

Report From Agency

**STATE OF WISCONSIN
PODIATRY AFFILIATED CREDENTIALING BOARD**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
PODIATRY AFFILIATED : CR 13-110
CREDENTIALING BOARD :
:**

I. THE PROPOSED RULE:

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

II. REFERENCE TO APPLICABLE FORMS:

N/A

III. FISCAL ESTIMATE AND EIA:

The Fiscal Estimate and EIA are attached.

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 advances the statutory goal of s. 448.695, Stats., by promulgating rules that specify the requirements for a course of study related to X-ray examinations by persons under the direct supervision of a podiatrist. Generally, persons who practice radiography are required to be credentialed by the Radiography Examining Board pursuant to s. 462.02, Stats. However, an exception exists for unlicensed persons who practice under the direct supervision of a podiatrist pursuant to s. 462.02 (2) (f), Stats. While developing the proposed rule the Podiatry Affiliated Credentialing Board examined regulations in other states and consulted with the Radiography Examining Board as required by s. 448.695 (3), Stats. This proposed rule sets forth the fundamental course of instruction an unlicensed podiatric assistant will need in order to carry out his or her duties.

V. SUMMARY OF PUBLIC COMMENTS AND THE BOARD'S RESPONSES, EXPLANATION OF MODIFICATIONS TO PROPOSED RULES PROMPTED BY PUBLIC COMMENTS:

The Podiatry Affiliated Credentialing Board held a public hearing on February 4, 2014. No one attended or testified at the hearing. However, written comments were submitted by Anthony H. Driessen of the Wisconsin Society of Podiatric Medicine.

The Podiatry Affiliated Credentialing Board summarizes the comments received by written submission as follows:

Mr. Anthony Driessen representing the Wisconsin Society of Podiatric Medicine made the following suggestions:

-Add podiatric physician or podiatrist to the permissible instructions listed in Pod 7.01 (1).

-Remove the requirement that podiatrist should inform patients that a podiatric x-ray assistant is practicing under the supervision of the podiatric physician in Pod 7.01.

-Provide a grandfathering clause for current podiatric assistants who have taken a course sponsored by the Wisconsin Society of Podiatric Medicine during the past 3 years or setting forth a delayed effective date giving those individuals time to become compliant with the new rule.

The Podiatry Affiliated Credentialing Board explains modifications to its rule-making proposal prompted by public comments as follows:

The Board modified the proposed rule by adding the term podiatrist to the list of instructors stated in Pod 7.01 (1), and by removing the requirement that podiatrists inform patients that a podiatric x-ray assistant is practicing under the supervision of the podiatric physician. Lastly, the Board rejected the idea of delaying the effective date to address the issue of persons who have taken the Wisconsin Society of Podiatric Medicine courses within the past 3 years but instead included a grandfathering clause for those who have taken the course. The Board also decided to add language requiring podiatric x-ray assistants to update their knowledge base by retaking the required courses after 10 years.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

All of the recommendations suggested in the Clearinghouse Report have been accepted in whole.

VII. REPORT FROM THE SBRRB AND FINAL REGULATORY FLEXIBILITY ANALYSIS:

N/A