

Report From Agency

**STATE OF WISCONSIN
RADIOGRAPHY EXAMINING BOARD**

**IN THE MATTER OF RULEMAKING :
PROCEEDINGS BEFORE THE : REPORT TO THE LEGISLATURE
RADIOGRAPHY EXAMINING : CR 18-073
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 is attached.

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

Section RAD 5.04 is revised to comply with s. 440.03 (4m), Stats., as created by 2017 Wisconsin Act 59. Under this provision, the Board may require a credential holder to submit proof of completing continuing education programs or courses only if a complaint is made against the credential holder. Other provisions throughout ch. RAD 5 have been revised to better organize the content of the chapter and ensure consistency with current style and format standards for drafting administrative rules and applicable Wisconsin statutes.

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

The Radiography Examining Board held a public hearing on December 12, 2018. The Board did not receive any written or verbal comments.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 1:

The Board may not initiate an investigation on a basis other than a complaint. In addition, use of the term "alleged misconduct" aligns with terminology used by other examining boards and is sufficiently comprehensive to apply to any complaint made against a licensee or permit holder.

Comment 2:

The underscored “RADIOGRAPHERS” is a title, whereas the stricken “~~Radiographers~~” is the beginning of the rule provision following the title.

Comment 5.c:

The use of “a LXMO” instead of “an LXMO” would be grammatically incorrect.

All other Legislative Council recommendations have been incorporated into the proposed rules.

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

N/A