

Report From Agency

**STATE OF WISCONSIN
MEDICAL EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
MEDICAL EXAMINING BOARD: ON CLEARINGHOUSE RULE 09-005
: (s. 227.19 (3), Stats.)**

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

Application forms are available from the department. A Note has been created in s. Med 20.055.

III. FISCAL ESTIMATES:

The Department of Regulation and Licensing estimates that this rule will require staff time in the Office of Legal Counsel, Division of Management Services, and the Division of Professional Credentialing. The total one-time salary and fringe costs are estimated at \$3,500. The total on-going salary and fringe costs are estimated at \$600. Initially, the department stated there was no fiscal effect because it was assumed the minimal costs associated with processing the new temporary credential could be easily absorbed by the department. However, it is now the policy of the department to reflect actual costs, even if minimal, so that the impact of additional regulatory duties on the department's budget is recognized. The department finds that this rule has no significant fiscal effect on the private sector.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

This proposed rule-making will conform ch. Med 20, relating to respiratory care practitioners, to the provisions enacted by 2007 Wisconsin Act 54, which created a temporary certificate for the practice of respiratory care. The temporary certificate to practice respiratory care authorized by this Act is available to a limited category of applicants who have passed the national examination and are licensed in another state. The proposed rule addresses the high demand for health care professionals such as respiratory care practitioners and will make it easier for hospitals, especially those along Wisconsin's borders, to recruit and hire qualified applicants who are licensed in

neighboring states in a timely manner. Currently, the temporary certificate is only available to graduates who have not passed the national examination.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on March 18, 2009. There were no appearances at the public hearing and no written comments were received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1), Stats.