client is located. The practice of audiology and speech–language pathology in a member state under a privilege to practice shall subject an audiologist or speech–language pathologist to the jurisdiction of the licensing board, the courts, and the laws of the member state in which the client is located at the time service is provided.

(i) Individuals not residing in a member state shall continue to be able to apply for a member state’s single–state license as provided under the laws of each member state. However, the single–state license granted to these individuals shall not be recognized as granting the privilege to practice audiology or speech–language pathology in any other member state. Nothing in this compact shall affect the requirements established by a member state for the issuance of a single–state license.

(j) Member states may charge a fee for granting a compact privilege.

(k) Member states must comply with the bylaws and rules and regulations of the commission.

**(4) COMPACT PRIVILEGE.** (a) To exercise the compact privilege under the terms and provisions of the compact, the audiologist or speech–language pathologist shall:

1. Hold an active license in the home state.
2. Have no encumbrance on any state license.
3. Be eligible for a compact privilege in any member state in accordance with sub. (3).
4. Have not had any adverse action against any license or compact privilege within the previous 2 years from date of application.
5. Notify the commission that the licensee is seeking the compact privilege within a remote state.
6. Pay any applicable fees, including any state fee, for the compact privilege.
7. Report to the commission adverse action taken by any nonmember state within 30 days from the date the adverse action is taken.

(b) For the purposes of the compact privilege, an audiologist or speech–language pathologist shall only hold one home state license at a time.

(c) Except as provided in sub. (6), if an audiologist or speech–language pathologist changes primary state of residence by moving between 2 member states, the audiologist or speech–language pathologist must apply for licensure in the new home state, and the license issued by the prior home state shall be deactivated in accordance with applicable rules adopted by the commission.

(d) The audiologist or speech–language pathologist may apply for licensure in advance of a change in primary state of residence.

(e) A license shall not be issued by the new home state until the audiologist or speech–language pathologist provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a license from the new home state.

(f) If an audiologist or speech–language pathologist changes primary state of residence by moving from a member state to a nonmember state, the license issued by the prior home state shall convert to a single–state license, valid only in the former home state.

(g) The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of par. (a) to maintain the compact privilege in the remote state.

(h) A licensee providing audiology or speech–language pathology services in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

(i) A licensee providing audiology or speech–language pathology services in a remote state is subject to that state’s regulatory authority. A remote state may, in accordance with due process and that state’s laws, remove a licensee’s compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens.

(j) If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until all of the following occur:

1. The home state license is no longer encumbered.
2. Two years have elapsed from the date of the adverse action.

(k) Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of par. (a) to obtain a compact privilege in any remote state.

(L) Once the requirements of par. (j) have been met, the licensee must meet the requirements in par. (a) to obtain a compact privilege in a remote state.

**(5) COMPACT PRIVILEGE TO PRACTICE TELEHEALTH.** Member states shall recognize the right of an audiologist or speech–language pathologist, licensed by a home state in accordance with sub. (3) and under rules promulgated by the commission, to practice audiology or speech–language pathology in any member state via telehealth under a privilege to practice as provided in the compact and rules promulgated by the commission.

**(6) ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES.** Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their

home state through application for licensure in the new state.

(7) ADVERSE ACTIONS. (a) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to do any of the following:

1. Take adverse action against an audiologist's or speech–language pathologist's privilege to practice within that member state.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located.

3. Only the home state shall have the power to take adverse action against a audiologist's or speech–language pathologist's license issued by the home state.

(b) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(c) The home state shall complete any pending investigations of an audiologist or speech–language pathologist who changes primary state of residence during the course of the investigations. The home state shall also have the authority to take appropriate action and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any adverse actions.

(d) If otherwise permitted by state law, the member state may recover from the affected audiologist or speech–language pathologist the costs of investigations and disposition of cases resulting from any adverse action taken against that audiologist or speech–language pathologist.

(e) The member state may take adverse action based on the factual findings of the remote state, provided that the member state follows the member state's own procedures for taking the adverse action.

(f) 1. In addition to the authority granted to a member state by its respective audiology or speech–language pathology practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(g) If adverse action is taken by the home state against an audiologist's or speech language pathologist's license, the audiologist's or speech–language pathologist's privilege to practice in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an audiologist's or speech language pathologist's license shall include a statement that the audiologist's or speech–language pathologist's privilege to practice is deactivated in all member states during the pendency of the order.

(h) If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

(i) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

(8) ESTABLISHMENT OF THE AUDIOLOGY AND SPEECH–LANGUAGE PATHOLOGY COMPACT COMMISSION. (a) 1. The compact member states hereby create and establish a joint public agency known as the audiology and speech–language pathology compact commission.

2. The commission is an instrumentality of the compact states.

3. Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

4. Nothing in this compact shall be construed to be a waiver of sovereign immunity.

(b) 1. Each member state shall have 2 delegates selected by that member state's licensing board. The delegates shall be current members of the licensing board. One shall be an audiologist and one shall be a speech–language pathologist.

2. An additional 5 delegates, who are either a public member or board administrator from a state licensing board, shall be chosen by the executive committee from a pool of nominees provided by the commission at large.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring on the commission, within 90 days.

5. Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission.

6. A delegate shall vote in person or by other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

7. The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(c) The commission shall have the following powers and duties:

1. Establish the fiscal year of the commission.
2. Establish bylaws.
3. Establish a code of ethics.
4. Maintain its financial records in accordance with the bylaws.

5. Meet and take actions as are consistent with the provisions of this compact and the bylaws.

6. Promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding in all member states.

7. Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any state audiology or speech–language pathology licensing board to sue or be sued under applicable law shall not be affected.

8. Purchase and maintain insurance and bonds.

9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state.

10. Hire employees, elect or appoint officers, fix compensation, define duties, grant individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters.

11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety and/or conflict of interest.

12. Lease, purchase, and accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use, any property, real, personal or mixed; provided that at all times the commission shall avoid any appearance of impropriety.

13. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

14. Establish a budget and make expenditures.

15. Borrow money.

16. Appoint committees, including standing committees composed of members, and other interested persons as may be designated in this compact and the bylaws.

17. Provide and receive information from, and cooperate with, law enforcement agencies.

18. Establish and elect an executive committee.

19. Perform other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of audiology and speech–language pathology licensure and practice.

(d) 1. The executive committee shall have the power to act on behalf of the commission according to the terms of this compact.

2. The executive committee shall be composed of the following 10 members:

a. Seven voting members who are elected by the commission from the current membership of the commission.

b. Two ex–officios, consisting of one nonvoting member from a recognized national audiology professional association and one nonvoting member from a recognized national speech–language pathology association.

c. One ex–officio, nonvoting member from the recognized membership organization of the audiology and speech–language pathology licensing boards.

(e) 1. The ex–officio members shall be selected by their respective organizations.

2. The commission may remove any member of the executive committee as provided in bylaws.

3. The executive committee shall meet at least annually.

4. The executive committee shall have the following duties and responsibilities:

a. Recommend to the entire commission changes to the rules or bylaws, changes to this compact legislation, fees paid by compact member states such as annual dues, and any commission compact fee charged to licensees for the compact privilege.

b. Ensure compact administration services are appropriately provided, contractual or otherwise.

c. Prepare and recommend the budget.

d. Maintain financial records on behalf of the commission.

e. Monitor compact compliance of member states and provide compliance reports to the commission.

f. Establish additional committees as necessary.

g. Other duties as provided in rules or bylaws.

5. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rule–making provisions in sub. (10).

6. The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

a. Noncompliance of a member state with its obligations under the compact.

b. The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures.

c. Current, threatened, or reasonably anticipated litigation.

d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate.

e. Accusing any person of a crime or formally censuring any person.

f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential.

g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy.

h. Disclosure of investigative records compiled for law enforcement purposes.

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact.

j. Matters specifically exempted from disclosure by federal or member state statute.

7. If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

8. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

9. a. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

b. The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

c. The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

10. The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

11. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

(f) 1. The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this subdivision shall be construed to protect any person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

(9) DATA SYSTEM. (a) The commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.



(b) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

1. Identifying information.
2. Licensure data.
3. Adverse actions against a license or compact privilege.
4. Nonconfidential information related to alternative program participation.
5. Any denial of application for licensure, and the reason for denial.

6. Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

(c) Investigative information pertaining to a licensee in any member state shall only be available to other member states.

(d) The commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state shall be available to any other member state.

(e) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(f) Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

**(10) RULE MAKING.** (a) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this subsection and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(b) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within 4 years of the date of adoption of the rule, the rule shall have no further force and effect in any member state.

(c) Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

(d) Prior to promulgation and adoption of a final rule or rules by the commission, and at least 30 days in advance of the meeting at which the rule shall be considered and voted upon, the commission shall file a notice of proposed rule making:

1. On the website of the commission or other publicly accessible platform.
2. On the website of each member state audiology or speech-language pathology licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

(e) The notice of proposed rule making shall include:

1. The proposed time, date, and location of the meeting in which the rule shall be considered and voted upon.

2. The text of the proposed rule or amendment and the reason for the proposed rule.

3. A request for comments on the proposed rule from any interested person.

4. The manner in which interested persons may submit notice to the commission of their intention to attend the public hearing and any written comments.

(f) Prior to the adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

(g) The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by any of the following:

1. At least 25 persons.
2. A state or federal government subdivision or agency.
3. An association having at least 25 members.

(h) 1. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the commission shall publish the mechanism for access to the electronic hearing.

2. All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than 5 business days before the scheduled date of the hearing.

3. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

4. All hearings shall be recorded. A copy of the recording shall be made available on request.

5. Nothing in this subsection shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this subsection.

(i) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

(j) If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

(k) The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

(L) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rule-making procedures pro-

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vided in the compact and in this subsection shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this paragraph, an emergency rule is one that must be adopted immediately in order to do any of the following:

1. Meet an imminent threat to public health, safety, or welfare.
2. Prevent a loss of commission or member state funds.
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule.

(m) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision shall take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

**(11) OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT.** (a) 1. Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

2. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(b) 1. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. Notwithstanding s. 814.04 (1), in the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

**(12) DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY PRACTICE AND ASSOCIATED RULES, WITH-**

**DRAWAL, AND AMENDMENT.** (a) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rule-making powers necessary to the implementation and administration of the compact.

(b) Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(c) 1. Any member state may withdraw from this compact by enacting a statute repealing the same.

2. A member state's withdrawal shall not take effect until 6 months after enactment of the repealing statute.

3. Withdrawal shall not affect the continuing requirement of the withdrawing state's audiology or speech-language pathology licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(d) Nothing contained in this compact shall be construed to invalidate or prevent any audiology or speech-language pathology licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(e) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

**(13) CONSTRUCTION AND SEVERABILITY.** This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

**(14) BINDING EFFECT OF COMPACT AND OTHER LAWS.** (a) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(b) All laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(c) All lawful actions of the commission, including all rules and bylaws promulgated by the commission, are binding upon the member states.

(d) All agreements between the commission and the member states are binding in accordance with their terms.

(e) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

**459.71 Implementation of the audiology and speech–language pathology interstate compact.** (1)

In this section:

(a) “Compact privilege” means a compact privilege, as defined in s. 459.70 (2) (h), that is granted under the audiology and speech–language pathology interstate compact under s. 459.70 to an individual to practice in this state.

(b) “Examining board” means the hearing and speech examining board.

(2) The department may impose a fee for an individual to receive a compact privilege as provided under s. 459.70 (3) (j).

(3) (a) An individual who holds a compact privilege shall comply with s. 440.03 (13) (am).

(b) Subject to s. 459.70 and any rules promulgated thereunder, ss. 440.20 to 440.22 and the rules promulgated under s. 440.03 (1) shall apply to an individual who holds a compact privilege in the same manner that they apply to holders of licenses and permits issued under subch. II.

**SECTION 327.** 460.07 (2) (intro.) of the statutes is amended to read:

460.07 (2) (intro.) Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified determined under s. 440.08 (2) (a) and shall include all of the following:

**SECTION 328.** 460.10 (1) (a) of the statutes is amended to read:

460.10 (1) (a) Requirements and procedures for a license holder to complete continuing education programs or courses of study to qualify for renewal of his or her license. The rules promulgated under this paragraph may not require a license holder to complete more than 24 hours of continuing education programs or courses of study per 2-year period in order to qualify for renewal of his or her license.

**SECTION 329.** 462.02 (2) (e) of the statutes is amended to read:

462.02 (2) (e) A physician assistant licensed under s. 448.974.

**SECTION 330.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251, is amended to read:

**462.04 Prescription or order required.** A person who holds a license or limited X–ray machine operator permit under this chapter may not use diagnostic X–ray equipment on humans for diagnostic purposes unless authorized to do so by prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a podiatrist licensed under s. 448.63, a chiropractor licensed under s. 446.02, an advanced practice nurse certified under s. 441.16 (2), a physician assistant who is licensed under s. 448.974 or who holds a compact privilege under subch. XIII of ch. 448, or, subject to s. 448.56 (7) (a), a physical therapist who is licensed under s. 448.53 or who holds a compact privilege under subch. XI of ch. 448.

**SECTION 331.** 462.05 (1) of the statutes is amended to read:

462.05 (1) The renewal date for licenses and limited X–ray machine operator permits granted under this chapter ~~is specified in~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a).

**SECTION 332.** 466.04 (3) (a) (intro.) of the statutes is amended to read:

466.04 (3) (a) (intro.) The renewal date for licenses granted under this chapter ~~is specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department. The application shall include all of the following in order for the license to be renewed:

**SECTION 333.** 470.045 (3) (b) of the statutes is amended to read:

470.045 (3) (b) The renewal date for certificates of authorization under this section ~~is specified~~ shall be as determined under s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the department under s. 440.03 (9) (a).

**SECTION 334.** 470.07 of the statutes is amended to read:

**470.07 Renewal of licenses.** The renewal dates for licenses granted under this chapter ~~are specified~~ shall be as determined under s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the appropriate section of the examining board that the applicant has completed any continuing education requirements specified in rules promulgated under s. 470.03 (2).

**SECTION 335.** 480.08 (5) of the statutes is amended to read:

480.08 (5) EXPIRATION AND RENEWAL. The renewal date for certificates granted under this chapter, other than

temporary certificates granted under sub. (7), ~~is specified shall be as determined~~ under s. 440.08 (2) ~~(a)~~, and the renewal fee for certificates granted under this chapter, other than temporary certificates granted under sub. (7), is determined by the department under s. 440.03 (9) (a). Renewal applications shall include evidence satisfactory to the department that the applicant holds a current permit issued under s. 77.52 (9). A renewal application for an auctioneer certificate shall be accompanied by proof of completion of continuing education requirements under sub. (6).

**SECTION 336.** 632.89 (1) (dm) of the statutes is repealed and recreated to read:

632.89 (1) (dm) “Licensed mental health professional” means a clinical social worker, a marriage and family therapist, or a professional counselor, as those terms are defined in subch. I of ch. 457.

**SECTION 337.** 632.89 (1) (e) 4. of the statutes is amended to read:

632.89 (1) (e) 4. A licensed mental health professional practicing within the scope of his or her ~~license~~ credential under subch. I of ch. 457 and applicable rules.

**SECTION 338.** 632.895 (16) (b) 1. a. of the statutes is amended to read:

632.895 (16) (b) 1. a. Coverage of the cost of hearing aids and cochlear implants that are prescribed by a physician, or by an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459, in accordance with accepted professional medical or audiological standards, for a child covered under the policy or plan who is under 18 years of age and who is certified as deaf or hearing impaired by a physician or by an audiologist who is licensed under subch. II of ch. 459 or who holds a compact privilege under subch. III of ch. 459.

**SECTION 339.** 800.035 (2m) of the statutes is amended to read:

800.035 (2m) A municipal court shall appoint a guardian ad litem or social worker certified or licensed under subch. I of ch. 457 for any defendant that the court has reason to believe lacks substantial mental capacity to understand the proceedings or assist in his or her defense. The person appointed under this paragraph shall assist the court in making a determination concerning the defendant’s mental capacity. If the court determines that the defendant lacks the mental capacity to understand the proceedings or assist in his or her defense, the court shall suspend the proceedings. The cost of the guardian ad litem or social worker shall be paid by the municipality or municipalities that established the court. The governing body may by ordinance or bylaw authorize the appointment of a guardian ad litem by the municipal judge in any other matter within the jurisdiction of the municipal court.

**SECTION 340.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

895.48 (1m) (a) (intro.) Except as provided in par. (b), any physician, ~~naturopathic doctor, physician assistant, podiatrist, or athletic trainer licensed under ch. 448,~~ physician assistant who is licensed under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448, chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency medical services practitioner licensed under s. 256.15, emergency medical responder certified under s. 256.15 (8), registered nurse licensed under ch. 441, ~~or a~~ massage therapist or bodywork therapist licensed under ch. 460, or naturopathic doctor licensed under ch. 466 who renders voluntary health care to a participant in an athletic event or contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that care if all of the following conditions exist:

**SECTION 341.** 905.04 (1) (bm) of the statutes is amended to read:

905.04 (1) (bm) “Marriage and family therapist” means an individual who is licensed as a marriage and family therapist under subch. I of ch. 457 or an individual reasonably believed by the patient to be a marriage and family therapist.

**SECTION 342.** 905.04 (1) (dm) of the statutes is amended to read:

905.04 (1) (dm) “Professional counselor” means an individual who is licensed as a professional counselor under subch. I of ch. 457, an individual who is exercising the privilege to practice, as defined in s. 457.50 (2) (s), in this state, or an individual reasonably believed by the patient to be a professional counselor.

**SECTION 343.** 905.04 (1) (g) of the statutes is amended to read:

905.04 (1) (g) “Social worker” means ~~an individual who is certified or licensed as a social worker, advanced practice social worker, independent social worker, or clinical social worker,~~ as those terms are defined under subch. I of ch. 457, or an individual reasonably believed by the patient to be a social worker, advanced practice social worker, independent social worker, or clinical social worker.

**SECTION 344.** 971.14 (4) (a) of the statutes is amended to read:

971.14 (4) (a) The court shall cause copies of the report to be delivered forthwith to the district attorney and the defense counsel, or the defendant personally if not represented by counsel. Upon the request of the sheriff or jailer charged with care and control of the jail in which the defendant is being held pending or during a trial or sentencing proceeding, the court shall cause a copy of the report to be delivered to the sheriff or jailer. The sheriff or jailer may provide a copy of the report to

the person who is responsible for maintaining medical records for inmates of the jail, or to a nurse licensed under ch. 441, to a physician licensed under subch. II of ch. 448, or to a physician assistant licensed under subch. IX of ch. 448 who is a health care provider for the defendant or who is responsible for providing health care services to inmates of the jail. The report shall not be otherwise disclosed prior to the hearing under this subsection.

**SECTION 345.** 990.01 (27s) of the statutes is amended to read:

990.01 (27s) PHYSICIAN ASSISTANT. “Physician assistant” means a person who is licensed as a physician assistant under subch. IX of ch. 448 or who holds a compact privilege under subch. XIII of ch. 448.

**SECTION 9138. Nonstatutory provisions; Safety and Professional Services.**

(1) CREDENTIAL RENEWAL DATES.

(a) In this subsection:

1. “Credentialing board” has the meaning given in s. 440.01 (2) (bm).

2. “Department” means the department of safety and professional services.

(b) The department and each credentialing board may promulgate emergency rules under s. 227.24 necessary to implement the changes act related to the transition to 4-year professional credential renewal cycles. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this paragraph remain in effect until May 1, 2025, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), neither the department nor any credentialing board is required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare or provide a finding of emergency for a rule promulgated under this paragraph.

**SECTION 9149. Nonstatutory provisions; Wisconsin Economic Development Corporation.**

(1) PROVIDER ASSISTANCE FOR LICENSING. No later than March 1, 2024, the Wisconsin Economic Development Corporation shall request the joint committee on finance to supplement an appropriation for child care to be used for the program known as Provider Assistance for Licensing, which is a program to assist unregulated providers of child care in becoming certified child care providers under s. 48.651 or licensed child care centers under s. 48.65 through methods including grant funding; waiver of licensure fees; and assistance with compliance with regulations, training and certification, and completing background checks under s. 48.686.

**SECTION 9150. Nonstatutory provisions; Workforce Development.**

(1) UNEMPLOYMENT INSURANCE; WORK SEARCH. The department of workforce development shall submit a notice to the legislative reference bureau for publication in the Wisconsin Administrative Register when the

department determines that the department has any rules in place that are necessary to implement the treatment of s. 108.04 (2) (a) 3. by this act.

**SECTION 9328. Initial applicability; Legislature.**

(1) OCCUPATIONAL LICENSE REPORTS. The treatment of s. 13.0963 first applies to a bill introduced on the effective date of this subsection.

**SECTION 9350. Initial applicability; Workforce Development.**

(1) UNEMPLOYMENT INSURANCE; WORK SEARCH. The treatment of s. 108.04 (2) (a) 3. first applies with respect to weeks of unemployment beginning on the effective date of this subsection.

(2) UNEMPLOYMENT INSURANCE; VARIOUS CHANGES. The renumbering and amendment of s. 108.04 (2) (a) 4. and (15) (a) 2., the consolidation, renumbering, and amendment of s. 108.04 (15) (a) (intro.) and 1., and the creation of s. 108.04 (2) (a) 4. c. and 5. and (15) (a) 2. b., (am), and (ao) first apply with respect to weeks of unemployment beginning on the effective date of this subsection.

**SECTION 9400. Effective dates; general.** Except as otherwise provided in SECTIONS 9428 to 9450 of this act, this act takes effect on the day after publication.

**SECTION 9428. Effective dates; Legislature.**

(1) OCCUPATIONAL LICENSE REPORTS. The treatment of s. 13.0963 and SECTION 9328 (1) of this act take effect on the 14th day after publication.

**SECTION 9438. Effective dates; Safety and Professional Services.**

(1) CREDENTIAL RENEWAL DATES. The repeal of ss. 440.992 (6), 452.10 (2), and 456.07 (1) and (3); the renumbering of s. 440.08 (2) (d) and (e); the renumbering and amendment of ss. 440.08 (2) (a) 1. to 72. and (c), 446.025 (3) (a), and 446.026 (3) (a); the amendment of ss. 440.03 (14) (c) and (15), 440.032 (5), 440.08 (2) (title), (a) (intro.) (by SECTION 105), and (b) and (4) (a), 440.09 (1m) (c) 1., 440.26 (3) and (5m) (b), 440.313 (1), 440.415 (2) (a), 440.71 (3), 440.88 (4), 440.905 (2), 440.91 (1) (c), (1m) (c), and (4), 440.92 (1) (c), 440.972 (2), 440.974 (2), 440.98 (6), 440.983 (1), 440.9935, 441.06 (3), 441.10 (6), 441.15 (3) (b), 442.083 (1) and (2) (a), 443.015 (1e), 443.07 (6), 443.08 (3) (b), 443.10 (2) (e) and (5), 445.06 (1), 445.07 (1) (a) and (b), 445.095 (1) (c), 445.105 (3), 446.02 (1) (b) and (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a), 447.055 (1) (a) and (b) 1. and 2., 447.056 (1) (intro.) and (3), 447.058 (2) (b), 448.07 (1) (a), 448.13 (1) (a) 1. and 2. and (1m), 448.55 (2), 448.65 (2) (intro.), 448.665, 448.86 (2), 448.9545 (1) (a) and (b) (intro.), 448.955 (1), (2) (a), and (3) (a), 448.956 (1) (c), 448.967 (2), 448.9703 (3) (a), 448.9706 (2), 448.974 (2) (am) 1., 449.06 (1) and (2m), 450.08 (1) and (2) (a) and (b), 450.085 (1), 451.04 (4), 452.05 (1) (d), 452.12 (1) and (5) (a) and (c), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5), 454.25 (9), 455.06 (1) (a), 455.065 (7), 456.07 (2) and (5), 457.20 (2) (by SECTION

294), 457.22 (2), 458.085 (3), 458.09 (3), 458.11, 458.13, 458.33 (5), 459.09 (1) (intro.) and (b), 459.24 (5) (intro.) and (b), 460.07 (2) (intro.), 460.10 (1) (a), 462.05 (1), 466.04 (3) (a) (intro.), 470.045 (3) (b), 470.07, and 480.08 (5); the repeal and recreation of ss. 448.13 (title) and 456.07 (title); and the creation of ss. 440.08 (2) (a) 1n., 2n., 3n., and 4n., (ag) (intro.), and (ar), (2r) (title) and (b), and (3m), 440.20 (6), 443.015 (1c), 446.025 (3) (a) 2., and 446.026 (3) (a) 2. take effect on the 6th month beginning after publication.

**SECTION 9450. Effective dates; Workforce Development.**

(1) COMMERCIAL DRIVER'S LICENSE TRAINING GRANTS. The repeal of s. 106.276 takes effect on July 1, 2025.

(2) UNEMPLOYMENT INSURANCE; WORK SEARCH. The treatment of s. 108.04 (2) (a) 3. and SECTION 9350 (1) of this act take effect on the Sunday after the notice under SECTION 9150 (1) of this act is published in the Wisconsin Administrative Register or on December 31, 2023, whichever occurs first.

(3) UNEMPLOYMENT INSURANCE; VARIOUS CHANGES. The treatment of ss. 108.01 (2m), 108.133 (2) (a) (intro.) and (am), and 108.14 (8o) and (30), the renumbering and amendment of s. 108.04 (2) (a) 4. and (15) (a) 2., the consolidation, renumbering, and amendment of s. 108.04 (15) (a) (intro.) and 1., and the creation of s. 108.04 (2) (a) 4. c. and 5. and (15) (a) 2. b., (am), and (ao) and SECTIONS 9150 (1) and 9350 (2) of this act take effect on the first Sunday after publication.