

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date July 27, 2018</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Med 25</p>	
<p>4. Subject Sports physician licensure exemption</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR   <input type="checkbox"/> FED   <input checked="" type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.165(1)(hg)</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect   <input type="checkbox"/> Increase Existing Revenues   <input checked="" type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate   <input type="checkbox"/> Decrease Existing Revenues   <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b></p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule The proposed rules create ch. Med 25 to implement the sports physician licensure exemption under s. 448.03 (2m), Stats., as created by 2017 Wisconsin Act 341. Specifically, s. Med 25.03 (2) provides the requirements for requesting the extension the Board may grant under s. 448.03 (2m) (c) 1. b., Stats. The remainder of the chapter provides physicians and others with clear and concise guidance concerning the exemption's conditions and limitations.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.</p>	
<p>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. The Department estimates one-time administrative costs of \$1,933.56. These costs may be absorbed in the agency budget.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is providing the requirements for requesting the extension the Board may grant under s. 448.03 (2m) (c) 1. b., Stats., as well as clear and concise guidance concerning the exemption's conditions and limitations. If the rule is not implemented, the exemptions conditions, limitations, and requirements for requesting an extension will remain unclear.</p>	

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16. Long Range Implications of Implementing the Rule

The long range implication of implementing the rule is clarity and specific requirements for requesting an extension of the sports physician licensure exemption.

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17. Compare With Approaches Being Used by Federal Government

None

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois:

Illinois statutes provide a licensure exemption for health care professionals licensed to practice in another state or country (20 ILCS 2105/2105-360). The exemption applies if the following conditions are met:

- The health care professional has an oral or written agreement with an athletic team to provide health care services to the athletic team members, coaching staff, and families traveling with the athletic team for a specific sporting event to take place in Illinois.
- The health care professional may not provide care or consultation to any person residing in Illinois other than the athletic team members, coaching staff, and families traveling with the athletic team, unless the care is covered under the Good Samaritan Act.

The exemption from licensure remains in force while the health care professional is traveling with the athletic team, limited to 10 days per individual sporting event. Upon prior written request from the health care professional, the Illinois Department of Financial and Professional Regulation may grant an extension of the exemption for up to 20 days per sporting event.

A health care professional exempt from licensure under these provisions is not authorized to practice at a health care clinic or facility, including an acute care facility.

Iowa:

Rules of the Iowa Board of Medicine provide a licensure exemption for physicians and surgeons from out of state who hold a current, active license in good standing in another United States jurisdiction and who accompany one or more individuals into Iowa for the purpose of providing medical care to the individuals on a short-term basis (653 IAC 9.2 (2) f.).

Michigan:

Michigan statutes provide a licensure exemption for individuals authorized to practice a health profession in another state or territory of the United States who are appointed by the United States Olympic Committee to provide health services exclusively to team personnel and athletes at a training site or event [MCL 333.16171 (i)]. The exemption applies to the individual while performing the duties assigned in the course of the sanctioned training program or event and for the time period specified by the United States Olympic Committee.

An exemption is also provided for individuals currently authorized to practice a health profession in another state and providing health services for an athletic team [MCL 333.16171 (j)]. The exemption is subject to the following conditions:

- The individual may provide only those health services permitted if the individual were licensed to practice in Michigan.
  - The athletic team must be from the same state that authorized the individual to practice the health profession.
  - The individual must provide health services under the terms of a written agreement with the athletic team.
  - The individual may only provide health services while the athletic team is traveling to or from or participating in a sporting event in Michigan.
  - Health services may only be provided to a member of the athletic team; a member of the athletic team's coaching, communications, equipment, or sports medicine staff; a member of a band or cheerleading squad that is accompanying the athletic team; or the athletic team's mascot.
  - The individual may not provide health services at a health care facility or agency located in Michigan.
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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

Minnesota:

Minnesota statutes provide a licensure exemption for a physician licensed to practice medicine in another state who is in Minnesota for the sole purpose of providing medical services at a competitive athletic event [2017 Minn. Stat. Section 147.09 (12)]. The physician may practice medicine only on participants in the athletic event. A physician must first register with the Minnesota Board of Medical Practice on a form developed by the Board for that purpose. The physician must provide evidence satisfactory to the Board of a current unrestricted license in another state.

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19. Contact Name Dale Kleven	20. Contact Phone Number (608) 261-4472
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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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