

# STATEMENT OF SCOPE

## PHYSICIAN ASSISTANT AFFILIATED CREDENTIALING BOARD

Rule No.: PA 1 to 5

Relating to: Physician Assistants

Rule Type: Both Permanent and Emergency

### 1. Finding/nature of emergency (Emergency Rule only):

Per 2021 Wisconsin Act 23, Section 72 (2), the Physician Assistant Affiliated Credentialing Board may promulgate emergency rules to allow for the licensure, discipline, and practice of Physician Assistants. The Board is not required to provide a finding of an emergency or provide evidence for the preservation of the public health, peace, safety, or welfare.

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 23.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapter Med 8 currently outlines requirements for Physician Assistants. This chapter will cease to exist on the first day of the 13<sup>th</sup> month beginning after publication of Wisconsin Act 23. If these new rules are not implemented, then the practice of Physician Assistants will be solely governed by subchapter VIII of section 448, stats. This may adversely affect the ability of Physician Assistants to fully practice in Wisconsin.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.085 (5) (b) states that “[each affiliated credentialing board] shall promulgate rules for its own guidance and for the guidance of the trader or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 448.973 (1) states that: “

- (a) The board shall promulgate rules implementing s. 448.9785.
- (b) The board shall promulgate rules establishing continuing education requirements for physician assistants.
- (c) The board may promulgate other rules to carry out the purposes of this subchapter, including any of the following

1. Rules defining what constitutes unprofessional conduct for physician assistants for purposes of s. 448.978 (2) (d).
2. Rules under s. 448.977 (2).”

2021 WI Act 23, Section 72 (2) (a) states that “Using the procedure under s. 227.24, the physician assistant affiliated credentialing board may promulgate rules under ss. 448.973 (1) and 448.975 (5) (a) as emergency rules under s. 227.24 to allow for licensure, discipline, and practice of physician assistants.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :**

120 hours

**6. List with description of all entities that may be affected by the proposed rule :**

Physician Assistant credential holders and those looking to enter the profession in Wisconsin.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule is likely to have minimal or no economic impact on small businesses and the state’s economy as a whole.

**Contact Person:** Nilajah Hardin, (608) 267-7139, DSPSAdminRules@wisconsin.gov