

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

Wis. Admin. Code Chs. PT 7 & PT 8

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3. Subject

Standards of professional conduct and biennial license renewal

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect    Increase Existing Revenues    Increase Costs  
 Indeterminate    Decrease Existing Revenues    Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy    Specific Businesses/Sectors  
 Local Government Units    Public Utility Rate Payers  
 Small Businesses **(if checked, complete Attachment A)**

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes    No

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9. Policy Problem Addressed by the Rule

The proposed rule seeks to modernize the unprofessional conduct standards and correct the current biennial renewal date reflected in Wis. Admin. Code s. PT 8. Prompted by the American Physical Therapist Association (APTA) revision of its "Code of Ethics" the Physical Therapy Examining Board decided to review its unprofessional conduct rules. The APTA's Code of Ethics, which became effective in July of 2010, discussed the core values of the physical therapy profession including accountability, altruism, compassion, excellence, integrity, professional duty and responsibility. These are the principles the profession aspires to uphold. The Board sought to codify these principles within the unprofessional conduct standards as mandated by s. 448.527, Stats.

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10. 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.

This proposed rule will primarily affect licensed physical therapists and physical therapist assistants. The rule was posted on the Department of Safety and Professional Services website for 14 days in order to solicit comments from the public regarding the rule. No comments were received from the public regarding the rule.

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11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA

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12. 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)

This rule will have no economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units or the State's economy as a whole.

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

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The main benefit of implementing the proposed rule is bringing relevant Wis. Admin. Code into conformity with recent changes within the profession. Another benefit is changing the necessary language in Wis. Admin. Code Ch. PT 8 to reflect the correct biennial renewal date. The alternative to implementing the proposed rule is allowing the current Wis. Admin. Code PT 7 and PT 8 to remain outdated.

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### 14. Long Range Implications of Implementing the Rule

Providing greater guidance to licensed physical therapists and physical therapist assistants regarding maintaining the ethical standards within their profession.

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### 15. Compare With Approaches Being Used by Federal Government N/A

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

Iowa sets forth a code of ethics for physical therapist and physical therapist assistants. The code of ethics details what a licensed physical therapist or physical therapist assistants must do in order to practice within minimally competent parameters. Iowa Admin. Code r. 645-201.1 (148A.272 C)(2012) Iowa also sets forth its grounds for discipline in which it identifies acts that will result in disciplinary sanctions. Iowa Admin. Code 645.202.2 (272C) (2012)

#### Illinois

Illinois sets forth its grounds for unprofessional conduct Ill Admin. Code tit. 68 §1340.65 (2012) and incorporates by reference the June of 2000 APTA's "Code of Ethics".

#### Minnesota

Similar to Iowa, Minnesota sets forth its grounds for disciplinary action in Minn. Stat. 148.75 (2011) and a Code of Ethical Practice in Minn. R. 5601.3200(2012). Any violation of the Code of Ethical Practice is also grounds for disciplinary action. Minnesota also incorporates the APTA's Code of Ethics as an aide to interpreting its Code of Ethical Practice.

#### Michigan

Michigan does not incorporate a code of ethics or maintain grounds for unprofessional conduct with regards to the practice of physical therapy. Michigan does, however, have provisions regarding prohibited conduct under Mich. Admin. Code 3338.7124 (2012)

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### 17. Contact Name

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### 18. Contact Phone Number

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This document can be made available in alternate formats to individuals with disabilities upon request.

**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)

N/A

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

N/A

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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

N/A

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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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