

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number
FD 5, Reciprocity

3. Subject

Licensure by reciprocity for funeral directors

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected
20.165 (1)(g)

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

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)

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

Yes No

9. Policy Problem Addressed by the Rule

FD 5 has not been revised since the 1990's. This rule updates, streamlines and clarifies licensing requirements for applicants who currently hold an active funeral director's license in good standing in another jurisdiction. The revision aligns the rule with statutory requirements found in s. 445.08, Stats., "Reciprocity in issuance of licenses." Finally, the rule consolidates reciprocity requirements with other licensing information found in FD 1, "Licenses and Permits".

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.

Applicants applying for licensure by reciprocity.

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

None.

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)

The rule was posted for economic impact comments for 14 days and none were received.

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

The revision streamlines and clarifies licensing requirements for applicants who currently hold an active funeral director's license in another jurisdiction. It brings the rule into alignment with s. 445.08, Stats., relating to reciprocity in the issuance of funeral director licenses. The rule consolidates reciprocity requirements with other licensing information, improving ease of access to licensing information for funeral directors.

14. Long Range Implications of Implementing the Rule

The rule clarifies and simplifies funeral director licensure by reciprocity requirements, reducing potential confusion with the process and ensuring funeral directors applying for licensure by reciprocity in Wisconsin meet Wisconsin's professional standards.

15. Compare With Approaches Being Used by Federal Government

Federal regulations do not govern licensing procedures for funeral directors.

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

Illinois: Applicants who are licensed as a funeral director and embalmer in another jurisdiction and who wish to apply for an Illinois license must submit official transcripts demonstrating that they meet Illinois' educational requirements for funeral directors, an affidavit stating that the applicant has been actively engaged in practice as a funeral director for at least 1 year, certification by the state or territory of original and current licensure stating the time which the applicant was licensed in that jurisdiction, any record of disciplinary actions taken or pending, a brief description of examinations completed and the applicant's grades, and a statement that the state of licensure grants reciprocity to funeral directors and embalmers licensed in Illinois. The Division examines each reciprocity application to determine whether the license held by the applicant is from a jurisdiction substantially equivalent to Illinois' requirements.

Iowa: Applicants who have been licensed as a funeral director under the laws of another jurisdiction may apply for licensure by endorsement with the Iowa board office by submitting an application and licensure fee and providing evidence of meeting licensure requirements similar to those required in Iowa. Applicants are required to provide official academic transcripts showing training in mortuary science, completion of general education requirements, and evidence of completion of at least one semester hour or equivalent in current Iowa law and rules covering mortuary science, cremation, vital statistics, cemeteries, and preneed. The applicant must provide verification of licenses from every jurisdiction in which the applicant has been licensed.

Michigan: Michigan issues a mortuary science license to individuals who hold a valid license in another state if the state has substantially equivalent requirements to Michigan's requirements. Applicants must file the following with the department: An application to practice in the state, a certified statement from the examining board of the state in which the applicant holds a license that shows the basis on which the license was granted, and a statement as to whether that board has suspended, revoked, or limited that license. Michigan also requires proof that the applicant has passed the exam on Michigan's law relating to the practice of mortuary science.

Minnesota: Minnesota may issue a license to practice mortuary science to a person who holds a current license or other credential from another jurisdiction if the commissioner determines the requirements for that license or other credential are substantially similar to Minnesota's mortuary science practice requirements. A person seeking reciprocal licensing must pass the Minnesota state licensing examination and submit a completed application form, proof of age, an official transcript from each post high school educational institution attended, certification of passing scores on the National Board Examination and on the state licensing examination.

17. Contact Name
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18. Contact Phone Number
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ATTACHMENT A

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)

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

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:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

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

- Yes No
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