



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: relating to:the budget; relating to:the budget; relating
2 to:the budget; relating to:the budget

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1465/P4 ***

OCCUPATIONAL REGULATION

Under current law, DRL, and various boards in DRL, administers Wisconsin's professional credentialing laws. DRL is charged with ensuring the safe and competent practice by credentialed professionals in Wisconsin, such as doctors, nurses, cosmetologists, real estate agents, and veterinarians. This bill changes DRL's name to the Department of Safety and Professional Services (DSPS).

*** ANALYSIS FROM -1272/P4 ***

Under current law, DRL directly administers the regulation of real estate practice in Wisconsin. DRL's duties and powers include issuing licenses to real estate brokers and sales persons; issuing registrations to time-share salespersons; approving forms for use in real estate practice, including an offer to purchase; promulgating rules regulating real estate practice; developing and grading real estate examinations; approving continuing education courses; preparing written materials and conducting clinics to disseminate information to licensees; entering into reciprocity agreements with other states; and, if DRL receives credible evidence that a real estate broker or salesperson or a time-share salesperson has violated real estate law, conducting investigations, holding hearings, and making findings regarding that violation. There is also a real estate board (board) under current law, which conducts disciplinary proceedings and has the power to apply appropriate

discipline. The board also reviews and comments on administrative rules relating to real estate practice that DRL proposes; may participate in public hearings regarding proposed rules; may review proposed legislation regarding real estate practice; and advises the secretary of DRL regarding real estate practice.

This bill eliminates the board and creates the Real Estate Examining Board, which consists of five licensed real estate brokers or salespersons and two public members, each of whom is appointed to a four-year term. The bill transfers most of DRL's duties and powers regulating real estate practice to the Real Estate Examining Board, including rules promulgation and approval of the forms used in real estate practice.

***** ANALYSIS FROM -1404/1 *****

Current law defines the practice of pharmacy to include making therapeutic alternate drug selections, if made in accordance with written guidelines or procedures established by a hospital's pharmacy and therapeutics committee and approved by the hospital's medical staff and approved for a patient by the patient's physician or advanced practice nurse prescriber.

Under the bill, therapeutic alternate drug selections must be made in accordance with guidelines or procedures established by a hospital's pharmacy and therapeutics committee or by a skilled nursing facility or an intermediate care facility for persons with mental retardation. The bill deletes the requirement that guidelines or procedures established by a hospital's pharmacy and therapeutics committee be approved by the hospital's medical staff and approved for a patient by the patient's physician or advanced practice nurse prescriber.

***** ANALYSIS FROM -0252/P2 *****

This bill creates a continuing appropriation for all moneys received by DSPS from gifts, grants, settlements, and proceeds, for the purposes for which the moneys are received.

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

2011 DRAFTING REQUEST

Bill

Received: **02/22/2011**

Received By: **chanaman**

Wanted: **As time permits**

Companion to LRB:

For: **Legislative Reference Bureau**

By/Representing:

May Contact:

Drafter: **chanaman**

Subject: **State Govt - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Analysis compile for Occ Reg

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>
/P1	chanaman	1P16j 2/23		_____ _____			

FE Sent For:

<END>

OCCUPATION REG.

-1465

-1272

-1404

-0252



.....
~~11/15/11~~ jf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

-1404 marked as
State Gov. FYI ✓

AN ACT ...; **relating to:** relating to:the budget; relating to:the budget; relating
to:the budget; relating to:the budget

(DSPA)

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM -1465/P4 ***

OCCUPATIONAL REGULATION

Under current law, DRL, and various boards in DRL, administers Wisconsin's professional credentialing laws. DRL is charged with ensuring the safe and competent practice by credentialed professionals in Wisconsin, such as doctors, nurses, cosmetologists, real estate agents, and veterinarians. This bill changes DRL's name to the Department of Safety and Professional Services.

- Rest of
-1465
omitted

*** ANALYSIS FROM -1272/P4 ***

Under current law, DRL directly administers the regulation of real estate practice in Wisconsin. DRL's duties and powers include issuing licenses to real estate brokers and sales persons; issuing registrations to time-share salespersons; approving forms for use in real estate practice, including an offer to purchase; promulgating rules regulating real estate practice; developing and grading real estate examinations; approving continuing education courses; preparing written materials and conducting clinics to disseminate information to licensees; entering into reciprocity agreements with other states; and, if DRL receives credible evidence that a real estate broker or salesperson or a time-share salesperson has violated real estate law, ~~conducting~~ investigations, holding hearings, and making findings regarding that violation. ✓

not There is a real estate board (board) under current law, ^{of which} The board conducts disciplinary proceedings, and the ~~board~~ has the power to apply appropriate

also

discipline. The board also reviews and comments on administrative rules relating to real estate practice that DRL proposes; may participate in public hearings regarding proposed rules; may review proposed legislation regarding real estate practice; and advises the secretary of DRL regarding real estate practice.

This bill eliminates the board, and creates the Real Estate Examining Board. ~~Under the bill, the Real Estate Examining Board~~ consists of five licensed real estate brokers or salespersons and two public members, each of whom is appointed to a four-year term. The bill transfers most of DRL's duties and powers regulating real estate practice to the Real Estate Examining Board, including rules promulgation and approval of the forms used in real estate practice.

*** ANALYSIS FROM -1404/1 ***

STATE GOVERNMENT
OTHER STATE GOVERNMENT

which
1404 marked as State Gov.

Current law defines the practice of pharmacy to include making therapeutic alternate drug selections, if made in accordance with written guidelines or procedures established by a hospital's pharmacy and therapeutics committee and approved by the hospital's medical staff and approved for a patient by the patient's physician or advanced practice nurse prescriber.

Under the bill, therapeutic alternate drug selections must be made in accordance with guidelines or procedures established by a hospital's pharmacy and therapeutics committee or by a skilled nursing facility or an intermediate care facility for persons with mental retardation. The bill deletes the requirement that guidelines or procedures established by a hospital's pharmacy and therapeutics committee be approved by the hospital's medical staff and approved for a patient by the patient's physician or advanced practice nurse prescriber.

*** ANALYSIS FROM -0252/P2 ***

This bill creates a continuing appropriation for all moneys received by DRL from gifts, grants, settlements, and proceeds, for the purposes for which the moneys are received.

OSPS

Because this bill directly or substantially affects the development, construction, cost or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

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