



Regulation of Occupations  
by the Department of Safety  
and Professional Services

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# Regulation of Occupations by the Department of Safety and Professional Services

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# Regulation of Occupations by the Department of Safety and Professional Services

The Department of Safety and Professional Services (DSPS) was created in 2011 Wisconsin Act 32 (the 2011-13 biennial budget act). It includes functions previously conducted by the Department of Regulation and Licensing and the Divisions of Safety and Buildings in the former Department of Commerce. In 2012, DSPS renamed the Division of Safety and Buildings to be the Division of Industry Services.

DSPS and its boards, councils, and affiliated credentialing boards and examining boards are responsible for ensuring the safe and competent practice of a wide range of health, business, and building trades professions. Occupational regulation by DSPS falls into three categories: (a) occupations regulated by independent examining boards attached to DSPS or by affiliated credentialing boards attached to those boards; (b) occupations regulated by semi-autonomous boards that share authority with DSPS; and (c) occupations directly regulated by DSPS, which include all of the building trades professions. DSPS provides administrative, legal and enforcement services, assistance in rule making and examinations for the credentialed professions, and assistance to the boards in developing regulatory policies that protect the broad public interest.

This informational paper describes: (a) the agency's organization, funding, and staffing; (b) the responsibilities of professional boards and DSPS in regulating professions; and (c) the types of credentials DSPS and its professional boards issue, including the current fee structure and the fee-setting process. In addition, the paper describes the state's Prescription Drug Monitoring Program, which is administered by DSPS.

For information on other DSPS programs, see

the Legislative Fiscal Bureau Informational Papers entitled, "Private Onsite Wastewater Treatment System Grant Program" and "Fire Department Dues." Both of these programs are administered by the Division of Industry Services.

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## Agency Organization, Funding, and Staffing

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**Organization.** The Department consists of the Office of the Secretary and five divisions -- Policy Development, Professional Credential Processing, Industry Services, Legal Services and Compliance, and Management Services.

*The Office of the Secretary.* The Governor appoints the Secretary of DSPS, with the advice and consent of the Senate. The Secretary is directed by statute to centralize the operations of the Department and the attached boards. Accordingly, the Department provides the attached boards with all staff and administrative services. The allocation, disbursement, and budgeting of funds received from credentialing and examination fees are also the responsibility of the Secretary. The Secretary advises the Governor and the Legislature on new programs, creates uniform procedures for disciplinary proceedings, and advises the boards on policy development.

*The Division of Policy Development.* This Division provides professional and administrative support to regulatory boards, councils, and committees. The Division drafts and implements administrative rules and policies, provides policy guidance, and facilitates meetings for the professional boards, councils, and committees in the state. Further, this Division administers the

Prescription Drug Monitoring Program (PDMP), which is discussed in greater detail at the end of this paper.

The Division of Policy Development also includes the Office of Education and Examinations (OEE). OEE maintains, creates, edits, and scores approximately 75 individual exams encompassing approximately 50 different health and business professions, as well as 56 individual exams for 14 different types of building trade credentials. Other examinations are administered by third party vendors, with whom OEE contracts. Examinations administered by this third-party contractor include the examinations for Real Estate Appraisers, Real Estate Brokers, Real Estate Salespersons, and Barbers/Cosmetologists and related professions. Further, OEE assists boards in reviewing and approving applications and continuing education requirements, and conducts continuing education audits to ensure compliance.

2017 Wisconsin Act 59 transferred the program responsibilities of the Educational Approval Board (EAB) to the OEE beginning on July 1, 2018. The EAB had previously been an independent unit of state government with positions budgeted under the Technical College System. The re-titled Educational Approval Program (EAP) approves and supervises for-profit colleges, out-of-state nonprofit colleges and universities, and some in-state, nonprofit institutions, as well as solicitors that recruit students on behalf of an institution. Schools and solicitors representing schools reapply annually for approval from the EAP. Additionally, the EAP investigates student complaints, maintains student records following the closure of a school, and maintains a student protection fund comprised of fees collected from schools.

*The Division of Professional Credential Processing.* Staff in this Division develops credential applications and processes credential requests for individuals in the health and business professions. The Division administers the biennial renewal process for approximately 387,800 active

credential holders. Most new applicants will contact this Division to obtain information on how to apply for a credential and to request the appropriate application materials. Applications can be as simple as completion of the appropriate form, submission of supporting documents, and payment of the initial credential fee. More complex licensing may require college transcripts, proof of graduation, internships, residencies, supervised practicum review, criminal background checks, confirmation from national associations, information regarding disclosure of previous disciplinary actions, employment verification, proof of insurance, or verification of holding a valid license in another state.

The Division also issues credentials for persons who perform activities regulated by the Division of Industry Services. Examples of these credentials are building inspectors, electricians, plumbers, fire sprinkler installers, elevator mechanics, and manufactured home installers. The Division administers credential requirements for approximately 72,000 active credential holders in the building trades professions.

*The Division of Industry Services.* This Division administers building codes, plan reviews, inspection, and credential activities related to construction of structures, such as commercial buildings, multi-family dwellings, one- and two-family dwellings, manufactured homes, plumbing, private onsite wastewater treatment systems, electrical and heating systems, boilers, elevators, electrical wiring, fire safety, swimming pools, and certain temporary and seasonal structures such as amusement rides and ski lifts.

*The Division of Legal Services and Compliance.* This Division performs the following activities: (a) intake and screening of complaints against credential holders; (b) monitoring compliance with disciplinary orders; (c) inspecting business establishments; (d) overseeing a confidential program for impaired professionals; and (e) providing legal services to professional boards



and the Department, including prosecuting violations of professional standards.

In its capacity of prosecuting violations of professional standards, the Division receives complaints alleging improper practice by a credential holder. The most common types of complaints and violations received include negligence, unprofessional conduct, and incompetence. In cooperation with the examining boards, division employees investigate complaints and prosecute violations through formal disciplinary hearings before the appropriate boards, when so required. Cases are generally resolved through administrative warnings, reprimands, suspensions, practice limitations, citations, remedial education, and forfeitures.

*The Division of Management Services.* This Division provides administrative services to the Office of the Secretary and all other Divisions within DSPS. These services include facilities, payroll, budget and fiscal management, program services, and information technology.

**Funding and Staffing.** Under 2017 Act 59 (the 2017-19 budget act), DSPS is authorized 231.14 full-time equivalent (FTE) positions, and is budgeted approximately \$54.1 million, including \$53.6 million in program revenues (PR) and \$0.5 million in federal revenues (FED) in 2018-19.

The Department is funded almost entirely from program revenues, primarily collected from fees for credentials, examinations, building plan reviews, and inspections of construction activity. Other minor sources of revenue derive from the sale of credential lists, and fees charged for late renewals, wall certificates, reciprocal credentials, and the endorsement of credential holders to other states.

For state budgeting purposes, DSPS is divided into two "programs": (a) professional regulation

and administrative services, which includes staff that assist in the regulation of the health and business professions; and (b) regulation of industry, safety, and buildings. Since the two programs are supported by separate program revenue sources, the fees collected from health and business professions support regulatory functions relating to those professions, while fees collected from individuals and businesses involved in buildings and safety support DSPS activities relating to the regulation of the trades professions. A portion of DSPS program revenue supports certain agency-wide services, including legal, fiscal, and management services.

Table 1 provides information regarding the program collections, expenditures, and balances for the Health and Business Professions program for fiscal years 2015-16 through 2017-18.

Most of the general operations of the Division of Industry Services are funded from a program revenue appropriation. Revenues are received from several categories of plan review and inspections for building construction types and for credentials issued to people who work in the building trades, such as dwelling contractors, electricians, and plumbers. Table 2 provides information regarding the revenues and expenditures in 2015-16 through 2017-18 for the program revenue appropriation.

*Transfers to the General Fund.* Table 3 shows the amount that DSPS has transferred to the state's general fund over the past five years, from 2013-14 through 2017-18. The transfers to the general fund come from two sources: (a) transfers required by statute or identified by the Department of Administration (DOA) to meet statewide lapse requirements; and (b) an ongoing statutory requirement that 10% of the credential fee revenue DSPS collects for the health and business professions be transferred to the general fund ("GPR-Earned").

**Table 1: Regulation of Health and Business Professions, Program Revenues and Expenditures, 2015-16 through 2017-18**

	2015-16	2016-17	2017-18
Opening Balance	\$8,983,315	\$13,324,068	\$12,639,610
<b>Revenue</b>			
Credential Fees	\$19,719,963	\$14,980,116	\$19,146,509
Grants	228,302	0	0
Examination Fees	2,557,646	2,588,001	2,228,338
Penalties for Disciplinary Action	267,284	204,229	187,331
Criminal Background Check Fee	116,243	205,687	142,949
Transfers from General Program Operations	278,180	439,013	330,134
Other	169,842	0	0
Nurse Survey	<u>14,224</u>	<u>8,999</u>	<u>9,000</u>
Total Revenue Collected	\$23,351,684	\$18,426,045	\$22,044,261
GPR - Earned (10% Statutory Transfer)	\$2,445,342	\$2,213,322	\$2,215,455
Total Revenue and Opening Balance	\$34,780,340	\$33,963,436	\$36,899,326
<b>Expenditures</b>			
Expenditures and Encumbrances	\$14,215,551	\$14,228,490	\$13,629,688
Transfers to General Program Operations	278,180	439,013	330,134
Lapse to General Fund*	4,443,000	4,443,000	0
GPR Earned (10% Statutory Transfer)	2,445,342	2,213,322	2,215,455
Veterinary Examining Board Transfer**	<u>74,200</u>	<u>0</u>	<u>0</u>
Total Expenditures	\$21,456,272	\$21,323,825	\$16,175,277
Closing Balance	\$13,324,068	\$12,639,610	\$20,724,049

\* Amount shown only includes lapses from the professional regulation and administrative services program (the former Regulation and Licensing Programs).

\*\* In FY 2016, DSPS collected revenues for the Veterinary Examining Board. However, 2015 Act 55 transferred the Veterinary Examining Board and regulatory responsibilities for veterinarians and veterinarian technicians from DSPS to the Department of Agriculture, Trade and Consumer Protection (DATCP). In FY 2026, DSPS made a one-time transfer of the balance of the Veterinary Examining Board revenues to DATCP.

**Table 2: Regulation of Building Trades Professions, Program Revenues and Expenditures, 2015-16 through 2017-18**

	2015-16	2016-17	2017-18
Opening Balance, July 1	\$8,421,600	\$10,269,100	\$12,813,100
<b>Revenue</b>			
Building plan reviews, inspections, credentials	\$6,636,700	\$6,810,600	\$6,928,200
Plumbing credentials	1,400,600	459,300	435,800
Plumbing plan reviews	2,197,500	2,465,500	2,511,000
Boiler inspections, credentials	1,566,800	1,609,200	1,514,800
Elevator inspections, credentials	1,259,800	1,435,100	1,438,700
Private sewage plan reviews, credentials, permits	1,793,600	1,757,800	2,087,400
One- and two-family building permits, credentials	887,200	901,600	1,062,700
Electrical inspections, credentials	856,200	993,300	964,300
Manufactured home licenses and title fees	516,300	307,000	501,300
Amusement ride and ski tow inspections	247,600	232,500	235,900
Mine safety inspections, credentials	164,900	115,600	149,500
Heating, ventilation, and air conditioning (HVAC) and ozone refrigerant permits, credentials	79,200	186,800	207,200
Swimming pool plan reviews	152,700	165,800	162,900
Weatherization fees	176,500	201,600	66,900
Other revenues	<u>492,100*</u>	<u>243,600</u>	<u>299,000</u>
Total Revenue	\$18,427,700	\$17,885,300	\$18,565,600
Less transfer to private onsite wastewater system grant program	-\$1,645,000	-\$840,000	-\$840,000
Total Available	\$25,204,300	\$27,314,400	\$30,538,700
<b>Expenditures</b>			
Program expenditures	\$13,146,200	\$12,712,300	\$12,500,600
Transfer to general fund under budget act requirements	1,789,000	1,789,000	0
Encumbrances	<u>0</u>	<u>0</u>	<u>2,288,400</u>
Total Expenditures and Transfers	\$14,935,100	\$14,501,300	\$14,789,000
Closing Balance, June 30	\$10,269,100	\$12,813,100	\$15,749,700

\* In 2015-16, "Other revenues" includes some revenues DSPS did not allocate to subprograms during the state's transition to a new accounting system.

**Table 3: Transfers from DSPS to the General Fund**

Fiscal Year	From Health and Business Occupations	From Building Trade Occupations	GPR-Earned from Health and Business Occupations	Total
2013-14	\$4,376,500	\$1,855,600	\$2,483,700	\$8,715,800
2014-15	4,376,500	1,855,600	1,993,500	8,225,600
2015-16	4,443,000	1,789,000	2,445,300	8,677,300
2016-17	4,443,000	1,789,000	2,213,300	8,445,300
2017-18	0	0	2,215,500	2,215,500

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## Credentialing of Professions

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The Department, boards, examining boards, and affiliated credentialing boards regulate certain professions and classes of businesses identified in statute. The Department and its boards issue several types of credentials, including licenses, certificates, registrations, and permits. These credentials are generally differentiated by qualification requirements, the use of a professional title, and the range of activities that a credential holder is allowed to perform (scope of practice). However, the different types of credentials can only be defined in general terms, because Wisconsin's statutes do not uniformly establish credentialing requirements and the credential titles are often used interchangeably.

*Licenses* are the most restrictive types of credentials. Qualification requirements usually include an examination, specialized education, and often specific work experience. Licensure restricts both the use of the regulated title and the scope of practice so that it becomes illegal for unlicensed individuals or firms to use the title or practice that profession. Physicians and nurses are examples of occupations subject to formal licensure in order to practice.

*Certificates* are similar to licenses. While applicants for a certificate may be required to take an examination, certificates generally serve to provide special recognition to individuals who have met predetermined qualifications for a profession, such as certification by a national professional association. Only certificate credential holders may describe themselves as certified. Examples of occupations subject to state certification are acupuncturists, respiratory care practitioners, and dietitians.

*Registration* is generally the least restrictive form of credentialing. In its most simple form, registration requires an individual to file his or her

name and address with DSPS, or the appropriate regulatory body, and pay the registration fee. Registration may also be accompanied with a restriction on the use of the title "registered" professional. For example, one must register as an interior designer in order to use the title "Wisconsin registered interior designer." However, a person may still practice interior design without registering.

*Permits* are another form of credential issued by DSPS. However, because permits are used both as a training credential, as in the case of hearing instrument specialists, or as a primary credential, as with private security persons, permits do not easily fit on the continuum of credential types.

Statutes and administrative codes outline specific requirements for each profession's credential and should be consulted to determine what each credential issuance entails. For example, professions with registration requirements are not necessarily less statutorily restricted than other profession requiring certification.

Finally, common usage of credential terms may be misleading without reviewing the relevant statutes. For instance, one might think that "registered nurses" need only register in order to practice. However, registered nurses practicing in Wisconsin are required to obtain a license from the Board of Nursing.

Appendix I identifies the number of renewing and initial credentials issued by the Department and its boards that were in effect as of July, 2018, by profession. The appendix shows that, in the health and business professions, there were 387,805 active credential holders in July, 2018, and the Department processed 61,510 initial credentials and 314,139 renewals from July, 2016 through July, 2018. However, the sum of initial and renewal credentials does not equal the number of active credentials, due to the way in which these categories are counted. As of July, 2018, the professional boards and the Department identified

164 professional credential types in which at least one person or business held a credential.

Appendix I also shows that, in the building trades professions, there were 72,014 active credential holders, in July, 2018, and the Department processed 13,748 initial credentials and 42,402 renewals from July, 2016, through July, 2018. The Department identified 75 trade professional credential types in which at least one person or business held a license.

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### Professional Boards

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The Department currently provides administrative services to 27 boards, which are listed in Table 4.

**Independent Professional Boards.** Most of the professional boards are independent, unitary examining boards responsible for regulating the professions or activities under their jurisdiction. Except as specifically described below, all are authorized to promulgate administrative rules defining the professional standards and the regulatory policies governing the occupations or activities under their jurisdiction. In addition, within statutory limits, most of these boards determine the education and experience requirements for obtaining a credential, develop and evaluate credentialing examinations, and establish and enforce standards of professional conduct.

The following independent examining boards do not operate as unitary boards: (a) the Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board; (b) the Professional Geologists, Hydrologists, and Soil Scientists Examining Board; and (c) the Marriage and Family Therapy and Professional Counseling and Social Work Examining Board. For these boards, each of the named professions has its own section, which separately

**Table 4: Professional Boards**

#### Examining Boards

Accounting Examining Board  
Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board  
Cosmetology Examining Board  
Board of Nursing  
Chiropractic Examining Board  
Dentistry Examining Board  
Funeral Directors Examining Board  
Geologists, Hydrologists, and Soil Scientists Examining Board  
Hearing and Speech Examining Board  
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board  
Medical Examining Board\*  
Nursing Home Administrators Examining Board  
Optometry Examining Board  
Pharmacy Examining Board  
Physical Therapy Examining Board  
Psychology Examining Board  
Radiography Examining Board  
Real Estate Examining Board

#### Boards

Auctioneer Board  
Cemetery Board  
Controlled Substance Board  
Real Estate Appraisers Board

#### \*Credentialing Boards Attached to the Medical Examining Board

Athletic Trainers Affiliated Credentialing Board  
Dietitians Affiliated Credentialing Board  
Massage Therapy and Bodywork Therapy Affiliated Credentialing Board  
Occupational Therapists Affiliated Credentialing Board  
Podiatrists Affiliated Credentialing Board

reviews individual applications for credentialing and determines disciplinary actions involving credential holders in that profession. Matters of joint interest to all the professions, such as qualifications and policies established by administrative rules, fall under the overall jurisdiction of the examining board. Issues that affect only a specific profession are addressed by the applicable section or sections of the examining board.

Affiliated credentialing boards regulate five of the professions under the overall jurisdiction of the Medical Examining Board -- podiatrists,

dietitians, athletic trainers, massage therapists, and occupational therapists. The affiliated credentialing boards regulate a profession that either does not practice independently of a profession regulated by the examining board or practices in collaboration with a profession regulated by the examining board. The Podiatrists, Dietitians, Athletic Trainers, Massage Therapy and Bodywork Therapy, and Occupational Therapists Affiliated Credentialing Boards are responsible for setting standards of professional competence and conduct, reviewing the qualifications of applicants, granting credentials and taking disciplinary actions involving the professions under their jurisdiction.

Some boards are advised by examining councils consisting of members representing a profession that is regulated by the board but does not have statutory representation in the membership of the board. For example, the Medical Examining Board consists of nine medical doctors, one doctor of osteopathy, and three public members. In addition to regulating doctors, the Board regulates respiratory care practitioners. The Respiratory Care Practitioners Examining Council advises the Medical Examining Board on rules concerning respiratory care.

**Semi-Autonomous Boards.** The Real Estate Appraisers Board and the Auctioneer Board are semi-autonomous in nature. This means that DSPS, rather than the Board, has statutory authority to promulgate rules governing the real estate appraisal and auctioneering professions. The Department must submit proposed rules to the Board for comment, but the Department retains the rule-making authority. The semi-autonomous boards retain responsibility for determining discipline in cases where a complaint has been filed against a credential holder, but the Department, with the advice of the boards, sets all other policies affecting these professions.

**Board Membership.** In general, the Governor appoints board, examining board, and affiliated

credentialing board members to staggered, four-year terms with the advice and consent of the Senate. The one exception is the Controlled Substances Board, consisting of the Attorney General, the Secretaries of the Departments of Health Services and Agriculture, Trade and Consumer Protection, the chair (or designee of the chair) of the Pharmacy, Dentistry, and Medical Examining Boards, and the Board of Nursing, who serve on the board by virtue of their office, and one psychiatrist and one pharmacologist appointed by the Governor for three-year terms.

With some limited exceptions, terms of all board members expire on July 1 and the Governor may not appoint a member to more than two consecutive terms. Board membership is governed by specific statutory criteria. In general, boards consist of experienced practitioners of the regulated profession and public members with no professional connection to the field being regulated. In addition, no member of any board may be an officer, director, or employee of a private organization that promotes or furthers the profession or occupation regulated by the board.

The Governor also appoints, with the advice and consent of the Senate, most council and examining council members. Terms for council members range from two to four years, depending upon the council. Council members are subject to the same conflict of interest and term limitation provisions that apply to board, examining board, and affiliated credentialing board members.

Appendix II details the membership and types of credentials issued for each board and examining board. Appendix III provides similar information for all current affiliated credentialing boards, attached examining councils, and councils serving the Department or one of the boards as of July, 2018.

**Direct Credentialing by the Department.** In addition to the professions regulated by the examining boards, the Department directly

regulates and issues credentials for certain professions and activities. Table 5 lists the professions directly regulated by DSPS.

The Secretary of DSPS is authorized to grant, suspend, or revoke credentials for these occupations or activities. Further, the Secretary may promulgate administrative rules, administer and evaluate examinations, and conduct enforcement proceedings for these regulated professions and activities. Although no formal boards or councils are permanently established to regulate these professions or activities, the Secretary may appoint advisory committees consisting of members of these professions to assist DSPS in developing rules or studying regulatory issues of interest to the profession.

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### Credential Fees

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As previously indicated, DSPS is funded mostly from fees collected from members of the professions. The Division of Industry Services also receives fees from permit and inspection activities related to construction of buildings.

The fee structure and fee-setting process for the health and business professions differ from the fee structure and fee-setting process for the building and safety trades.

### Health and Business Professions

*Initial Fees.* Each first-time applicant must pay an initial fee when applying for a credential.

Candidates for certain credentials requiring an examination pay the examination fee to DSPS. If DSPS prepares, administers, or grades the examination, the fee must equal the agency's best estimate of the actual cost of preparing, administering, and grading the examination. Examination fees are determined separately for each type of

**Table 5: Professions Directly Regulated by DSPS**

#### Health and Business Professions

Acupuncturists  
 Aesthetics School  
 Appraisers - Certified General, Certified Residential, and Licensed\*  
 Art Therapists  
 Athlete Agents  
 Barbers, Barbering Managers, Barbering Apprentices, Barbering Instructors, Barbering Establishments, and Barbering and Cosmetology Schools  
 Behavioral Analysts  
 Clinical Substance Abuse Counselors, Substance Abuse Counselors and Substance Abuse Counselors-in-Training  
 Clinic Supervisors- Independent, Intermediate, and in-Training  
 Crematories  
 Dance Therapists  
 Electrology Schools  
 Firearms Certifiers  
 Firearms Permit  
 Home Inspectors  
 Interior Designers  
 Juvenile Martial Arts Instructors  
 Manicuring Schools  
 Licensed Midwives  
 Music Therapists  
 Peddlers  
 Prevention Specialists and Prevention Specialists-in-Training  
 Private Detectives and Detective Agencies  
 Private Security Persons and Security Guard Agencies  
 Private Security Permits  
 Registered Sanitarians  
 Sign Language Interpreters

#### Building Trades Professions - See Appendix II for specific categories

Automatic Fire Sprinkler Professions  
 Blasters  
 Dwelling Contractors  
 Electrical Contractors  
 Electricians - several types  
 Elevator Professions  
 Fireworks Manufacturer  
 Inspectors - several types  
 Heating, Ventilation, and Air Conditioning Professions  
 Liquefied Gas Suppliers  
 Manufactured Home Professions  
 Pipe Layers  
 Plumbers - several types  
 Private Onsite Wastewater Treatment System Professions  
 Soil Erosion Professions  
 Uniform Dwelling Code Professions - several types  
 UDC-Construction Inspectors  
 Utility Contractors  
 Weld Test Conductors  
 Welders

\*Directly regulated by DSPS and the Real Estate Appraisers Application Advisory Committee

credential and are set by rule. First-time applicants for a credential requiring an examination pay both the initial fee and the appropriate examination fee.

The Department also recovers some of the costs of background checks conducted by the Department of Justice for private security persons, private detectives, juvenile martial arts instructors, and other regulated professionals where a background check may be instituted through the assessment of a background check fee.

*Renewal Fees.* Occupational credentials are generally renewed biennially. The statutes establish a uniform renewal date for all the credential holders in each regulated profession. These renewal dates fall throughout the biennium. Consequently, it is possible for an applicant to pay an initial fee for a DSPS credential shortly before the credential must be renewed.

*Current Fee-Setting Structure and Process.* The current initial and renewal fees for health and business occupational credentials are not listed in the statutes or administrative rules. Instead, they are posted on the Department's website.

The statutes specify a process by which these fees may be modified and established for each fiscal biennium (the two-year period beginning July 1 of the odd-numbered year). Under Wis. Stat. § 440.03(9), DSPS is required to: recalculate the administrative and enforcement costs of the Department that are attributable to the regulation of each occupation or business under Chapters 440 through 480 (the statutes relating to the regulation of the health and business professions); and by January 31 of each odd-numbered year, adjust each fee, if necessary, for the succeeding biennium 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 credential is in effect.

Within 14 days of completing the proposed fee

adjustments, the Department is required to send a report detailing the proposed fee adjustments to the Co-Chairs of the Joint Committee on Finance. The Committee then has 14 working days after the submission of the report to notify the DSPS Secretary if it wishes to schedule a meeting to review the fee adjustments. If this occurs, the Department may not impose the fee adjustments until the Committee approves the report. However, if the Co-Chairs do not notify DSPS that it wishes to meet to review the fee adjustments, the Department must notify credential holders of the fee adjustments by posting them on the Department's website and in credential renewal notices it sends to affected credential holders.

During the past several biennia, the Department has recommended, and the Joint Committee on Finance has approved, only minor changes to these credential fees. Although the Department's analysis of administrative and enforcement costs relating to each profession might suggest that adjustments should be considered to ensure that credential fees more closely reflect the Department's cost of regulating each profession, there are several reasons why the Department has not recommended significant fee adjustments. First, the agency's costs of regulating each profession may vary from year to year, and a previous year's actual cost experience may not accurately predict the agency's future costs of regulating the profession. These cost variations may result in disproportionately large fee variations for professions for which relatively few credentials are issued. Second, establishing cost-based credentialing fees would likely result in minor fluctuations from year to year for numerous credentials.

*Current Initial and Renewal Fees.* Under the DSPS 2017-19 fee schedule, the initial fees were set at \$75 for most professions. The current renewal fees vary between \$0 and \$5,000, as shown in Appendix IV. Most levels were unchanged from those in effect in the 2015-17 biennium.

The process by which DSPS sets fees should



reflect actual costs of issuing initial credentials, such as processing applications and determining eligibility for licensure, as well as costs associated with enforcement, board services, legal counsel, and the statutorily required 10% transfer to the general fund. However, the decision to freeze fees at 2009-11 levels for the 2011-13 biennium and to make limited changes for the 2013-15 and 2015-17 biennia means that the current fee levels do not reflect changes in these costs for all professions that were recalculated by DSPS in early 2017.

*Special Credential Fees in Statute.* In addition to the fees that are established through this process, several professional and occupational credentials either have no fee, or have fees set in statute: registration fees for small cemetery authorities; various fees for boxing and mixed martial arts (MMA); and waiver of peddler's license fees for U.S. veterans. Table 6 shows these special credential fees.

**Table 6: Special Credential Fees (Fee charged per contest, unless otherwise noted)**

Occupation or Profession	Fee
Unarmed Combat Sports	
Contest (per contest)	\$300*
Club or Promoter	500
Matchmakers	10
Referees and Judges	15
Examining Physicians	10
Boxers	40
Mixed Martial Arts Fighters	40
Timekeepers	10
Seconds	40
Registered Cemetery Authority (Biennial)	20
Peddler's License for Certain Veterans	No Fee

\*\$300 processing fee, plus a fee starting at \$450, the amount of which is based on event attendance and gross ticket sales collected by the club or promoter.

Any cemetery authority that operates a cemetery that is either less than five acres in size and sells fewer than 20 cemetery lots or mausoleum spaces annually, or has less than \$100,000 in pre-need trust fund accounts, does not need a cemetery authority license. However, it must register with

the Cemetery Board and pay a biennial \$20 fee. A cemetery authority of a cemetery organized, maintained, and operated by a town, village, city, church, synagogue, mosque, religious, fraternal or benevolent society, or incorporated college of a religious order is not required to be licensed or registered.

In the case of unarmed combat sports contests, the statutes specify fees for professional boxing and professional and amateur mixed martial arts contests based on the number of tickets sold. The statutes also specify annual fees for the individuals involved in the promotion, judging, and participation in these contests.

For peddler's licenses, Wis. Stat. § 440.51 specifies that U.S. veterans be granted a free peddler's license if they have been a resident of Wisconsin for five years preceding application and the veteran has one of the following conditions: (a) a verified disability of at least 25%; (b) a cardiac disability recognized by the U.S. Department of Veterans Affairs; or (c) is blind as defined by Title XVI of the Social Security Act. The license allows disabled veterans to sell small goods door-to-door statewide, without the payment of any fees. Other individuals must obtain a license in each city where they wish to engage in door-to-door sales and pay the city licensing fees.

There are also several training or apprenticeship credentials. For some professions an individual may participate in an activity, usually under the supervision of an instructor or a licensed professional by obtaining an in-training or apprenticeship credential. The professions that have such a credential include engineers, professional counselors, and marriage and family therapists. Usually there is a limit to how long a person may use the training permit.

### **Building Trades Professions**

DSPS regulates industry, buildings, and safety mainly under provisions of Chapters 101, 145 and

167 of the statutes. Under Wis. Stat. § 101.19 (1g), the Department is required to promulgate rules and collect fees that, as closely as possible, equal the cost of providing plan reviews, inspections, and credentials for regulated buildings trades professionals. Under Wis. Stat. § 145.02 (4), DSPS is required to promulgate rules for the licensing of regulated plumbing professions.

Administrative rule SPS 305 establishes requirements, fees, and length of term for licenses, certifications or registrations issued by the Department for activities regulated by the Division of Industry Services. However, the statutes establish the term of a license for a small number of specified licenses or credentials, including: (a) not to exceed two years for a liquefied gas supplier license; (b) two years for elevator contractors, elevator inspectors, elevator mechanics or lift mechanics; and (c) not to exceed four years for the various credentials for plumbers, automatic fire sprinkler fitters and contractors, utility contractors, and pipelayers. The statutes also require dwelling contractors to submit a certificate of financial responsibility or bond to DSPS every year.

SPS 305 generally establishes a term of license, certification, or registration of four years from the date of issuance. However, some credentials expire on a specific date, such as June 30 for master electricians or March 31 for master plumbers.

Applicants for a building trades credential pay an application fee established in rule, which is \$15 for most credential types. Some credentials require satisfactory completion of an examination administered by DSPS, and payment of an examination fee. SPS 305 specifies that the Department will conduct at least four examinations annually for each license, certification, or registration.

Further, the credential holder pays a license, certification, or registration fee for each term of credential. The amount of the fee for each credential is included in Chapter SPS 305 in Table

305.02. The length of term is included in Table 305.06. Under SPS 305.02 (3), DSPS prorates the fee on a monthly basis for the initial issuance of a credential issued for less than the full license, certification, or registration period.

SPS 305 also includes requirements for: (a) continuing education; (b) denial, suspension, and revocation; (c) responsibilities of credential holders; and (d) penalties and forfeitures for persons who violate the credentialing requirements.

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### **Prescription Drug Monitoring Program (PDMP)**

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Created by 2009 Wisconsin Act 362, the PDMP collects information about the dispensing of monitored prescription drugs in Wisconsin. The primary purpose of the PDMP is to improve patient care and safety, and to reduce the abuse and diversion of prescription drugs while ensuring patients with a legitimate medical need for the drugs are not adversely affected. In order to achieve these goals, healthcare providers are able to review prescription information as it relates to their patients, allowing them to make more informed prescription and dispensing decisions, and they are required to check the PDMP before issuing a prescription order for a monitored prescription drug, with limited exceptions. Law enforcement is also able to request data from the system by submitting the necessary paperwork to DSPS. PDMP staff is funded by DSPS program revenue, with the development and deployment of the PDMP database funded by various federal grants.

The Department maintains a website where users are able to view interactive data visualizations relating to the dispensation of monitored prescription drugs in Wisconsin, as well as data on the law enforcement reports submitted to the PDMP and the use of the PDMP by healthcare professionals. This site is at [www.pdmp.wi.gov/statistics](http://www.pdmp.wi.gov/statistics).

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### **Additional Resources**

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Additional information on the Department of Safety and Professional Services is available through the Department of Safety and Professional Services website: *www.dsps.wi.gov*.



## APPENDIX I

### Credential Holders by Profession As of July, 2018\*

Profession	Initial	Renewal	Total Active
<b>Health and Business Professions</b>			
Accounting Firm	62	504	566
Acupuncturist	69	554	623
Administrative Physician	2	4	6
Aesthetician	468	1,845	2,313
Aesthetics Establishment	247	328	575
Aesthetics Instructor	7	40	47
Agent for Burial Agreements**	82	0	82
Anesthesiology Assistant	35	66	101
Appraisal Management Company	6	0	6
Appraiser General Certificate	250	675	925
Appraiser Licensed	28	250	278
Appraiser Residential Certificate	41	844	885
Architect	498	3,787	4,285
Architectural or Engineer Corp - Certificate of Authorization	260	1,305	1,565
Art Therapist	5	66	71
Athletic Agent	24	29	53
Athletic Trainer	297	1,090	1,387
Auction Company	27	130	157
Auctioneer	78	594	672
Audiologist	44	382	426
Barber	95	652	747
Barber Apprentice	24	0	24
Barber Establishment	55	263	318
Barber Instructor	1	3	4
Barber Manager	15	0	15
Barber School	1	0	1
Behavior Analyst	85	136	221
Body Piercer***	94	119	213
Boxing Contest Professional****	8	0	8
Boxing Contestant****	75	0	75
Boxing Judge****	6	0	6
Boxing Promoter Professional****	3	0	3
Cemetery Authority - Licensed	13	105	118
Cemetery Authority - Registered	4	40	44
Cemetery Authority - Religious**	1	0	1
Cemetery Preneed Seller	72	108	180
Cemetery Salesperson	77	90	167
Certified Public Accountant	1,060	12,391	13,451
Chiropractic Radiological Tech	88	263	351
Chiropractic Tech	471	888	1,359

Profession	Initial	Renewal	Total Active
Chiropractor	172	2,287	2,459
Cosmetologist	1,721	13,480	15,201
Cosmetology Apprentice	157	0	157
Cosmetology Establishment	1,829	6,390	8,219
Cosmetology Instructor	68	715	783
Cosmetology Manager	503	0	503
Cosmetology School	7	22	29
Counselor - Professional License	872	3,491	4,363
Counselor - Professional Training Certificate	861	0	861
Crematory Authority	13	98	111
Dance Therapist	1	7	8
Dental Hygienist	379	5,285	5,664
Dentist	496	4,279	4,775
Dentistry Mobile Program Registration	40	33	73
Designer Engineering Systems	80	827	907
Dietician	253	1,746	1,999
Drug Device Manufacturer	13	80	93
Electrologist	14	156	170
Electrology Establishment	17	75	92
Electrology Instructor	1	4	5
Electrology School	2	1	3
Engineer Professional	1,462	12,850	14,312
Engineer Training	389	0	389
Firearms Certifier	17	80	97
Funeral Director Apprentice****	142	172	314
Funeral Director	107	1,206	1,313
Funeral Establishment	43	501	544
Geologist Professional	33	609	642
Geology Firm	3	32	35
Hearing Instrument Specialist	61	244	305
Home Inspector	229	750	979
Home Medical Oxygen Provider	35	130	165
Hydrologist Professional	0	74	74
Hydrology Firm	0	4	4
Juvenile Martial Arts Instructor	31	21	52
Kickboxing Contestant Amateur	16	0	16
Kickboxing Contestant Professional	2	0	2
Kickboxing Judge	6	0	6
Kickboxing Referee	5	0	5
Land Surveyor Professional	54	1,079	1,133
Landscape Architect	42	323	365
Licensed Midwife	47	88	135
Limited X-ray Machine Operator Permit	5	36	41
Manicuring Establishment	440	772	1,212
Manicuring Instructor	7	35	42

Profession	Initial	Renewal	Total Active
Manicuring School	6	9	15
Manicurist	539	3,018	3,557
Marriage Family Therapist	108	639	747
Marriage Family Therapist Training	96	0	96
Massage Therapy Bodyworker	873	4,739	5,612
Matchmaker****	5	0	5
Medicine and Surgery DO	462	1,898	2,360
Medicine and Surgery DO - Compact	29	9	38
Medicine and Surgery MD	3,343	23,203	26,546
Medicine and Surgery MD - Compact	172	11	183
Mixed Martial Arts Amateur Contestant****	256	0	256
Mixed Martial Arts Contest Professional****	8	0	8
Mixed Martial Arts Contestant Professional****	47	0	47
Mixed Martial Arts Judge****	4	0	4
Mixed Martial Arts Promoter Professional****	2	0	2
Muay Thai Contestant Amateur****	3	0	3
Muay Thai Judge****	2	0	2
Muay Thai Referee****	1	0	1
Music Therapist	16	57	73
Nurse Advanced Practice Prescriber	1,445	4,866	6,311
Nurse Licensed Practical	2,236	12,459	14,695
Nurse Midwife	37	212	249
Nurse Registered	12,640	93,009	105,649
Nursing Home Administrator	118	761	879
Occupational Therapist	432	3,641	4,073
Occupational Therapist Assistant	230	1,377	1,607
Optometrist	88	1,097	1,185
Perfusionist	22	128	150
Pharmacist	1,010	8,307	9,317
Pharmacy (in state)	100	1,243	1,343
Pharmacy (out of state)	408	956	1,364
Physical Therapist	857	5,704	6,561
Physical Therapist Assistant	310	2,079	2,389
Physician Assistant	668	2,657	3,325
Podiatrist	47	369	416
Private Detective	216	553	769
Private Detective Agency	99	486	585
Private Security Person	5,919	3,040	8,959
Psychologist	206	1,734	1,940
Radiographer Licensed	702	5,044	5,746
Real Estate Broker	354	9,437	9,791
Real Estate Business Entity	365	2,568	2,933
Real Estate Salesperson	4,405	10,963	15,368
Resident Educational License	1,046	0	1,046
Respiratory Care Practitioner	379	2,779	3,158

Profession	Initial	Renewal	Total Active
Ringside Physician****	4	0	4
Sanitarians Registered	27	280	307
School Psychologist Private Practice	7	32	39
Second****	234	0	234
Sign Language Interpreter	124	315	439
Sign Language Interpreter-Restricted	24	34	58
Social Worker	550	5,117	5,667
Social Worker Advanced Practice	889	2,784	3,673
Social Worker Independent	15	245	260
Social Worker Licensed Clinical	407	3,319	3,726
Social Worker Training	312	0	312
Soil Scientist Firm	0	9	9
Soil Scientist Professional	0	64	64
Special Licenses	4		4
Special Permits	182	0	182
Speech Language Pathologist	427	1,952	2,379
Substance Abuse Clinical Support Training	132	100	232
Substance Abuse Counselor	196	541	737
Substance Abuse Counselor Clinical	270	1,478	1,748
Substance Abuse Counselor Training	774	717	1,491
Substance Abuse Independent Clinical Support	30	257	287
Substance Abuse Intermediate Clinical Support	45	184	229
Substance Abuse Prevention Specialist Training	28	34	62
Substance Abuse Prevent Specialist	4	32	36
Tanning Establishment***	123	676	799
Tattooist***	683	552	1,235
Timekeeper****	2	0	2
Timeshare Salesperson	27	4	31
Transportation Network Company	4	2	6
Unarmed Combat Contest	27	0	27
Unarmed Combat Promoter	12	0	12
Wholesale Distributor of Prescription Drugs	156	653	809
Wisconsin Registered Interior Design	<u>27</u>	<u>173</u>	<u>200</u>
Subtotal	61,510	314,139	375,649
<b>Building Trades Professions</b>			
Automatic Fire Sprinkler Contractor	6	23	101
Automatic Fire Sprinkler Contractor-Maintenance	2	8	25
Automatic Fire Sprinkler Fitter-Maintenance	23	51	185
Automatic Fire Sprinkler System Apprentice	43	122	145
Automatic Fire Sprinkler System Tester	12	51	99
Automatic Fire Sprinkler Tester Learner	8	12	15
Boiler-Pressure Vessel Inspector	12	83	137
Class 1 Blaster	1	32	37
Class 2 Blaster	6	60	97
Class 3 Blaster	1	5	15



Profession	Initial	Renewal	Total Active
Class 4 Blaster	2	3	5
Class 5 Blaster	14	92	150
Class 6 Blaster	1	53	72
Class 7 Blaster	0	9	12
Commercial Building Inspector	51	371	576
Commercial Electrical Inspector	101	416	735
Commercial Plumbing Inspector	33	111	395
Cross Connection Control Tester	293	519	1,986
Dwelling Contractor	1,005	10,781	10,416
Dwelling Contractor Qualifier	3,180	9,248	11,185
Dwelling Contractor Restricted	2	11	10
Electrical Contractor	562	1,470	2,979
Electrician Apprentice	394	1,466	1,694
Elevator Apprentice	59	15	191
Elevator Apprentice-Restricted	0	0	1
Elevator Contractor	8	50	57
Elevator Helper	77	25	161
Elevator Inspector	27	21	64
Elevator Mechanic	93	534	610
Elevator Mechanic Temporary	12	29	11
Elevator Mechanic-Restricted	1	10	10
Fire Detection, Prevention & Suppression Inspector	157	0	334
Fireworks Manufacturer	1	7	15
HVAC Contractor (Heating, ventilation, air conditioning)	335	1,958	3,222
HVAC Qualifier	39	304	508
Industrial Electrician Apprentice	16	18	22
Industrial Journeyman Electrician	131	169	743
Journeyman Automatic Fire Sprinkler Fitter	40	160	656
Journeyman Electrician	681	2,782	5,884
Journeyman Plumber	159	439	2,661
Journeyman Plumber-Restricted Appliance	41	46	301
Journeyman Plumber-Restricted Service	18	21	239
Lift Helper	20	4	32
Lift Mechanic	1	16	17
Liquefied Gas Supplier	11	143	151
Liquefied Gas Supplier - Restricted	3	69	72
Manufactured Home Installer	19	20	172
Manufactured Home Manufacturer	2	7	13
Manufactured Homes Dealer	34	49	170
Manufactured Homes Sales Person	73	92	354
Master Electrician	369	2,909	5,638
Master Plumber	110	428	2,985
Master Plumber-Restricted Appliance	5	16	195
Master Plumber-Restricted Service	6	45	528
Pipe Layer	233	150	849

Profession	Initial	Renewal	Total Active
Plumber-Restricted Service Type 2	0	1	0
Plumbing Apprentice	182	921	969
Plumbing Learner-Restricted Appliance	93	29	130
Plumbing Learner-Restricted Service	91	43	143
POWTS Inspector (Private onsite wastewater treatment system)	53	247	384
POWTS Maintainer	51	407	573
Registered Electrician	2,720	1,347	2,386
Registered Master Electrician	193	0	711
Rental Weatherization Inspector	14	94	0
Residential Electrician Apprentice	1	8	7
Residential Journeyman Electrician	36	39	124
Residential Master Electrician	48	86	209
Soil Erosion Inspector	18	143	241
Soil Tester	59	562	704
UDC Inspection Agency (Uniform dwelling code)	13	50	74
UDC-Construction Inspector	92	554	834
UDC-Electrical Inspector	54	425	600
UDC-HVAC Inspector	78	481	731
UDC-Plumbing Inspector	30	330	450
Utility Contractor	21	45	314
Weld Test Conductor	26	44	150
Welder	<u>1,342</u>	<u>1,013</u>	<u>4,343</u>
<b>Subtotal</b>	13,748	42,402	72,014
<b>Total</b>	75,258	356,541	447,663

\*The initial and renewal counts represent the credentials processed from July, 2016 through June, 2018. The total active credential count represents the number of active credentials as of July 1, 2016 (rather than over the two-year range). The total active column does not equal the sum of the initial and renewal columns, since the renewal dates and periods vary, some professionals may reinstate an old license, and some professionals may lose their credential.

\*\*Does not renew.

\*\*\*These credentials are active from July 1 to June 30 of each fiscal year. The active credential counts for these professions represent the number of active credentials as of November 1, 2018. The system used to track these credentials does not provide information regarding each credential's initial or renewal status.

\*\*\*\*Renews every year or every event.

## APPENDIX II

### Professional Boards

Board	Licenses	Composition of Board*	Notes
Accounting Examining Board	Certified Public Accountant Public Accountant Accounting Corporations or Partnerships	7 members (5 certified public accountants and 2 public members)	
Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board	Architect Architectural/Engineering Corporation Designer of Engineering Systems Engineer Landscape Architect Land Surveyor	25 members (3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 land surveyors (all of the above must be licensed) and 10 public members)	The Board is divided into five sections responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Auctioneer Board	Auctioneer Auction Company	7 members (4 licensed auctioneers or auction company representatives and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. Members may serve no more than two terms.
Cemetery Board	Licensed Cemetery Authority Registered Cemetery Authority Preneed Seller Cemetery Salesperson Warehouse for Cemetery Merchandise	6 members (4 licensed cemetery authority representatives and 2 public members)	No member may represent a religious cemetery authority, unless that cemetery is regulated by the Board. No member may serve more than two terms.
Cosmetology Examining Board	Aesthetician Aesthetics Establishment Cosmetologist Cosmetologist Apprentice Cosmetology Establishment Cosmetology Manager Electrologist Electrology Establishment Manicurist Manicuring Establishment	9 members (4 licensed aestheticians or cosmetologists, 1 representative of a private school of cosmetology, 1 representative of a public school of cosmetology, 1 licensed electrologist and 2 public members)	This board formerly regulated barbers. The Department now directly licenses barbers, under advisement of the Barbering Advisory Committee. No more than 4 members may be connected with or have a financial interest in a cosmetology school.
Chiropractic Examining Board	Chiropractor Chiropractic Radiological Technician Chiropractic Technician	6 members (4 members, who are graduates of a school of chiropractic and licensed in the state and 2 public members without financial interest in a chiropractic school)	No member may be connected to or have a financial interest in a chiropractic school.
Dentistry Examining Board	Dentist Dental Hygienist	11 members (6 licensed dentists, 3 licensed dental hygienists and 2 public members)	

Board	Licenses	Composition of Board*	Notes
Funeral Directors Examining Board	Funeral Director Funeral Establishment	6 members (4 licensed funeral directors and 2 public members)	
Geologists, Hydrologists and Soil Scientists Examining Board	Professional Geologist Professional Hydrologist Professional Soil Scientist Geology Firm/Corp/Partnership Hydrology Firm/Corp/Partnership Soil Scientist Firm/Corp/Partnership	12 members (3 licensed geologists, 3 licensed hydrologists, 3 licensed soil scientists, 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Hearing and Speech Examining Board	Audiologist Hearing Instrument Specialist Speech-Language Pathologist	10 members (3 licensed hearing instrument specialists, 1 otolaryngologist, 2 audiologists, 2 speech-language pathologist and 2 public members)	
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board	Marriage and Family Therapist Professional Counselor Social Worker Advanced Practice Social Worker Independent Social Worker Independent Clinical Social Worker	13 members (3 licensed marriage and family therapists, 4 licensed social workers, including 1 advanced practice social worker, 1 independent social worker, 1 clinical social worker, and 1 social worker who is an employee of federal, state, or local government, 3 licensed professional counselors and 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Medical Examining Board	Anesthesiologist Assistant Athletic Trainer Dietitian Occupational Therapist Occupational Therapist Assistant Perfusionist Podiatrist Physician (MD) Physician (DO) Physician Assistant Respiratory Care Practitioner	14 members (9 licensed medical doctors, 1 doctor of osteopathy and 3 public members. Nonvoting member: chairperson of the patient's compensation fund peer review council)	3 attached councils and 5 Affiliated Credentialing Boards. See Appendix III for council membership and function.
Nursing, Board of	Registered Nurse Licensed Practical Nurse Nurse-Midwife Advanced Practice Nurse Prescriber	9 members (5 licensed registered nurses, 2 licensed practical nurses and 2 public members. Nurse members must be graduates of accredited nursing programs)	
Nursing Home Administrators Examining Board	Nursing Home Administrator	9 members (5 licensed nursing home administrators, 1 physician, 1 licensed nurse and 2 public members). The Secretary of Health Services or a designee serves as a non-voting member.	No more than 2 members may be elected officials or full-time state employees.

Board	Licenses	Composition of Board*	Notes
Optometry Examining Board	Optometrist	7 members (5 licensed optometrists and 2 public members)	
Pharmacy Examining Board	Pharmacist Pharmacy Drug Distributor Drug Manufacturer	7 members (5 licensed pharmacists and 2 public members)	
Physical Therapy Examining Board	Physical Therapist Physical Therapist Assistant	5 members (3 licensed physical therapists, 1 physical therapist assistant, 1 public member)	
Psychology Examining Board	Psychologist School Psychologist	6 members (4 licensed psychologists, each in a different specialty area, and 2 public members)	
Radiography Examining Board	Radiographer Limited X-Ray Machine Operators	7 members (3 licensed radiographers, 1 certified radiology physician, 1 radiologic physicist, 2 public members)	
Real Estate Appraisers Board	General Appraiser Residential Appraiser Licensed Appraiser	7 members (1 certified general appraiser, 1 certified residential appraiser, 1 licensed appraiser, 1 assessor and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. No public member may be connected with or have a financial interest in an appraisal business or other real estate-related business.
Real Estate Examining Board	Apprentice Broker Salesperson Business Entity Time-Share Salesperson	7 members (5 licensed real estate brokers or salespersons and 2 public members)	Members may serve no more than two terms.

\*All members of listed boards serve four-year terms.

## APPENDIX III

### Attached Councils and Affiliated Credentialing Boards

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
<b>Medical Examining Board (MEB)</b>			
Council on Anesthesiologist Assistants	5 members (1 member of the MEB, 1 licensed anesthesiologist assistant, 2 anesthesiologists, and 1 lay member)	3	Advises the MEB on rules for anesthesiology assistants. Appointments made based on recommendations from Wisconsin Society of Anesthesiologists, and the Wisconsin Academy of Anesthesiologist Assistants.
Athletic Trainers Affiliated Credentialing Board	6 members (4 licensed athletic trainers, 1 person licensed to practice medicine and surgery with athletic trainer experience, 1 public member)	4	Licenses athletic trainers. Develops a form for recording practice protocols. Establishes liability insurance minimums for licensees. Promulgate rules requiring proficiency in defibrillators.
Dietitians Affiliated Credentialing Board	4 members (3 certified dietitians and 1 public member, all appointed by the Governor)	4	Certifies dietitians. Establishes criteria for approval of educational and training programs and code of ethics to govern the professional conduct of dietitians.
Occupational Therapists Affiliated Credentialing Board	7 members (3 licensed occupational therapists, 2 licensed occupational therapist assistants, 2 public members)	4	Licenses occupational therapists. Sets standards of: (a) examination requirements; (b) continuing education requirements; and (c) standards of practice and professional conduct. Defines the scope of practice. Takes disciplinary action against licensees.
Podiatrists Affiliated Credentialing Board	4 members (3 licensed podiatrists and 1 public member)	4	Licenses podiatrists. Establishes continuing education requirements. Takes disciplinary action against licensees.
Massage Therapy and Bodywork Therapy Affiliated Credentialing Board	7 members (6 licensed massage therapists that have practiced for at least the preceding two years -- one of these members must represent an approved bodywork or massage therapy school and one must represent such a program offered by a state technical college -- and 1 public member)	4	Licenses massage therapists and bodyworkers. Sets standards of: (a) examination requirements; (b) training program requirements; and (c) standards of practice and professional conduct.
Physician Assistants, Council on	5 members (3 physician assistants, 1 person who teaches physician assistants, and 1 public member)	4	Advises the MEB on rules for physician assistants.
Perfusionists Examining Council	5 members (3 licensed perfusionists, 1 cardiothoracic surgeon or a cardiovascular anesthesiologist, and 1 public member)	3	Advises the MEB on rules for perfusionists.
Respiratory Care Practitioners Examining Council.	5 members (3 certified respiratory care practitioners, each with at least 3 years of experience, 1 physician, and 1 public member)	3	Advises examining board on rules promulgated by the MEB related to the practice of respiratory care.

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
<b>Departmental</b>			
Council on Real Estate Curriculum and Examinations	7 members (5 licensed real estate brokers or salespersons, which must include 1 member of the Real Estate Examining Board, 2 brokers with 5 years experience, and 1 real estate salesperson with 2 years of experience; and 2 public members, one of whom must have 2 years experience in planning or presenting real estate education programs)	4	Advisory to the Department.
Sign Language Interpreter Council	9 members (Secretary of DSPS or a designee of the Secretary, 5 deaf or hard-of-hearing persons who have been clients of a sign language interpreter, at least one of whom is a graduate of a school for deaf or hard of hearing, and at least one of whom is a graduate of a public or private school that is not a residential school for the deaf or hard of hearing, 2 licensed sign language interpreters, 1 person who is not hard of hearing and has obtained sign language interpreter services)	3	Advisory to the Department.
Automatic Fire Sprinkler System Contractors and Journeymen Council	5 (1 employee of DSPS selected by the Secretary, 2 licensed journeymen automatic fire sprinkler fitters, 2 licensed automatic fire sprinkler contractors)	4	Advises DSPS on rules for qualifications, examination and licensing of journeymen automatic fire sprinkler system fitters and automatic fire sprinkler contractors, and for the registration and training of automatic fire sprinkler system apprentices.
Commercial Building Code Council	10 (2 members representing each of the following groups: (1) skilled building trades, each of whom is actively engaged in his or her trade; (2) local building inspectors, one of whom is certified as an inspector by DSPS and is employed by a city, village, or county; (3) fire services, each of whom is actively engaged in fire service work and at least one of whom is a fire chief; (4) building contractors, each of whom is actively engaged in onsite construction of public buildings and buildings that are places of employment; and (5) architects, engineers and designers, each of whom is actively engaged in the design or evaluation of public buildings and buildings that are places of employment)	3	Reviews rules relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment. Makes recommendations to DSPS on the rules and other matters related to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment.
Conveyance Safety Code Council	9 members (one member representing each of the following groups: (1) manufacturer of elevators; (2) elevator servicing business; (3) architectural design or elevator consulting profession; (4) labor organization whose members are involved in the installation, maintenance, and repair of elevators; (5) city, village, town, or county; (6) owner or manager of a building containing an elevator; (7) general public; (8) building contractor involved in commercial construction that includes the construction or installation of conveyances; and (9) the Secretary of DSPS.	3	Advises DSPS on rules related to conveyances, enforcement, the granting of variances, administrative appeal procedures, and fees. Recommends a statewide conveyance safety code for promulgation by DSPS.

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
Manufactured Housing Code Council	13 members (2 manufacturers of manufactured homes, 2 manufactured home dealers, 2 owners of manufactured home communities, 2 installers of manufactured homes, 1 representative of an association of the manufactured housing industry in Wisconsin, 1 supplier of materials or services to the manufactured housing industry, 1 public member, 1 person representing labor, and 1 inspector of manufactured homes)	3	Recommends a statewide manufactured housing code for promulgation by DSPS. Reviews rules, make recommendations related to licensure and professional discipline of manufacturers of manufactured homes, manufactured home dealers, manufactured home salespersons, and installers, and with regard to consumer protection applicable to consumers of manufactured homes.
Plumbers Council	3 members (1 employee of DSPS selected by the Secretary, 1 master plumber, and 1 journeyman plumber)	2	Advises DSPS on rules related to qualifications, examination and licensing of master and journeyman plumbers and restricted plumbers, for the licensing of utility contractors, for the registration of plumbing apprentices and pipe layers, and for the registration and training of registered learners.
Uniform Dwelling Code Council	11 members (each member shall represent at least one of the following groups: (1) building trade labor organizations; (2) certified building inspectors employed by local governments; (3) building contractors actively engaged in onsite construction of one- and two-family housing; (4) manufacturers, retailers, or installers of manufactured or modular one- and two-family housing; (5) registered architects, engineers, or designers who are actively engaged in the design or evaluation of one- and two-family housing; (6) the construction material supply industry; (7) remodeling contractors actively engaged in the remodeling of one-family and two-family housing; (8) persons with disabilities; and (9) fire prevention professionals.	2	Reviews the standards and rules for one- and two-family dwelling construction and recommends a uniform dwelling code for adoption by DSPS. Studies the need for and availability of one- and two-family dwellings that are accessible to persons with disabilities. Makes recommendations to DSPS for changes to the uniform dwelling code that may be needed to ensure an adequate supply of one- and two-family dwellings. Considers and makes recommendations to DSPS pertaining to rules for one- and two-family dwellings. Reviews complaints from permittees concerning possible incompetent, negligent, or unethical conduct by building inspectors, and recommends whether DSPS should suspend or revoke the certification of a building inspector. Prepares a report that consists of the review of the standards and rules, and the recommendations for rule changes, once every six years. The first report was required by July 7, 2014.
<b><i>Special Use Authorizations</i></b>			
<b>Controlled Substances Board</b>			
	9 members (7 members with no term expiration dates: the Attorney General, the Secretary of Health Services, and the Secretary of Agriculture, Trade and Consumer Protection, or their designees; the chairperson of the Pharmacy Examining Board, the chairperson of the Medical Examining Board, the chairperson of the Dentistry Examining Board, and the chairperson of the Board of Nursing, or a designee; and 2 members appointed by the Governor to serve 3-year terms: 1 psychiatrist member and 1 pharmacologist member.	3	Advises DSPS boards on matters relating to controlled substances. Approves special use permits for controlled substances. The Board also has duties that are not specific to the Department, relating to rulemaking in defining controlled substances, and creating standards and schedules under the uniform controlled substances act (Chapter 961 of the statutes).



## APPENDIX IV

### Occupational Regulation Licensing Fees 2017-19 Biennium

Credential Type	New License Fee	Renewal Fee
<b>Health and Business Professions</b>		
Certified Public Accountant	\$75	\$82
Accounting Firm	75	82
Acupuncturist	75	107
Advanced Practice Nurse Prescriber	75	82
Advanced Practice Social Worker	75	85
Aesthetician	75	82
Aesthetics Establishment	75	82
Aesthetics Instructor	75	82
Agent For Burial Agreements	75	0
Anesthesiologist Assistant	75	82
Architect	75	82
Architectural or Engineering Corp - Certificate of Authorization	75	82
Art Therapist	75	107
Athlete Agent	75	107
Athletic Trainer	75	75
Auction Company	75	170
Auctioneer	75	170
Audiology	75	170
Barber	75	82
Barber Apprentice	10	0
Barber Establishment	75	82
Barbering Instructor	75	82
Barbering Manager	75	82
Barbering School	75	82
Behavior Analyst	75	75
Body Piercer	60	60
Boxing Contestant*	40	40
Boxing Judge*	15	15
Boxing Referee*	15	15
Cemetery Authority - Licensed	75	170
Cemetery Authority - Registered	10	10
Cemetery Authority-Religious	75	0
Cemetery Preneed Seller	75	170
Cemetery Salesperson	75	170
Certified Dietitian	75	75
Certified General Appraiser and Licensed Appraiser	75	170
Certified Residential Appraiser and Licensed Appraiser	75	170
Chiropractic	75	170
Chiropractic Radiological Technician	53	44
Chiropractic Technician	53	44

Credential Type	New License Fee	Renewal Fee
Clinical Substance Abuse Counselor	75	107
Clinical Supervisor-in-Training	75	107
Cosmetology Apprentice	10	0
Cosmetology Establishment	75	82
Cosmetology Instructor	75	82
Cosmetology Manager	75	82
Cosmetology Practitioner	75	82
Crematory Authority	75	170
Dance Therapist	75	107
Dental Hygiene	75	123
Dentist	75	123
Designer of Engineering Systems	75	82
Electrologist	75	82
Electrology Establishment	75	82
Electrology Instructor	75	82
Engineer-in-Training	75	0
Firearms Certifier	0	8
Funeral Director	75	170
Funeral Director Apprentice	10	10
Funeral Director Excluding Embalming	75	170
Funeral Director in Good Standing	75	170
Funeral Establishment	75	170
Geology Firm	75	170
Hearing Instrument Specialist	75	170
Home Inspector	75	107
Hydrology Firm	75	170
Independent Clinical Supervisor	75	107
Independent Social Worker	75	85
Intermediate Clinical Supervisor	75	107
Juvenile Martial Arts Instructor	75	75
Land Surveyor	75	82
Landscape Architect	75	82
Licensed Appraiser	75	170
Licensed Clinical Social Worker	75	85
Licensed Marriage and Family Therapist	75	85
Licensed Midwife	75	107
Licensed Practical Nurse	75	82
Licensed Professional Counselor	75	91
Licensed Radiographer	75	82
Limited X-Ray Machine Operator Permit	75	82
Manicuring Establishment	75	82
Manicuring Instructor	75	82
Manicurist	75	82
Manufacturer- Drug or Device	75	128
Marriage and Family Therapist Training License	75	0
Massage Therapist or Bodywork Therapist	75	82

Credential Type	New License Fee	Renewal Fee
Matchmaker*	10	10
Medicine and Surgery DO	75	141
Medicine and Surgery MD	75	141
Mixed Martial Arts Amateur Contestant*	40	40
Mixed Martial Arts Judge*	15	15
Mixed Martial Arts Professional Club*	500	500
Mixed Martial Arts Professional Contestant*	40	40
Mixed Martial Arts Referee*	15	15
Music Therapist	75	107
Nurse - Midwife	75	82
Nursing Home Administrator	75	170
Occupational Therapist	75	75
Occupational Therapy Assistant	75	75
Optometry	75	170
Peddler	75	0
Perfusionist	75	141
Pharmacist	75	128
Pharmacy	75	128
Pharmacy, Out of State	75	128
Physical Therapist	75	75
Physical Therapist Assistant	75	75
Physician Assistant	75	141
Podiatric Medicine and Surgery	75	91
Prevention Specialist	75	107
Prevention Specialist-in-Training	75	107
Private Detective	75	107
Private Detective Agency	75	107
Private Practice of School Psychology	75	170
Private Security Person	75	107
Professional Boxing Contest**	300	300
Professional Boxing Promoter*	500	500
Professional Counselor Training License	75	0
Professional Engineer	75	82
Professional Geologist	75	170
Professional Hydrologist	75	170
Professional Mixed Martial Arts Contest**	300	300
Professional Mixed Martial Arts Promoter*	500	500
Professional Soil Scientist	75	170
Psychologist	75	170
Real Estate Broker	75	82
Real Estate Business Entity	75	82
Real Estate Salesperson	75	82
Registered Nurse	75	82
Registered Sanitarian	75	107
Respiratory Care Practitioner	75	141

Credential Type	New License Fee	Renewal Fee
Ringside Physician*	10	10
School of Aesthetics	75	82
School of Cosmetology	75	82
School of Electrology	75	82
School of Manicuring	75	82
Second *	40	40
Sign Language Interpreter	75	75
Sign Language Interpreter- Restricted	75	75
Social Worker	75	85
Social Worker Training Certificate	75	0
Soil Science Firm	75	170
Special Permits	75	0
Speech-Language Pathology	75	170
Substance Abuse Counselor	75	107
Substance Abuse Counselor-in-Training	75	107
Tanning Facility	10	10
Tattooing and Body Piercing Establishment	10	220
Tattooist	60	60
Temporary Education Training Permit	10	0
Timekeeper*	10	10
Time-share Salesperson	75	82
Transportation Network Companies	5,000	5,000

**Building Trades Professions**

See Administrative Code Chapter SPS 305, Table 305.02 for fees, and Table 305.06 for length of credential.

\*Renew annually

\*\*Cost per contest