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regulation of occupations by the department of safety and professional services

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Regulation of Occupations by the Department of Safety and Professional Services

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Regulation of Occupations by the Department of Safety and Professional Services

The Department of Safety and Professional Services (DSPS) was created in 2011 Wisconsin Act 32 (the 2011-13 biennial budget act). It includes functions previously conducted by the Department of Regulation and Licensing and the Divisions of Safety and Buildings in the former Department of Commerce. In 2012, DSPS renamed the Division of Safety and Buildings to be the Division of Industry Services.

DSPS and its boards, councils, and affiliated credentialing boards and examining boards are responsible for ensuring the safe and competent practice of a wide range of health, business, and building trades professions. Occupational regulation by DSPS falls into three categories: (a) occupations regulated by independent examining boards attached to DSPS or by affiliated credentialing boards attached to those boards; (b) occupations regulated by semi-autonomous boards that share authority with DSPS; and (c) occupations directly regulated by DSPS, which include all of the building trades professions. DSPS provides administrative, legal and enforcement services, assistance in rule making and examinations for the credentialed professions, and assistance to the boards in developing regulatory policies that protect the broad public interest.

This informational paper describes: (a) the agency's organization, funding, and staffing; (b) the responsibilities of professional boards and DSPS in regulating professions; and (c) the types of credentials DSPS and its professional boards issue, including the current fee structure and the fee-setting process. In addition, the paper describes the state's prescription drug monitoring program (PDMP), which is administered by DSPS.

For information on other DSPS programs, see

the Legislative Fiscal Bureau Informational Papers entitled, "Private Onsite Wastewater Treatment System Grant Program" and "Fire Department Dues." Both of these programs are administered by the Division of Industry Services.

Agency Organization, Funding, and Staffing

Organization. The Department consists of the Office of the Secretary and five divisions -- Policy Development, Professional Credential Processing, Industry Services, Legal Services and Compliance, and Management Services.

The Office of the Secretary. The Governor appoints the Secretary of DSPS, with the advice and consent of the Senate. The Secretary is directed by statute to centralize the operations of the Department and the attached boards. Accordingly, the Department provides the attached boards with all staff and administrative services. The allocation, disbursement, and budgeting of funds received from credentialing and examination fees are also the responsibility of the Secretary. The Secretary advises the Governor and the Legislature on new programs, creates uniform procedures for disciplinary proceedings, and advises the boards on policy development.

The Division of Policy Development. This Division provides professional and administrative support to regulatory boards, councils, and committees. The Division drafts and implements administrative rules and policies, provides policy guidance, and facilitates meetings for the professional boards, councils, and committees in the state. Further, this Division administers the

prescription drug monitoring program, which is discussed in greater detail at the end of this paper.

The Division of Policy Development also includes the Office of Education and Examinations (OEE). OEE maintains, creates, edits, and scores 75 individual exams encompassing approximately 50 different health and business professions, as well as 56 individual exams for 14 different types of building trade credentials. Other examinations are administered by third-party vendors, with whom OEE contracts. Examinations administered by this third-party contractor include the examinations for Real Estate Appraisers, Real Estate Brokers, Real Estate Salespersons, and Barbers/Cosmetologists and related professions. Further, OEE assists boards in reviewing and approving applications and continuing education requirements, and conducts continuing education audits to ensure compliance.

2017 Wisconsin Act 59 transferred the program responsibilities of the Educational Approval Board (EAB) to the OEE, beginning on July 1, 2018. The EAB had previously been an independent unit of state government with positions budgeted under the Technical College System. The re-titled Educational Approval Program (EAP) approves and supervises for-profit colleges, out-of-state nonprofit colleges and universities, and some in-state, nonprofit institutions, as well as solicitors that recruit students on behalf of an institution. Schools and solicitors representing schools reapply annually for approval from the EAP. Additionally, the EAP investigates student complaints, maintains student records following the closure of a school, and maintains a student protection fund consisting of fees collected from schools.

The Division of Professional Credential Processing. Staff in this Division develops credential applications and processes credential requests for individuals in the health and business professions. The Division administers the biennial renewal process for approximately 375,000 active credential holders in the health and business

professions. Most new applicants will contact this Division to obtain information on how to apply for a credential and to request the appropriate application materials. Applications can be as simple as completion of the appropriate form, submission of supporting documents, and payment of the initial credential fee. More complex licensing may require college transcripts, proof of graduation, internships, residencies, supervised practicum review, criminal background checks, confirmation from national associations, information regarding disclosure of previous disciplinary actions, employment verification, proof of insurance, or verification of holding a valid license in another state.

The Division also issues credentials for persons who perform activities regulated by the Division of Industry Services. Examples of these credentials are building inspectors, electricians, plumbers, fire sprinkler installers, elevator mechanics, and manufactured home installers. The Division administers credential requirements for 71,000 active credential holders in the building trades professions.

The Division of Industry Services. This Division administers building codes, plan reviews, inspection, and credential activities related to construction of structures, such as commercial buildings, multi-family dwellings, one- and two-family dwellings, manufactured homes, plumbing, private onsite wastewater treatment systems, electrical and heating systems, boilers, elevators, electrical wiring, fire safety, swimming pools, and certain temporary and seasonal structures such as amusement rides and ski lifts.

The Division of Legal Services and Compliance. This Division performs the following activities: (a) intake and screening of complaints against credential holders; (b) monitoring compliance with disciplinary orders; (c) inspecting business establishments; (d) overseeing a confidential program for impaired professionals in need of substance-abuse intervention; and (e) providing legal services to professional boards and the

Department, including prosecuting violations of professional standards.

In its capacity of prosecuting violations of professional standards, the Division receives complaints alleging improper practice by credential holders. The most common types of complaints and violations the Division receives include negligence, unprofessional conduct, and incompetence. In cooperation with the examining boards, Division employees investigate complaints and prosecute violations through formal disciplinary hearings before the appropriate boards, when so required. Cases are generally resolved through administrative warnings, reprimands, suspensions, practice limitations, citations, remedial education, and forfeitures.

The Division of Management Services. This Division provides administrative services to the Office of the Secretary and all other Divisions within DSPS. These services include facilities, payroll, budget and fiscal management, program services, and information technology.

Funding and Staffing. In 2020-21, DSPS is authorized 241.14 full-time equivalent (FTE) positions, and is budgeted approximately \$59.0 million, including \$58.5 million in program revenues (PR) and \$0.5 million in federal revenues (FED).

The Department is funded almost entirely from program revenues, primarily collected from fees for credentials, examinations, building plan reviews, and inspections of construction activity. Other minor sources of revenue include the sale of credential lists, and fees charged for late renewals, wall certificates, reciprocal credentials, and the endorsement of credential holders to other states.

For state budgeting purposes, DSPS is divided into two "programs": (a) professional regulation

and administrative services, which includes staff that assist in the regulation of the health and business professions; and (b) regulation of industry, safety, and buildings. Since the two programs are supported by separate program revenue sources, the fees collected from health and business professions support regulatory functions relating to those professions, while fees collected from individuals and businesses involved in buildings and safety support DSPS activities relating to the regulation of the building trades. A portion of DSPS program revenue supports certain agency-wide services, including legal, fiscal, and management services.

Table 1 provides information regarding the program collections, expenditures, and balances for the Health and Business Professions program for fiscal years 2017-18 through 2019-20.

Most of the general operations of the Division of Industry Services are funded from a program revenue appropriation. Revenues are received from several categories of plan reviews and inspections, and for credentials issued to people who work in the building trades, such as dwelling contractors, electricians, and plumbers. Table 2 provides information regarding the revenues and expenditures in 2017-18 through 2019-20 for the program revenue appropriation.

Transfers to the General Fund. Table 3 shows the amount that DSPS has transferred to the state's general fund over the past six years, from 2013-14 through 2019-20. The transfers to the general fund come from two sources: (a) transfers required by statute or identified by the Department of Administration (DOA) to meet statewide lapse requirements; and (b) an ongoing statutory requirement that 10% of the credential fee revenue DSPS collects for the health and business professions be transferred to the general fund ("GPR Earned").

**Table 1: Regulation of Health and Business Professions: Program Revenues and Expenditures
State Fiscal Year 2017-18 through 2019-20**

	2017-18	2018-19	2019-20
Opening Balance	\$12,639,600	\$20,724,000	\$25,273,400
Revenue			
Credential Fees	\$21,311,500	\$17,535,900	\$16,607,800
Examination Fees	2,470,700	2,616,800	1,823,900
Penalties for Disciplinary Action	205,000	77,300	27,800
Criminal Background Check Fee	150,800	277,900	194,900
Nurse Survey	9,000	9,000	9,000
UW Center for Urban Land Economics	0	229,500	0
Other	700	3,000	1,400
Total	<u>\$24,147,700</u>	<u>\$20,749,400</u>	<u>\$18,664,800</u>
Total Funding Available	\$36,787,300	\$41,473,400	\$43,938,200
Expenditures			
Expenditures and Encumbrances	\$13,629,700	13,957,200	13,568,200
GPR Earned (10% Statutory Transfer)	2,215,500	2,242,800	1,862,400
UW Center for Urban Land Economics	218,100	0	224,200
Total Expenditures	<u>\$16,063,300</u>	<u>\$16,200,000</u>	<u>\$15,654,800</u>
Closing Balance	\$20,724,000	\$25,273,400	\$28,283,400

**Table 2: Regulation of Building Trades Professions: Program Revenues and Expenditures,
2017-18 through 2019-20**

	2017-18	2018-19	2019-20
Opening Balance, July 1	\$12,813,100	\$18,038,100	\$19,291,200
Revenue			
Building plan reviews, inspections, credentials	\$6,928,200	\$6,456,600	\$6,005,300
Plumbing credentials	435,800	1,393,400	1,309,800
Plumbing plan reviews	2,511,000	2,386,700	2,432,000
Boiler inspections, credentials	1,514,800	1,445,900	428,700
Elevator inspections, credentials	1,438,700	1,461,500	1,174,100
Private sewage plan reviews, credentials, permits	2,087,400	1,831,000	1,755,800
One- and two-family building permits, credentials	1,062,700	894,200	1,098,500
Electrical inspections, credentials	964,300	898,500	892,200
Manufactured home licenses and title fees	501,300	286,200	420,500
Amusement ride and ski tow inspections	235,900	225,700	104,700
Mine safety inspections, credentials	149,500	141,400	231,200
Heating, ventilation, and air conditioning (HVAC) and ozone refrigerant permits, credentials	207,200	114,900	111,300
Swimming pool plan reviews	162,900	182,800	121,200
Other revenues	<u>365,900</u>	<u>527,000</u>	<u>293,000</u>
Total Revenue	\$18,565,600	\$18,245,800	\$16,378,300
Less transfer to private onsite wastewater system grant program	- \$840,000	- \$957,000	- \$908,000
Total Available	\$30,538,700	\$35,326,900	\$34,761,500
Expenditures			
Program expenditures	\$12,500,600	\$16,035,700	\$17,290,200
Encumbrances	<u>0</u>	<u>0</u>	<u>915,900</u>
Total Expenditures and Transfers	\$12,500,600	\$16,035,700	\$18,206,100
Closing Balance, June 30	\$18,038,100	\$19,291,200	\$16,555,400

Table 3: Transfers from DSPS to the General Fund

Fiscal Year	From Health and Business Occupations	From Building Trade Occupations	GPR-Earned from Health and Business Occupations	Total
2013-14	\$4,376,500	\$1,855,600	\$2,483,700	\$8,715,800
2014-15	4,376,500	1,855,600	1,993,500	8,225,600
2015-16	4,443,000	1,789,000	2,445,300	8,677,300
2016-17	4,443,000	1,789,000	2,213,300	8,445,300
2017-18	0	0	2,215,500	2,215,500
2018-19	0	0	2,242,800	2,242,800
2019-20	0	0	1,862,400	1,862,400

Credentialing of Professions

The Department, boards, examining boards, and affiliated credentialing boards regulate certain professions and classes of businesses identified in statute. The Department and its boards issue several types of credentials, including licenses, certificates, registrations, and permits. These credentials are generally differentiated by qualification requirements, the use of a professional title, and the range of activities that a credential holder is allowed to perform (scope of practice). However, the different types of credentials can only be defined in general terms, because Wisconsin's statutes do not uniformly establish credentialing requirements and the credential titles are often used interchangeably.

Licenses are the most restrictive types of credentials. Qualification requirements usually include an examination, specialized education, and often specific work experience. Licensure restricts both the use of the regulated title and the scope of practice so that it becomes illegal for unlicensed individuals or firms to use the title or to practice that profession. Physicians and nurses are examples of occupations subject to formal licensure in order to practice.

Certificates are similar to licenses. While applicants for a certificate may be required to take an examination, certificates generally serve to

provide special recognition to individuals who have met predetermined qualifications for a profession, such as certification by a national professional association. Only certificate credential holders may describe themselves as certified. Examples of occupations subject to state certification are acupuncturists, respiratory care practitioners, and dietitians.

Registration is generally the least restrictive form of credentialing. In its most simple form, registration requires an individual to file his or her name and address with DSPS, or the appropriate regulatory body, and pay the registration fee. Registration may also be accompanied with a restriction on the use of the title "registered" professional. For example, one must register as an interior designer in order to use the title "Wisconsin registered interior designer." However, a person may still practice interior design without registering.

Permits are another form of credential issued by DSPS. However, because permits are used both as a training credential, as in the case of hearing instrument specialists, or as a primary credential, as with private security persons, permits do not easily fit on the continuum of credential types.

Statutes and administrative codes outline specific requirements for each profession's credential and should be consulted to determine what each credential issuance entails. For example, professions with registration requirements are not

necessarily less statutorily restricted than other profession requiring certification.

Finally, common usage of credential terms may be misleading without reviewing the relevant statutes. For instance, one might think that "registered nurses" need only register in order to practice. However, registered nurses practicing in Wisconsin are required to obtain a license from the Board of Nursing.

Appendix I identifies the number of renewing and initial credentials issued by the Department and its boards that were in effect as of July, 2020, by profession. The appendix shows that, in the health and business professions, there were 375,439 active credential holders in July, 2020, and the Department processed 60,539 initial credentials and 348,729 renewals from July, 2018, through July, 2020. As of July, 2020, the professional boards and the Department identified 169 health and business credential types in which at least one person or business held a credential.

Appendix I also shows that, in the building trades professions, there were 71,015 active credential holders in July, 2020, and the Department processed 10,150 initial credentials and 30,105 renewals from July, 2018, through July, 2020. The Department identified 77 building and safety credential types in which at least one person or business held a license.

Professional Boards

The Department currently provides administrative services to 27 boards, which are listed in Table 4.

Independent Professional Boards. The professional boards are independent examining boards responsible for regulating the professions or activities under their jurisdiction. Except as

Table 4: Professional Boards

Examining Boards

Accounting Examining Board
 Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board
 Cosmetology Examining Board
 Board of Nursing
 Chiropractic Examining Board
 Dentistry Examining Board
 Funeral Directors Examining Board
 Geologists, Hydrologists, and Soil Scientists Examining Board
 Hearing and Speech Examining Board
 Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board
 Medical Examining Board*
 Nursing Home Administrators Examining Board
 Optometry Examining Board
 Pharmacy Examining Board
 Physical Therapy Examining Board
 Psychology Examining Board
 Radiography Examining Board
 Real Estate Examining Board

Boards

Auctioneer Board
 Cemetery Board
 Controlled Substance Board
 Real Estate Appraisers Board

***Credentialing Boards Attached to the Medical Examining Board**

Athletic Trainers Affiliated Credentialing Board
 Dietitians Affiliated Credentialing Board
 Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
 Occupational Therapists Affiliated Credentialing Board
 Podiatrists Affiliated Credentialing Board

specifically described below, all are authorized to promulgate administrative rules defining the professional standards and the regulatory policies governing the occupations or activities under their jurisdiction. In addition, within statutory limits, most of these boards determine the education and experience requirements for obtaining a credential, develop and evaluate credentialing examinations, and establish and enforce standards of professional conduct.

The following independent examining boards do not operate as unitary boards: (a) the

Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board; (b) the Professional Geologists, Hydrologists, and Soil Scientists Examining Board; and (c) the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. For these boards, each of the named professions has its own section, which separately reviews individual applications for credentialing and determines disciplinary actions involving credential holders in that profession. Matters of joint interest to all the professions, such as qualifications and policies established by administrative rules, fall under the overall jurisdiction of the examining board. Issues that affect only a specific profession are addressed by the applicable section or sections of the examining board.

Affiliated credentialing boards regulate five of the professions under the overall jurisdiction of the Medical Examining Board -- podiatrists, dietitians, athletic trainers, massage therapists, and occupational therapists. The affiliated credentialing boards regulate a profession that either does not practice independently of a profession regulated by the examining board or practices in collaboration with a profession regulated by the examining board. The Podiatrists, Dietitians, Athletic Trainers, Massage Therapy and Bodywork Therapy, and Occupational Therapists Affiliated Credentialing Boards are responsible for setting standards of professional competence and conduct, reviewing the qualifications of applicants, granting credentials and taking disciplinary actions involving the professions under their jurisdiction.

Some boards are advised by examining councils consisting of members representing a profession that is regulated by the board but does not have statutory representation in the membership of the board. For example, the Medical Examining Board consists of nine medical doctors, one doctor of osteopathy, and three public members. In addition to regulating doctors, the Board regulates respiratory care practitioners. The Respiratory

Care Practitioners Examining Council advises the Medical Examining Board on rules concerning respiratory care.

Semi-Autonomous Boards. The Real Estate Appraisers Board and the Auctioneer Board are semi-autonomous in nature. This means that DSPS, rather than the Board, has statutory authority to promulgate rules governing the real estate appraisal and auctioneering professions. The Department must submit proposed rules to the Board for comment, but the Department retains the rule-making authority. The semi-autonomous boards retain responsibility for determining discipline in cases where a complaint has been filed against a credential holder, but the Department, with the advice of the boards, sets all other policies affecting these professions.

Board Membership. In general, the Governor appoints board, examining board, and affiliated credentialing board members to staggered, four-year terms with the advice and consent of the Senate. The one exception is the Controlled Substances Board, consisting of the Attorney General, the Secretaries of the Departments of Health Services and Agriculture, Trade and Consumer Protection, the chair (or designee of the chair) of the Pharmacy, Dentistry, and Medical Examining Boards, and the Board of Nursing, who serve on the board by virtue of their office, and one psychiatrist and one pharmacologist appointed by the Governor for three-year terms.

With some limited exceptions, terms of all board members expire on July 1 and the Governor may not appoint a member to more than two consecutive terms. Board membership is governed by specific statutory criteria. In general, boards consist of experienced practitioners of the regulated profession and public members with no professional connection to the field being regulated. In addition, no member of any board may be an officer, director, or employee of a private organization that promotes or furthers the profession or occupation regulated by the board.

The Governor also appoints, with the advice and consent of the Senate, most council and examining council members. Terms for council members range from two to four years, depending upon the council. Council members are subject to the same conflict of interest and term limitation provisions that apply to board, examining board, and affiliated credentialing board members.

Appendix II details the membership and types of credentials issued for each board and examining board. Appendix III provides similar information for all current affiliated credentialing boards, attached examining councils, and councils serving the Department or one of the boards as of September, 2020.

Direct Credentialing by the Department. In addition to the professions regulated by the examining boards, the Department directly regulates and issues credentials for certain professions and activities. Table 5 lists the professions directly regulated by DSPTS.

The Secretary of DSPTS is authorized to grant, suspend, or revoke credentials for these occupations or activities. Further, the Secretary may promulgate administrative rules, administer and evaluate examinations, and conduct enforcement proceedings for these regulated professions and activities. Although no formal boards or councils are permanently established to regulate these professions or activities, the Secretary may appoint advisory committees consisting of members of these professions to assist DSPTS in developing rules or studying regulatory issues of interest to the profession.

Credential Fees

As previously indicated, DSPTS is funded mostly from fees collected from members of the professions. The Division of Industry Services

Table 5: Professions Directly Regulated by DSPTS

Health and Business Professions

- Acupuncturist
- Athletic Agent
- Auctioneer and Auction Company*
- Barber and Barbering Apprentice, Establishment, School, and Instructor
- Behavior Analyst
- Crematory Authority
- Firearms Certifier
- Home Inspector
- Home Medical Oxygen Provider
- Interior Designer
- Juvenile Martial Arts Instructor
- Licensed Midwife
- Music, Art, and Dance Therapists
- Private Detective and Detective Agency
- Private Security Person
- Real Estate Appraiser (Licensed, Certified General, and Certified Residential) and Appraisal Management Company*
- Sanitarian, Registered
- Sign Language Interpreter and Restricted Interpreter Special Licenses
- Substance Abuse Counselor, Counselor in Training, Clinical Counselor, Independent Clinical Supervisor, Intermediate Clinical Supervisor, Clinical Supervisor in Training, Prevention Specialist, and Prevention Specialist in Training
- Tanning Establishment
- Tattooist and Body Piercing Practitioner and Establishment
- Transportation Network Company
- Unarmed Combat Contestant (Amateur and Professional), Second, Judge, Referee, Timekeeper, Ringside Physician, Promoter, Matchmaker, Club, and Event

Building Trades Professions - See Appendix I for Specific Categories

- Automatic Fire Sprinkler Professions
- Blasters
- Dwelling Contractors
- Electrical Contractors
- Electricians - several types
- Elevator Professions
- Fireworks Manufacturer
- Inspectors - several types
- Heating, Ventilation, and Air Conditioning Professions
- Liquefied Gas Suppliers
- Manufactured Home Professions
- Pipe Layers
- Plumbers - several types
- Private Onsite Wastewater Treatment System Professions
- Soil Erosion Professions
- Uniform Dwelling Code (UDC) Professions - several types
- UDC-Construction Inspectors
- Utility Contractors
- Weld Test Conductors
- Welders

*Directly regulated by DSPTS and the Auctioneer Board or Real Estate Appraisers Board.

also receives fees from permit and inspection activities related to construction of buildings.

The fee structure and fee-setting process for the health and business professions differ from the fee structure and fee-setting process for the building and safety trades.

Health and Business Professions

Initial Fees. Each first-time applicant must pay an initial fee when applying for a credential.

Candidates for certain credentials requiring an examination pay the examination fee to DSPS. If DSPS prepares, administers, or grades the examination, the fee must equal the agency's best estimate of the actual cost of preparing, administering, and grading the examination. Examination fees are determined separately for each type of credential and are set by rule. First-time applicants for a credential requiring an examination pay both the initial fee and the appropriate examination fee.

The Department also recovers some of the costs of background checks conducted by the Department of Justice for private security persons, private detectives, juvenile martial arts instructors, and other regulated professionals where a background check may be instituted through the assessment of a background check fee.

Renewal Fees. Occupational credentials are generally renewed biennially. The statutes establish a uniform renewal date for all the credential holders in each regulated profession. These renewal dates fall throughout the biennium. Consequently, it is possible for an applicant to pay an initial fee for a DSPS credential shortly before the credential must be renewed.

Current Fee-Setting Structure and Process. The current initial and renewal fees for health and business occupational credentials are not listed in the statutes or administrative rules. Instead, the statutes specify a process by which these fees may

be modified and established for each fiscal biennium (the two-year period beginning July 1 of the odd-numbered year). Under Wis. Stat. § 440.03(9), DSPS is required to: recalculate the administrative and enforcement costs of the Department that are attributable to the regulation of each occupation or business under Chapters 440 through 480 (the statutes relating to the regulation of the health and business professions); and by January 31 of each odd-numbered year, adjust each fee, if necessary, for the succeeding biennium to reflect the approximate administrative and enforcement costs of the Department that are attributable to the regulation of the particular occupation or business during the period in which the credential is in effect. Fees should reflect actual costs of issuing initial credentials, such as processing applications and determining eligibility for licensure, as well as costs associated with enforcement, board services, legal counsel, and the statutorily required 10% transfer to the general fund.

Within 14 days of completing the proposed fee adjustments, the Department is required to send a report detailing the proposed fee adjustments to the Co-Chairs of the Joint Committee on Finance. The Committee then has 14 working days after the submission of the report to notify the DSPS Secretary if it wishes to schedule a meeting to review the fee adjustments. If this occurs, the Department may not impose the fee adjustments until the Committee approves the report. Otherwise, the Department must notify credential holders of the fee adjustments by posting them on the Department's website and in credential renewal notices it sends to affected credential holders.

From 2011 through 2017 the Department recommended, and the Joint Committee on Finance approved, only minor changes to these credential fees. Although the Department's analysis of administrative and enforcement costs relating to each profession suggested that adjustments should be considered to ensure that credential fees more closely reflected the Department's cost of regulating each profession, there are several reasons why

the Department chose not to recommended significant fee adjustments. First, the agency’s costs of regulating each profession may vary from year to year, and a previous year’s actual cost experience may not accurately predict the agency’s future costs of regulating the profession. These cost variations may result in disproportionately large fee variations for professions for which relatively few credentials are issued. Second, strictly tying credentialing fees to costs would likely result in minor fluctuations from year to year for numerous credentials.

Current Initial and Renewal Fees. In 2019 the Department made significant changes to realign fees with regulatory costs and make use of more accurate and detailed data to assign costs to each profession. Initial application fees were lowered for about 50% of applicants, with an average reduction of \$27, and renewal fees were lowered for about 70% of applicants, with an average reduction of \$57. The only fees to increase were renewal fees for two chiropractic credentials, which increased by \$9. The complete fee schedule for 2019–2021, along with changes from the previous biennium, is given in Appendix IV.

Special Credential Fees in Statute. In addition to the fees that are established through this process, several professional and occupational credentials either have no fee, or have fees set in statute. Registration fees for small cemetery authorities and various fees for boxing and mixed martial arts (MMA) are set at the amounts given in Table 6, and peddler's license fees are waived for certain people with disabilities.

Any cemetery authority that operates a cemetery that is either less than five acres in size and sells fewer than 20 cemetery lots or mausoleum spaces annually, or has less than \$100,000 in pre-need trust fund accounts, does not need a cemetery authority license. However, it must register with the Cemetery Board and pay a biennial \$20 fee. A cemetery authority of a cemetery organized, maintained, and operated by a town, village, city,

Table 6: Special Credential Fees (charged annually, unless otherwise noted)

Occupation or Profession	Fee
Unarmed Combat Sports	
Contest (per contest)	\$300*
Club or Promoter	500
Matchmakers and Managers	10
Referees and Judges	15
Examining Physicians	10
Boxers	40
Mixed Martial Arts Fighters	40
Timekeepers	10
Seconds	40
Registered Cemetery Authority (Biennial)	20

*\$300 processing fee, plus a fee starting at \$450, the amount of which is based on event attendance and gross ticket sales collected by the club or promoter.

church, synagogue, mosque, religious, fraternal or benevolent society, or incorporated college of a religious order is not required to be licensed or registered.

In the case of unarmed combat sports contests, the statutes specify fees for professional boxing and professional and amateur mixed martial arts contests based on the number of tickets sold. The statutes also specify annual fees for the individuals involved in the promotion, judging, and participation in these contests.

For peddler's licenses, Wis. Stat. § 440.51 specifies that people be granted a free peddler's license if they have been a resident of Wisconsin for five years preceding application and have one of the following conditions: (a) are a veteran with a disability of at least 25% or a cardiac disability recognized by the U.S. Department of Veterans Affairs; (b) have lost at least one arm or leg; or (c) is blind as defined by Title XVI of the Social Security Act. The license allows the disabled person to sell small goods door-to-door statewide, without the payment of any fees. Other individuals must obtain a license in each city where they wish to engage in door-to-door sales and pay the city licensing fees.

There are also several training or apprenticeship credentials. For some professions an individual may participate in an activity, usually under the supervision of an instructor or a licensed professional by obtaining an in-training or apprenticeship credential. The professions that have such a credential include engineers, professional counselors, and marriage and family therapists. Usually there is a limit to how long a person may use the training permit.

Building Trades Professions

DSPS regulates industry, buildings, and safety mainly under provisions of Chapters 101, 145 and 167 of the statutes. Under Wis. Stat. § 101.19 (1g), the Department is required to promulgate rules and collect fees that, as closely as possible, equal the cost of providing plan reviews, inspections, and credentials for regulated buildings trades professionals. Under Wis. Stat. § 145.02 (4), DSPS is required to promulgate rules for the licensing of regulated plumbing professions.

Administrative code Chapter SPS 305 establishes requirements, fees, and length of term for licenses, certifications, or registrations issued by the Department for activities regulated by the Division of Industry Services. However, the statutes establish the term of a license for a small number of specified licenses or credentials, including: (a) not to exceed two years for a liquefied gas supplier license; (b) two years for elevator contractors, elevator inspectors, elevator mechanics or lift mechanics; and (c) not to exceed four years for the various credentials for plumbers, automatic fire sprinkler fitters and contractors, utility contractors, and pipe layers. The statutes also require dwelling contractors to submit a certificate of financial responsibility or bond to DSPS every year.

SPS 305 generally establishes a term of license, certification, or registration of four years from the date of issuance. However, some credentials expire on a specific date, such as June 30 for master electricians or March 31 for master

plumbers.

Applicants for a building trades credential pay an application fee established in rule, which is \$15 for most credential types. Some credentials require satisfactory completion of an examination administered by DSPS, and payment of an examination fee. SPS 305 specifies that the Department will conduct at least four examinations annually for each license, certification, or registration.

Further, the credential holder pays a license, certification, or registration fee for each term of credential. The amount of the fee for each credential is included in Chapter SPS 305 in Table 305.02. The length of term is included in Table 305.06. Under SPS 305.02 (3), DSPS prorates the fee on a monthly basis for the initial issuance of a credential issued for less than the full license, certification, or registration period.

SPS 305 also includes requirements for: (a) continuing education; (b) denial, suspension, and revocation; (c) responsibilities of credential holders; and (d) penalties and forfeitures for persons who violate the credentialing requirements.

Prescription Drug Monitoring Program (PDMP)

Created by 2009 Wisconsin Act 362, the PDMP collects information about the dispensing of monitored prescription drugs in Wisconsin. The primary purpose of the PDMP is to improve patient care and safety, and to reduce the abuse and diversion of prescription drugs while ensuring patients with a legitimate medical need for the drugs are not adversely affected. In order to achieve these goals, healthcare providers are able to review prescription information as it relates to their patients, allowing them to make more informed prescription and dispensing decisions, and they are required to check the PDMP before issuing a

prescription order for a monitored prescription drug, with limited exceptions. Law enforcement is also able to request data from the system by submitting the necessary paperwork to DSPS. PDMP staff is funded by DSPS program revenue, with the development and deployment of the PDMP database funded by various federal grants.

The Department maintains a website where users are able to view interactive data visualizations relating to the dispensation of monitored prescription drugs in Wisconsin, as well as data on the law enforcement reports submitted to the PDMP and the use of the PDMP by healthcare professionals. This site is at pdmp.wi.gov/statistics.

Credential Flexibilities Established in Response to COVID-19

2019 Act 185 was enacted on April 15, 2020, in response to the Coronavirus Disease 2019 (COVID-19) pandemic. The act made several temporary changes to credential policies, including: (a) allowing retired or lapsed healthcare providers to resume service under a temporary license; (b) waiving fees for new and renewal licenses for nurses, physicians, counselors, and a variety of other healthcare credentials; (c)

allowing healthcare professionals with credentials from another state to practice in Wisconsin under a temporary license; and (d) suspending renewal requirements for healthcare and emergency medical services credentials, including continuing education requirements. All of these provisions ended with the expiration of the state public health emergency declaration on May 11, 2020.

On October 1, 2020, the Governor issued Emergency Order 2, which reinstated many of these provisions, after several other emergency orders were overturned in the courts. Specifically, Emergency Order 2 allows healthcare professionals with recently expired or out-of-state credentials to practice under a temporary license, allows physicians licensed in any state or Canada to serve Wisconsin patients via telehealth, suspends renewal and continuing education requirements, and loosens certain restrictions on care provided by physician assistants and nurses.

Throughout the pandemic, DSPS worked to adjust testing requirements and extend continuing education deadlines. DSPS also assisted the Department of Health Services in recruiting volunteer healthcare providers for the Wisconsin Emergency Assistance Volunteer Registry (WEAVER), a longstanding partnership between local, state, and federal emergency healthcare volunteer programs.

Additional Resources

Additional information on the Department of Safety and Professional Services is available through the Department of Safety and Professional Services website: *www.dsps.wi.gov*.

APPENDIX I

Credential Holders by Profession

Profession	July 2018 - June 2020		Total Active June 2020
	Initial	Renewal	
Health and Business Professions			
Accountant, Certified Public	959	13,382	13,165
Accounting Firm	44	485	481
Acupuncturist	31	579	575
Administrative Physician, DO	1	1	1
Administrative Physician, MD	3	3	6
Aesthetician	533	2,118	2,499
Aesthetics Establishment	240	338	520
Aesthetics Instructor	3	-	47
Aesthetics School	-	3	3
Aesthetics Specialty School	-	-	-
Agent for Burial Agreements**	51	-	952
Analytical Laboratory-SUA	5	-	32
Anesthesiologist Assistant	51	101	151
Animal Translocation-SUA	-	-	4
Appraisal Management Company	92	80	87
Appraisal Management Company Registry Fees	-	-	-
Appraiser, Certified General	261	683	730
Appraiser, Certified Residential	108	853	873
Appraiser, Licensed	26	241	250
Architect	523	4,522	4,287
Architectural or Engineering Corp - Certificate of Authorization	298	1,511	1,498
Art Therapist	6	53	56
Athlete Agent	22	27	33
Athletic Trainer	215	738	1,088
Auction Company	16	122	133
Auctioneer	44	549	585
Audiologist	48	404	443
Barber	75	645	704
Barber Apprentice**	48	-	37
Barber Establishment	82	246	302
Barber Instructor	1	-	4
Barber School	2	1	2
Behavior Analyst	133	212	327
Boxing Club, Amateur	-	-	-
Boxing Club, Professional	-	-	-
Boxing Contest, Professional***	-	-	23
Boxing Contestant*	35	-	-
Boxing Judge*	-	1	6
Boxing Promoter, Professional*	-	-	-
Boxing Referee*	2	-	4
Cemetery Association	4	-	105
Cemetery Authority - Licensed	-	101	101
Cemetery Authority - Municipal	-	-	-
Cemetery Authority - Registered	4	37	41
Cemetery Authority - Religious	-	-	406
Cemetery Preneed Seller	72	116	185

Profession	July 2018 - June 2020		Total Active June 2020
	Initial	Renewal	
Cemetery Salesperson	77	104	175
Cemetery Warehouse	-	-	-
Chiropractic Radiological Tech	67	240	301
Chiropractic Tech	409	850	1,215
Chiropractor	184	2,316	2,470
Cosmetologist	1,671	25,878	26,868
Cosmetology Apprentice**	170	8	159
Cosmetology Establishment	2,175	6,438	7,999
Cosmetology Instructor	17	2	777
Cosmetology School	5	23	27
Counselor	880	4,072	4,724
Counselor - Training License**	694	35	1,573
Crematory Authority	13	105	106
Dance Therapist	-	4	5
Dental Hygienist	362	5,401	5,467
Dentist	464	4,334	4,478
Designer, Engineering Systems	65	882	837
Dietician	281	1,714	1,981
Drug Manufacturer	15	80	80
Drug Movement for Training Purposes-SUA	-	-	-
Electrologist	7	146	151
Electrology Establishment	14	56	68
Electrology Instructor	1	-	5
Electrology School	-	1	1
Electrology Specialty School	-	-	-
Engineer in Training**	425	-	1,947
Engineer, Professional	1,457	14,075	14,024
Firearms Certifier	12	70	82
Funeral Director	97	1,216	1,235
Funeral Director Apprentice*	229	342	269
Funeral Director Embalming Only	-	-	-
Funeral Director Excluding Embalming	-	-	-
Funeral Director in Good Standing	-	-	-
Funeral Establishment	50	485	513
Geologist, Professional	34	619	577
Geology Firm	4	30	35
Hearing Instrument Specialist	69	237	289
Home Inspector	164	782	925
Home Medical Oxygen Provider	51	145	141
Humane Society-SUA	3	-	36
Hydrologist, Professional	-	79	69
Hydrology Firm	-	5	6
Industrial/Commercial Processing-SUA	2	-	5
Instructional Activities-SUA	-	-	6
Interior Designer	24	163	210
Juvenile Martial Arts Instructor	17	45	40
Kickboxing Contestant, Amateur	115	4	40
Kickboxing Contestant, Professional	16	1	7
Kickboxing Judge	4	4	2
Kickboxing Referee	1	1	2
Land Surveyor, Professional	38	1,106	1,076
Landscape Architect	46	334	333
Law Enforcement Animal Control Officer-SUA	-	-	1

Profession	July 2018 - June 2020		Total Active June 2020
	Initial	Renewal	
Licensed Midwife	53	125	150
Manicuring Establishment	341	712	964
Manicuring Instructor	2	1	45
Manicuring School	3	7	9
Manicuring Specialty School	-	-	-
Manicurist	845	3,132	3,826
Marriage and Family Therapist	130	690	789
Marriage and Family Therapist - Training	106	7	233
Massage Therapist or Bodyworker	569	4,759	5,178
Medical Resident Educational License*	820	8	816
Medicine and Surgery, DO	498	2,170	2,390
Medicine and Surgery, DO Compact	97	58	111
Medicine and Surgery, MD	3,413	24,107	25,617
Medicine and Surgery, MD Compact	709	381	746
Mixed Martial Arts Club, Professional	-	-	-
Mixed Martial Arts Contest***	286	23	124
Mixed Martial Arts Contest, Professional***	95	8	36
Mixed Martial Arts Contestant, Amateur*	191	15	87
Mixed Martial Arts Judge*	6	4	17
Mixed Martial Arts Promoter*	1	-	-
Mixed Martial Arts Referee	4	1	7
Mobile Dentistry Program	10	29	35
Muay Thai Contestant, Amateur*	1	-	-
Muay Thai Contestant, Professional*	-	-	-
Muay Thai Judge*	-	-	-
Muay Thai Referee*	-	-	1
Music Therapist	19	64	73
Narcotic Dog Training-SUA	27	-	101
Nurse Midwife	48	249	254
Nurse, Advanced Practice Prescriber	1,674	6,388	8,005
Nurse, Licensed Practical	2,225	11,794	13,260
Nurse, Registered	12,499	100,428	101,213
Nursing Home Administrator	100	725	754
Occupational Therapist	463	3,791	4,106
Occupational Therapist Assistant	208	1,436	1,553
Optometrist	115	1,133	1,161
Peddler	-	-	45
Perfusionist	36	150	157
Pharmacist	919	9,515	8,445
Pharmacist Assistant	-	-	-
Pharmacy (in state)	123	1,205	1,209
Pharmacy (out of state)	376	973	989
Physical Therapist	810	6,074	6,698
Physical Therapist Assistant	276	2,202	2,375
Physician Assistant	663	3,187	3,203
Podiatrist	34	379	410
Private Detective	189	771	644
Private Detective Agency	99	453	503
Private Security Person	4,731	6,067	4,688
Psychologist	226	1,801	1,897
Radiographer	741	5,776	5,596
Real Estate Broker	424	8,896	9,271
Real Estate Business Entity	335	2,424	2,715

Profession	July 2018 - June 2020		Total Active June 2020
	Initial	Renewal	
Real Estate Salesperson	4,328	12,892	16,740
Research-SUA	41	-	189
Respiratory Care Practitioner	258	1,555	2,760
Ringside Physician*	3	2	8
Sanitarian, Registered	14	264	267
School Psychologist Private Practice	8	36	38
Sign Language Interpreter	76	373	5
Sign Language Interpreter-Restricted	5	39	1
Social Worker	384	4,833	5,099
Social Worker Training**	275	24	245
Social Worker, Advanced Practice	802	3,026	3,620
Social Worker, Independent	18	206	217
Social Worker, Licensed Clinical	508	3,392	3,760
Soil Science Firm	-	7	8
Soil Scientist, Professional	-	64	50
Special Licenses	-	-	3
Special Permits	800	6	164
Speech Language Pathologist	415	1,920	2,274
Substance Abuse Clinical Supervisor - Training	111	132	218
Substance Abuse Counselor	142	544	662
Substance Abuse Counselor - Training	597	864	1,339
Substance Abuse Counselor, Clinical	138	1,543	1,647
Substance Abuse Independent Clinical Supervisor	71	256	316
Substance Abuse Intermediate Clinical Supervisor	5	185	186
Substance Abuse Prevention Specialist	22	33	53
Substance Abuse Prevention Specialist - Training	15	21	31
Tanning Establishment Device Registration	108	692	281
Tattoo and Body Piercing Establishment	-	-	-
Tattooist and Body Piercer	903	2,372	1,057
Timeshare Salesperson	-	-	314
Transportation Network Company	3	3	6
Unarmed Combat Contest***	23	1	1
Unarmed Combat Matchmaker*	4	1	7
Unarmed Combat Promoter	6	4	4
Unarmed Combat Second*	372	23	139
Unarmed Combat Timekeeper*	5	1	5
Wholesale Distributor of Prescription Drugs	160	679	685
X-ray Machine Operator, Limited	1	41	24
Subtotal, Health and Business Professions	60,539	348,729	375,439
Building Trades Professions			
Automatic Fire Sprinkler Contractor	13	82	103
Automatic Fire Sprinkler Contractor-Maintenance	3	11	22
Automatic Fire Sprinkler Fitter-Maintenance	2	86	156
Automatic Fire Sprinkler System Apprentice	45	194	182
Automatic Fire Sprinkler System Tester	17	30	97
Automatic Fire Sprinkler Tester Learner	2	9	10
Boiler-Pressure Vessel Inspector	32	38	158
Class 1 Blaster	3	4	39
Class 2 Blaster	4	30	93
Class 3 Blaster	2	4	10
Class 5 Blaster	10	44	152
Class 6 Blaster	4	16	71

Profession	July 2018 - June 2020		Total Active June 2020
	Initial	Renewal	
Class 7 Blaster	3	2	14
Commercial Building Inspector	58	189	626
Commercial Electrical Inspector	115	260	840
Commercial Plumbing Inspector	44	224	370
Cross Connection Control Tester	295	1,188	1,996
Dwelling Contractor	328	2,617	10,753
Dwelling Contractor Qualifier	435	885	7,810
Dwelling Contractor Restricted	2	2	14
Electrical Contractor	487	1,201	3,477
Electrical Inspection Agency	514	0	217
Electrician Apprentice	107	1,953	1,788
Elevator Apprentice	35	69	162
Elevator Apprentice-Restricted	1	0	1
Elevator Contractor	11	64	60
Elevator Helper	137	27	259
Elevator Inspector	17	26	83
Elevator Mechanic	65	707	625
Elevator Mechanic Temporary	8	52	273
Elevator Mechanic-Restricted	0	12	9
Fire Detection, Prevention & Suppression Inspector	78	210	433
Fireworks Manufacturer	4	8	17
Heating, Ventilating and Air Conditioning (HVAC) Contractor	292	1,032	3,372
HVAC Qualifier	62	192	564
Industrial Electrician Apprentice	2	6	13
Industrial Journeyman Electrician	149	401	741
Journeyman Automatic Fire Sprinkler Fitter	71	531	673
Journeyman Electrician	710	2,653	6,342
Journeyman Plumber	219	2,210	2,620
Journeyman Plumber-Restricted Appliance	34	211	295
Journeyman Plumber-Restricted Service	17	174	199
Lift Helper	3	2	29
Lift Mechanic	3	19	17
Liquefied Gas Supplier	3	151	142
Liquefied Gas Supplier - Restricted	1	55	53
Manufactured Home Installer	3	3	63
Manufactured Homes Dealer	20	15	152
Manufactured Homes Sales Person	38	30	310
Master Electrician	270	2,698	5,873
Master Plumber	80	2,678	2,821
Master Plumber-Restricted Appliance	11	176	169
Master Plumber-Restricted Service	13	523	487
Pipe Layer	278	409	1,019
Plumber-Restricted Service Type 2 and 3	191	7	3
Plumber-Restricted Service Type 2 and 4	0	1	1
Plumber-Restricted Service Type 2, 3 and 4	0	30	5
Plumbing Apprentice	0	1,314	1,414
Plumbing Learner-Restricted Appliance	84	38	145
Plumbing Learner-Restricted Service	82	54	156
Private Onsite Wastewater Treatment System (POWTS) Inspector	50	119	430
POWTS Maintainer	38	122	588
Registered Electrician	2,922	2,158	2,575
Registered Master Electrician	128	0	239
Residential Electrician Apprentice	1	7	4

Profession	<u>July 2018 - June 2020</u>		Total Active June 2020
	Initial	Renewal	
Residential Journeyman Electrician	31	49	148
Residential Master Electrician	30	90	239
Soil Erosion Inspector	2	7	193
Soil Tester	11	23	671
Uniform Dwelling Code (UDC) Inspection Agency	1	1	72
UDC-Construction Inspector	9	6	702
UDC-Electrical Inspector	10	7	512
UDC-HVAC Inspector	16	9	628
UDC-Plumbing Inspector	3	4	383
Utility Contractor	20	298	309
Weld Test Conductor	17	71	150
Welder	<u>1,344</u>	<u>1,277</u>	<u>4,559</u>
Subtotal, Building Trades	10,150	30,105	71,015
Total	70,689	378,834	446,454

* Renews Annually.

** Does not renew.

*** Per Event.

Note: The initial and renewal counts represent the credentials processed from July, 2018 through June, 2020. The total active credential count represents the number of active credentials in June, 2020 (rather than over the two-year range). The total active column does not equal the sum of the initial and renewal columns, since the renewal dates and periods vary, some professionals may reinstate an old license, and some professionals may lose their credential.

APPENDIX II

Professional Boards

Board	Licenses	Composition of Board*	Notes
Accounting Examining Board	Certified Public Accountant Public Accountant Accounting Corporations or Partnerships	7 members (5 certified public accountants and 2 public members)	
Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board	Architect Architectural/Engineering Corporation Designer of Engineering Systems Engineer Engineer in Training Landscape Architect Land Surveyor	25 members (3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 land surveyors (all of the above must be licensed) and 10 public members)	The Board is divided into five sections responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Auctioneer Board	Auctioneer Auction Company	7 members (4 licensed auctioneers or auction company representatives and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. Members may serve no more than two terms.
Cemetery Board	Licensed Cemetery Authority Registered Cemetery Authority Preneed Seller Cemetery Salesperson Warehouse for Cemetery Merchandise	6 members (4 licensed cemetery authority representatives and 2 public members)	No member may represent a religious cemetery authority, unless that cemetery is regulated by the Board. No member may serve more than two terms.
Cosmetology Examining Board	Aesthetician Aesthetics Establishment and Instructor Cosmetologist Cosmetology Apprentice, Establishment, Instructor, Manager, and School Electrologist Electrology Establishment, Instructor, and School Manicurist Manicuring Establishment, Instructor, and School	9 members (4 licensed aestheticians or cosmetologists, 1 representative of a private school of cosmetology, 1 representative of a public school of cosmetology, 1 licensed electrologist and 2 public members)	This board formerly regulated barbers. The Department now directly licenses barbers, under advisement of the Barbering Advisory Committee. No more than 4 members may be connected with or have a financial interest in a cosmetology school.
Chiropractic Examining Board	Chiropractor Chiropractic Radiological Technician Chiropractic Technician	6 members (4 members, who are graduates of a school of chiropractic and licensed in the state and 2 public members without financial interest in a chiropractic school)	No member may be connected to or have a financial interest in a chiropractic school.

Board	Licenses	Composition of Board*	Notes
Dentistry Examining Board	Dentist Dental Hygienist Mobile Dentistry Program	11 members (6 licensed dentists, 3 licensed dental hygienists and 2 public members)	
Funeral Directors Examining Board	Funeral Director, Apprentice, Director Excluding Embalming, and Director in Good Standing Funeral Establishment	6 members (4 licensed funeral directors and 2 public members)	
Geologists, Hydrologists and Soil Scientists Examining Board	Professional Geologist Professional Hydrologist Professional Soil Scientist Geology Firm/Corp/Partnership Hydrology Firm/Corp/Partnership Soil Scientist Firm/Corp/Partnership	12 members (3 licensed geologists, 3 licensed hydrologists, 3 licensed soil scientists, 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Hearing and Speech Examining Board	Audiologist Hearing Instrument Specialist Speech-Language Pathologist	10 members (3 licensed hearing instrument specialists, 1 otolaryngologist, 2 audiologists, 2 speech-language pathologist and 2 public members)	
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board	Marriage and Family Therapist Marriage and Family Therapist in Training Professional Counselor Professional Counselor in Training Social Worker Social Worker in Training Advanced Practice Social Worker Independent Social Worker Independent Clinical Social Worker	13 members (3 licensed marriage and family therapists, 4 licensed social workers, including 1 advanced practice social worker, 1 independent social worker, 1 clinical social worker, and 1 social worker who is an employee of federal, state, or local government, 3 licensed professional counselors and 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Medical Examining Board	Anesthesiologist Assistant Athletic Trainer Dietitian Occupational Therapist Occupational Therapist Assistant Perfusionist Podiatrist Physician (MD) Physician (DO) Physician Assistant Resident Education License Respiratory Care Practitioner	14 members (9 licensed medical doctors, 1 doctor of osteopathy and 3 public members. Nonvoting member: chairperson of the patient's compensation fund peer review council)	3 attached councils and 5 Affiliated Credentialing Boards. See Appendix III for council membership and function.

Board	Licenses	Composition of Board*	Notes
Nursing, Board of	Registered Nurse Licensed Practical Nurse Nurse-Midwife Advanced Practice Nurse Prescriber	9 members (5 licensed registered nurses, 2 licensed practical nurses and 2 public members. Nurse members must be graduates of accredited nursing programs)	
Nursing Home Administrators Examining Board	Nursing Home Administrator	9 members (5 licensed nursing home administrators, 1 physician, 1 licensed nurse and 2 public members). The Secretary of Health Services or a designee serves as a non-voting member.	No more than 2 members may be elected officials or full-time state employees.
Optometry Examining Board	Optometrist	7 members (5 licensed optometrists and 2 public members)	
Pharmacy Examining Board	Pharmacist Pharmacy Drug Distributor Drug Manufacturer	7 members (5 licensed pharmacists and 2 public members)	
Physical Therapy Examining Board	Physical Therapist Physical Therapist Assistant	5 members (3 licensed physical therapists, 1 physical therapist assistant, 1 public member)	
Psychology Examining Board	Psychologist School Psychologist	6 members (4 licensed psychologists, each in a different specialty area, and 2 public members)	
Radiography Examining Board	Radiographer Limited X-Ray Machine Operators	7 members (3 licensed radiographers, 1 certified radiology physician, 1 radiologic physicist, 2 public members)	
Real Estate Appraisers Board	General Appraiser Residential Appraiser Licensed Appraiser Appraisal Management Co.	7 members (1 certified general appraiser, 1 certified residential appraiser, 1 licensed appraiser, 1 assessor and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. No public member may be connected with or have a financial interest in an appraisal business or other real estate-related business.
Real Estate Examining Board	Apprentice Broker Salesperson Business Entity Time-Share Salesperson	7 members (5 licensed real estate brokers or salespersons and 2 public members)	Members may serve no more than two terms.

*All members of listed boards serve four-year terms.

APPENDIX III

Attached Councils and Affiliated Credentialing Boards

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
Medical Examining Board (MEB)			
Council on Anesthesiologist Assistants	5 members (1 member of the MEB, 1 licensed anesthesiologist assistant, 2 anesthesiologists, and 1 lay member)	3	Advises the MEB on rules for anesthesiology assistants. Appointments made based on recommendations from Wisconsin Society of Anesthesiologists, and the Wisconsin Academy of Anesthesiologist Assistants.
Athletic Trainers Affiliated Credentialing Board	6 members (4 licensed athletic trainers, 1 person licensed to practice medicine and surgery with athletic trainer experience, 1 public member)	4	Licenses athletic trainers. Develops a form for recording practice protocols. Establishes liability insurance minimums for licensees. Promulgate rules requiring proficiency in defibrillators.
Dietitians Affiliated Credentialing Board	4 members (3 certified dietitians and 1 public member, all appointed by the Governor)	4	Certifies dietitians. Establishes criteria for approval of educational and training programs and code of ethics to govern the professional conduct of dietitians.
Occupational Therapists Affiliated Credentialing Board	7 members (3 licensed occupational therapists, 2 licensed occupational therapist assistants, 2 public members)	4	Licenses occupational therapists. Sets standards of: (a) examination requirements; (b) continuing education requirements; and (c) standards of practice and professional conduct. Defines the scope of practice. Takes disciplinary action against licensees.
Podiatrists Affiliated Credentialing Board	4 members (3 licensed podiatrists and 1 public member)	4	Licenses podiatrists. Establishes continuing education requirements. Takes disciplinary action against licensees.
Massage Therapy and Bodywork Therapy Affiliated Credentialing Board	7 members (6 licensed massage therapists that have practiced for at least the preceding two years -- one of these members must represent an approved bodywork or massage therapy school and one must represent such a program offered by a state technical college -- and 1 public member)	4	Licenses massage therapists and bodyworkers. Sets standards of: (a) examination requirements; (b) training program requirements; and (c) standards of practice and professional conduct.
Physician Assistants, Council on	5 members (3 physician assistants, 1 person who teaches physician assistants, and 1 public member)	4	Advises the MEB on rules for physician assistants.
Perfusionists Examining Council	5 members (3 licensed perfusionists, 1 cardiothoracic surgeon or a cardiovascular anesthesiologist, and 1 public member)	3	Advises the MEB on rules for perfusionists.
Respiratory Care Practitioners Examining Council	5 members (3 certified respiratory care practitioners, each with at least 3 years of experience, 1 physician, and 1 public member)	3	Advises examining board on rules promulgated by the MEB related to the practice of respiratory care.

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
Departmental			
Council on Real Estate Curriculum and Examinations	7 members (5 licensed real estate brokers or salespersons, which must include 1 member of the Real Estate Examining Board, 2 brokers with 5 years' experience, and 1 real estate salesperson with 2 years of experience; and 2 public members, one of whom must have 2 years' experience in planning or presenting real estate education programs)	4	Advisory to the Real Estate Examining Board.
Automatic Fire Sprinkler System Contractors and Journeymen Council	5 members (1 employee of DSPS selected by the Secretary, 2 licensed journeymen automatic fire sprinkler fitters, 2 licensed automatic fire sprinkler contractors)	4	Advises DSPS on rules for qualifications, examination and licensing of journeymen automatic fire sprinkler system fitters and automatic fire sprinkler contractors, and for the registration and training of automatic fire sprinkler system apprentices.
Commercial Building Code Council	10 members (2 members representing each of the following groups: (1) skilled building trades, each of whom is actively engaged in his or her trade; (2) local building inspectors, each of whom is certified as an inspector by DSPS and is employed by a city, village, or county; (3) fire services, each of whom is actively engaged in fire service work and at least one of whom is a fire chief; (4) building contractors, each of whom is actively engaged in onsite construction of public buildings and buildings that are places of employment; and (5) architects, engineers and designers, each of whom is actively engaged in the design or evaluation of public buildings and buildings that are places of employment)	3	Reviews rules relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment. Makes recommendations to DSPS on the rules and other matters related to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment.
Conveyance Safety Code Council	9 members (one member representing each of the following groups: (1) manufacturer of elevators; (2) elevator servicing business; (3) architectural design or elevator consulting profession; (4) labor organization whose members are involved in the installation, maintenance, and repair of elevators; (5) city, village, town, or county; (6) owner or manager of a building containing an elevator; (7) general public; (8) building contractor involved in commercial construction that includes the construction or installation of conveyances; and (9) the Secretary of DSPS)	3	Advises DSPS on rules related to conveyances, enforcement, the granting of variances, administrative appeal procedures, and fees. Recommends a statewide conveyance safety code for promulgation by DSPS.
Manufactured Housing Code Council	13 members (2 manufacturers of manufactured homes, 2 manufactured home dealers, 2 owners of manufactured home communities, 2 installers of manufactured homes, 1 representative of an association of the manufactured housing industry in Wisconsin, 1 supplier of materials or services to the manufactured housing industry, 1 public member, 1 person representing labor, and 1 inspector of manufactured homes)	3	Recommends a statewide manufactured housing code for promulgation by DSPS. Reviews rules, make recommendations related to licensure and professional discipline of manufacturers of manufactured homes, manufactured home dealers, manufactured home salespersons, and installers, and with regard to consumer protection applicable to consumers of manufactured homes.

Attached Councils/ Boards	Composition of Board	Term in Office (in Years)	Duties
Plumbers Council	3 members (1 employee of DSPS selected by the Secretary, 1 master plumber, and 1 journeyman plumber)	2	Advises DSPS on rules related to qualifications, examination and licensing of master and journeyman plumbers and restricted plumbers, for the licensing of utility contractors, for the registration of plumbing apprentices and pipe layers, and for the registration and training of registered learners.
Uniform Dwelling Code Council	11 members (each member shall represent at least one of the following groups: (1) building trade labor organizations; (2) certified building inspectors employed by local governments; (3) building contractors actively engaged in onsite construction of one- and two-family housing; (4) manufacturers, retailers, or installers of manufactured or modular one- and two-family housing; (5) registered architects, engineers, or designers who are actively engaged in the design or evaluation of one- and two-family housing; (6) the construction material supply industry; (7) remodeling contractors actively engaged in the remodeling of one-family and two-family housing; (8) persons with disabilities; and (9) fire prevention professionals)	2	Reviews the standards and rules for one- and two-family dwelling construction and recommends a uniform dwelling code for adoption by DSPS. Studies the need for and availability of one- and two-family dwellings that are accessible to persons with disabilities. Makes recommendations to DSPS for changes to the uniform dwelling code that may be needed to ensure an adequate supply of one- and two-family dwellings. Considers and makes recommendations to DSPS pertaining to rules for one- and two-family dwellings. Reviews complaints from permittees concerning possible incompetent, negligent, or unethical conduct by building inspectors, and recommends whether DSPS should suspend or revoke the certification of a building inspector. Prepares a report that consists of the review of the standards and rules, and the recommendations for rule changes, once every six years. The first report was required by July 7, 2014.
<i>Special Use Authorizations</i>			
Controlled Substances Board			
	9 members (7 members with no term expiration dates: the Attorney General, the Secretary of Health Services, and the Secretary of Agriculture, Trade and Consumer Protection, or their designees; the chairperson of the Pharmacy Examining Board, the chairperson of the Medical Examining Board, the chairperson of the Dentistry Examining Board, and the chairperson of the Board of Nursing, or a designee; and 2 members appointed by the Governor to serve 3-year terms: 1 psychiatrist member and 1 pharmacologist member).	3	Advises DSPS boards on matters relating to controlled substances. Approves special use permits for controlled substances. The Board also has duties that are not specific to the Department, relating to rulemaking in defining controlled substances, and creating standards and schedules under the uniform controlled substances act (Chapter 961 of the statutes).

APPENDIX IV

Occupational Regulation Licensing Fees -- 2019-21 Biennium

Credential Type	Initial Fee	Renewal Fee	<u>Change from Fiscal Year 2019</u>	
			Initial	Renewal
Health and Business Professions				
Accountant, Certified Public	\$43	\$43	-\$32	-\$39
Accounting Firm	43	43	-32	-39
Acupuncturist	75	75	-	-32
Administrative Physician	75	75	-	-66
Aesthetician	11	11	-64	-71
Aesthetics Establishment	11	11	-64	-71
Aesthetics Instructor	11	11	-64	-71
Agent for Burial Agreements**	75	-	-	-
Anesthesiology Assistant	75	75	-	-7
Appraisal Management Company	4,000	2,000	-	-
Appraiser, Certified General	16	16	-59	-154
Appraiser, Certified Residential	16	16	-59	-154
Appraiser, Licensed	16	16	-59	-154
Architect	68	68	-7	-14
Architectural or Engineer Corp - Certificate of Authorization	68	68	-7	-14
Art Therapist	68	68	-7	-39
Athletic Agent	38	38	-37	-69
Athletic Trainer	75	75	-	-
Auction Company	47	47	-28	-123
Auctioneer	47	47	-28	-123
Audiologist	75	75	-	-95
Barber	63	63	-12	-19
Barber Apprentice**	10	-	-	-
Barber Establishment	63	63	-12	-19
Barber Instructor	63	63	-12	-19
Barber School	63	63	-12	-19
Behavior Analyst	59	59	-16	-16
Boxing Contest, Professional***	300	300	-	-
Boxing Contestant*	40	40	-	-
Boxing Judge*	15	15	-	-
Boxing Promoter, Professional*	500	500	-	-
Boxing Referee*	15	15	-	-
Cemetery Authority - Licensed	75	75	-	-95
Cemetery Authority - Registered	10	10	-	-
Cemetery Authority - Religious**	75	-	-	-
Cemetery Preneed Seller	75	75	-	-95
Cemetery Salesperson	75	75	-	-95
Chiropractic Radiological Tech	53	53	-	9
Chiropractic Tech	53	53	-	9
Chiropractor	75	75	-	-95
Cosmetologist	11	11	-64	-71
Cosmetology Apprentice**	10	-	-	-
Cosmetology Establishment	11	11	-64	-71
Cosmetology Instructor	11	11	-64	-71
Cosmetology School	11	11	-64	-71
Counselor	62	62	-13	-29
Counselor - Training License**	62	-	-13	-
Crematory Authority	75	75	-	-95

Credential Type	Initial Fee	Renewal Fee	Change from Fiscal Year 2019	
			Initial	Renewal
Dance Therapist	\$68	\$68	-\$7	-\$39
Dental Hygienist	74	74	-1	-49
Dentist	74	74	-1	-49
Dentistry, Mobile Program	74	74	-1	-49
Designer, Engineering Systems	68	68	-7	-14
Dietician	75	75	-	-
Drug Device Manufacturer	74	74	-1	-54
Electrologist	11	11	-64	-71
Electrology Establishment	11	11	-64	-71
Electrology Instructor	11	11	-64	-71
Electrology School	11	11	-64	-71
Engineer, Professional	68	68	-7	-14
Engineer in Training**	68	-	-7	-
Firearms Certifier	-	-	-	-8
Funeral Director	75	75	-	-95
Funeral Director Apprentice*	10	10	-	-
Funeral Director Excluding Embalming	75	75	-	-95
Funeral Director in Good Standing	75	75	-	-95
Funeral Establishment	75	75	-	-95
Geologist, Professional	56	56	-19	-114
Geology Firm	56	56	-19	-114
Hearing Instrument Specialist	75	75	-	-95
Home Inspector	51	51	-24	-56
Home Medical Oxygen Provider	59	59	-16	-69
Hydrologist, Professional	56	56	-19	-114
Hydrology Firm	56	56	-19	-114
Interior Designer	59	59	-16	-48
Juvenile Martial Arts Instructor	59	59	-16	-16
Kickboxing Contestant, Amateur	40	40	-	-
Kickboxing Contestant, Professional	40	40	-	-
Kickboxing Judge	15	15	-	-
Kickboxing Referee	15	15	-	-
Land Surveyor, Professional	68	68	-7	-14
Landscape Architect	68	68	-7	-14
Licensed Midwife	59	59	-16	-48
Manicuring Establishment	11	11	-64	-71
Manicuring Instructor	11	11	-64	-71
Manicuring School	11	11	-64	-71
Manicurist	11	11	-64	-71
Marriage and Family Therapist	62	62	-13	-23
Marriage and Family Therapist - Training	62	-	-13	-
Massage Therapy Bodyworker	75	75	-	-7
Medical Resident Educational License*	10	-	-	-
Medicine and Surgery DO	75	75	-	-66
Medicine and Surgery DO - Compact	75	75	-	-66
Medicine and Surgery MD	75	75	-	-66
Medicine and Surgery MD - Compact	75	75	-	-66
Mixed Martial Arts Club, Professional	500	500	-	-
Mixed Martial Arts Contest, Professional***	300	300	-	-
Mixed Martial Arts Contestant, Amateur*	40	40	-	-
Mixed Martial Arts Contestant, Professional*	40	40	-	-
Mixed Martial Arts Judge*	15	15	-	-
Mixed Martial Arts Promoter, Professional*	500	500	-	-
Mixed Martial Arts Referee	15	15	-	-
Muay Thai Contestant, Amateur*	40	40	-	-
Muay Thai Judge*	15	15	-	-

Credential Type	Initial Fee	Renewal Fee	<u>Change from Fiscal Year 2019</u>	
			Initial	Renewal
Muay Thai Referee*	\$15	\$15	-	-
Music Therapist	68	68	-\$7	-\$39
Nurse Advanced Practice Prescriber	73	73	-2	-9
Nurse Midwife	73	73	-2	-9
Nurse, Licensed Practical	73	73	-2	-9
Nurse, Registered	73	73	-2	-9
Nursing Home Administrator	75	75	-	-95
Occupational Therapist	75	75	-	-
Occupational Therapist Assistant	75	75	-	-
Optometrist	75	75	-	-95
Perfusionist	75	75	-	-66
Pharmacist	74	74	-1	-54
Pharmacy (in state)	74	74	-1	-54
Pharmacy (out of state)	74	74	-1	-54
Physical Therapist	68	68	-7	-7
Physical Therapist Assistant	68	68	-7	-7
Physician Assistant	75	75	-	-66
Podiatrist	75	75	-	-16
Private Detective	8	8	-67	-99
Private Detective Agency	8	8	-67	-99
Private Security Person	27	27	-48	-80
Psychologist	66	66	-9	-104
Radiographer, Licensed	65	65	-10	-17
Real Estate Broker	75	75	-	-7
Real Estate Business Entity	75	75	-	-7
Real Estate Salesperson	75	75	-	-7
Respiratory Care Practitioner	75	75	-	-66
Ringside Physician*	10	10	-	-
Sanitarian, Registered	75	75	-	-32
School Psychologist Private Practice	66	66	-9	-104
Sign Language Interpreter	75	75	-	-
Sign Language Interpreter-Restricted	75	75	-	-
Social Worker	62	62	-13	-23
Social Worker Advanced Practice	62	62	-13	-23
Social Worker Independent	62	62	-13	-23
Social Worker Licensed Clinical	62	62	-13	-23
Social Worker Training**	62	-	-13	-
Soil Scientist Firm	56	56	-19	-114
Soil Scientist Professional	56	56	-19	-114
Special Licenses	59	-	-16	-
Special Permits	75	-	-	-
Speech Language Pathologist	75	75	-	-95
Substance Abuse Clinical Supervisor in Training	75	75	-	-32
Substance Abuse Counselor	75	75	-	-32
Substance Abuse Counselor - Training	75	75	-	-32
Substance Abuse Counselor, Clinical	75	75	-	-32
Substance Abuse Independent Clinical Supervisor	75	75	-	-32
Substance Abuse Intermediate Clinical Supervisor	75	75	-	-32
Substance Abuse Prevention Specialist	75	75	-	-32
Substance Abuse Prevention Specialist - Training	75	75	-	-32
Tanning Establishment	10	10	-	-
Tattoo and Body Piercing Establishment	135	220	-	-
Tattooist and Body Piercer	60	60	-	-
Timeshare Salesperson	75	75	-	-7
Transportation Network Company	5,000	5,000	-	-
Unarmed Combat Contest	300	300	-	-

Credential Type	Initial Fee	Renewal Fee	<u>Change from Fiscal Year 2019</u>	
			Initial	Renewal
Unarmed Combat Matchmaker*	\$10	\$10	-	-
Unarmed Combat Promoter	500	500	-	-
Unarmed Combat Second*	40	40	-	-
Unarmed Combat Timekeeper*	10	10	-	-
Wholesale Distributor of Prescription Drugs	74	74	-\$1	-\$54
X-ray Machine Operator, Limited	65	65	-10	-17

Building Trades Professions

See Administrative Code Chapter SPS 305, Table 305.02 for fees, and Table 305.06 for length of credential.

* Renew annually.

** Does not renew.

*** Cost per contest; additional fee starting at \$450 is assessed on the basis of event attendance and gross ticket sales collected by the club or promoter.