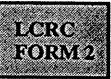


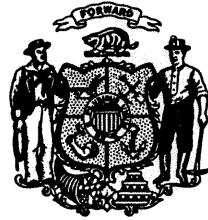
WISCONSIN LEGISLATIVE COUNCIL STAFF



OCT 04 1999

**RULES CLEARINGHOUSE**

**Ronald Sklansky**  
Director  
(608) 266-1946



**David J. Stute, Director**  
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One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
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**CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 99-128**

AN ORDER to amend Med 1.06 (1) (a) (intro.) and (d), (3) (a), (b), (d), (e), (f) (intro.) and (g), 1.08 (2), 2.02 and 2.04, relating to computer-based examinations.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

08-24-99 RECEIVED BY LEGISLATIVE COUNCIL.

09-21-99 REPORT SENT TO AGENCY.

RNS:PS:jal;ksm

**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached      YES       NO

# WISCONSIN LEGISLATIVE COUNCIL STAFF

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## CLEARINGHOUSE RULE 99-128

### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In the "PROPOSED ORDER" language near the top of page 1, the language relating to amending various provisions of s. Med 1.06 contains a minor punctuation error and should be rewritten to read: "Med 1.06 (1) (a) (intro.) and (d), (3) (a), (b), (d), (e), (f) (intro.) and (g),". The same change should be made in the treatment clause to SECTION 1 of the rule.

b. In s. Med 1.06 (1) (a) (intro.), reference is made to the computer-based examination "under sub. (3)." Subsection (3) refers to more than one examination, the FLEX exam in par. (a) and the USMLE exam in par. (b). Which examination is being referred to in this provision?

c. In s. Med 1.06 (3) (b), the word "or" on line 2 should be underscored.

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : MEDICAL EXAMINING BOARD  
MEDICAL EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 99- )  
-----

PROPOSED ORDER

An order of the Medical Examining Board to *and* **amend** Med 1.06 (1) (a) (intro.) <sup>2</sup>(d), (3) (a), (b), (d), (e), (f) (intro.) and (g), 1.08 (2), 2.02 and 2.04, relating to computer-based examinations. X

Analysis prepared by the Department of Regulation and Licensing.

-----  
ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 448.40 (1), Stats.

Statutes interpreted: s.448.05 (6), Stats.

*search med rules  
for "written"*

In this proposed rule-making order the Medical Examining Board amends its rules relating to the change from a paper and pencil examination to a computer-based examination. This amendment will allow for the computer-based examination administration of the USMLE (United States Medical Licensing Examination) beginning in 1999.

After December 31, 1993, the FLEX examination was no longer the licensing examination administered by the board. Therefore, the last sentence of s. Med 10.06 (3) (a) is repealed in that the examination does not consist of the 2-component FLEX; but, rather, the board now accepts the 3-step USMLE sequence. In s. Med 2.02 the word "such" is changed to the word "the" to comply with the Administrative Rules Procedures Manual.

In s. Med 2.04 language is repealed relating to temporary licenses expiring on the first day the board begins its examination. The board at one time administered the examinations in June and December. The Medical Examining Board does not schedule examinations any longer. An applicant can take the examination any day of the week because of the computer-based examination.

-----  
TEXT OF RULE

SECTION 1. Med 1.06 (1) (a) (intro.) <sup>and</sup> (d) <sup>1, 2, 3</sup> and (3) (a), (b), (d), (e), (f) (intro.) and (g) are amended to read: X

Med 1.06 (1) (a) (intro.) All applicants shall complete the ~~written~~ computer-based examination under sub. (3), and an open book examination on statutes and rules governing the

*specify  
wh. exam  
FLEX  
USMLE*

practice of medicine and surgery in Wisconsin. In addition, an applicant may be required to complete an oral examination if the applicant:

(d) ~~Where both written~~ Written, computer-based and oral examinations ~~are as required they~~ shall be scored separately and the applicant shall achieve a passing grade on all examinations to qualify for a license.

(3) (a) The board accepts the FLEX examination administered on or before December 31, 1993, as its written examination and requires a score of not less than 75.0 on each component of the 2-component FLEX examination administered on or after January 1, 1985. Every applicant shall ~~take~~ have taken the complete 2-component examination the first time the applicant ~~is~~ was admitted to the FLEX examination. ~~If the applicant fails to achieve a passing grade on one of the 2 components, the applicant may apply for and be reexamined on only the component failed according to the reexamination provisions of s. Med 1.08 (1).~~

(b) Commencing January 1, 1994, the board accepts the 3-step USMLE sequence as its written or computer-based examination and administers step 3 of the sequence. Minimum standard passing scores for each step shall be not less than 75.0. Applicants shall complete all 3 steps of the examination sequence within 7 years from the date upon which the applicant first passes a step, either step 1 or step 2. Applicants who have passed a step may not repeat the step unless required to do so in order to comply with the 7-year time limit. If the applicant fails to achieve a passing grade on any step, the applicant may apply for and be reexamined on only the step failed according to the reexamination provisions of s. Med 1.08 (1).

*(c) and amend (c) to delete "two" time*

(d) The board may waive the requirement for written or computer-based examinations required in this section for any applicant who has achieved a weighted average score of no less than 75.0 on all 3 components of the FLEX examination taken prior to January 1, 1985 in a single session in another licensing jurisdiction in the United States or Canada, in no more than 3 attempts. If the applicant had been examined 4 or more times before achieving a weighted average score of no less than 75.0 on all 3 components, the applicant shall meet requirements specified in s. Med 1.08 (2).

(e) The board may waive the requirement for written or computer-based examinations required in this section for any applicant who has achieved a score of no less than 75.0 on each of the 2 components of the FLEX examination administered on or after January 1, 1985 in another licensing jurisdiction in the United States or Canada, if the applicant achieved a score of no less than 75.0 on each of the 2 components in no more than 3 attempts. If the applicant has been examined 4 or more times before achieving a score of 75.0 on either or both components of the FLEX examination, the applicant shall meet requirements specified in s. Med 1.08 (2).

(f) (intro.) An applicant who has passed all 3 components of the examinations of the following boards and councils may submit to the board verified documentary evidence thereof, and the board will accept this in lieu of requiring further written or computer-based examination of the applicant.

(g) An applicant who has received passing grades in written or computer-based examinations for a license to practice medicine and surgery conducted by another licensing jurisdiction of the United States or Canada may submit to the board verified documentary evidence thereof. The board will review such documentary evidence to determine whether the scope and passing grades of such examinations are substantially equivalent to those of this state at the time of the applicant's examination, and if the board finds such equivalence, the board will accept this in lieu of requiring further written or computer-based examination of the candidate. The burden of proof of such equivalence shall lie upon the applicant.

SECTION 2. Med 1.08 (2) is amended to read:

Med 1.08 (2) If an applicant has been examined 4 or more times in another licensing jurisdiction in the United States or Canada before achieving a passing grade in written or computer-based examinations also required under this chapter, the board may require the applicant to submit evidence satisfactory to the board of further professional training or education in examination areas in which the applicant had previously demonstrated deficiencies. If the evidence provided by the applicant is not satisfactory to the board, the board may require the applicant to obtain further professional training or education as the board deems necessary to establish the applicant's fitness to practice medicine and surgery in this state. In order to determine any further professional training or education requirement, the board shall consider any information available relating to the quality of the applicant's previous practice, including the results of the applicant's performance on the oral examination required under s. 448.05 (6), Stats., and s. Med 1.06.

SECTION 3. Med 2.02 is amended to read:

Med 2.02 **Applications, credentials, eligibility, and issuance.** An applicant who is a graduate of a medical school in this state, or of whom the board will require no further examination under the provisions of s. Med 1.06 (3), may make application to the board for temporary license prior to regular license to practice medicine and surgery. In either case, such the applicant shall have submitted to the board the application and documents required under ch. Med 1 for regular license to practice medicine and surgery, and shall in addition submit to the board an application for temporary license prior to regular license on forms provided for that purpose by the board. ~~Such~~ The application shall be made not less than 30 days prior to the ~~date set by the board for the holding of its next scheduled~~ date set by the board for the holding of its next scheduled examinations for regular license. The application and required documents for regular license to practice medicine and surgery and the application for temporary license prior to regular license will be reviewed by 2 officers of the board. In the case of an applicant of whom the board will require no further written or computer-based examination, upon the finding of such the 2 officers of the board that such the applicant is qualified for regular license except for having taken and passed the oral examination required under s. Med 1.06, the board, acting through such the 2 officers, may issue a temporary license prior to regular license to practice medicine and surgery to such the applicant. In the case of an applicant who is a graduate of a medical school in this state, upon the finding of such the 2 officers of the board that such the applicant is eligible for admission to examination for regular license under s. Med 1.06, the board, acting through such the 2 officers, may issue a temporary license prior to regular license to practice medicine and surgery to such the applicant.

SECTION 4. Med 2.04 is amended to read:

Med 2.04 **Expiration.** A temporary license prior to regular license to practice medicine and surgery granted under this chapter shall expire by its terms 60 days after the next scheduled examination for regular license ~~is given by the board, or on the date following the examination of an applicant on which the board grants or denies such the applicant a regular license to practice medicine and surgery, whichever occurs first; or such temporary license prior to regular license to practice medicine and surgery and shall automatically expire on the first day the board begins its examination of applicants for regular license to practice medicine and surgery after issuing such license, unless its holder submits to examination on such date if the applicant fails to appear for the examination.~~ A regular license to practice medicine and surgery is deemed denied by the board on the date the applicant is sent notice from the board that he or she has failed the examination for regular license to practice medicine and surgery.

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(END OF TEXT OF RULE)  
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The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated: \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Medical Examining Board

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will be reviewed by the department through its Small Business Review Advisory Committee to determine whether there will be an economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

OCT 28 1999

**STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD**

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**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : MEDICAL EXAMINING BOARD  
MEDICAL EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 99-128)**

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TO: Senator Judy Robson, Senate Co-Chairperson  
Joint Committee for the Review of Administrative Rules  
Room 15 South, State Capitol  
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the MEDICAL EXAMINING BOARD is submitting in final draft form rules relating to the duty to computer-based examinations.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

---





Tommy G. Thompson  
Governor

State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Marlene A. Cummings  
Secretary

1400 E. WASHINGTON AVENUE  
P. O. BOX 8935  
MADISON, WISCONSIN 53708-8935  
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# Administrative Rules in Final Draft Form

## Medical Examining Board

### Relating to: Computer-Based Examinations

#### Rule: Med 1.06, 1.08, 2.02, 2.04

#### Clearinghouse Rule: No. 99-128

Regulatory Boards

Accounting; Architects; Landscape Architects; Professional Engineers; Designers and Land Surveyors; Professional Geologists; Hydrologists and Soil Scientists; Auctioneer; Barbering and Cosmetology; Chiropractic; Controlled Substances; Dentistry; Dietitians; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Physical Therapists; Podiatry; Psychology; Real Estate; Real Estate Appraisers; Social Workers; Marriage and Family Therapists and Professional Counselors; and Veterinary.

Committed to Equal Opportunity in Employment and Licensing

**STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD**

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**IN THE MATTER OF RULE-MAKING :**  
**PROCEEDINGS BEFORE THE :** **REPORT TO THE LEGISLATURE**  
**MEDICAL EXAMINING BOARD :** **ON CLEARINGHOUSE RULE 99-128**  
**:** **(s. 227.19 (3), Stats.)**

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**I. THE PROPOSED RULE:**

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

**II. REFERENCE TO APPLICABLE FORMS:**

No new or revised forms are required by these rules.

**III. FISCAL ESTIMATES:**

These rules will have no significant impact upon state or local units of government.

**IV. STATEMENT EXPLAINING NEED:**

In this rule-making order the Medical Examining Board amends its rules relating to the change from a paper and pencil examination to a computer-based examination. This amendment will allow for the computer-based examination administration of the USMLE (United States Medical Licensing Examination) beginning in 1999.

After December 31, 1993, the FLEX examination was no longer the licensing examination administered by the board. Therefore, the last sentence of s. Med 10.06 (3) (a) is repealed in that the examination does not consist of the 2-component FLEX; but, rather, the board now accepts the 3-step USMLE sequence. In s. Med 2.02 the word "such" is changed to the word "the" to comply with the Administrative Rules Procedures Manual.

In s. Med 2.04 language is repealed relating to temporary licenses expiring on the first day the board begins its examination. The board at one time administered the examinations in June and December. The Medical Examining Board does not schedule examinations any longer. An applicant can take the examination any day of the week because of the computer-based examination.

**V. NOTICE OF PUBLIC HEARING:**

A public hearing was held on October 20, 1999. There were no appearances at the public hearing nor were any written comments received.

**VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:**

All of the recommendations suggested in the Clearinghouse Report were accepted in whole.

**VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:**

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

g:\rules\med2.leg.  
10/29/99

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : MEDICAL EXAMINING BOARD  
MEDICAL EXAMINING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 99-128)

---

PROPOSED ORDER

An order of the Medical Examining Board to *amend* Med 1.06 (1) (a) (intro.) and (d), (3) (a), (b), (d), (e), (f) (intro.) and (g), 1.08 (2), 2.02 and 2.04, relating to computer-based examinations.

Analysis prepared by the Department of Regulation and Licensing.

---

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 448.40 (1), Stats.

Statutes interpreted: s.448.05 (6), Stats.

In this rule-making order the Medical Examining Board amends its rules relating to the change from a paper and pencil examination to a computer-based examination. This amendment will allow for the computer-based examination administration of the USMLE (United States Medical Licensing Examination) beginning in 1999.

After December 31, 1993, the FLEX examination was no longer the licensing examination administered by the board. Therefore, the last sentence of s. Med 10.06 (3) (a) is repealed in that the examination does not consist of the 2-component FLEX; but, rather, the board now accepts the 3-step USMLE sequence. In s. Med 2.02 the word "such" is changed to the word "the" to comply with the Administrative Rules Procedures Manual.

In s. Med 2.04 language is repealed relating to temporary licenses expiring on the first day the board begins its examination. The board at one time administered the examinations in June and December. The Medical Examining Board does not schedule examinations any longer. An applicant can take the examination any day of the week because of the computer-based examination.

---

TEXT OF RULE

SECTION 1. Med 1.06 (1) (a) (intro.) and (d) and (3) (a), (b), (d), (e), (f) (intro.) and (g) are amended to read:

Med 1.06 (1) (a) (intro.) All applicants shall complete the ~~written~~ computer-based examination under sub. (3) (b), and an open book examination on statutes and rules governing

the practice of medicine and surgery in Wisconsin. In addition, an applicant may be required to complete an oral examination if the applicant:

(d) ~~Where both written~~ Written, computer-based and oral examinations ~~are as required they~~ shall be scored separately and the applicant shall achieve a passing grade on all examinations to qualify for a license.

(3) (a) The board accepts the FLEX examination administered on or before December 31, 1993, as its written examination and requires a score of not less than 75.0 on each component of the 2-component FLEX examination administered on or after January 1, 1985. Every applicant shall ~~take~~ have taken the complete 2-component examination the first time the applicant ~~is~~ was admitted to the FLEX examination. ~~If the applicant fails to achieve a passing grade on one of the 2 components, the applicant may apply for and be reexamined on only the component failed according to the reexamination provisions of s. Med 1.08 (1).~~

(b) Commencing January 1, 1994, the board accepts the 3-step USMLE sequence as its written or computer-based examination and administers step 3 of the sequence. Minimum standard passing scores for each step shall be not less than 75.0. Applicants shall complete all 3 steps of the examination sequence within 7 years from the date upon which the applicant first passes a step, either step 1 or step 2. Applicants who have passed a step may not repeat the step unless required to do so in order to comply with the 7-year time limit. If the applicant fails to achieve a passing grade on any step, the applicant may apply for and be reexamined on only the step failed according to the reexamination provisions of s. Med 1.08 (1).

(d) The board may waive the requirement for written or computer-based examinations required in this section for any applicant who has achieved a weighted average score of no less than 75.0 on all 3 components of the FLEX examination taken prior to January 1, 1985 in a single session in another licensing jurisdiction in the United States or Canada, in no more than 3 attempts. If the applicant had been examined 4 or more times before achieving a weighted average score of no less than 75.0 on all 3 components, the applicant shall meet requirements specified in s. Med 1.08 (2).

(e) The board may waive the requirement for written or computer-based examinations required in this section for any applicant who has achieved a score of no less than 75.0 on each of the 2 components of the FLEX examination administered on or after January 1, 1985 in another licensing jurisdiction in the United States or Canada, if the applicant achieved a score of no less than 75.0 on each of the 2 components in no more than 3 attempts. If the applicant has been examined 4 or more times before achieving a score of 75.0 on either or both components of the FLEX examination, the applicant shall meet requirements specified in s. Med 1.08 (2).

(f) (intro.) An applicant who has passed all 3 components of the examinations of the following boards and councils may submit to the board verified documentary evidence thereof, and the board will accept this in lieu of requiring further written or computer-based examination of the applicant.

(g) An applicant who has received passing grades in written or computer-based examinations for a license to practice medicine and surgery conducted by another licensing jurisdiction of the United States or Canada may submit to the board verified documentary evidence thereof. The board will review such documentary evidence to determine whether the scope and passing grades of such examinations are substantially equivalent to those of this state at the time of the applicant's examination, and if the board finds such equivalence, the board will accept this in lieu of requiring further written or computer-based examination of the candidate. The burden of proof of such equivalence shall lie upon the applicant.

SECTION 2. Med 1.08 (2) is amended to read:

Med 1.08 (2) If an applicant has been examined 4 or more times in another licensing jurisdiction in the United States or Canada before achieving a passing grade in written or computer-based examinations also required under this chapter, the board may require the applicant to submit evidence satisfactory to the board of further professional training or education in examination areas in which the applicant had previously demonstrated deficiencies. If the evidence provided by the applicant is not satisfactory to the board, the board may require the applicant to obtain further professional training or education as the board deems necessary to establish the applicant's fitness to practice medicine and surgery in this state. In order to determine any further professional training or education requirement, the board shall consider any information available relating to the quality of the applicant's previous practice, including the results of the applicant's performance on the oral examination required under s. 448.05 (6), Stats., and s. Med 1.06.

SECTION 3. Med 2.02 is amended to read:

**Med 2.02 Applications, credentials, eligibility, and issuance.** An applicant who is a graduate of a medical school in this state, or of whom the board will require no further examination under the provisions of s. Med 1.06 (3), may make application to the board for temporary license prior to regular license to practice medicine and surgery. In either case, such the applicant shall have submitted to the board the application and documents required under ch. Med 1 for regular license to practice medicine and surgery, and shall in addition submit to the board an application for temporary license prior to regular license on forms provided for that purpose by the board. Such The application shall be made not less than 30 days prior to the ~~date set by the board for the holding of its next scheduled~~ examinations for regular license. The application and required documents for regular license to practice medicine and surgery and the application for temporary license prior to regular license will be reviewed by 2 officers of the board. In the case of an applicant of whom the board will require no further written or computer-based examination, upon the finding of such the 2 officers of the board that ~~such the~~ applicant is qualified for regular license except for having taken and passed the oral examination required under s. Med 1.06, the board, acting through such the 2 officers, may issue a temporary license prior to regular license to practice medicine and surgery to such the applicant. In the case of an applicant who is a graduate of a medical school in this state, upon the finding of such the 2 officers of the board that ~~such the~~ applicant is eligible for admission to examination for regular license under s. Med 1.06, the board, acting through such the 2 officers, may issue a temporary license prior to regular license to practice medicine and surgery to such the applicant.

SECTION 4. Med 2.04 is amended to read:

**Med 2.04 Expiration.** A temporary license prior to regular license to practice medicine and surgery granted under this chapter shall expire by its terms 60 days after the next scheduled examination for regular license ~~is given by the board~~, or on the date following the examination of an applicant on which the board grants or denies such the applicant a regular license to practice medicine and surgery, whichever occurs first; ~~or such temporary license prior to regular license to practice medicine and surgery and shall automatically expire on the first day the board begins its examination of applicants for regular license to practice medicine and surgery after issuing such license, unless its holder submits to examination on such date if the applicant fails to appear for the examination.~~ A regular license to practice medicine and surgery is deemed denied by the board on the date the applicant is sent notice from the board that he or she has failed the examination for regular license to practice medicine and surgery.

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(END OF TEXT OF RULE)  
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The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22 (2) (intro.), Stats.

Dated: \_\_\_\_\_

Agency \_\_\_\_\_

\_\_\_\_\_  
Chairperson  
Medical Examining Board

#### FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

#### FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.