

2007 DRAFTING REQUEST**Bill**Received: **04/18/2007**Received By: **csundber**Wanted: **As time permits**

Identical to LRB:

For: **Kitty Rhoades (608) 266-1526**By/Representing: **Jennifer Western**This file may be shown to any legislator: **NO**Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Rhoades@legis.wisconsin.gov**Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 04/18/2007			_____			State
/2	csundber 05/14/2007	lkunkel 05/14/2007	sherritz 04/19/2007	_____	sbasford 04/19/2007		State
/3			nmatzke 05/15/2007	_____	lparisi 05/15/2007	lparisi 06/06/2007	State

FE Sent For: "13" @ intro. 6-14-2007

<END>

2007 DRAFTING REQUEST

Bill

Received: **04/18/2007**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Kitty Rhoades (608) 266-1526**

By/Representing: **Jennifer Western**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rhoades@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 04/18/2007			_____			State
/2	csundber 05/14/2007	lkunkel 05/14/2007	sherritz 04/19/2007	_____	sbasford 04/19/2007		State
/3			nmatzke 05/15/2007	_____	lparisi 05/15/2007		State

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 04/18/2007

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: Kitty Rhoades (608) 266-1526

By/Representing: Jennifer Western

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - prof lic

Extra Copies:

Submit via email: YES

Requester's email: Rep.Rhoades@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 04/18/2007	13/mk 5/14		_____			State
/2			sherritz 04/19/2007	_____	sbasford 04/19/2007		State
			nwn 5/14	nwn/rs 5/14/5			

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 04/18/2007

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Kitty Rhoades (608) 266-1526**

By/Representing: **Jennifer Western**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rhoades@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman	1	sh 4/19	sh/jj 4/19/0			
		2	sh 4/19	sh/pg 4/19			

FE Sent For: **<END>**

2007 DRAFTING REQUEST

Bill

Received: **04/12/2007**

Received By: **csundber**

Wanted: **As time permits**

Identical to LRB:

For: **Kitty Rhoades (608) 266-1526**

By/Representing: **Jennifer Western**

This file may be shown to any legislator: **NO**

Drafter: **csundber**

May Contact:

Addl. Drafters:

Subject: **Occupational Reg. - prof lic**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rhoades@legis.wisconsin.gov**

Carbon copy (CC:) to: **christopher.sundberg@legis.wisconsin.gov**

*Cancelled
New #
2472*

Pre Topic:

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	csundber 04/16/2007	lkunkel 04/17/2007		_____			State
/1			rschluet 04/17/2007	_____	lparisi 04/17/2007		

*/2 lmk 4/18
sh 4/18
sh/pg 4/18*

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: 04/12/2007

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: Kitty Rhoades (608) 266-1526

By/Representing: Jennifer Western

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - prof lic

Extra Copies:

Submit via email: YES

Requester's email: Rep.Rhoades@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Temporary licensure of respiratory care therapists ✓

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	csundber	l/mk 4/17					

FE Sent For:

<END>

Sundberg, Christopher

From: Ryan, Robin
Sent: Thursday, April 12, 2007 4:52 PM
To: Sundberg, Christopher; Kuczenski, Tracy
Subject: occ reg?

Chris or Tracy,
Is this an occ reg draft?

From: Parisi, Lori
Sent: Thursday, April 12, 2007 4:41 PM
To: Ryan, Robin
Subject: FW: Message for Robin Ryan

From: Western, Jennifer
Sent: Thursday, April 12, 2007 4:00 PM
To: LRB.Legal
Subject: Message for Robin Ryan

Hi Robin,

Representative Rhoades would like to request a legislative draft relating to creating a 3-month temporary license for respiratory care therapists who hold licenses in other states.

The situation:

With its close proximity to the Twin Cities, the Hudson Hospital draws a lot of respiratory care therapists from Minnesota. In many cases, these job applicants have many years of experience working in Minnesota. In recent years, there have been numerous cases when applicants have left prospective jobs with Hudson Hospital due to the time it has taken in getting their Wisconsin license to practice respiratory care and thus begin working. According to the hospital this has taken up to 6-9 months and by that time, the person has found other work.

Representative Rhoades would like a legislative draft that would allow Respiratory Care Therapists from other states to be granted a 3 month license after completing the application, submitting a photo, paying the required fee, and providing proof of licensure from the other states, including any malpractice records if applicable.

Before the end of 3 months, the applicant must have submitted all the outstanding information for a full license. (I believe this includes proof of national exam results, statement of graduation, copy of diploma, and taken and passed the state rules exam.)

Please let me know if you have any questions for me.

Thank you!

Jennifer Western
Office of Kitty Rhoades
State Representative
30th Assembly District



ln: 4/14/07 Wanted: Friday 4/20/07

State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2442/7
CTS:.....
RMAR
mk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 BILL

Ben Cat

1 AN ACT ...; relating to: temporary certificates to practice respiratory care. ✓

Analysis by the Legislative Reference Bureau

Under current law, a person may not practice respiratory care unless the person is certified by the Medical Examining Board (board). ✓ An applicant is eligible for certification if the applicant has graduated from a school with an accredited program in respiratory care and passes an examination. ✓ Current law also permits the board to issue a temporary certificate to an individual who has satisfied the graduation requirement but has not yet passed the examination. ✓ A temporary certificate may be issued for up to one year, and may not be renewed. ✓

This bill permits the board to issue a temporary certificate, nonrenewable and valid for 3 months, to a person who pays a fee and submits a photograph and evidence that the person is certified to practice respiratory care in another state. ✓ The person must also submit a description of any professional discipline to which the person has been subjected. ✓

✓ For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 CPS: PSchS
CAPP. SECTION 1. 448.04 (1) (i) of the statutes is ^{renumbered 448.04(1)(i)1. and} amended to read: ^{plan}
3 448.04 (1) (i) Certificate as respiratory care practitioner. ①. The board may
4 certify as a respiratory care practitioner any individual who meets the qualifications

1 for certification under s. 448.05 (5r) and passes the examination required under s.
2 448.05 (6).

3 2. The board may, by rule, provide for a temporary certificate to practice
4 respiratory care to be granted to any individual who meets the requirements of s.
5 448.05 (5r) but has not passed the examination required by s. 448.05 (6). Temporary
6 certificates under this subdivision may be issued for a period not to exceed one year
7 and may not be renewed.

8 Cross Reference: Cross Reference: Cross Reference: See also ch. Med 20, Wis. adm. code. Cross Reference:
History: 1975 c. 383, 421; 1979 c. 162 s. 38 (10); 1979 c. 337; 1981 c. 380; 1981 c. 391 s. 211; 1985 a. 290; 1987 a. 399; 1989 a. 31, 229; 1991 a. 39, 180; 1993 a. 105, 107;
1997 a. 67, 175; 1999 a. 180; 2001 a. 89.

9 **SECTION 2.** 448.04 (1) (i) 3. of the statutes is created to read:

10 448.04 (1) (i) 3. The board may issue a temporary certificate to practice
11 respiratory care to an individual who pays a fee specified by the board and submits
12 the individual's photograph and evidence satisfactory to the board that the
13 individual meets the requirements of s. 448.05 (5r) and is certified to practice
14 respiratory care in another state, except that the board may not issue a temporary
15 certificate under this subdivision to an individual who has previously been issued a
16 temporary certificate under this subdivision. If an applicant for a temporary
17 certificate under this subdivision has been subjected to professional discipline as a
18 result of the applicant's practice of respiratory care, the applicant shall submit to the
19 board a description of the circumstances of the discipline. A temporary certificate
20 under this subdivision may be issued for a period not to exceed 3 months and may
21 not be renewed.

22

(END)

4/17/09 Jenny/Rhoades

Redraft LRB-2442/1:

- ✓ 1. Req. pmt. of initial credential fee.
- ✓ 2. Del. photo requirement
- ✓ 3. Add req't for completed application for both new and existing temp. certificates.
4. Add req't that the state in which applicant is already certified have standards at least as stringent as those of WI.



1u: 4/17/07 wanted 4/24/07
State of Wisconsin
2007 - 2008 LEGISLATURE

2
LRB-2442/6
CTS:lmk:rs

RMNR

stays

2007 BILL

ReGen

- 1 AN ACT to renumber and amend 448.04 (1) (i); and to create 448.04 (1) (i) 3.
- 2 of the statutes; relating to: temporary certificates to practice respiratory care.

Analysis by the Legislative Reference Bureau

Under current law, a person may not practice respiratory care unless the person is certified by the Medical Examining Board (board). An applicant is eligible for certification if the applicant has graduated from a school with an accredited program in respiratory care and passes an examination. Current law also permits the board to issue a temporary certificate to an individual who has satisfied the graduation requirement but has not yet passed the examination. A temporary certificate may be issued for up to one year, and may not be renewed.

→ This bill permits the board to issue a temporary certificate, nonrenewable and valid for 3 months, to a person who pays a fee and submits a photograph and evidence that the person is certified to practice respiratory care in another state. The person must also submit a description of any professional discipline to which the person has been subjected. ✓

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

an application and

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL

1 **SECTION 1.** 448.04 (1) (i) of the statutes is renumbered 448.04 (1) (i) 1. amended
2 to read:

3 448.04 (1) (i) 1. The board may certify as a respiratory care practitioner any
4 individual who meets the qualifications for certification under s. 448.05 (5r) and
5 passes the examination required under s. 448.05 (6). *completes an application*

6 2. The board may, by rule, provide for a temporary certificate to practice
7 respiratory care to be granted to any individual who meets the requirements of s.
8 448.05 (5r) but has not passed the examination required by s. 448.05 (6). Temporary
9 certificates under this subdivision may be issued for a period not to exceed one year
10 and may not be renewed. *completes an application and*

11 **SECTION 2.** 448.04 (1) (i) 3. of the statutes is created to read:

12 448.04 (1) (i) 3. The board may issue a temporary certificate to practice
13 respiratory care to an individual who pays a fee specified by the board and submits
14 the individual's photograph and evidence satisfactory to the board that the
15 individual meets the requirements of s. 448.05 (5r) and is certified to practice
16 respiratory care in another state, except that the board may not issue a temporary
17 certificate under this subdivision to an individual who has previously been issued a
18 temporary certificate under this subdivision. If an applicant for a temporary
19 certificate under this subdivision has been subjected to professional discipline as a
20 result of the applicant's practice of respiratory care, the applicant shall submit to the
21 board a description of the circumstances of the discipline. A temporary certificate
22 under this subdivision may be issued for a period not to exceed 3 months and may
23 not be renewed. *in s. 448.05 (i) (a)*

24 (END)

if the requirements for certification in the state in which the individual is certified are at least as stringent as the requirements in this state

Sundberg, Christopher

From: Western, Jennifer
Sent: Monday, May 14, 2007 2:37 PM
To: Sundberg, Christopher
Cc: Sweet, Richard
Subject: FW: Respiratory care

Categories: Certified Respiratory Therapist
Attachments: 07-24722.pdf; med020.pdf

Hi Christopher,

I was reviewing LRB 2472 referring to certified respiratory care therapists and had a concern with the language that reads "if the requirements for certification in the state in which the individual is certified are at least as stringent as the requirements in this state." My concern was that MN does not require a state statutes and law exam so their requirements could be construed as less stringent even though the only thing we are trying to get at with that phrase is that they must have passed the national exam, which is referenced in MED 20.03 (d).

Consequently, Dick Sweet recommended the following change in language below, which I would like to request as a /3.

Please let me know if you have any questions or concerns about the request.

Thank you,
Jennifer Western, 6-1527
Office of Kitty Rhoades
State Representative
30th Assembly District

From: Sweet, Richard
Sent: Monday, May 07, 2007 2:59 PM
To: Western, Jennifer
Subject: Respiratory care

Jenny,

I think replacing the sentence that starts on page 2, line 12, with the following may accomplish what you want:

"The board may issue a temporary certificate to practice respiratory care to an individual who submits to the board an application, the fee specified in s. 440.05(1)(a), ~~a recent passport type photograph of the applicant~~ (Not requiring this until they get their permanent license), written verification that the applicant has passed the national board for respiratory care's certified respiratory therapy technician examination, evidence satisfactory to the board that the applicant meets the requirements of s. 448.05(5r), and evidence satisfactory to the board that the applicant is certified to practice respiratory care in another state."

The remainder of that subdivision could stay as drafted.

With the above change, the applicant would have to meet all of the current requirements for full certification except the state statutes and rules exam and the oral exam that is required of certain applicants under s. Med 20.04(4).

Dick Sweet

Richard Sweet
Senior Staff Attorney
Wisconsin Legislative Council
(608)266-2982
richard.sweet@legis.wisconsin.gov



07-24722.pdf (17 KB)
med020.pdf (21 KB)

Hi Dick,

I attached my "grid" of the requirements and what Representative Rhoades is trying to accomplish with this legislation. Basically, a temporary license already is possible for new graduates who (among other requirements) have passed their state law and statutes test, but not yet the national exam. The intent of this proposal is to make a similar temporary license available for persons who are licensed in another state who (among other requirements) have passed the national exam, but not yet the Wisconsin state statutes and laws exam. In proposing it, Kitty especially wants to make sure it will apply to licensed individuals from Minnesota.

The problem I see with the /2 (draft attached) is that the language on page 2, lines 16-17 seems too broad when all we are trying to get at is passage of the national exam, which is referenced in MED 20.03 (d). For example, I don't think MN requires a state statutes and law exam so their requirements could be construed as less stringent.

This is what I found on what MN does require:

"To establish eligibility for registration, an applicant must successfully complete a respiratory therapy training program accredited by CAAHEP (Commission for Accreditation of Allied Health Education Programs) with recommendation from the JRCRTE (Joint Review Committee for Respiratory Therapy Education) or its successor, have a valid and current credential issued by the National Board for Respiratory Care or other board-approved national organization, and (effective August 1, 1998) successfully complete the National Board for Respiratory Care (NBRC) exam within five years prior to application for registration. In addition, RCPs applying under reciprocity must have a current, unrestricted credential in another state and must have worked as an RCP at least eight weeks during the last five years."

Thank you,

Jennifer Western
Office of Kitty Rhoades
State Representative
30th Assembly District



2007 BILL

Reagan ✓

1 AN ACT to renumber and amend 448.04 (1) (i); and to create 448.04 (1) (i) 3.
2 of the statutes; relating to: temporary certificates to practice respiratory care.

Analysis by the Legislative Reference Bureau

Under current law, a person may not practice respiratory care unless the person is certified by the Medical Examining Board (board). An applicant is eligible for certification if the applicant has graduated from a school with an accredited program in respiratory care and passes an examination. Current law also permits the board to issue a temporary certificate to an individual who has satisfied the graduation requirement but has not yet passed the examination. A temporary certificate may be issued for up to one year, and may not be renewed.

This bill permits the board to issue a temporary certificate, nonrenewable and valid for 3 months, to a person who pays a fee and submits an application and evidence that the person is certified to practice respiratory care in another state. The person must also submit a description of any professional discipline to which the person has been subjected.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

has passed the National Board for Respiratory Care's certified respiratory therapy technician examination

verification

BILL

1 **SECTION 1.** 448.04 (1) (i) of the statutes is renumbered 448.04 (1) (i) 1. amended
2 to read:

3 448.04 (1) (i) 1. The board may certify as a respiratory care practitioner any
4 individual who completes an application, meets the qualifications for certification
5 under s. 448.05 (5r), and passes the examination required under s. 448.05 (6).

6 2. The board may, by rule, provide for a temporary certificate to practice
7 respiratory care to be granted to any individual who completes an application and
8 meets the requirements of s. 448.05 (5r) but has not passed the examination required
9 by s. 448.05 (6). Temporary certificates under this subdivision may be issued for a
10 period not to exceed one year and may not be renewed.

11 **SECTION 2.** 448.04 (1) (i) 3. of the statutes is created to read:

12 448.04 (1) (i) 3. The board may issue a temporary certificate to practice
13 respiratory care to an individual who completes an application, pays the fee specified
14 in s. 440.05 (1) (a), and submits evidence satisfactory to the board that the individual
15 meets the requirements of s. 448.05 (5r) and is certified to practice respiratory care
16 in another state, if the requirements for certification in the state in which the
17 individual is certified are at least as stringent as the requirements in this state. The
18 board may not issue a temporary certificate under this subdivision to an individual
19 who has previously been issued a temporary certificate under this subdivision. If an
20 applicant for a temporary certificate under this subdivision has been subjected to
21 professional discipline as a result of the applicant's practice of respiratory care, the
22 applicant shall submit to the board a description of the circumstances of the
23 discipline. A temporary certificate under this subdivision may be issued for a period
24 not to exceed 3 months and may not be renewed.

(END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2472/3ins
CTS:.....

1 **Insert 2-14:**

2 written verification that the applicant has passed the national board for respiratory
3 care's certified respiratory therapy technician examination, evidence satisfactory to
4 the board that the applicant meets the requirements of s. 448.05(5r), and evidence
5 satisfactory to the board that the applicant is certified to practice respiratory care
6 in another state ✓

end of insert

Parisi, Lori

From: Western, Jennifer
Sent: Wednesday, June 06, 2007 11:28 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-2472/3 Topic: Temporary licensure of respiratory care therapists

Please Jacket LRB 07-2472/3 for the ASSEMBLY.

Thank you,

Jennifer Western
Office of Kitty Rhoades
State Representative
30th Assembly District