



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3089/2
MPG&MED:all

2015 SENATE BILL 568

January 13, 2016 - Introduced by Senators STROEBEL, LASEE and KAPENGA,
cosponsored by Representatives VORPAGEL, JARCHOW, CRAIG and HUTTON.
Referred to Committee on Government Operations and Consumer Protection.

1 **AN ACT to repeal** 15.07 (1) (b) 19m., 15.07 (1) (b) 23., 15.07 (3) (bm) 3., 15.07 (3)
2 (bm) 6., 15.07 (5) (c), 15.07 (5) (z), 15.08 (3) (c), 15.085 (1m), 15.085 (3) (b), 15.405
3 (2) (b), 15.405 (2) (c), 15.405 (2m), 15.405 (3), 15.405 (3m), 15.405 (7c) (am) 4.,
4 15.405 (7c) (b), 15.405 (7c) (c), 15.405 (7c) (d), 15.405 (7c) (e), 15.405 (7c) (f),
5 15.405 (7e), 15.406, 15.407 (2), 15.407 (2m), 15.407 (7), 15.407 (9), 15.407 (11),
6 15.407 (16), 15.407 (18) (c), 101.625, 157.061 (2g), 180.1901 (1m) (ag), 180.1901
7 (1m) (bk), 180.1901 (1m) (bs), 180.1901 (1m) (bu), 440.03 (9) (c), 440.032 (title),
8 440.032 (1) (b), 440.032 (6) (a), 440.032 (6) (e), 440.032 (7) (title), 440.317,
9 440.90 (1b), 440.905, 440.987, 443.10 (3), 443.11 (5), subchapter III (title) of
10 chapter 448 [precedes 448.50], 448.51 (2) (a), 448.52 (title), 448.527 (title),
11 448.565 (title), 448.567 (title), 448.58 (title), 448.59 (title), 448.70 (1), 448.95 (1),
12 448.951 (title), 448.952 (title), 448.958 (title), 448.959 (title), 448.962 (intro.),
13 448.969 (title), 448.970 (title), 450.11 (8) (bm), 457.01 (4), 457.01 (8), 457.01 (11),
14 460.03 (title), 460.05 (4), 460.07 (title), 460.13 (title), 470.01 (1), 470.01 (5m),

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1 470.01 (6m), 470.01 (8), 480.01 (5), 480.04 and 480.06; **to renumber** 440.032
2 (1) (a), 440.032 (1) (c), 440.032 (6) (c), 448.51 (title), 448.51 (1e), 448.51 (1s),
3 448.52 (1m), 448.522, 448.56 (1m) (title), 448.56 (1m) (a), 448.56 (3) to (5),
4 448.59, 448.95 (intro.), 448.95 (4), 448.95 (6), 448.95 (7), 448.959, 448.961
5 (title), 448.970 (1), chapter 460 (title), 460.01 (1g), 460.01 (3), 460.01 (4), 460.01
6 (5), 460.01 (6), 460.01 (7) and 460.02 (title); **to renumber and amend** 15.085
7 (3) (a), 15.09 (3), 146.997 (1) (d) 13., 180.1901 (1m) (bg), 252.14 (1) (ar) 4e.,
8 252.14 (1) (ar) 4p., 252.14 (1) (ar) 4q., 440.032 (1) (intro.), 440.032 (1) (d),
9 440.032 (2), 440.032 (3), 440.032 (4), 440.032 (5), 440.032 (6) (intro.), 440.032
10 (6) (b), 440.032 (6) (d), 440.032 (7) (a), 440.032 (7) (b), 440.032 (8), 440.032 (9),
11 448.20, 448.23, 448.50, 448.51 (1), 448.51 (2) (b), 448.52 (2m), 448.527, 448.53,
12 448.535, 448.54, 448.55, 448.56 (title), 448.56 (1), 448.56 (1m) (b), 448.56 (2),
13 448.56 (6), 448.565, 448.567, 448.57, 448.58, subchapter VI (title) of chapter 448
14 [precedes 448.95], 448.95 (5), 448.95 (5m), 448.951, 448.952, 448.9525, 448.953,
15 448.954, 448.9545, 448.955, 448.956, 448.957, 448.958, subchapter VII (title)
16 of chapter 448 [precedes 448.96], 448.96, 448.961 (1), 448.961 (2), 448.962 (1),
17 448.962 (2), 448.963, 448.964, 448.965, 448.966, 448.967, 448.968, 448.969,
18 448.970 (2), 450.10 (3) (a) 5q., 460.01 (intro.), 460.01 (1r), 460.01 (2m), 460.02,
19 460.03, 460.04 (title), 460.04 (1m), 460.04 (2), 460.05 (1), 460.05 (2), 460.06,
20 460.07 (1), 460.07 (2), 460.08, 460.09, 460.095, 460.10, 460.11, 460.12, 460.13,
21 460.14, 460.15 and 460.17; **to consolidate, renumber and amend** 15.405 (2)
22 (intro.) and (a); **to amend** 15.07 (1) (cm), 15.07 (1) (cs), 15.07 (3) (b), 15.08 (1m)
23 (b), 15.08 (3) (a), 15.405 (6m) (a), 15.405 (6m) (e), 15.405 (7c) (a) 1., 15.405 (7c)
24 (a) 4., 15.405 (7c) (am) (intro.), 15.405 (7r) (intro.), 15.405 (7r) (a), 15.405 (7r)
25 (am), 15.407 (10) (b), 15.407 (13) (b), 17.16 (1), 20.165 (1) (g), 20.165 (1) (hg),

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1 46.90 (5m) (br) 5., 48.78 (2) (g), 49.45 (8) (a) 3., 49.45 (8) (a) 5., 50.01 (2), 50.36
2 (3) (b), 50.36 (3) (c), 50.39 (3), 50.50 (7m), 55.043 (4) (b) 5., 101.64 (3), 145.02 (4)
3 (a), 146.37 (1g), 146.40 (1) (d), 146.81 (1) (dg), 146.81 (1) (eq), 146.81 (1) (es),
4 146.81 (1) (hp), 146.89 (1) (r) 1., 146.997 (1) (d) 4., 146.997 (1) (d) 5., 154.01 (3),
5 155.01 (7), 157.08 (2) (b), 157.11 (9g) (a) 1. c., 157.19 (2) (b), 157.19 (2) (c), 157.19
6 (2) (d), 157.19 (4), 157.19 (5) (b), 157.62 (2) (a), 157.62 (2) (c), 157.65 (2),
7 180.1901 (1m) (b), 180.1901 (1m) (br), 231.01 (7) (d) 2., 252.14 (1) (ar) 9., 252.14
8 (1) (ar) 10., 252.14 (1) (ar) 11., 255.40 (2) (a) (intro.), 440.03 (3), 440.03 (9) (a)
9 (intro.), 440.91 (1) (a), 440.91 (1) (b) (intro.), 440.91 (1) (b) 1., 440.91 (1m) (a),
10 440.91 (1m) (b) (intro.), 440.91 (1m) (b) 1., 440.91 (1m) (b) 2., 440.91 (2) (intro.),
11 440.92 (1) (b) (intro.), 440.92 (1) (bm), 440.92 (2) (a) 4. a., 440.92 (6) (a), 440.92
12 (6) (d), 440.92 (6) (e), 440.92 (6) (h), 440.92 (6) (i), 440.92 (6) (j), 440.92 (6) (k),
13 440.92 (7), 440.93 (1) (intro.), 443.01 (2), 443.015 (1), 443.015 (2), 443.03 (1)
14 (intro.), 443.03 (1) (b) 1m., 443.03 (1) (b) 2., 443.03 (2), 443.035 (intro.), 443.035
15 (1) (intro.), 443.035 (1) (a), 443.035 (1) (b), 443.04 (intro.), 443.04 (1m), 443.04
16 (2m) (a), 443.04 (2m) (b), 443.05 (1) (intro.), 443.05 (1) (a), 443.05 (1) (b), 443.05
17 (2), 443.06 (1) (a), 443.06 (1) (b), 443.06 (2) (intro.), 443.06 (2) (am), 443.06 (2)
18 (bm), 443.06 (2) (cm), 443.06 (2) (d), 443.07 (1) (intro.), 443.07 (1) (a), 443.07 (3),
19 443.07 (5), 443.08 (3) (a) 1., 443.08 (3) (a) 2., 443.08 (3) (a) 3., 443.09 (4m), 443.09
20 (5), 443.10 (1) (a), 443.10 (1) (b), 443.10 (1) (c), 443.10 (1) (d), 443.10 (2) (c),
21 443.10 (2) (d), 443.10 (2) (f), 443.10 (2) (h), 443.10 (4) (a), 443.10 (4) (b), 443.10
22 (5), 443.11 (1) (intro.), 443.11 (1) (e), 443.11 (2), 443.11 (3), 443.11 (4), 443.11 (6),
23 443.12 (1), 443.12 (2), 443.12 (3), 443.12 (4), 443.13 (1) (intro.), 443.13 (2),
24 443.18 (1) (a), 443.18 (2) (a), 443.18 (2) (b), 448.05 (5) (c), 448.40 (2) (b), 448.40
25 (2) (c), subchapter IV (title) of chapter 448 [precedes 448.60], 448.60 (1), 448.60

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1 (3), 448.60 (5), 448.63 (1) (intro.), 448.63 (1) (c), 448.63 (1) (d) (intro.), 448.63 (1)
2 (d) 1., 448.63 (1) (d) 2., 448.63 (2) (intro.), 448.63 (3), 448.63 (4), 448.64 (1),
3 448.64 (3), 448.64 (4), 448.64 (5), 448.655 (1) (intro.), 448.655 (1) (b) 3. a.,
4 448.655 (1) (b) 3. b., 448.655 (2) (intro.), 448.655 (3), 448.665, 448.675 (1) (a),
5 448.675 (1) (b), 448.675 (1) (c), 448.675 (1) (d) 2., 448.675 (1) (d) 3., 448.675 (1)
6 (d) 4., 448.675 (1) (d) 5., 448.675 (1) (d) 6., 448.675 (1) (e), 448.675 (1) (f), 448.675
7 (1) (g), 448.675 (2), 448.675 (3), 448.675 (4), 448.68 (1), 448.68 (2), 448.68 (3),
8 448.685, 448.69 (2), 448.695 (1) (intro.), 448.695 (2), 448.695 (3), subchapter V
9 (title) of chapter 448 [precedes 448.70], 448.72 (1) (c), 448.72 (6), 448.74 (intro.),
10 448.78 (intro.), 448.78 (3) (intro.), 448.78 (3) (a), 448.78 (3) (b), 448.78 (3) (c),
11 448.78 (4) (intro.), 448.78 (4) (c) 1., 448.78 (4) (c) 2., 448.78 (5), 448.80, 448.82,
12 448.84 (1), 448.87 (1), 448.87 (2) (intro.), 450.10 (3) (a) 5., 450.11 (8) (b), 451.02
13 (1), 457.01 (1c), 457.01 (1r), 457.01 (2g), 457.01 (3), 457.01 (7), 457.01 (10),
14 457.03 (1), 457.03 (2), 457.03 (3), 457.04 (8) (a) 1., 457.06 (intro.), 457.08 (1)
15 (intro.), 457.08 (1) (b), 457.08 (1) (c), 457.08 (2) (intro.), 457.08 (2) (b), 457.08 (2)
16 (c), 457.08 (3) (intro.), 457.08 (3) (b), 457.08 (3) (c), 457.08 (3) (d), 457.08 (4)
17 (intro.), 457.08 (4) (b) (intro.), 457.08 (4) (b) 2., 457.08 (4) (c) (intro.), 457.08 (4)
18 (c) 4., 457.08 (4) (d), 457.09 (1) (intro.), 457.09 (1) (c), 457.09 (1) (d), 457.09 (4m)
19 (a), 457.09 (4m) (b), 457.09 (5) (b), 457.09 (5) (c), 457.09 (5) (d), 457.10 (intro.),
20 457.10 (2) (intro.), 457.10 (2) (b), 457.10 (3) (intro.), 457.10 (3) (d), 457.10 (4),
21 457.11 (1) (intro.), 457.11 (1) (c), 457.11 (1) (d), 457.11 (2), 457.12 (intro.), 457.12
22 (2), 457.12 (3) (intro.), 457.12 (3) (a) 4., 457.12 (3) (b) 4., 457.12 (4), 457.13 (1)
23 (intro.), 457.13 (1) (d), 457.13 (2), 457.14 (1) (intro.), 457.14 (2), 457.15 (1)
24 (intro.), 457.15 (1) (a), 457.15 (1) (b), 457.15 (1) (c), 457.15 (1) (d), 457.15 (2),
25 457.15 (3), 457.16 (1), 457.20 (3) (c), 457.22 (1) (a), 457.22 (1) (b), 457.22 (1) (c),

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1 457.22 (2), 457.25 (1), 457.25 (2), 457.25 (3), 457.25 (4), 457.26 (1), 457.26 (2)
2 (intro.), 457.28, 462.01 (1), 462.02 (2) (f), chapter 470 (title), 470.02 (1), 470.02
3 (2), 470.02 (3), 470.03 (title), 470.03 (1) (intro.), 470.03 (1) (a), 470.03 (1) (b),
4 470.03 (1) (c), 470.03 (2), 470.03 (3), 470.04 (1) (intro.), 470.04 (2) (intro.), 470.04
5 (2) (b), 470.04 (2) (c) 1. (intro.), 470.04 (2) (c) 1. c., 470.04 (2) (c) 2., 470.04 (3)
6 (intro.), 470.04 (3) (b), 470.04 (3) (c) 1. (intro.), 470.04 (3) (c) 1. c., 470.04 (3) (c)
7 2., 470.04 (4) (intro.), 470.04 (4) (b), 470.04 (4) (c) 1. (intro.), 470.04 (4) (c) 1. c.,
8 470.04 (4) (c) 2., 470.04 (5), 470.04 (6), 470.04 (7), 470.045 (3) (a), 470.05, 470.06
9 (intro.), 470.07, 470.08 (1), 470.08 (2) (intro.), 470.08 (2) (g), 470.08 (2) (i), 470.08
10 (3), 470.08 (4), 470.08 (5), 470.08 (6), 480.18 (3), 480.24 (1), 480.24 (2) (intro.),
11 480.24 (3) (intro.), 480.24 (3) (a), 632.895 (12m) (b) 7., 655.45 (1), 655.45 (1m),
12 895.48 (1m) (a), 905.015 (2) (intro.) and 938.78 (2) (g); **to repeal and recreate**
13 15.07 (1) (cm) and chapter 480 (title); and **to create** 15.07 (3) (c), 15.09 (3) (b),
14 15.405 (6m) (dm), 15.405 (7r) (ar), 15.405 (7r) (at), 15.405 (7r) (av), 15.407 (4),
15 17.07 (3e), 146.997 (1) (d) 13e., 146.997 (1) (d) 13m., 448.20 (title), 448.20 (1m),
16 448.20 (4m), 450.10 (3) (a) 12., 450.10 (3) (a) 13., subchapter III (title) of chapter
17 459 [precedes 459.40], 459.40 (2), 459.45 (title), chapter 464 (title), subchapter
18 I (title) of chapter 464 [precedes 464.01], 464.03 (intro.), 464.10 (title), 464.27
19 (title), 464.40 (4), 464.41 (title), 464.49 (title) and 464.65 (title) of the statutes;
20 **relating to:** renaming, changing the membership of, and eliminating certain
21 professional licensure boards and transferring certain functions to the
22 Department of Safety and Professional Services and the Medical Therapy
23 Examining Board; eliminating certain councils under the Department of Safety
24 and Professional Services; creating the Medical Assistants Council;
25 authorizing removal by the governor, for excessive absenteeism and other

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1 infractions, of certain members of boards under the Department of Safety and
2 Professional Services; granting rule-making authority; and making an
3 appropriation.

Analysis by the Legislative Reference Bureau**SAFETY AND PROFESSIONAL SERVICES****PROFESSIONAL LICENSURE**

Under current law, various professions are regulated by the Department of Safety and Professional Services (DSPS) and various examining boards and affiliated credentialing boards are created under DSPS. Affiliated credentialing boards are each attached to a specific examining board. This bill makes numerous changes to the laws governing DSPS and the examining boards and affiliated credentialing boards under DSPS, including all of the following:

1. Elimination of certain boards and transfer of their functions to DSPS.

Under current law, in Wisconsin, the Auctioneer Board advises DSPS, including by reviewing and commenting on proposed rules, concerning the regulation of auctioneering and has the power to discipline registered auctioneers and auction companies; the Cemetery Board regulates many aspects of the management of cemeteries, including the sale of cemetery plots and other cemetery services; the Examining Board of Professional Geologists, Hydrologists, and Soil Scientists and the respective sections created under that board regulate the practice of geologists, hydrologists, and soil scientists; and the Dietitians Affiliated Credentialing Board regulates the practice of dietitians. The Dietitians Affiliated Credentialing Board is attached to the Medical Examining Board, but all of those boards are under the umbrella of DSPS. This bill eliminates all of those boards and transfers their functions to DSPS.

2. Elimination of certain boards and transfer of their functions to the Medical Examining Board.

Under current law, the Radiography Examining Board regulates the practice of radiographers and limited X-ray machine operators in Wisconsin, and the Podiatry Affiliated Credentialing Board, which is attached to the Medical Examining Board, regulates the practice of podiatrists. This bill eliminates both of those boards and transfers their functions to the Medical Examining Board.

3. Elimination of certain boards and transfer of their functions to the Medical Therapy Examining Board.

Under current law, occupational therapists and occupational therapy assistants are regulated by the Occupational Therapists Affiliated Credentialing Board, athletic trainers are regulated by the Athletic Trainers Affiliated Credentialing Board, and massage therapists and bodyworkers are regulated by the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board. Also

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under current law, physical therapists and physical therapy assistants are regulated by the Physical Therapy Examining Board.

This bill eliminates the Occupational Therapists Affiliated Credentialing Board, the Athletic Trainers Affiliated Credentialing Board, and the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and transfers their functions to the Physical Therapy Examining Board, which is renamed in the bill to be the Medical Therapy Examining Board. Under the bill, the membership of the Medical Therapy Examining Board includes, in addition to the members under current law, one representative of each of the professions to be newly regulated by the board.

4. *Elimination of sign language interpreter council and transfer of functions to Hearing and Speech Examining Board.*

Under current law, a license is generally required to perform sign language interpretation services, and a license to act as a sign language interpreter is issued by DSPS. However, also under current law, there is a Sign Language Interpreter Council that is required to perform certain duties, including advising DSPS on rule making regarding sign language interpreting and promulgating certain rules for sign language interpreters.

This bill eliminates the Sign Language Interpreter Council and transfers the duties of both DSPS and the Sign Language Interpreter Council regarding sign language interpreters to the Hearing and Speech Examining Board. In addition, the bill eliminates one of the hearing instrument specialist members on the Hearing and Speech Examining Board and adds to that board two sign language interpreters and one additional public member.

5. *Elimination of Medical Examining Board councils; creation of consolidated council.*

Under current law, there are three councils created to serve the Medical Examining Board in an advisory capacity regarding certain professions for which licenses are issued by the Medical Examining Board: 1) the Perfusionists Examining Council, which advises the Medical Examining Board regarding the practice of perfusion; 2) the Council on Physician Assistants, which advises the Medical Examining Board and the University of Wisconsin System Board of Regents regarding licensing, practice standards, and education and training for physician assistants; and 3) the Council on Anesthesiologist Assistants, which advises the Medical Examining Board on the practice of anesthesiologist assistants.

This bill eliminates these three councils and transfers their duties to a newly created council called the Medical Assistants Council. Under the bill, the Medical Assistants Council includes one licensed anesthesiologist assistant; one anesthesiologist; one licensed perfusionist; one physician who is a cardiothoracic surgeon or a cardiovascular anesthesiologist; one physician assistant; one person who teaches physician assistants; and one public member.

6. *Elimination of certain sections of examining boards.*

Under current law, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors is composed of an architect section, a landscape architect section, a professional engineer section,

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a designer section, and a professional land surveyor section. The membership of that examining board consists of the following:

1. Three architects.
2. Three landscape architects.
3. Three professional engineers.
4. Three designers.
5. Three professional land surveyors.
6. Ten public members.

This bill eliminates the individual sections of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors and reduces the membership of the examining board to the following:

1. Two architects.
2. Two landscape architects.
3. Two professional engineers.
4. Two designers.
5. Two professional land surveyors.
6. One public member.

Also under current law, the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board is composed of a marriage and family therapist section, a professional counselor section, and a social worker section. The membership of that examining board consists of the following:

1. Three marriage and family therapists.
2. Three professional counselors.
3. Four social workers.
4. Three public members who represent groups promoting the interests of consumers of services provided by marriage and family therapists, professional counselors, and social workers.

The bill eliminates the individual sections of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board and reduces the membership of the examining board to the following:

1. Three marriage and family therapists (no change).
2. Three professional counselors (no change).
3. Three social workers.
4. One public member.

7. *Removal from office.*

Under current law, members of examining boards, affiliated credentialing boards, or other boards under DSFS, like most other state officers appointed by the governor for a fixed term, may be removed from office only for cause, subject to certain complaint and other procedural requirements. This bill authorizes the governor to remove any member appointed for a fixed term to an examining board, affiliated credentialing board, or other board under DSFS for, as determined by the governor, excessive absenteeism, neglect of duties, conviction of a crime, or unprofessional conduct. If the governor determines that one of those elements is present, the removal is treated essentially as a removal from office at pleasure.

SENATE BILL 568**8. Meeting requirements.**

Under current law, each board other than a board that serves as the head of a department and each council must meet annually, and may meet at other times on the call of the chairperson or a majority of its members. This bill deletes the annual meeting requirements that apply to boards and councils in or attached to DSPS, to examining boards, and to affiliated credentialing boards. The bill also deletes various other mandatory meeting requirements that apply to specific bodies that are in or attached to DSPS.

BUILDINGS AND SAFETY

Under current law, the Contractor Certification Council recommends rules for promulgation to DSPS concerning certain residential building contractors in Wisconsin and advises DSPS about examinations for the continuing education of such contractors. This bill eliminates the Contractor Certification Council.

The bill also eliminates the Plumbers Council, which is tasked with advising DSPS with respect to DSPS's rules concerning plumbers, utility contractors, plumbing apprentices, pipe layers, and registered learners.

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:

- 1 **SECTION 1.** 15.07 (1) (b) 19m. of the statutes is repealed.
- 2 **SECTION 2.** 15.07 (1) (b) 23. of the statutes is repealed.
- 3 **SECTION 3.** 15.07 (1) (cm) of the statutes is amended to read:
- 4 15.07 (1) (cm) The term of one member of the government accountability board
- 5 shall expire on each May 1. The terms of the 3 members of the land and water
- 6 conservation board appointed under s. 15.135 (4) (b) 2. shall expire on January 1.
- 7 The term of the member of the land and water conservation board appointed under
- 8 s. 15.135 (4) (b) 2m. shall expire on May 1 of an even-numbered year. The terms of
- 9 the appraiser members of the real estate appraisers board and the terms of the
- 10 ~~auctioneer and auction company representative members of the auctioneer board~~
- 11 ~~shall expire on May 1 in an even-numbered year. The terms of the members of the~~
- 12 ~~cemetery board shall expire on July 1 in an even-numbered year. The term of the~~

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1 student member of the Board of Regents of the University of Wisconsin System who
2 is at least 24 years old shall expire on May 1 of every even-numbered year.

3 **SECTION 4.** 15.07 (1) (cm) of the statutes, as affected by 2015 Wisconsin Acts
4 118 and (this act), is repealed and recreated to read:

5 15.07 (1) (cm) The terms of the 3 members of the land and water conservation
6 board appointed under s. 15.135 (4) (b) 2. shall expire on January 1. The term of the
7 member of the land and water conservation board appointed under s. 15.135 (4) (b)
8 2m. shall expire on May 1 of an even-numbered year. The terms of the appraiser
9 members of the real estate appraisers board shall expire on May 1 in an
10 even-numbered year. The term of the student member of the Board of Regents of the
11 University of Wisconsin System who is at least 24 years old shall expire on May 1 of
12 every even-numbered year.

13 **SECTION 5.** 15.07 (1) (cs) of the statutes is amended to read:

14 15.07 (1) (cs) No member of the ~~auctioneer board, cemetery board, or~~ real estate
15 appraisers board may be an officer, director, or employee of a private organization
16 that promotes or furthers any profession or occupation regulated by that board.

17 **SECTION 6.** 15.07 (3) (b) of the statutes is amended to read:

18 15.07 (3) (b) Except as provided in par. ~~par.~~ par. (bm) and (c), each board not
19 covered under par. (a) shall meet annually, and may meet at other times on the call
20 of the chairperson or a majority of its members. ~~The auctioneer board, the cemetery~~
21 ~~board, and the real estate appraisers board shall also meet on the call of the secretary~~
22 ~~of safety and professional services or his or her designee within the department.~~

23 **SECTION 7.** 15.07 (3) (bm) 3. of the statutes is repealed.

24 **SECTION 8.** 15.07 (3) (bm) 6. of the statutes is repealed.

25 **SECTION 9.** 15.07 (3) (c) of the statutes is created to read:

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1 15.07 (3) (c) Paragraph (b) does not apply to a board in or attached to the
2 department of safety and professional services. A board in or attached to the
3 department of safety and professional services shall meet on the call of the
4 chairperson or a majority of its members. The real estate appraisers board shall also
5 meet on the call of the secretary of safety and professional services or his or her
6 designee within the department.

7 **SECTION 10.** 15.07 (5) (c) of the statutes is repealed.

8 **SECTION 11.** 15.07 (5) (z) of the statutes is repealed.

9 **SECTION 12.** 15.08 (1m) (b) of the statutes is amended to read:

10 15.08 (1m) (b) The public members of the chiropractic examining board, the
11 dentistry examining board, the hearing and speech examining board, the medical
12 examining board, the ~~physical~~ medical therapy examining board, perfusionists
13 ~~examining the medical assistants~~ council, ~~the~~ respiratory care practitioners
14 examining council ~~and council on physician assistants~~, the board of nursing, the
15 nursing home administrator examining board, the veterinary examining board, the
16 optometry examining board, the pharmacy examining board, the marriage and
17 family therapy, professional counseling, and social work examining board, and the
18 psychology examining board, ~~and the radiography examining board~~ shall not be
19 engaged in any profession or occupation concerned with the delivery of physical or
20 mental health care.

21 **SECTION 13.** 15.08 (3) (a) of the statutes is amended to read:

22 15.08 (3) (a) Every examining board shall meet ~~annually and may meet at other~~
23 ~~times~~ on the call of the chairperson or of a majority of its members.

24 **SECTION 14.** 15.08 (3) (c) of the statutes is repealed.

25 **SECTION 15.** 15.085 (1m) of the statutes is repealed.

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1 **SECTION 16.** 15.085 (3) (a) of the statutes is renumbered 15.085 (3) and
2 amended to read:

3 15.085 (3) FREQUENCY OF MEETINGS. Every affiliated credentialing board shall
4 meet ~~annually and may meet at other times~~ on the call of the chairperson or of a
5 majority of its members.

6 **SECTION 17.** 15.085 (3) (b) of the statutes is repealed.

7 **SECTION 18.** 15.09 (3) of the statutes is renumbered 15.09 (3) (a) and amended
8 to read:

9 15.09 (3) (a) Unless otherwise provided by law and except as provided in par.
10 (b), every council shall meet at least annually and shall also meet on the call of the
11 head of the department or independent agency in which it is created, and may meet
12 at other times on the call of the chairperson or a majority of its members. ~~A~~

13 (c) Unless otherwise provided by law, a council shall meet at such locations as
14 may be determined by it unless the constitutional officer or secretary heading the
15 department or the chief executive officer of the independent agency in which it is
16 created determines a specific meeting place.

17 **SECTION 19.** 15.09 (3) (b) of the statutes is created to read:

18 15.09 (3) (b) Paragraph (a) does not apply to a council in or attached to the
19 department of safety and professional services. Unless otherwise provided by law,
20 a council in or attached to the department of safety and professional services shall
21 meet on the call of the secretary of safety and professional services or on the call of
22 the chairperson or a majority of its members.

23 **SECTION 20.** 15.405 (2) (intro.) and (a) of the statutes are consolidated,
24 renumbered 15.405 (2) and amended to read:

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1 15.405 (2) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
2 PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS. There is
3 created an examining board of architects, landscape architects, professional
4 engineers, designers, and professional land surveyors in the department of safety
5 and professional services. Any professional member appointed to the examining
6 board shall be registered or licensed to practice architecture, landscape architecture,
7 professional engineering, the design of engineering systems, or professional land
8 surveying under ch. 443. The examining board shall consist of the following
9 members appointed for 4-year terms: ~~3~~ 2 architects, ~~3~~ 2 landscape architects, ~~3~~
10 2 professional engineers, ~~3~~ 2 designers, ~~3~~ 2 professional land surveyors, and ~~10~~
11 one public members. (a) ~~In operation, the examining board shall be divided into an~~
12 ~~architect section, a landscape architect section, a professional engineer section, a~~
13 ~~designer section, and a professional land surveyor section. Each section shall consist~~
14 ~~of the 3 members of the named profession appointed to the examining board and 2~~
15 ~~public members appointed to the section. The examining board shall elect its own~~
16 ~~officers and shall meet at least twice annually~~ member.

17 **SECTION 21.** 15.405 (2) (b) of the statutes is repealed.

18 **SECTION 22.** 15.405 (2) (c) of the statutes is repealed.

19 **SECTION 23.** 15.405 (2m) of the statutes is repealed.

20 **SECTION 24.** 15.405 (3) of the statutes is repealed.

21 **SECTION 25.** 15.405 (3m) of the statutes is repealed.

22 **SECTION 26.** 15.405 (6m) (a) of the statutes is amended to read:

23 15.405 (6m) (a) ~~Three~~ Two hearing instrument specialists licensed under
24 subch. I of ch. 459.

25 **SECTION 27.** 15.405 (6m) (dm) of the statutes is created to read:

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1 15.405 (6m) (dm) Two interpreters licensed under s. 459.42, at least one of
2 whom holds a renewable license under s. 459.42 (1).

3 **SECTION 28.** 15.405 (6m) (e) of the statutes is amended to read:

4 15.405 (6m) (e) ~~Two~~ Three public members. ~~One~~ Two of the public members
5 shall be ~~a hearing aid user~~ deaf or hard of hearing individuals.

6 **SECTION 29.** 15.405 (7c) (a) 1. of the statutes is amended to read:

7 15.405 (7c) (a) 1. ~~Four~~ Three social worker members who are certified or
8 licensed under ch. 457.

9 **SECTION 30.** 15.405 (7c) (a) 4. of the statutes is amended to read:

10 15.405 (7c) (a) 4. ~~Three~~ One public members ~~who represent groups that~~
11 ~~promote the interests of consumers of services provided by persons who are certified~~
12 ~~or licensed under ch. 457~~ member.

13 **SECTION 31.** 15.405 (7c) (am) (intro.) of the statutes is amended to read:

14 15.405 (7c) (am) (intro.) The ~~4~~ members appointed under par. (a) 1. shall
15 consist of the following:

16 **SECTION 32.** 15.405 (7c) (am) 4. of the statutes is repealed.

17 **SECTION 33.** 15.405 (7c) (b) of the statutes is repealed.

18 **SECTION 34.** 15.405 (7c) (c) of the statutes is repealed.

19 **SECTION 35.** 15.405 (7c) (d) of the statutes is repealed.

20 **SECTION 36.** 15.405 (7c) (e) of the statutes is repealed.

21 **SECTION 37.** 15.405 (7c) (f) of the statutes is repealed.

22 **SECTION 38.** 15.405 (7e) of the statutes is repealed.

23 **SECTION 39.** 15.405 (7r) (intro.) of the statutes is amended to read:

24 15.405 (7r) ~~PHYSICAL~~ MEDICAL THERAPY EXAMINING BOARD. (intro.) There is
25 created in the department of safety and professional services a ~~physical~~ medical

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1 therapy examining board consisting of the following members appointed for
2 staggered 4-year terms:

3 **SECTION 40.** 15.405 (7r) (a) of the statutes is amended to read:

4 15.405 (7r) (a) Three physical therapists who are licensed under subch. III I
5 of ch. 448 464.

6 **SECTION 41.** 15.405 (7r) (am) of the statutes is amended to read:

7 15.405 (7r) (am) One physical therapist assistant licensed under subch. III I
8 of ch. 448 464.

9 **SECTION 42.** 15.405 (7r) (ar) of the statutes is created to read:

10 15.405 (7r) (ar) One occupational therapist licensed under subch. II of ch. 464.

11 **SECTION 43.** 15.405 (7r) (at) of the statutes is created to read:

12 15.405 (7r) (at) One athletic trainer licensed under subch. III of ch. 464.

13 **SECTION 44.** 15.405 (7r) (av) of the statutes is created to read:

14 15.405 (7r) (av) One massage therapist or bodywork therapist licensed under
15 subch. IV of ch. 464.

16 **SECTION 45.** 15.406 of the statutes is repealed.

17 **SECTION 46.** 15.407 (2) of the statutes is repealed.

18 **SECTION 47.** 15.407 (2m) of the statutes is repealed.

19 **SECTION 48.** 15.407 (4) of the statutes is created to read:

20 15.407 (4) MEDICAL ASSISTANTS COUNCIL. There is created a medical assistants
21 council in the department of safety and professional services and serving the medical
22 examining board in an advisory capacity. The council shall consist of the following
23 members appointed by the medical examining board for 3-year terms:

24 (a) One anesthesiologist assistant licensed under s. 448.04 (1) (g).

25 (b) One anesthesiologist.

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1 (c) One licensed perfusionist.

2 (d) One physician who is a cardiothoracic surgeon or a cardiovascular
3 anesthesiologist.

4 (e) One physician assistant.

5 (f) One person who teaches physician assistants.

6 (g) One public member.

7 **SECTION 49.** 15.407 (7) of the statutes is repealed.

8 **SECTION 50.** 15.407 (9) of the statutes is repealed.

9 **SECTION 51.** 15.407 (10) (b) of the statutes is amended to read:

10 15.407 (10) (b) An employee of the department designated by the secretary of
11 safety and professional services shall serve as secretary, but shall not be a member,
12 of the council. ~~The council shall meet at least twice a year.~~ Seven members of the
13 council shall constitute a quorum. For the purpose of conducting business a majority
14 vote of the council is required.

15 **SECTION 52.** 15.407 (11) of the statutes is repealed.

16 **SECTION 53.** 15.407 (13) (b) of the statutes is amended to read:

17 15.407 (13) (b) ~~The council shall meet at least twice a year.~~ An employee of the
18 department designated by the secretary of the department shall serve as nonvoting
19 secretary of the council.

20 **SECTION 54.** 15.407 (16) of the statutes is repealed.

21 **SECTION 55.** 15.407 (18) (c) of the statutes is repealed.

22 **SECTION 56.** 17.07 (3e) of the statutes is created to read:

23 17.07 (3e) Notwithstanding sub. (3), any state officer under sub. (3) who is a
24 member of an examining board, affiliated credentialing board, or other board in or
25 attached to the department of safety and professional services may be removed by

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1 the governor for, as determined by the governor, excessive absenteeism, neglect of
2 duties, conviction of a crime, or unprofessional conduct.

3 **SECTION 57.** 17.16 (1) of the statutes is amended to read:

4 17.16 (1) Removals from office at pleasure or under s. 17.07 (3e) shall be made
5 by order, a copy of which shall be filed as provided by sub. (8), except that a copy of
6 the order of removal of a circuit court commissioner shall be filed in the office of the
7 clerk of the circuit court.

8 **SECTION 58.** 20.165 (1) (g) of the statutes is amended to read:

9 20.165 (1) (g) *General program operations.* The amounts in the schedule for
10 the licensing, rule making, and regulatory functions of the department, other than
11 the licensing, rule-making, and credentialing functions of the medical examining
12 board ~~and the affiliated credentialing boards attached to the medical examining~~
13 ~~board~~ and except for preparing, administering, and grading examinations. Ninety
14 percent of all moneys received under chs. 440 to 480, except ch. 462 and subchs. II
15 and IV of ch. 448 and ss. 440.03 (13), 440.05 (1) (b), and, less \$10 of each renewal fee
16 received under s. 452.12 (5); all moneys transferred from the appropriation under
17 par. (i); and all moneys received under s. 440.055 (2), shall be credited to this
18 appropriation.

19 **SECTION 59.** 20.165 (1) (hg) of the statutes is amended to read:

20 20.165 (1) (hg) *General program operations; medical examining board;*
21 *prescription drug monitoring program.* Biennially, the amounts in the schedule for
22 the licensing, rule-making, and regulatory functions of the medical examining board
23 ~~and the affiliated credentialing boards attached to the medical examining board,~~
24 except for preparing, administering, and grading examinations; and for the
25 pharmacy examining board's operation of the prescription drug monitoring program

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1 under s. 450.19. Ninety percent of all moneys received for issuing and renewing
2 credentials under ch. 462 and subchs. II and IV of ch. 448 shall be credited to this
3 appropriation.

4 **SECTION 60.** 46.90 (5m) (br) 5. of the statutes is amended to read:

5 46.90 **(5m)** (br) 5. Refer the case to the department of safety and professional
6 services if the financial exploitation, neglect, self-neglect, or abuse involves an
7 individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under
8 chs. 440 to ~~460~~ 480.

9 **SECTION 61.** 48.78 (2) (g) of the statutes is amended to read:

10 48.78 **(2)** (g) Paragraph (a) does not prohibit an agency from disclosing
11 information about an individual in its care or legal custody on the written request
12 of the department of safety and professional services or of any interested examining
13 board or affiliated credentialing board in that department for use in any
14 investigation or proceeding relating to any alleged misconduct by any person who is
15 credentialed or who is seeking credentialing under ch. 448, ~~455 or 457,~~ or 464.
16 Unless authorized by an order of the court, the department of safety and professional
17 services and any examining board or affiliated credentialing board in that
18 department shall keep confidential any information obtained under this paragraph
19 and may not disclose the name of or any other identifying information about the
20 individual who is the subject of the information disclosed, except to the extent that
21 redisclosure of that information is necessary for the conduct of the investigation or
22 proceeding for which that information was obtained.

23 **SECTION 62.** 49.45 (8) (a) 3. of the statutes is amended to read:

24 49.45 **(8)** (a) 3. "Occupational therapist" has the meaning given in s. ~~448.96~~
25 464.20 (4).

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1 **SECTION 63.** 49.45 (8) (a) 5. of the statutes is amended to read:

2 49.45 (8) (a) 5. “Physical therapist” has the meaning given in s. 448.50 464.01
3 (3).

4 **SECTION 64.** 50.01 (2) of the statutes is amended to read:

5 50.01 (2) “Nurse aide” means a person who performs routine patient care
6 duties delegated by a registered nurse or licensed practical nurse who supervises the
7 person, for the direct health care of a patient or resident. “Nurse aide” does not mean
8 a feeding assistant, as defined in s. 146.40 (1) (aw); a person who is licensed,
9 permitted, certified, or registered under ch. 441, 448, 449, 450, 451, 455, 459, ~~or 460,~~
10 or 464; or a person whose duties primarily involve skills that are different than those
11 taught in instructional programs for nurse aides.

12 **SECTION 65.** 50.36 (3) (b) of the statutes is amended to read:

13 50.36 (3) (b) If, as a result of peer investigation or written notice thereof, a
14 hospital staff member who is licensed by the medical examining board ~~or podiatry~~
15 ~~affiliated credentialing board~~, for any reasons that include the quality of or ability
16 to practice, loses his or her hospital staff privileges, has his or her hospital staff
17 privileges reduced, or resigns from the hospital staff, the hospital shall so notify the
18 medical examining board ~~or podiatry affiliated credentialing board~~, whichever is
19 ~~applicable~~, within 30 days after the loss, reduction or resignation takes effect.
20 Temporary suspension due to incomplete records need not be reported.

21 **SECTION 66.** 50.36 (3) (c) of the statutes is amended to read:

22 50.36 (3) (c) If, as a result of peer investigation or written notice thereof, a
23 hospital staff member who is licensed by the medical examining board ~~or podiatry~~
24 ~~affiliated credentialing board~~, for reasons that do not include the quality of or ability
25 to practice, loses his or her hospital staff privileges for 30 days or more, has his or

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1 her hospital staff privileges reduced for 30 days or more, or resigns from the hospital
2 staff for 30 days or more, the hospital shall so notify the medical examining board
3 or podiatry affiliated credentialing board, whichever is applicable, within 30 days
4 after the loss, reduction or resignation takes effect. Temporary suspension due to
5 incomplete records need not be reported.

6 **SECTION 67.** 50.39 (3) of the statutes is amended to read:

7 50.39 (3) Facilities governed by ss. 45.50, 48.62, 49.70, 49.72, 50.02, 51.09, and
8 252.10, juvenile correctional facilities as defined in s. 938.02 (10p), correctional
9 institutions governed by the department of corrections under s. 301.02, and the
10 offices and clinics of persons licensed to treat the sick under chs. 446, 447, and 448,
11 and 464 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do not abridge
12 the rights of the medical examining board, ~~physical~~ medical therapy examining
13 board, ~~podiatry affiliated credentialing board~~, dentistry examining board, pharmacy
14 examining board, chiropractic examining board, and board of nursing in carrying out
15 their statutory duties and responsibilities.

16 **SECTION 68.** 50.50 (7m) of the statutes is amended to read:

17 50.50 (7m) "Occupational therapy" has the meaning given in s. ~~448.96~~ 464.20
18 (5).

19 **SECTION 69.** 55.043 (4) (b) 5. of the statutes, as affected by 2015 Wisconsin Act
20 55, is amended to read:

21 55.043 (4) (b) 5. Refer the case to the department of safety and professional
22 services or the department of agriculture, trade and consumer protection, as
23 appropriate, if the financial exploitation, neglect, self-neglect, or abuse involves an
24 individual who is required to hold a credential, as defined in s. 440.01 (2) (a), under

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1 chs. 440 to 460 ~~480~~ or to hold a license, certification, or permit issued under s. 89.06
2 or 89.072.

3 **SECTION 70.** 101.625 of the statutes is repealed.

4 **SECTION 71.** 101.64 (3) of the statutes, as affected by 2015 Wisconsin Act 29,
5 is amended to read:

6 101.64 (3) Revise the rules under this subchapter after consultation, as
7 appropriate, with the uniform dwelling code council ~~or with the contractor~~
8 ~~certification council~~, as appropriate.

9 **SECTION 72.** 145.02 (4) (a) of the statutes is amended to read:

10 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
11 examination, and licensing of master and journeyman plumbers and restricted
12 plumber licensees, for the licensing of utility contractors, for the registration of
13 plumbing apprentices and pipe layers, and for the registration and training of
14 registered learners. ~~The plumbers council, created under s. 15.407 (16), shall advise~~
15 ~~the department in formulating the rules.~~

16 **SECTION 73.** 146.37 (1g) of the statutes is amended to read:

17 146.37 (1g) Except as provided in s. 153.76, no person acting in good faith who
18 participates in the review or evaluation of the services of health care providers or
19 facilities or the charges for such services conducted in connection with any program
20 organized and operated to help improve the quality of health care, to avoid improper
21 utilization of the services of health care providers or facilities, or to determine the
22 reasonable charges for such services, or who participates in the obtaining of health
23 care information under subch. I of ch. 153, is liable for any civil damages as a result
24 of any act or omission by such person in the course of such review or evaluation. Acts
25 and omissions to which this subsection applies include, but are not limited to, acts

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1 or omissions by peer review committees or hospital governing bodies in censuring,
2 reprimanding, limiting, or revoking hospital staff privileges or notifying the medical
3 examining board or ~~podiatry-affiliated credentialing board~~ under s. 50.36 or taking
4 any other disciplinary action against a health care provider or facility and acts or
5 omissions by a medical director in reviewing the performance of emergency medical
6 technicians or ambulance service providers.

7 **SECTION 74.** 146.40 (1) (d) of the statutes is amended to read:

8 146.40 (1) (d) "Nurse aide" means an individual who performs routine patient
9 care duties delegated by a registered nurse or licensed practical nurse who
10 supervises the individual, for the direct health care of a patient or resident. "Nurse
11 aide" does not mean a feeding assistant, an individual who is licensed, permitted,
12 certified, or registered under ch. 441, 448, 449, 450, 451, 455, 459, ~~or 460, or 464,~~ or
13 an individual whose duties primarily involve skills that are different than those
14 taught in instructional programs for nurse aides approved under sub. (3) or (3g) or
15 evaluated by competency evaluation programs for nurse aides approved under sub.
16 (3m).

17 **SECTION 75.** 146.81 (1) (dg) of the statutes is amended to read:

18 146.81 (1) (dg) A physical therapist or physical therapist assistant licensed
19 under subch. ~~III I~~ of ch. 448 464.

20 **SECTION 76.** 146.81 (1) (eq) of the statutes is amended to read:

21 146.81 (1) (eq) An athletic trainer licensed under subch. ~~VI III~~ of ch. 448 464.

22 **SECTION 77.** 146.81 (1) (es) of the statutes is amended to read:

23 146.81 (1) (es) An occupational therapist or occupational therapy assistant
24 licensed under subch. ~~VII II~~ of ch. 448 464.

25 **SECTION 78.** 146.81 (1) (hp) of the statutes is amended to read:

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1 146.81 (1) (hp) A massage therapist or bodywork therapist licensed under
2 subch. IV of ch. 460 464.

3 **SECTION 79.** 146.89 (1) (r) 1. of the statutes is amended to read:

4 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental
5 hygienist under ch. 447, a registered nurse, practical nurse, or nurse-midwife under
6 ch. 441, an optometrist under ch. 449, a physician assistant under ch. 448, a
7 pharmacist under ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV
8 of ch. 448, or a physical therapist under subch. ~~III I~~ I of ch. 448 464.

9 **SECTION 80.** 146.997 (1) (d) 4. of the statutes is amended to read:

10 146.997 (1) (d) 4. A physician, podiatrist, or perfusionist, ~~physical therapist,~~
11 ~~or physical therapist assistant~~ licensed under ch. 448.

12 **SECTION 81.** 146.997 (1) (d) 5. of the statutes is amended to read:

13 146.997 (1) (d) 5. ~~An occupational therapist, occupational therapy assistant,~~
14 A physician assistant or respiratory care practitioner certified under ch. 448.

15 **SECTION 82.** 146.997 (1) (d) 13. of the statutes is renumbered 146.997 (1) (d) 13s.
16 and amended to read:

17 146.997 (1) (d) 13s. A massage therapist or bodywork therapist licensed under
18 subch. IV of ch. 460 464.

19 **SECTION 83.** 146.997 (1) (d) 13e. of the statutes is created to read:

20 146.997 (1) (d) 13e. A physical therapist or physical therapist assistant
21 licensed under subch. I of ch. 464.

22 **SECTION 84.** 146.997 (1) (d) 13m. of the statutes is created to read:

23 146.997 (1) (d) 13m. An occupational therapist or occupational therapist
24 assistant licensed under subch. II of ch. 464.

25 **SECTION 85.** 154.01 (3) of the statutes is amended to read:

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1 154.01 (3) “Health care professional” means a person licensed, certified or
2 registered under ch. 441, 448 ~~or~~, 455, or 464.

3 **SECTION 86.** 155.01 (7) of the statutes is amended to read:

4 155.01 (7) “Health care provider” means a nurse licensed or permitted under
5 ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a
6 physician, physician assistant, perfusionist, or podiatrist, ~~physical therapist,~~
7 ~~physical therapist assistant, occupational therapist, or occupational therapy~~
8 ~~assistant~~ licensed under ch. 448, a person practicing Christian Science treatment,
9 an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a
10 physical therapist, physical therapist assistant, occupational therapist, or
11 occupational therapist assistant licensed under ch. 464, a partnership thereof, a
12 corporation or limited liability company thereof that provides health care services,
13 a cooperative health care association organized under s. 185.981 that directly
14 provides services through salaried employees in its own facility, or a home health
15 agency, as defined in s. 50.49 (1) (a).

16 **SECTION 87.** 157.061 (2g) of the statutes is repealed.

17 **SECTION 88.** 157.08 (2) (b) of the statutes is amended to read:

18 157.08 (2) (b) Before a cemetery authority sells or encumbers any cemetery
19 land, except for a sale described in par. (a), the cemetery authority shall notify the
20 ~~cemetery board~~ department in writing of the proposed sale or encumbrance. If
21 within 60 days after the ~~cemetery board~~ department is notified of the proposed sale
22 or encumbrance the ~~cemetery board~~ department notifies the cemetery authority in
23 writing that the ~~cemetery board~~ department objects to the sale or encumbrance the
24 cemetery authority may not sell or encumber the cemetery land unless the ~~cemetery~~
25 ~~board~~ department subsequently notifies the cemetery authority in writing that the

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1 objection is withdrawn. The ~~cemetery board~~ department may object to a sale or
2 encumbrance only if it determines that the cemetery authority will not be financially
3 solvent or that the rights and interests of owners of cemetery lots and mausoleum
4 spaces will not be adequately protected if the sale or encumbrance occurs. The
5 ~~cemetery board~~ department may, before the expiration of the 60-day period, notify
6 the cemetery authority in writing that the ~~cemetery board~~ department approves of
7 the sale or encumbrance. Upon receipt of the ~~cemetery board's~~ department's written
8 approval, the cemetery authority may sell or encumber the cemetery land and is
9 released of any liability under this paragraph. The ~~cemetery board~~ department shall
10 make every effort to make determinations under this paragraph in an expeditious
11 manner.

12 **SECTION 89.** 157.11 (9g) (a) 1. c. of the statutes is amended to read:

13 157.11 **(9g)** (a) 1. c. If not invested as provided in subd. 1. a. or b., otherwise
14 deposited by the cemetery authority in an investment approved by the ~~cemetery~~
15 ~~board~~ department if the care funds are segregated and invested separately from all
16 other moneys held by the cemetery authority.

17 **SECTION 90.** 157.19 (2) (b) of the statutes is amended to read:

18 157.19 **(2)** (b) The cemetery authority may not change the trustee of a care fund
19 under s. 157.11 (9g) that is deposited under this section or of a care fund under s.
20 157.12 (3), and the financial institution may not release any portion of the principal
21 amount of the care fund, without the ~~cemetery board's~~ department's written
22 approval.

23 **SECTION 91.** 157.19 (2) (c) of the statutes is amended to read:

24 157.19 **(2)** (c) Upon request of the financial institution, the preneed seller, as
25 defined in s. 440.90 (8), shall furnish the financial institution with a copy of the

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1 preneed sales contract. Except as provided in s. 440.92 (2) (c), (f), and (j) and (5),
2 preneed trust funds, and any interest or dividends that have accumulated on the
3 preneed trust funds, may not be withdrawn until all obligations under the preneed
4 sales contract have been fulfilled. The financial institution is not responsible for the
5 fulfillment of any part of the preneed sales contract, except that the financial
6 institution shall release the preneed trust funds, and any interest or dividends that
7 have accumulated on the preneed trust funds, as provided by the terms of the
8 preneed sales contract. The trustee of a preneed trust fund may not be changed
9 without the ~~cemetery board's~~ department's written approval. If the trustee or
10 account number of a preneed trust fund is changed, the cemetery authority shall
11 notify the ~~cemetery board~~ department in writing within 30 days after the change.

12 **SECTION 92.** 157.19 (2) (d) of the statutes is amended to read:

13 157.19 (2) (d) The ~~cemetery board~~ department shall promulgate rules
14 establishing reasonable requirements and standards for the approval of changes
15 under pars. (b) and (c). For approval of changes under par. (b), the rules shall require
16 the cemetery authority to submit evidence that the rights and interests of the
17 beneficiary of the care fund will be adequately protected if the change is approved.
18 For approval of changes under par. (c), the rules shall require the trustee to submit
19 evidence that the rights and interests of the purchaser under the preneed sales
20 contract will be adequately protected if the change is approved.

21 **SECTION 93.** 157.19 (4) of the statutes is amended to read:

22 157.19 (4) The ~~cemetery board~~ department may promulgate rules allowing
23 funds invested under this section to be deposited with a financial institution located
24 outside this state.

25 **SECTION 94.** 157.19 (5) (b) of the statutes is amended to read:

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1 157.19 (5) (b) If the ~~cemetery board~~ department determines that care funds
2 under s. 157.11 (9g) that have not been deposited with a city or county as provided
3 in s. 157.11 (9g) (a) are not being properly segregated from other moneys held by the
4 cemetery authority or that those care funds are not being properly invested as
5 required in s. 157.11 (9g) (a), the ~~cemetery board~~ department may require the
6 cemetery authority to deposit those care funds with a financial institution for
7 investment under this section.

8 **SECTION 95.** 157.62 (2) (a) of the statutes is amended to read:

9 157.62 (2) (a) Except as provided in ss. 157.625 and 157.63 (1), every cemetery
10 authority shall file an annual report with the ~~cemetery board~~ department. The
11 report shall be made on a form prescribed and furnished by the ~~cemetery board~~
12 department. The report shall be made on a calendar-year basis unless the ~~cemetery~~
13 ~~board~~ department, by rule, provides for other reporting periods. The report is due
14 on the 60th day after the last day of the reporting period.

15 **SECTION 96.** 157.62 (2) (c) of the statutes is amended to read:

16 157.62 (2) (c) All records relating to accountings of trust funds described under
17 par. (b) 3. to 7. and maintained by the department ~~and by the cemetery board~~ are
18 confidential and are not available for inspection or copying under s. 19.35 (1).

19 **SECTION 97.** 157.65 (2) of the statutes is amended to read:

20 157.65 (2) The department of justice or any district attorney, upon informing
21 the department of justice, may commence an action in circuit court in the name of
22 the state to restrain by temporary or permanent injunction any violation of this
23 subchapter. The court may, prior to entry of final judgment, make such orders or
24 judgments as may be necessary to restore to any person any pecuniary loss suffered
25 because of the acts or practices involved in the action, if proof of such loss is submitted

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1 to the satisfaction of the court. The department of justice may subpoena persons and
2 require the production of books and other documents, and may request the board
3 described in ~~s. 15.405 (3m)~~ or the department of safety and professional services to
4 exercise its authority under sub. (1) to aid in the investigation of alleged violations
5 of this subchapter.

6 **SECTION 98.** 180.1901 (1m) (ag) of the statutes is repealed.

7 **SECTION 99.** 180.1901 (1m) (b) of the statutes is amended to read:

8 180.1901 (1m) (b) Medical examining board under subch. II or IV of ch. 448.

9 **SECTION 100.** 180.1901 (1m) (bg) of the statutes is renumbered 180.1901 (1m)
10 (h) and amended to read:

11 180.1901 (1m) (h) ~~Physical~~ Medical therapy examining board under ~~subch. III~~
12 of ch. 448 464.

13 **SECTION 101.** 180.1901 (1m) (bk) of the statutes is repealed.

14 **SECTION 102.** 180.1901 (1m) (br) of the statutes is amended to read:

15 180.1901 (1m) (br) Dietitians ~~affiliated credentialing board~~ Department of
16 safety and professional services under subch. V of ch. 448.

17 **SECTION 103.** 180.1901 (1m) (bs) of the statutes is repealed.

18 **SECTION 104.** 180.1901 (1m) (bu) of the statutes is repealed.

19 **SECTION 105.** 231.01 (7) (d) 2. of the statutes is amended to read:

20 231.01 (7) (d) 2. Any office or clinic of a person licensed under ch. 446, 447, 448,
21 449, ~~or 455~~, or 464, or the substantially equivalent laws or rules of another state.

22 **SECTION 106.** 252.14 (1) (ar) 4e. of the statutes is renumbered 252.14 (1) (ar)
23 8e. and amended to read:

24 252.14 (1) (ar) 8e. A physical therapist or physical therapist assistant licensed
25 under subch. III I of ch. 448 464.

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1 **SECTION 107.** 252.14 (1) (ar) 4p. of the statutes is renumbered 252.14 (1) (ar)
2 8m. and amended to read:

3 252.14 (1) (ar) 8m. An occupational therapist or occupational therapy assistant
4 licensed under subch. VII II of ch. 448 464.

5 **SECTION 108.** 252.14 (1) (ar) 4q. of the statutes is renumbered 252.14 (1) (ar)
6 8s. and amended to read:

7 252.14 (1) (ar) 8s. An athletic trainer licensed under subch. VI III of ch. 448 464.

8 **SECTION 109.** 252.14 (1) (ar) 9. of the statutes is amended to read:

9 252.14 (1) (ar) 9. An employee or agent of any provider specified under subds.
10 1. to ~~8.~~ 8s.

11 **SECTION 110.** 252.14 (1) (ar) 10. of the statutes is amended to read:

12 252.14 (1) (ar) 10. A partnership of any provider specified under subds. 1. to
13 ~~8.~~ 8s.

14 **SECTION 111.** 252.14 (1) (ar) 11. of the statutes is amended to read:

15 252.14 (1) (ar) 11. A corporation of any provider specified under subds. 1. to ~~8.~~
16 8s. that provides health care services.

17 **SECTION 112.** 255.40 (2) (a) (intro.) of the statutes is amended to read:

18 255.40 (2) (a) (intro.) Any person licensed, certified or registered by the state
19 under ch. 441, 448 ~~or~~, 455, or 464 who treats a patient suffering from any of the
20 following shall report in accordance with par. (b):

21 **SECTION 113.** 440.03 (3) of the statutes is amended to read:

22 440.03 (3) If the secretary reorganizes the department, no modification may
23 be made in the powers and responsibilities of the examining boards or affiliated
24 credentialing boards attached to the department or an examining board under s.
25 15.405 ~~or~~ 15.406.

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1 **SECTION 114.** 440.03 (9) (a) (intro.) of the statutes is amended to read:

2 440.03 (9) (a) (intro.) Subject to ~~pars.~~ par. (b) and ~~(c)~~, the department shall,
3 biennially, determine each fee for an initial credential for which no examination is
4 required, for a reciprocal credential, and for a credential renewal by doing all of the
5 following:

6 **SECTION 115.** 440.03 (9) (c) of the statutes is repealed.

7 **SECTION 116.** 440.032 (title) of the statutes is repealed.

8 **SECTION 117.** 440.032 (1) (intro.) of the statutes is renumbered 459.40 (intro.)
9 and amended to read:

10 **459.40 Definitions.** (intro.) In this ~~section~~ subchapter:

11 **SECTION 118.** 440.032 (1) (a) of the statutes is renumbered 459.40 (1).

12 **SECTION 119.** 440.032 (1) (b) of the statutes is repealed.

13 **SECTION 120.** 440.032 (1) (c) of the statutes is renumbered 459.40 (3).

14 **SECTION 121.** 440.032 (1) (d) of the statutes is renumbered 459.40 (4) and
15 amended to read:

16 459.40 (4) “Wisconsin interpreting and transliterating assessment” means a
17 program administered by the department of health services to determine and verify
18 the level of competence of communication access services providers who are not
19 certified by the Registry of Interpreters for the Deaf, Inc., or its successor, the
20 National Association of the Deaf or its successor, or ~~other~~ another similar nationally
21 recognized certification organization, or a successor program administered by the
22 department of health services.

23 **SECTION 122.** 440.032 (2) of the statutes is renumbered 459.41, and 459.41 (1),
24 (2) (intro.) and (c) and (3), as renumbered, are amended to read:

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1 459.41 (1) Except as provided in ~~pars. (b) and (c)~~ subs. (2) and (3), no person
2 may, for compensation, provide sign language interpretation services for a client
3 unless the person is licensed by the ~~department~~ examining board under ~~sub. (3)~~ s.
4 459.42.

5 (2) (intro.) No license is required under ~~this subsection~~ sub. (1) for any of the
6 following:

7 (c) A person interpreting at a religious service or at a religious function,
8 including educational or social events sponsored by a religious organization. This
9 ~~subdivision paragraph~~ does not apply to a person interpreting for a religious
10 organization at a professional service provided or sponsored by the religious
11 organization.

12 (3) (a) The ~~council~~ examining board may grant a temporary exemption from the
13 requirement under sub. (1) to an individual who is not a resident of this state that
14 authorizes the individual to provide interpretation services for a period not to exceed
15 20 days, if the individual is certified by the Registry of Interpreters for the Deaf, Inc.,
16 or its successor, or the National Association of the Deaf or its successor. The ~~council~~
17 examining board may not grant an individual more than 2 temporary exemptions
18 under this ~~subdivision paragraph~~ per year.

19 (b) The ~~council~~ examining board may grant a temporary or permanent
20 exemption from the requirement under sub. (1) to an individual who is a resident of
21 this state that authorizes the individual to provide interpretation services for a
22 period specified by the ~~council~~ examining board or for persons specified by the ~~council~~
23 examining board.

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1 **SECTION 123.** 440.032 (3) of the statutes is renumbered 459.42, and 459.42 (1)
2 (a) (intro.) and 3., (b) and (c) and (2) (a) (intro.), (b) (intro.) and (c), as renumbered,
3 are amended to read:

4 459.42 (1) (a) (intro.) The ~~department~~ examining board shall grant a license
5 as a sign language interpreter to an applicant who submits an application on a form
6 provided by the department, pays the fee determined by the department under s.
7 440.03 (9) (a), and submits evidence satisfactory to the ~~department~~ examining board
8 that the applicant has received an associate degree in sign language interpretation
9 or has received a certificate of completion of an education and training program
10 regarding such interpretation, and the applicant has one of the following:

11 3. Any valid certification granted by any other organization that the
12 ~~department~~ examining board determines is substantially equivalent to a
13 certification specified in subd. 1. ~~a. or b. or 2.~~

14 (b) The ~~department~~ examining board shall grant a license as a sign language
15 interpreter to an applicant who submits an application on a form provided by the
16 department and pays the fee determined by the department under s. 440.03 (9) (a),
17 if the applicant has a certification specified in ~~subd. 1. a. par. (a) 1.~~ and if the
18 applicant provides to the ~~department~~ examining board satisfactory evidence of a
19 diagnosis by a physician that the applicant is deaf or hard of hearing.

20 (c) The ~~department~~ examining board shall grant a license as a sign language
21 interpreter to an applicant who has not received an associate degree in sign language
22 interpretation or a certificate of completion of an education and training program
23 regarding such interpretation, but who otherwise satisfies the requirements in ~~subd.~~
24 ~~1. par. (a)~~ (intro.), if, within 24 months after establishing residency in the state, the
25 applicant provides evidence satisfactory to the ~~department~~ examining board that the

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1 applicant holds one of the certifications specified in ~~subd. 1. a., b., or c. par. (a) 1., 2.,~~
2 ~~or 3.~~, that the applicant obtained the certification prior to establishing residency in
3 the state, and that the applicant held the certification at the time the applicant
4 established residency in the state.

5 (2) (a) (intro.) The ~~department~~ examining board shall grant a license as a sign
6 language interpreter to an applicant who submits an application on a form provided
7 by the department, pays the fee determined by the department under s. 440.03 (9)
8 (a), and submits evidence satisfactory to the ~~department~~ examining board of all of
9 the following:

10 (b) (intro.) The ~~department~~ examining board shall grant a restricted license as
11 a sign language interpreter, authorizing the holder to provide interpretation services
12 only under the supervision of an interpreter licensed under ~~par. (a) sub. (1)~~, to an
13 applicant who submits an application on a form provided by the department, pays
14 the fee determined by the department under s. 440.03 (9) (a), and submits evidence
15 satisfactory to the ~~department~~ examining board of all of the following:

16 (c) A license granted under ~~subd. 1. or 2. par. (a) or (b)~~ may be renewed twice
17 and is not valid upon the expiration of the 2nd renewal period.

18 **SECTION 124.** 440.032 (4) of the statutes is renumbered 459.44 and amended
19 to read:

20 **459.44 Notification required.** A person who is licensed under ~~sub. (3) s.~~
21 459.42 shall notify the ~~department~~ examining board in writing within 30 days if the
22 person's certification or membership specified in ~~sub. (3) s. 459.42~~ that is required
23 for the license is revoked or invalidated. The ~~department~~ examining board shall
24 revoke a license granted under ~~sub. (3) s. 459.42~~ if such a certification or membership
25 is revoked or invalidated.

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1 **SECTION 125.** 440.032 (5) of the statutes is renumbered 459.43 and amended
2 to read:

3 **459.43 License renewal.** The renewal dates date for licenses granted under
4 ~~sub. (3) (a) are s. 459.42 (1) is~~ specified in s. 440.08 (2) (a) ~~68e~~. Renewal applications
5 shall be submitted to the department examining board on a form provided by the
6 department and shall include the renewal fee determined by the department under
7 s. 440.03 (9) (a) and evidence satisfactory to the department examining board that
8 the person's certification or membership specified in ~~sub. (3) s. 459.42~~ that is
9 required for the license has not been revoked or invalidated.

10 **SECTION 126.** 440.032 (6) (intro.) of the statutes is renumbered 459.45 (1)
11 (intro.) and amended to read:

12 459.45 (1) ~~COUNCIL~~ (intro.) ~~The council~~ Subject to sub. (2), the examining
13 board shall do all of the following:

14 **SECTION 127.** 440.032 (6) (a) of the statutes is repealed.

15 **SECTION 128.** 440.032 (6) (b) of the statutes is renumbered 459.45 (1) (a) and
16 amended to read:

17 459.45 (1) (a) ~~Advise the department regarding the promulgation and~~
18 ~~implementation of~~ Promulgate and implement rules regarding the practice of sign
19 language interpreters.

20 **SECTION 129.** 440.032 (6) (c) of the statutes is renumbered 459.45 (1) (d).

21 **SECTION 130.** 440.032 (6) (d) of the statutes is renumbered 459.45 (1) (c) and
22 amended to read:

23 459.45 (1) (c) Promulgate rules establishing a process and criteria for granting
24 exemptions under ~~sub. (2) (e) 2.~~ s. 459.41 (3) (b).

25 **SECTION 131.** 440.032 (6) (e) of the statutes is repealed.

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1 **SECTION 132.** 440.032 (7) (title) of the statutes is repealed.

2 **SECTION 133.** 440.032 (7) (a) of the statutes is renumbered 459.45 (2) and
3 amended to read:

4 459.45 (2) The ~~department~~ examining board may not promulgate rules that
5 impose requirements for granting a license under s. 459.42 that are in addition to the
6 requirements specified in ~~sub. (3)~~ s. 459.42.

7 **SECTION 134.** 440.032 (7) (b) of the statutes is renumbered 459.45 (1) (b) and
8 amended to read:

9 459.45 (1) (b) ~~After considering the recommendations of the council, the~~
10 ~~department shall promulgate~~ Promulgate rules that establish a code of ethics that
11 governs the professional conduct of persons licensed under ~~sub. (3)~~ s. 459.42. In
12 promulgating rules under this paragraph, the ~~department~~ examining board shall
13 consider including as part or all of the rules part or all of the code of ethics established
14 by the Registry of Interpreters for the Deaf, Inc., or its successor. The ~~department~~
15 examining board shall periodically review the code of ethics established by the
16 Registry of Interpreters for the Deaf, Inc., or its successor, and, if appropriate, revise
17 the rules promulgated under this paragraph to reflect revisions to that code of ethics.

18 **SECTION 135.** 440.032 (8) of the statutes is renumbered 459.46 and amended
19 to read:

20 **459.46 Disciplinary proceedings and actions.** Subject to the rules
21 promulgated under s. 440.03 (1), the ~~department~~ examining board may make
22 investigations and conduct hearings to determine whether a violation of this ~~section~~
23 subchapter or any rule promulgated under this ~~section~~ subchapter has occurred and
24 may reprimand a person who is licensed under ~~sub. (3)~~ s. 459.42 or may deny, limit,
25 suspend, or revoke a license granted under ~~sub. (3)~~ s. 459.42 if it finds that the

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1 applicant or licensee has violated this ~~section~~ subchapter or any rule promulgated
2 under this ~~section~~ subchapter.

3 **SECTION 136.** 440.032 (9) of the statutes is renumbered 459.47 and amended
4 to read:

5 **459.47 Penalty.** A person who violates this ~~section~~ subchapter or any rule
6 promulgated under this ~~section~~ subchapter may be fined not more than \$200 or
7 imprisoned for not more than 6 months or both.

8 **SECTION 137.** 440.317 of the statutes is repealed.

9 **SECTION 138.** 440.90 (1b) of the statutes is repealed.

10 **SECTION 139.** 440.905 of the statutes is repealed.

11 **SECTION 140.** 440.91 (1) (a) of the statutes is amended to read:

12 440.91 (1) (a) Any cemetery authority that operates a cemetery that is 5 acres
13 or more in size, that sells 20 or more cemetery lots or mausoleum spaces at a cemetery
14 during a calendar year, or that has \$100,000 or more in trust fund accounts for a
15 cemetery shall apply to the board department for a license for that cemetery. A
16 cemetery authority that operates more than one cemetery shall apply for a separate
17 license for each cemetery that is 5 acres or more in size and for each cemetery at
18 which it sells 20 or more burial spaces or at which it has \$100,000 or more in trust
19 fund accounts.

20 **SECTION 141.** 440.91 (1) (b) (intro.) of the statutes is amended to read:

21 440.91 (1) (b) (intro.) The board department shall grant a license to a cemetery
22 authority if all of the following are satisfied:

23 **SECTION 142.** 440.91 (1) (b) 1. of the statutes is amended to read:

24 440.91 (1) (b) 1. The cemetery authority submits an application for the license
25 to the board department on a form provided by the board department. The

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1 application shall require the cemetery authority to provide the names of the officers
2 of the cemetery authority and to identify a business representative who is primarily
3 responsible for the cemetery authority's compliance with subch. II of ch. 157 and this
4 subchapter.

5 **SECTION 143.** 440.91 (1m) (a) of the statutes is amended to read:

6 440.91 (1m) (a) Except as provided in sub. (6m), any cemetery authority that
7 operates a cemetery that is less than 5 acres in size, that sells fewer than 20 cemetery
8 lots or mausoleum spaces at a cemetery during a calendar year, or that has less than
9 \$100,000 in trust fund accounts for a cemetery shall register with the ~~board~~
10 department. A cemetery authority that operates more than one cemetery shall
11 submit a separate registration to the ~~board~~ department for each cemetery that is less
12 than 5 acres in size, that sells fewer than 20 cemetery lots or mausoleum spaces at
13 a cemetery during a calendar year, or that has less than \$100,000 in trust fund
14 accounts.

15 **SECTION 144.** 440.91 (1m) (b) (intro.) of the statutes is amended to read:

16 440.91 (1m) (b) (intro.) The ~~board~~ department shall register a cemetery
17 authority if all of the following are satisfied:

18 **SECTION 145.** 440.91 (1m) (b) 1. of the statutes is amended to read:

19 440.91 (1m) (b) 1. The cemetery authority submits an application for
20 registration to the ~~board~~ department on a form provided by the ~~board~~ department.
21 The application shall require the cemetery authority to provide the names and
22 addresses of the officers of the cemetery authority and to identify a business
23 representative who is primarily responsible for the cemetery authority's compliance
24 with subch. II of ch. 157 and this subchapter.

25 **SECTION 146.** 440.91 (1m) (b) 2. of the statutes is amended to read:

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1 440.91 (1m) (b) 2. The cemetery authority pays a \$10 fee to the board
2 department.

3 **SECTION 147.** 440.91 (2) (intro.) of the statutes is amended to read:

4 440.91 (2) (intro.) Except as provided in sub. (10), every individual who sells
5 or solicits the sale of, or that expects to sell or solicit the sale of, 20 or more cemetery
6 lots or mausoleum spaces per year during 2 consecutive calendar years shall be
7 licensed by the board under this subchapter. An individual may not be licensed as
8 a cemetery salesperson except upon the written request of a cemetery authority and
9 the payment of the initial credential fee determined by the department under s.
10 440.03 (9) (a). The cemetery authority shall certify in writing to the board
11 department that the individual is competent to act as a cemetery salesperson. An
12 applicant for licensure as a cemetery salesperson shall furnish to the board
13 department, in such form as the board department prescribes, all of the following
14 information:

15 **SECTION 148.** 440.92 (1) (b) (intro.) of the statutes is amended to read:

16 440.92 (1) (b) (intro.) The board department shall issue a certificate of licensure
17 as a cemetery preneed seller to any person who does all of the following:

18 **SECTION 149.** 440.92 (1) (bm) of the statutes is amended to read:

19 440.92 (1) (bm) If a cemetery authority that is licensed under this subsection
20 notifies the board department that it proposes to take an action specified in s. 157.08
21 (2) (b) and the board department does not object to the action under s. 157.08 (2) (b),
22 the board department shall revoke the license and require the cemetery authority
23 to reapply for a license under this subsection.

24 **SECTION 150.** 440.92 (2) (a) 4. a. of the statutes is amended to read:

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1 440.92 (2) (a) 4. a. At the time that the preneed sales contract is entered into,
2 the preneed seller shall provide the purchaser with the name, address and telephone
3 number of the warehouse and inform the purchaser that the warehouse is approved
4 by the ~~board~~ department.

5 **SECTION 151.** 440.92 (6) (a) of the statutes is amended to read:

6 440.92 (6) (a) Every preneed seller licensed under sub. (1) shall file an annual
7 report with the ~~board~~ department. The report shall be made on a form prescribed
8 and furnished by the ~~board~~ department. The report shall be made on a
9 calendar-year basis unless the ~~board~~ department, by rule, provides for other
10 reporting periods. The report is due on or before the 60th day after the last day of
11 the reporting period.

12 **SECTION 152.** 440.92 (6) (d) of the statutes is amended to read:

13 440.92 (6) (d) All records described under pars. (b) 2. and (c) and maintained
14 by the ~~board~~ department are confidential and are not available for inspection or
15 copying under s. 19.35 (1). This paragraph does not apply to any information
16 regarding the name, address or employer of or financial information related to an
17 individual that is requested under s. 49.22 (2m) by the department of children and
18 families or a county child support agency under s. 59.53 (5).

19 **SECTION 153.** 440.92 (6) (e) of the statutes is amended to read:

20 440.92 (6) (e) The ~~board~~ department shall review each report filed under par.
21 (a) to determine whether the preneed seller is complying with this section.

22 **SECTION 154.** 440.92 (6) (h) of the statutes is amended to read:

23 440.92 (6) (h) The records under par. (b) 1. shall be permanently maintained
24 by the preneed seller. The records under par. (b) 2. shall be maintained for not less
25 than 3 years after all of the obligations of the preneed sales contract have been

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1 fulfilled. The ~~board~~ department may promulgate rules to establish longer time
2 periods for maintaining records under this paragraph.

3 **SECTION 155.** 440.92 (6) (i) of the statutes is amended to read:

4 440.92 (6) (i) The ~~board~~ department may promulgate rules requiring preneed
5 sellers licensed under sub. (1) to maintain other records and establishing minimum
6 time periods for the maintenance of those records.

7 **SECTION 156.** 440.92 (6) (j) of the statutes is amended to read:

8 440.92 (6) (j) The ~~board~~ department may audit, at reasonable times and
9 frequency, the records, trust funds and accounts of any preneed seller licensed under
10 sub. (1), including records, trust funds and accounts pertaining to services provided
11 by a preneed seller ~~which~~ that are not otherwise subject to the requirements under
12 this section. The department may conduct audits under this paragraph on a random
13 basis, and shall conduct all audits under this paragraph without providing prior
14 notice to the preneed seller.

15 **SECTION 157.** 440.92 (6) (k) of the statutes is amended to read:

16 440.92 (6) (k) The ~~board~~ department may promulgate rules establishing a
17 filing fee to accompany the report required under par. (a). The filing fee shall be
18 based on the approximate cost of regulating preneed sellers.

19 **SECTION 158.** 440.92 (7) of the statutes is amended to read:

20 440.92 (7) APPROVAL OF WAREHOUSES. No person may own or operate a
21 warehouse unless the warehouse is approved by the ~~board~~ department. Upon
22 application, the ~~board~~ department shall approve a warehouse that is located in this
23 state if the person who operates the warehouse is licensed as a public warehouse
24 keeper by the department of agriculture, trade and consumer protection under ch.
25 99, but may not approve a warehouse that is located in this state unless the person

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1 is so licensed. The ~~board~~ department shall promulgate rules establishing the
2 requirements for approval of warehouses that are located outside this state. The
3 rules shall require warehouses that are located outside this state to file with the
4 ~~board~~ department a bond furnished by a surety company authorized to do business
5 in this state in an amount that is sufficient to guarantee the delivery of cemetery
6 merchandise to purchasers under preneed sales contracts. The ~~board~~ department
7 shall compile and keep a current list of the names and addresses of all warehouses
8 approved under this subsection and shall make the list available for public
9 inspection during the times specified in s. 230.35 (4) (f).

10 **SECTION 159.** 440.93 (1) (intro.) of the statutes is amended to read:

11 440.93 (1) (intro.) The ~~board~~ department may reprimand a licensee or deny,
12 limit, suspend, or revoke a certificate of licensure of a cemetery authority, cemetery
13 salesperson, or preneed seller if it finds that the applicant or licensee, or, if the
14 applicant or licensee is an association, partnership, limited liability company, or
15 corporation, any officer, director, trustee, member, or shareholder who beneficially
16 owns, holds, or has the power to vote 5% or more of any class of security issued by
17 the applicant or licensee, has done any of the following:

18 **SECTION 160.** 440.987 of the statutes is repealed.

19 **SECTION 161.** 443.01 (2) of the statutes is amended to read:

20 443.01 (2) “Engineer-in-training” means a person who is a graduate in an
21 engineering curriculum of 4 years or more from a school or college approved by the
22 ~~professional engineer section~~ of the examining board as of satisfactory standing, or
23 a person who has had 4 years or more of experience in engineering work of a character
24 satisfactory to the ~~professional engineer section~~ examining board; and who, in
25 addition, has successfully passed the examination in the fundamental engineering

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1 subjects prior to the completion of the requisite years in engineering work, as
2 provided in s. 443.05, and who has been granted a certificate of record by the
3 ~~professional engineer section~~ examining board stating that the person has
4 successfully passed this portion of the professional examinations.

5 **SECTION 162.** 443.015 (1) of the statutes is amended to read:

6 443.015 (1) ~~Each section of the~~ The examining board may establish continuing
7 education requirements for renewal of a credential issued ~~by that section~~ under this
8 chapter.

9 **SECTION 163.** 443.015 (2) of the statutes is amended to read:

10 443.015 (2) ~~Each section of the~~ The examining board may promulgate rules
11 governing the professional conduct of individuals, firms, partnerships, and
12 corporations registered, permitted, certified, or granted a certificate of authorization
13 ~~by that section~~ under this chapter.

14 **SECTION 164.** 443.03 (1) (intro.) of the statutes is amended to read:

15 443.03 (1) (intro.) An applicant for registration as an architect shall submit as
16 satisfactory evidence to ~~the architect section~~ of the examining board all of the
17 following:

18 **SECTION 165.** 443.03 (1) (b) 1m. of the statutes is amended to read:

19 443.03 (1) (b) 1m. A diploma of graduation, or a certificate, from an
20 architectural school or college approved by the ~~architect section~~ examining board as
21 of satisfactory standing, together with at least 2 years' practical experience of a
22 character satisfactory to the ~~architect section~~ examining board in the design and
23 construction of buildings.

24 **SECTION 166.** 443.03 (1) (b) 2. of the statutes is amended to read:

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1 443.03 (1) (b) 2. A specific record of 7 or more years of experience in
2 architectural work of a character satisfactory to the ~~architect section~~ examining
3 board in the design and construction of buildings.

4 **SECTION 167.** 443.03 (2) of the statutes is amended to read:

5 443.03 (2) Graduation in architecture from a school or college approved by the
6 ~~architect section~~ examining board as of satisfactory standing shall be considered as
7 equivalent to 5 years of experience, and the completion satisfactory to the ~~architect~~
8 ~~section~~ examining board of each year of work in architecture in such school or college
9 without graduation shall be considered equivalent to one year of experience.
10 Graduation in a course other than architecture from a school or college approved by
11 the ~~architect section~~ examining board as of satisfactory standing shall be considered
12 as equivalent to not more than 4 years of experience.

13 **SECTION 168.** 443.035 (intro.) of the statutes is amended to read:

14 **443.035 Registration requirements for landscape architects.** (intro.)
15 The ~~landscape architect section of the~~ examining board shall register as a landscape
16 architect an individual who does all of the following:

17 **SECTION 169.** 443.035 (1) (intro.) of the statutes is amended to read:

18 443.035 (1) (intro.) Submits to the department evidence satisfactory to the
19 ~~landscape architect section~~ examining board of any of the following:

20 **SECTION 170.** 443.035 (1) (a) of the statutes is amended to read:

21 443.035 (1) (a) That he or she has a bachelor's degree in landscape architecture,
22 or a master's degree in landscape architecture, from a curriculum approved by the
23 ~~landscape architect section~~ examining board and has at least 2 years of practical
24 experience in landscape architecture of a character satisfactory to the ~~landscape~~
25 ~~architect section~~ examining board.

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1 **SECTION 171.** 443.035 (1) (b) of the statutes is amended to read:

2 443.035 (1) (b) That he or she has a specific record of at least 7 years of training
3 and experience in the practice of landscape architecture including at least 2 years of
4 courses in landscape architecture approved by the ~~landscape architect section~~
5 examining board, and 4 years of practical experience in landscape architecture of a
6 character satisfactory to the ~~landscape architect section~~ examining board.

7 **SECTION 172.** 443.04 (intro.) of the statutes is amended to read:

8 **443.04 Registration requirements for professional engineers.** (intro.)

9 An applicant for registration as a professional engineer shall submit satisfactory
10 evidence to the ~~professional engineer section~~ of the examining board of all of the
11 following:

12 **SECTION 173.** 443.04 (1m) of the statutes is amended to read:

13 443.04 (1m) A diploma of graduation, or a certificate, from an engineering
14 school or college approved by the ~~professional engineer section~~ examining board as
15 of satisfactory standing in an engineering course of not less than 4 years or a diploma
16 of graduation or degree from a technical college approved by the ~~professional~~
17 ~~engineer section~~ examining board as of satisfactory standing in an
18 engineering-related course of study of not less than 2 years.

19 **SECTION 174.** 443.04 (2m) (a) of the statutes is amended to read:

20 443.04 (2m) (a) For an applicant possessing a diploma or certificate from a
21 course of study of not less than 4 years as specified in sub. (1m), a specific record of
22 4 or more years of experience in engineering work of a character satisfactory to the
23 ~~professional engineer section~~ examining board and indicating that the applicant is
24 competent to be placed in responsible charge of engineering work.

25 **SECTION 175.** 443.04 (2m) (b) of the statutes is amended to read:

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1 443.04 **(2m)** (b) For an applicant possessing a diploma or degree from a course
2 of study of not less than 2 years as specified in sub. (1m), a specific record of 6 or more
3 years of experience in engineering work of a character satisfactory to the ~~professional~~
4 ~~engineer section~~ examining board and indicating that the applicant is competent to
5 be placed in responsible charge of engineering work.

6 **SECTION 176.** 443.05 (1) (intro.) of the statutes is amended to read:

7 443.05 **(1)** (intro.) An applicant for certification as an engineer-in-training
8 shall submit as satisfactory evidence to the ~~professional engineer section~~ of the
9 examining board one of the following:

10 **SECTION 177.** 443.05 (1) (a) of the statutes is amended to read:

11 443.05 **(1)** (a) A diploma of graduation in engineering or a certificate in
12 engineering from a school or college approved by the ~~professional engineer section~~
13 examining board as of satisfactory standing.

14 **SECTION 178.** 443.05 (1) (b) of the statutes is amended to read:

15 443.05 **(1)** (b) A specific record of 4 years or more of experience in engineering
16 work of a character satisfactory to the ~~professional engineer section~~ examining
17 board.

18 **SECTION 179.** 443.05 (2) of the statutes is amended to read:

19 443.05 **(2)** Graduation in engineering from a school or college approved by the
20 ~~professional engineer section~~ examining board as of satisfactory standing shall be
21 considered as equivalent to 4 years of experience and the completion satisfactory to
22 the ~~professional engineer section~~ examining board of each year of work in
23 engineering in such school or college without graduation shall be considered as
24 equivalent to one year of experience. Graduation in a course other than engineering
25 from a school or college approved by the ~~professional engineer section~~ examining

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1 board as of satisfactory standing shall be considered as equivalent to 2 years of
2 experience. No applicant may receive credit for more than 4 years of experience
3 under this subsection.

4 **SECTION 180.** 443.06 (1) (a) of the statutes is amended to read:

5 443.06 (1) (a) Application for a license to engage in the practice of professional
6 land surveying shall be made to ~~the professional land surveyor section of the~~
7 examining board under oath, on forms provided by the department, which shall
8 require the applicant to submit such information as the ~~professional land surveyor~~
9 ~~section~~ examining board deems necessary. The ~~professional land surveyor section~~
10 examining board may require applicants to pass written or oral examinations or
11 both. Applicants who do not have an arrest or conviction record, subject to ss.
12 111.321, 111.322, and 111.335, shall be entitled to be granted a license to engage in
13 the practice of professional land surveying when satisfactory evidence is submitted
14 that the applicant has met one or more of the requirements of sub. (2).

15 **SECTION 181.** 443.06 (1) (b) of the statutes is amended to read:

16 443.06 (1) (b) Each year, but not more than 4 years, of work or training
17 completed in a curriculum in the practice of professional land surveying approved by
18 the ~~professional land surveyor section~~ examining board, or of responsible charge of
19 teaching the practice of professional land surveying may be considered as equivalent
20 to one year of qualifying experience in the practice of professional land surveying,
21 and each year, but not more than 4 years, completed in a curriculum other than the
22 practice of professional land surveying approved by the ~~professional land surveyor~~
23 ~~section~~ examining board, may be considered as equivalent to one-half year of
24 qualifying experience.

25 **SECTION 182.** 443.06 (2) (intro.) of the statutes is amended to read:

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1 443.06 (2) REQUIREMENTS; LICENSE. (intro.) The ~~professional land surveyor~~
2 ~~section~~ examining board may grant a license to engage in the practice of professional
3 land surveying to any person who has submitted to it an application, the required
4 fees, and one or more of the following:

5 **SECTION 183.** 443.06 (2) (am) of the statutes is amended to read:

6 443.06 (2) (am) Evidence satisfactory to the ~~professional land surveyor section~~
7 examining board that he or she has received a bachelor's degree in a course in the
8 practice of professional land surveying or a related field that has a duration of not
9 less than 4 years and is approved by the ~~professional land surveyor section~~
10 examining board, and that he or she has engaged in the practice of professional land
11 surveying for at least 2 years and has demonstrated practice of satisfactory character
12 that indicates that the applicant is competent to engage in the practice of
13 professional land surveying, if the applicant has passed an oral and written or
14 written examination administered by the ~~professional land surveyor section~~
15 examining board.

16 **SECTION 184.** 443.06 (2) (bm) of the statutes is amended to read:

17 443.06 (2) (bm) Evidence satisfactory to the ~~professional land surveyor section~~
18 examining board that he or she has received an associate degree in a course in the
19 practice of professional land surveying or a related field that has a duration of not
20 less than 2 years and is approved by the ~~professional land surveyor section~~
21 examining board, and that he or she has engaged in the practice of professional land
22 surveying for at least 4 years and has demonstrated practice of satisfactory character
23 that indicates that the applicant is competent to engage in the practice of
24 professional land surveying, if the applicant has passed an oral and written or

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1 written examination administered by the ~~professional land surveyor section~~
2 examining board.

3 **SECTION 185.** 443.06 (2) (cm) of the statutes is amended to read:

4 443.06 (2) (cm) Evidence satisfactory to the ~~professional land surveyor section~~
5 examining board that he or she has engaged in the practice of professional land
6 surveying for at least 10 years and has demonstrated practice of satisfactory
7 character that indicates that the applicant is competent to engage in the practice of
8 professional land surveying, if the applicant has passed an oral and written or
9 written examination administered by the ~~professional land surveyor section~~
10 examining board. This paragraph applies to applications for licenses to engage in
11 the practice of professional land surveying that are submitted to the ~~professional~~
12 ~~land surveyor section~~ examining board after June 30, 2000 and before July 1, 2019.

13 **SECTION 186.** 443.06 (2) (d) of the statutes is amended to read:

14 443.06 (2) (d) An unexpired certificate of registration, certificate of
15 certification, or license as a land surveyor or to engage in the practice of professional
16 land surveying issued to the applicant by the proper authority in any state or
17 territory or possession of the United States or in any other country whose
18 requirements meet or exceed the requirement for licensure in this subsection, if the
19 applicant has passed an oral and written or written examination administered by the
20 ~~professional land surveyor section~~ examining board.

21 **SECTION 187.** 443.07 (1) (intro.) of the statutes is amended to read:

22 443.07 (1) (intro.) An applicant for a permit as a designer shall submit as
23 evidence satisfactory to the ~~designer section~~ of the examining board one of the
24 following to indicate that he or she is competent to be in charge of such work:

25 **SECTION 188.** 443.07 (1) (a) of the statutes is amended to read:

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1 443.07 (1) (a) A specific record of 8 years or more of experience in specialized
2 engineering design work and the satisfactory completion of a written examination
3 in the field or branch, as determined by the ~~designer section~~ examining board, in
4 which certification is sought.

5 **SECTION 189.** 443.07 (3) of the statutes is amended to read:

6 443.07 (3) Permits shall be granted, designated, and limited to the fields and
7 subfields of technology as are determined by the ~~designer section~~ examining board
8 and recognized in engineering design practice. Any person holding a permit may
9 prepare plans and specifications and perform consultation, investigation, and
10 evaluation in connection with the making of plans and specifications, within the
11 scope of the permit, notwithstanding that such activity constitutes the practice of
12 architecture or professional engineering under this chapter.

13 **SECTION 190.** 443.07 (5) of the statutes is amended to read:

14 443.07 (5) The permit shall, on its face, restrict the holder thereof to the specific
15 field and subfields of designing in which the permittee acquired his or her experience
16 in designing. If qualified in more than one type of designing, persons may receive
17 permits for more than one field or subfield of designing as may be determined by the
18 ~~designer section~~ examining board.

19 **SECTION 191.** 443.08 (3) (a) 1. of the statutes is amended to read:

20 443.08 (3) (a) 1. A firm, partnership, or corporation desiring a certificate of
21 authorization shall submit an application to the department on forms provided by
22 the department, listing the names and addresses of all officers and directors, and all
23 individuals in its employment registered to practice architecture in this state who
24 will be in responsible charge of architecture being practiced in this state through the
25 firm, partnership, or corporation and other relevant information required by ~~the~~

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1 architect ~~section~~ of the examining board. A similar type of form shall also accompany
2 the renewal fee. If there is a change in any of these persons, the change shall be
3 reported on the same type of form, and filed with the department within 30 days after
4 the effective date of the change. The ~~architect section~~ examining board shall grant
5 a certificate of authorization to a firm, partnership, or corporation complying with
6 this subsection upon payment of the initial credential fee determined by the
7 department under s. 440.03 (9) (a). This subsection does not apply to firms,
8 partnerships, or corporations exempt under s. 443.14 (3) or (5).

9 **SECTION 192.** 443.08 (3) (a) 2. of the statutes is amended to read:

10 443.08 (3) (a) 2. A firm, partnership, or corporation desiring a certificate of
11 authorization shall submit an application to the department on forms provided by
12 the department, listing the names and addresses of all officers and directors, and all
13 individuals in its employment registered to practice professional engineering in this
14 state who will be in responsible charge of professional engineering being practiced
15 in this state through the firm, partnership, or corporation and other relevant
16 information required by ~~the professional engineer section~~ of the examining board.
17 A similar type of form shall also accompany the renewal fee. If there is a change in
18 any of these persons, the change shall be reported on the same type of form, and filed
19 with the department within 30 days after the effective date of the change. The
20 ~~professional engineer section~~ examining board shall grant a certificate of
21 authorization to a firm, partnership, or corporation complying with this subsection
22 upon payment of the initial credential fee determined by the department under s.
23 440.03 (9) (a). This subsection does not apply to firms, partnerships, or corporations
24 exempt under s. 443.14 (3) or (5).

25 **SECTION 193.** 443.08 (3) (a) 3. of the statutes is amended to read:

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1 443.08 **(3)** (a) 3. A firm, partnership, or corporation desiring a certificate of
2 authorization shall submit an application to the department on forms provided by
3 the department, listing the names and addresses of all officers and directors, and all
4 individuals in its employment granted a permit to practice designing in this state
5 who will be in responsible charge of designing being practiced in this state through
6 the firm, partnership, or corporation and other relevant information required by ~~the~~
7 ~~designer section~~ of the examining board. A similar type of form shall also accompany
8 the renewal fee. If there is a change in any of these persons, the change shall be
9 reported on the same type of form, and filed with the department within 30 days after
10 the effective date of the change. ~~The designer section~~ examining board shall grant
11 a certificate of authorization to a firm, partnership, or corporation complying with
12 this subsection upon payment of the initial credential fee determined by the
13 department under s. 440.03 (9) (a). This subsection does not apply to firms,
14 partnerships, or corporations exempt under s. 443.14 (3) or (5).

15 **SECTION 194.** 443.09 (4m) of the statutes is amended to read:

16 443.09 **(4m)** No person may be registered as a landscape architect under this
17 chapter unless he or she passes a written examination or written and oral
18 examinations conducted or approved by ~~the landscape architect section~~ of the
19 examining board under sub. (5).

20 **SECTION 195.** 443.09 (5) of the statutes is amended to read:

21 443.09 **(5)** Written or written and oral examinations shall be held at such time
22 and place as ~~the landscape architect section~~ of the examining board determines. The
23 scope of the examinations and the methods of procedure shall be prescribed by the
24 ~~landscape architect section~~ examining board with special reference to the applicant's
25 ability to design and supervise architectural, landscape architectural, or

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1 engineering work, which shall promote the public welfare and ensure the safety of
2 life, health, and property. A candidate failing an examination may, upon application
3 and payment of the required reexamination fee, be examined again by the ~~landscape~~
4 ~~architect section~~ examining board. No restrictions may be placed on the number of
5 times an unsuccessful candidate may be reexamined, except that after failure of 3
6 reexaminations, the ~~landscape architect section~~ examining board may require a
7 one-year waiting period before further reexamination.

8 **SECTION 196.** 443.10 (1) (a) of the statutes is amended to read:

9 443.10 (1) (a) The ~~appropriate section of the~~ examining board may, upon
10 application and the payment of the required fee, grant a certificate of registration as
11 an architect, as a landscape architect, or as a professional engineer to any person who
12 holds an unexpired certificate of similar registration issued to the person by the
13 proper authority in any state or territory or possession of the United States or in any
14 country in which the requirements for the registration of architects, landscape
15 architects, or professional engineers are of a standard not lower than specified in this
16 chapter.

17 **SECTION 197.** 443.10 (1) (b) of the statutes is amended to read:

18 443.10 (1) (b) The ~~appropriate section of the~~ examining board may, upon
19 application and payment of the required fee, grant a certificate of registration as an
20 architect, as a landscape architect, or as a professional engineer to any person who
21 holds an unrevoked card or certificate of national reciprocal registration, issued by
22 any state, territory, or possession of the United States or by any country, which is in
23 conformity with the regulations of the national council of state board of architectural,
24 or engineering examiners, or council of landscape architectural registration boards,

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1 and who complies with the regulations of the ~~appropriate section~~ examining board,
2 except as to qualifications and registration fee.

3 **SECTION 198.** 443.10 (1) (c) of the statutes is amended to read:

4 443.10 (1) (c) The ~~professional engineer section of the~~ examining board may,
5 upon application therefor, and the payment of the required fee, grant a
6 certificate-of-record as engineer-in-training to any person who holds an unexpired
7 certificate of similar certification issued to the person by the proper authority in any
8 state or territory or possession of the United States or in any country in which the
9 requirements for the certification of engineers-in-training are of a standard not
10 lower than specified in this chapter.

11 **SECTION 199.** 443.10 (1) (d) of the statutes is amended to read:

12 443.10 (1) (d) The ~~appropriate section of the~~ examining board may, upon
13 application and payment of the required fee, grant a permit to practice or to offer to
14 practice architecture, landscape architecture, or professional engineering to a
15 person who is not a resident of and has no established place of business in this state,
16 or who has recently become a resident of this state, if the person holds an unexpired
17 certificate of similar registration issued to the person by the proper authority in any
18 state or territory or possession of the United States or in any country in which the
19 requirements for the registration of architects, landscape architects, or professional
20 engineers are of a standard not lower than specified in this chapter.

21 **SECTION 200.** 443.10 (2) (c) of the statutes is amended to read:

22 443.10 (2) (c) The ~~appropriate section of the~~ examining board shall grant a
23 certificate of registration upon payment of the registration fee to any applicant who,
24 in the opinion of the ~~appropriate section~~ examining board, has satisfactorily met all
25 the applicable requirements of this chapter. The certificate shall authorize the

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1 practice of architecture, landscape architecture, or professional engineering, as
2 appropriate.

3 **SECTION 201.** 443.10 (2) (d) of the statutes is amended to read:

4 443.10 (2) (d) The granting of a certificate of registration ~~by the appropriate~~
5 ~~section of the examining board~~ under this chapter shall be evidence that the person
6 named in the certificate is entitled to all the rights and privileges of a registered
7 architect, a registered landscape architect, or a registered professional engineer
8 under the classification stated on the certificate, while the certificate remains
9 unrevoked or unexpired.

10 **SECTION 202.** 443.10 (2) (f) of the statutes is amended to read:

11 443.10 (2) (f) ~~The professional engineer section of the~~ examining board shall
12 grant a certificate of record as engineer-in-training to any applicant who, in the
13 opinion of the ~~professional engineer section~~ examining board, has satisfactorily met
14 all the requirements of this section pertaining to engineers-in-training.

15 **SECTION 203.** 443.10 (2) (h) of the statutes is amended to read:

16 443.10 (2) (h) Certificates of record as engineers-in-training shall expire on
17 July 31st of the 10th year after their issuance unless extended by ~~the professional~~
18 ~~engineer section of the~~ examining board. An application for extension shall contain
19 evidence satisfactory to the ~~professional engineer section~~ examining board that the
20 applicant's professional experience has been delayed.

21 **SECTION 204.** 443.10 (3) of the statutes is repealed.

22 **SECTION 205.** 443.10 (4) (a) of the statutes is amended to read:

23 443.10 (4) (a) A list, showing the names and addresses of all
24 engineers-in-training certified by ~~the professional engineer section of the~~
25 examining board during the period from July 1 to June 30, shall be prepared each

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1 year by the ~~professional engineer section~~ examining board. The list shall be
2 obtainable by purchase at cost.

3 **SECTION 206.** 443.10 (4) (b) of the statutes is amended to read:

4 443.10 (4) (b) ~~Each section of the~~ The examining board shall keep a record of
5 its proceedings together with a record of all other information pertaining to its
6 proceedings as may be deemed necessary by ~~that section of the~~ examining board. The
7 records of ~~each section of the~~ examining board shall be prima facie evidence of the
8 proceedings of ~~that section of the~~ examining board set forth in the records, and a
9 transcript thereof, duly certified by the secretary chairperson of ~~that section of the~~
10 examining board, or his or her designee, under seal, shall be admissible in evidence
11 with the same effect as if the original were produced.

12 **SECTION 207.** 443.10 (5) of the statutes is amended to read:

13 443.10 (5) FEES; RENEWALS. ~~The professional land surveyor section~~ examining
14 board shall grant a license to engage in the practice of professional land surveying
15 to any applicant who has met the applicable requirements of this chapter. The
16 renewal date for the license is specified under s. 440.08 (2) (a), and the renewal fee
17 for the license is determined by the department under s. 440.03 (9) (a).

18 **SECTION 208.** 443.11 (1) (intro.) of the statutes is amended to read:

19 443.11 (1) (intro.) ~~The appropriate section of the~~ examining board may
20 reprimand an architect, landscape architect, or professional engineer or limit,
21 suspend, or revoke the certificate of registration of any registrant, and the certificate
22 of record of any engineer-in-training, who is found guilty of:

23 **SECTION 209.** 443.11 (1) (e) of the statutes is amended to read:

24 443.11 (1) (e) Any violation of the rules of professional conduct adopted and
25 promulgated by ~~that section of the~~ examining board.

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1 **SECTION 210.** 443.11 (2) of the statutes is amended to read:

2 443.11 (2) ~~The appropriate section of the~~ examining board may reprimand a
3 firm, partnership, or corporation holding a certificate of authorization issued under
4 this chapter or may limit, suspend, or revoke such a certificate if any of the agents,
5 employees, or officers of the firm, partnership, or corporation has committed any act
6 or has been guilty of any conduct which would authorize a reprimand or a limitation,
7 suspension, or revocation of the certificate of registration of a registrant or the
8 certificate of record of an engineer-in-training under this chapter, unless the firm,
9 partnership, or corporation submits evidence satisfactory to ~~the appropriate section~~
10 ~~of the examining board~~ that the agent, employee, or officer is not now practicing or
11 offering to practice architecture, landscape architecture, or professional engineering
12 in its behalf.

13 **SECTION 211.** 443.11 (3) of the statutes is amended to read:

14 443.11 (3) Any person may make charges that any registrant, holder of a
15 certificate of record as engineer-in-training or corporate holder of a certificate of
16 authorization has committed an act for which a reprimand or limitation, suspension,
17 or revocation of registration is authorized under sub. (1). Such charges shall be in
18 writing, shall be sworn to by the person making them and shall be submitted to ~~the~~
19 ~~appropriate section of the~~ examining board. ~~The appropriate section of the~~
20 examining board may, on its own motion, make such charges. All charges, unless
21 dismissed by ~~the appropriate section of the~~ examining board as unfounded or trivial,
22 shall be heard by ~~the appropriate section of the~~ examining board, subject to the rules
23 promulgated under s. 440.03 (1).

24 **SECTION 212.** 443.11 (4) of the statutes is amended to read:

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1 443.11 (4) If after a hearing under sub. (3), ~~3 members of a section of the~~
2 examining board ~~vote in favor of sustaining~~ sustains the charges specified in sub. (3),
3 ~~the appropriate section of the~~ examining board shall reprimand or limit, suspend, or
4 revoke the certificate of registration of the registered architect, registered landscape
5 architect, or registered professional engineer, the certificate of record of the holder
6 of a certificate as engineer-in-training, or the certificate of authorization of a firm,
7 partnership, or corporation.

8 **SECTION 213.** 443.11 (5) of the statutes is repealed.

9 **SECTION 214.** 443.11 (6) of the statutes is amended to read:

10 443.11 (6) The ~~appropriate section of the~~ examining board, for reasons it
11 considers sufficient, may reissue a certificate of registration or a certificate of record
12 to any person, or a certificate of authorization to any firm, partnership, or
13 corporation, whose certificate has been revoked under this section ~~if 3 members of~~
14 ~~the section of the examining board vote in favor of such reissuance.~~ Subject to the
15 rules of the examining board, ~~the appropriate section of the~~ examining board may,
16 upon payment of the required fee, issue a new certificate of registration, certificate
17 of record or certificate of authorization, to replace any certificate that is revoked, lost,
18 destroyed, or mutilated.

19 **SECTION 215.** 443.12 (1) of the statutes is amended to read:

20 443.12 (1) The ~~professional land surveyor section~~ examining board may
21 reprimand a professional land surveyor, or limit, suspend, or revoke the license of
22 any professional land surveyor, for the practice of any fraud or deceit in obtaining the
23 license, or any gross negligence, incompetence, or misconduct in the practice of
24 professional land surveying.

25 **SECTION 216.** 443.12 (2) of the statutes is amended to read:

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1 443.12 (2) Charges of fraud, deceit, gross negligence, incompetence, or
2 misconduct may be made against any professional land surveyor by the professional
3 ~~land surveyor section~~ examining board or any person. Such charges may be made
4 on information and belief, but shall be in writing, stating the specific acts, be signed
5 by the complainant and be submitted to the examining board. All charges shall be
6 heard according to the rules promulgated under s. 440.03 (1).

7 **SECTION 217.** 443.12 (3) of the statutes is amended to read:

8 443.12 (3) If after a hearing ~~3 members vote~~ the examining board finds in favor
9 of reprimand or limiting, suspending, or revoking the license of a professional land
10 surveyor, the ~~professional land surveyor section~~ examining board shall notify the
11 surveyor to that effect. The surveyor shall return the license to the examining board
12 immediately on receipt of notice of a revocation. ~~The action of the professional land~~
13 ~~surveyor section may be reviewed under ch. 227.~~

14 **SECTION 218.** 443.12 (4) of the statutes is amended to read:

15 443.12 (4) The ~~professional land surveyor section~~ examining board, for reasons
16 it deems sufficient, may reinstate a license to engage in the practice of professional
17 land surveying that has been revoked, ~~if 3 members vote in favor of such~~
18 ~~reinstatement~~. This subsection does not apply to a license that is revoked under s.
19 440.12.

20 **SECTION 219.** 443.13 (1) (intro.) of the statutes is amended to read:

21 443.13 (1) (intro.) The ~~designers' section of the~~ examining board may limit,
22 suspend, or revoke a permit or reprimand the permittee if the permittee is guilty of
23 any of the following:

24 **SECTION 220.** 443.13 (2) of the statutes is amended to read:

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1 443.13 (2) If, after a hearing conducted under the rules promulgated under s.
2 440.03 (1) before the ~~designers' section of the examining board, two-thirds of the~~
3 ~~members of the section vote in favor of sustaining~~ the examining board sustains the
4 charges, ~~the designers' section of the examining board shall reprimand the permittee~~
5 or limit, suspend, or revoke the permit. ~~The action of the designers' section of the~~
6 ~~examining board under this section is subject to review under ch. 227.~~

7 **SECTION 221.** 443.18 (1) (a) of the statutes is amended to read:

8 443.18 (1) (a) Any person who practices or offers to practice architecture,
9 landscape architecture, or professional engineering in this state, or who uses the
10 term "architect," "landscape architect," or "professional engineer" as part of the
11 person's business name or title, except as provided in s. 443.08 (6), or in any way
12 represents himself or herself as an architect, landscape architect, or a professional
13 engineer unless the person is registered or exempted in accordance with this chapter,
14 or unless the person is the holder of an unexpired permit issued under s. 443.10 (1)
15 (d), or any person presenting or attempting to use as his or her own the certificate
16 of registration of another, or any person who gives any false or forged evidence of any
17 kind to the examining board ~~or to any section of the examining board or to any~~
18 ~~member of the examining board or to any member of any section of the examining~~
19 ~~board~~ in obtaining a certificate of registration, or any person who falsely
20 impersonates any other registrant of like or different name, or any person who
21 attempts to use an expired or revoked certificate of registration, or violates any of the
22 provisions of this section, may be fined not less than \$100 nor more than \$500 or
23 imprisoned for not more than 3 months or both.

24 **SECTION 222.** 443.18 (2) (a) of the statutes is amended to read:

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1 443.18 (2) (a) If it appears upon complaint to the examining board ~~or to any~~
2 ~~section of the examining board~~ by any person, or is known to the examining board
3 ~~or to any section of the examining board~~ that any person who is neither registered
4 nor exempt under this chapter nor the holder of an unexpired permit under s. 443.10
5 (1) (d) is practicing or offering to practice, or is about to practice or to offer to practice,
6 architecture, landscape architecture, or professional engineering in this state, ~~the~~
7 ~~appropriate section of the examining board~~ or the attorney general or the district
8 attorney of the proper county may investigate and may, in addition to any other
9 remedies, bring action in the name and on behalf of this state against any such
10 person to enjoin the person from practicing or offering to practice architecture,
11 landscape architecture, or professional engineering.

12 **SECTION 223.** 443.18 (2) (b) of the statutes is amended to read:

13 443.18 (2) (b) If it appears upon complaint to the examining board by any
14 person, or is known to the examining board that any person who does not have a
15 license to engage in the practice of professional land surveying in this state, or who
16 is not exempt or excepted from the licensure requirements under this chapter, is
17 engaging in or offering to engage in the practice of professional land surveying in this
18 state, ~~the professional land surveyor section,~~ the examining board, the department,
19 the department of justice, or the district attorney of the proper county may
20 investigate and may, in addition to any other remedies, bring action in the name and
21 on behalf of the state to enjoin the person from engaging in or offering to engage in
22 the practice of professional land surveying.

23 **SECTION 224.** 448.05 (5) (c) of the statutes is amended to read:

24 448.05 (5) (c) In promulgating rules under par. (a), the board shall recognize
25 the objective under s. 448.20 (4) (2m) (d).

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1 **SECTION 225.** 448.20 (title) of the statutes is created to read:

2 **448.20 (title) Medical assistants council.**

3 **SECTION 226.** 448.20 of the statutes is renumbered 448.20 (2m), and 448.20
4 (2m) (title), (a), (c) (intro.) and (d), as renumbered, are amended to read:

5 448.20 **(2m)** (title) ~~COUNCIL ON DUTIES; PHYSICIAN ASSISTANTS; DUTIES.~~ (a)
6 *Recommend licensing and practice standards.* The council ~~on physician assistants~~
7 shall develop and recommend to the ~~examining~~ board licensing and practice
8 standards for physician assistants. In developing the standards, the council shall
9 consider the following factors: an individual's training, wherever given; experience,
10 however acquired, including experience obtained in a hospital, a physician's office,
11 the armed services or the federal health service of the United States, or their
12 equivalent as found by the ~~examining~~ board; and education, including that offered
13 by a medical school and the technical college system board.

14 (c) *Advise board.* (intro.) The council shall advise the board on all of the
15 following:

16 (d) *Adhere to program objectives.* In formulating standards under this ~~section~~
17 subsection, the council shall recognize that an objective of this program is to increase
18 the existing pool of health personnel.

19 **SECTION 227.** 448.20 (1m) of the statutes is created to read:

20 448.20 **(1m)** DEFINITION. In this section, "council" means the medical assistants
21 council.

22 **SECTION 228.** 448.20 (4m) of the statutes is created to read:

23 448.20 **(4m)** DUTIES; PERFUSIONISTS. The council shall consult with the board
24 as provided in s. 448.40 (2) (b) and (c).

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1 **SECTION 229.** 448.23 of the statutes is renumbered 448.20 (3m) and amended
2 to read:

3 448.20 **(3m)** ~~COUNCIL ON~~ DUTIES; ANESTHESIOLOGIST ASSISTANTS. The council ~~on~~
4 anesthesiologist assistants shall guide, advise, and make recommendations to the
5 board regarding the scope of anesthesiologist assistant practice and promote the safe
6 and competent practice of anesthesiologist assistants in the delivery of health care
7 services.

8 **SECTION 230.** 448.40 (2) (b) of the statutes is amended to read:

9 448.40 **(2)** (b) Establishing the scope of the practice of perfusion. In
10 promulgating rules under this paragraph, the board shall consult with the
11 ~~perfusionists examining~~ medical assistants council.

12 **SECTION 231.** 448.40 (2) (c) of the statutes is amended to read:

13 448.40 **(2)** (c) Establishing continuing education requirements for renewal of
14 a license to practice perfusion under s. 448.13 (2). In promulgating rules under this
15 paragraph, the board shall consult with the ~~perfusionists examining~~ medical
16 assistants council.

17 **SECTION 232.** Subchapter III (title) of chapter 448 [precedes 448.50] of the
18 statutes is repealed.

19 **SECTION 233.** 448.50 of the statutes is renumbered 464.01, and 464.01 (1v), as
20 renumbered, is amended to read:

21 464.01 **(1v)** “Examining board” means the ~~physical~~ medical therapy examining
22 board.

23 **SECTION 234.** 448.51 (title) of the statutes is renumbered 464.02 (title).

24 **SECTION 235.** 448.51 (1) of the statutes is renumbered 464.02 (1) (a) and
25 amended to read:

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1 464.02 (1) (a) Except as provided in s. 448.52 sub. (2), no person may practice
2 physical therapy unless the person is licensed as a physical therapist under this
3 subchapter.

4 **SECTION 236.** 448.51 (1e) of the statutes is renumbered 464.02 (1) (b).

5 **SECTION 237.** 448.51 (1s) of the statutes is renumbered 464.02 (1) (c).

6 **SECTION 238.** 448.51 (2) (a) of the statutes is repealed.

7 **SECTION 239.** 448.51 (2) (b) of the statutes is renumbered 464.02 (1) (d) and
8 amended to read:

9 464.02 (1) (d) Except as provided in s. 448.52 ~~(2m)~~ sub. (2) (b), no person may
10 claim to render physical therapy or physiotherapy services unless the person is
11 licensed as a physical therapist under this subchapter.

12 **SECTION 240.** 448.52 (title) of the statutes is repealed.

13 **SECTION 241.** 448.52 (1m) of the statutes is renumbered 464.02 (2) (a).

14 **SECTION 242.** 448.52 (2m) of the statutes is renumbered 464.02 (2) (b), and
15 464.02 (2) (b) 1., as renumbered, is amended to read:

16 464.02 (2) (b) 1. Except as provided in ~~par. (b)~~ subd. 2., a chiropractor licensed
17 under ch. 446 claiming to render physical therapy, if the physical therapy is provided
18 by a physical therapist employed by the chiropractor.

19 **SECTION 243.** 448.522 of the statutes is renumbered 464.08 (7).

20 **SECTION 244.** 448.527 (title) of the statutes is repealed.

21 **SECTION 245.** 448.527 of the statutes is renumbered 464.03 (1) and amended
22 to read:

23 464.03 (1) ~~The examining board shall promulgate~~ Promulgate rules
24 establishing a code of ethics governing the professional conduct of physical
25 therapists and physical therapist assistants.

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1 **SECTION 246.** 448.53 of the statutes is renumbered 464.04, and 464.04 (1) (e),
2 as renumbered, is amended to read:

3 464.04 (1) (e) Passes an examination under s. ~~448.54~~ 464.06.

4 **SECTION 247.** 448.535 of the statutes is renumbered 464.05, and 464.05 (1) (e),
5 as renumbered, is amended to read:

6 464.05 (1) (e) Passes an examination under s. ~~448.54~~ 464.06.

7 **SECTION 248.** 448.54 of the statutes is renumbered 464.06, and 464.06 (3), as
8 renumbered, is amended to read:

9 464.06 (3) Notwithstanding s. ~~448.53~~ 464.04 (1) (f), the examining board may
10 not require an applicant for physical therapist licensure to take an oral examination
11 or an examination to test proficiency in the English language for the sole reason that
12 the applicant was educated at a physical therapy school that is not in the United
13 States if the applicant establishes, to the satisfaction of the examining board, that
14 he or she satisfies the requirements under s. ~~448.53~~ 464.04 (3).

15 **SECTION 249.** 448.55 of the statutes is renumbered 464.07, and 464.07 (2), as
16 renumbered, is amended to read:

17 464.07 (2) The renewal dates for licenses granted under this subchapter, other
18 than temporary licenses granted under rules promulgated under s. ~~448.53~~ 464.04 (2),
19 are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
20 department on a form provided by the department and shall include the renewal fee
21 determined by the department under s. 440.03 (9) (a) and proof of compliance with
22 the requirements established in any rules promulgated under sub. (3).

23 **SECTION 250.** 448.56 (title) of the statutes is renumbered 464.08 (title) and
24 amended to read:

25 **464.08** (title) **Practice requirements and restrictions.**

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1 **SECTION 251.** 448.56 (1) of the statutes is renumbered 464.08 (1) (a) and
2 amended to read:

3 464.08 (1) (a) Except as provided in this subsection paragraph and s. 448.52
4 464.02 (2), a person may practice physical therapy only upon the written referral of
5 a physician, physician assistant, chiropractor, dentist, podiatrist, or advanced
6 practice nurse prescriber certified under s. 441.16 (2). Written referral is not
7 required if a physical therapist provides services in schools to children with
8 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the
9 department of public instruction; provides services as part of a home health care
10 agency; provides services to a patient in a nursing home pursuant to the patient's
11 plan of care; provides services related to athletic activities, conditioning, or injury
12 prevention; or provides services to an individual for a previously diagnosed medical
13 condition after informing the individual's physician, physician assistant,
14 chiropractor, dentist, podiatrist, or advanced practice nurse prescriber certified
15 under s. 441.16 (2) who made the diagnosis. The examining board may promulgate
16 rules establishing additional services that are excepted from the written referral
17 requirements of this subsection paragraph.

18 **SECTION 252.** 448.56 (1m) (title) of the statutes is renumbered 464.08 (2) (title).

19 **SECTION 253.** 448.56 (1m) (a) of the statutes is renumbered 464.08 (2).

20 **SECTION 254.** 448.56 (1m) (b) of the statutes is renumbered 464.08 (1) (b) and
21 amended to read:

22 464.08 (1) (b) The examining board shall promulgate rules establishing the
23 requirements that a physical therapist must satisfy if a physician, physician
24 assistant, chiropractor, dentist, podiatrist, or advanced practice nurse prescriber
25 makes a written referral under ~~sub. (1)~~ par. (a). The purpose of the rules shall be to

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1 ensure continuity of care between the physical therapist and the health care
2 practitioner.

3 **SECTION 255.** 448.56 (2) of the statutes is renumbered 464.08 (3) and amended
4 to read:

5 464.08 (3) FEE SPLITTING. No licensee may give or receive, directly or indirectly,
6 to or from any other person any fee, commission, rebate, or other form of
7 compensation or anything of value for sending, referring, or otherwise inducing a
8 person to communicate with a licensee in a professional capacity, or for any
9 professional services not actually rendered personally by the licensee or at the
10 licensee's direction.

11 **SECTION 256.** 448.56 (3) to (5) of the statutes are renumbered 464.08 (4) to (6).

12 **SECTION 257.** 448.56 (6) of the statutes is renumbered 464.08 (8) and amended
13 to read:

14 464.08 (8) PHYSICAL THERAPIST ASSISTANTS. A physical therapist assistant may
15 assist a physical therapist in the practice of physical therapy if the physical therapist
16 provides direct or general supervision of the physical therapist assistant. The
17 examining board shall promulgate rules defining "direct or general supervision" for
18 purposes of this subsection. Nothing in this subsection interferes with delegation
19 authority under any other provision of this chapter or ch. 448.

20 **SECTION 258.** 448.565 (title) of the statutes is repealed.

21 **SECTION 259.** 448.565 of the statutes is renumbered 464.03 (2) and amended
22 to read:

23 464.03 (2) ~~The examining board shall promulgate~~ Promulgate rules
24 establishing procedures and requirements for filing complaints against licensees
25 and shall publicize the procedures and requirements.

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1 **SECTION 260.** 448.567 (title) of the statutes is repealed.

2 **SECTION 261.** 448.567 of the statutes is renumbered 464.03 (3) and amended
3 to read:

4 464.03 (3) ~~The examining board shall promulgate~~ Promulgate rules that
5 require the examining board on a periodic basis to conduct performance self-audits
6 of its activities under this subchapter.

7 **SECTION 262.** 448.57 of the statutes is renumbered 464.09, and 464.09 (2)
8 (intro.), (c), (d) and (f), as renumbered, are amended to read:

9 464.09 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
10 examining board may reprimand a licensee or may deny, limit, suspend, or revoke
11 a license granted under this subchapter if it finds that the applicant or licensee has
12 done any of the following:

13 (c) Advertised in a manner that is false, deceptive, or misleading.

14 (d) Advertised, practiced, or attempted to practice under another's name.

15 (f) Engaged in unprofessional or unethical conduct in violation of the code of
16 ethics established in the rules promulgated under s. ~~448.527~~ 464.03 (1).

17 **SECTION 263.** 448.58 (title) of the statutes is repealed.

18 **SECTION 264.** 448.58 of the statutes is renumbered 464.10 (2) and amended to
19 read:

20 464.10 (2) If the examining board has reason to believe that any person is
21 violating this subchapter or any rule promulgated under this subchapter, the
22 examining board, the department, the attorney general, or the district attorney of
23 the proper county may investigate and may, in addition to any other remedies, bring
24 an action in the name and on behalf of this state to enjoin the person from the
25 violation.

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1 448.63 (1) (c) Subject to ss. 111.321, 111.322, and 111.335, submits evidence
2 satisfactory to the ~~affiliated credentialing~~ board that the applicant does not have an
3 arrest or conviction record.

4 **SECTION 273.** 448.63 (1) (d) (intro.) of the statutes is amended to read:

5 448.63 (1) (d) (intro.) Submits evidence satisfactory to the ~~affiliated~~
6 ~~credentialing~~ board of all of the following:

7 **SECTION 274.** 448.63 (1) (d) 1. of the statutes is amended to read:

8 448.63 (1) (d) 1. That the applicant is a graduate of a school of podiatric
9 medicine and surgery approved by the ~~affiliated credentialing~~ board and possesses
10 a diploma from such school conferring the degree of doctor of podiatric medicine, or
11 equivalent degree as determined by the ~~affiliated credentialing~~ board, unless the
12 ~~affiliated credentialing~~ board waives these requirements under sub. (2).

13 **SECTION 275.** 448.63 (1) (d) 2. of the statutes is amended to read:

14 448.63 (1) (d) 2. That the applicant has completed 2 years of postgraduate
15 training in a program approved by the ~~affiliated credentialing~~ board or one year of
16 postgraduate training in a program approved by the ~~affiliated credentialing~~ board
17 if the one-year postgraduate training was completed by June 1, 2010.

18 **SECTION 276.** 448.63 (2) (intro.) of the statutes is amended to read:

19 448.63 (2) (intro.) The ~~affiliated credentialing~~ board may waive the
20 requirement under sub. (1) (d) 1. for an applicant who establishes, to the satisfaction
21 of the ~~affiliated credentialing~~ board, all of the following:

22 **SECTION 277.** 448.63 (3) of the statutes is amended to read:

23 448.63 (3) The ~~affiliated credentialing~~ board may promulgate rules providing
24 for various classes of temporary licenses to practice podiatry.

25 **SECTION 278.** 448.63 (4) of the statutes is amended to read:

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1 448.63 (4) The ~~affiliated credentialing~~ board may grant a limited license to an
2 applicant for a license under sub. (1) if the ~~affiliated credentialing~~ board finds that
3 the applicant has not demonstrated adequate education, training or performance on
4 any past examination or in any past practice, and that, based upon considerations
5 of public health and safety, the applicant does not qualify for full licensure under sub.
6 (1).

7 **SECTION 279.** 448.64 (1) of the statutes is amended to read:

8 448.64 (1) The ~~affiliated credentialing~~ board shall conduct or arrange for
9 examinations for podiatrist licensure at least semiannually and at times and places
10 determined by the ~~affiliated credentialing~~ board.

11 **SECTION 280.** 448.64 (3) of the statutes is amended to read:

12 448.64 (3) The ~~affiliated credentialing~~ board may not require an applicant to
13 take an oral examination or an examination to test proficiency in the English
14 language for the sole reason that the applicant was educated at a podiatry school that
15 is not in the United States if the applicant establishes, to the satisfaction of the
16 ~~affiliated credentialing~~ board, that he or she satisfies the requirements under s.
17 448.63 (2).

18 **SECTION 281.** 448.64 (4) of the statutes is amended to read:

19 448.64 (4) The ~~affiliated credentialing~~ board may require an applicant who
20 fails to appear for or to complete an examination under this section to reapply for
21 licensure before being admitted to a subsequent examination.

22 **SECTION 282.** 448.64 (5) of the statutes is amended to read:

23 448.64 (5) An applicant who fails to pass an examination under this section
24 may request reexamination, and may be reexamined not more than twice at not less
25 than 4-month intervals, and shall pay a reexamination fee for each reexamination.

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1 An applicant who fails to pass an examination on the 2nd such reexamination may
2 not be admitted to further examination until the applicant reapplies for licensure
3 and submits evidence that shows, to the satisfaction of the ~~affiliated credentialing~~
4 board, that he or she has completed additional education or received additional
5 professional training.

6 **SECTION 283.** 448.655 (1) (intro.) of the statutes is amended to read:

7 448.655 (1) (intro.) A licensed podiatrist shall annually submit to the ~~affiliated~~
8 ~~credentialing~~ board evidence satisfactory to the ~~affiliated credentialing~~ board that
9 the podiatrist satisfies one of the following:

10 **SECTION 284.** 448.655 (1) (b) 3. a. of the statutes is amended to read:

11 448.655 (1) (b) 3. a. At least the minimum amount of malpractice liability
12 insurance coverage that is required under the laws of the state in which the ~~affiliated~~
13 ~~credentialing~~ board determines that his or her principal place of practice is located.

14 **SECTION 285.** 448.655 (1) (b) 3. b. of the statutes is amended to read:

15 448.655 (1) (b) 3. b. If the podiatrist is not required under the laws of the state
16 in which the ~~affiliated credentialing~~ board determines that his or her principal place
17 of practice is located to have in effect a minimum amount of malpractice liability
18 insurance coverage, at least the minimum amount of malpractice liability insurance
19 coverage that the ~~affiliated credentialing~~ board determines is necessary to protect
20 the public.

21 **SECTION 286.** 448.655 (2) (intro.) of the statutes is amended to read:

22 448.655 (2) (intro.) For purposes of sub. (1), a podiatrist's principal place of
23 practice is not in this state if the ~~affiliated credentialing~~ board determines that,
24 during the following 12 months, any of the following applies:

25 **SECTION 287.** 448.655 (3) of the statutes is amended to read:

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1 448.655 (3) The ~~affiliated credentialing~~ board may suspend, revoke, or refuse
2 to issue or renew the license of a podiatrist who fails to procure or to submit proof of
3 the malpractice liability insurance coverage required under sub. (1).

4 **SECTION 288.** 448.665 of the statutes is amended to read:

5 **448.665 Continuing education.** The ~~affiliated credentialing~~ board shall
6 promulgate rules establishing requirements and procedures for licensees to
7 complete continuing education programs or courses of study in order to qualify for
8 renewal of a license granted under this subchapter. The rules shall require a licensee
9 to complete at least 30 hours of continuing education programs or courses of study
10 within each 2-year period immediately preceding the renewal date specified under
11 s. 440.08 (2) (a). The ~~affiliated credentialing~~ board may waive all or part of these
12 requirements for the completion of continuing education programs or courses of
13 study if the ~~affiliated credentialing~~ board determines that prolonged illness,
14 disability or other exceptional circumstances have prevented a licensee from
15 completing the requirements.

16 **SECTION 289.** 448.675 (1) (a) of the statutes is amended to read:

17 448.675 (1) (a) The ~~affiliated credentialing~~ board shall investigate allegations
18 of unprofessional conduct and negligence in treatment by a licensee. Information
19 contained in reports filed with the ~~affiliated credentialing~~ board under s. 49.45 (2)
20 (a) 12r., 50.36 (3) (b), 609.17, or 632.715, or under 42 CFR 1001.2005, shall be
21 investigated by the ~~affiliated credentialing~~ board. Information contained in a report
22 filed with the ~~affiliated credentialing~~ board under s. 50.36 (3) (c) may, within the
23 discretion of the ~~affiliated credentialing~~ board, be used as the basis of an
24 investigation of a person named in the report. The ~~affiliated credentialing~~ board may
25 require a licensee to undergo and may consider the results of a physical, mental, or

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1 professional competency examination if the ~~affiliated credentialing~~ board believes
2 that the results of the examination may be useful to the ~~affiliated credentialing~~ board
3 in conducting its investigation.

4 **SECTION 290.** 448.675 (1) (b) of the statutes is amended to read:

5 448.675 (1) (b) After an investigation, if the ~~affiliated credentialing~~ board finds
6 that there is probable cause to believe that the person is guilty of unprofessional
7 conduct or negligence in treatment, the ~~affiliated credentialing~~ board shall hold a
8 hearing on such conduct. The ~~affiliated credentialing~~ board may require a licensee
9 to undergo and may consider the results of a physical, mental, or professional
10 competency examination if the ~~affiliated credentialing~~ board believes that the
11 results of the examination may be useful to the ~~affiliated credentialing~~ board in
12 conducting its hearing. A finding by a court that a podiatrist has acted negligently
13 in treating a patient is conclusive evidence that the podiatrist is guilty of negligence
14 in treatment. A certified copy of the order of a court is presumptive evidence that the
15 finding of negligence in treatment was made. The ~~affiliated credentialing~~ board
16 shall render a decision within 90 days after the date on which the hearing is held or,
17 if subsequent proceedings are conducted under s. 227.46 (2), within 90 days after the
18 date on which those proceedings are completed.

19 **SECTION 291.** 448.675 (1) (c) of the statutes is amended to read:

20 448.675 (1) (c) After a disciplinary hearing, the ~~affiliated credentialing~~ board
21 may, when it determines that a court has found that a person has been negligent in
22 treating a patient or when it finds a person guilty of unprofessional conduct or
23 negligence in treatment, do one or more of the following: warn or reprimand that
24 person, or limit, suspend, or revoke a license granted by the ~~affiliated credentialing~~
25 board under this subchapter to that person. The ~~affiliated credentialing~~ board may

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1 condition the removal of limitations on a license, or the restoration of a suspended
2 or revoked license, upon obtaining minimum results specified by the affiliated
3 credentialing board on a physical, mental, or professional competency examination
4 if the affiliated credentialing board believes that obtaining the minimum results is
5 related to correcting one or more of the bases upon which the limitation, suspension,
6 or revocation was imposed.

7 **SECTION 292.** 448.675 (1) (d) 2. of the statutes is amended to read:

8 448.675 (1) (d) 2. Appear before the ~~affiliated credentialing~~ board or its officers
9 or agents at such times and places designated by the ~~affiliated credentialing~~ board.

10 **SECTION 293.** 448.675 (1) (d) 3. of the statutes is amended to read:

11 448.675 (1) (d) 3. Fully disclose to the ~~affiliated credentialing~~ board or its
12 officers or agents the nature of the person's practice and conduct.

13 **SECTION 294.** 448.675 (1) (d) 4. of the statutes is amended to read:

14 448.675 (1) (d) 4. Fully comply with the limits placed on his or her practice and
15 conduct by the ~~affiliated credentialing~~ board.

16 **SECTION 295.** 448.675 (1) (d) 5. of the statutes is amended to read:

17 448.675 (1) (d) 5. Obtain additional training, education, or supervision
18 required by the ~~affiliated credentialing~~ board.

19 **SECTION 296.** 448.675 (1) (d) 6. of the statutes is amended to read:

20 448.675 (1) (d) 6. Cooperate with the ~~affiliated credentialing~~ board.

21 **SECTION 297.** 448.675 (1) (e) of the statutes is amended to read:

22 448.675 (1) (e) Unless a suspended license is revoked during the period of
23 suspension, upon expiration of the period of suspension the ~~affiliated credentialing~~
24 board shall reinstate the person's license, except that the ~~affiliated credentialing~~

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1 board may, as a condition precedent to the reinstatement of the license, require the
2 person to pass the examinations required for the original grant of the license.

3 **SECTION 298.** 448.675 (1) (f) of the statutes is amended to read:

4 448.675 (1) (f) The ~~affiliated credentialing~~ board shall comply with rules of
5 procedure for the investigation, hearing, and action promulgated by the department
6 under s. 440.03 (1).

7 **SECTION 299.** 448.675 (1) (g) of the statutes is amended to read:

8 448.675 (1) (g) Nothing in this subsection prohibits the ~~affiliated credentialing~~
9 board, in its discretion, from investigating and conducting disciplinary proceedings
10 on allegations of unprofessional conduct by a licensee when the allegations of
11 unprofessional conduct may also constitute allegations of negligence in treatment.

12 **SECTION 300.** 448.675 (2) of the statutes is amended to read:

13 448.675 (2) **SUSPENSION PENDING HEARING.** The ~~affiliated credentialing~~ board
14 may summarily suspend a license granted by the ~~affiliated credentialing~~ board
15 under this subchapter for a period not to exceed 30 days pending hearing if the
16 ~~affiliated credentialing~~ board has in its possession evidence establishing probable
17 cause to believe that the licensee has violated the provisions of this subchapter and
18 that it is necessary to suspend the license immediately to protect the public health,
19 safety, or welfare. The licensee shall be granted an opportunity to be heard during
20 the determination of whether or not probable cause exists. The ~~affiliated~~
21 ~~credentialing~~ board may designate any of its officers to exercise the authority
22 granted by this subsection to suspend summarily a license, for a period not exceeding
23 72 hours. If a license has been summarily suspended by the ~~affiliated credentialing~~
24 board or any of its officers, the ~~affiliated credentialing~~ board may, while the hearing
25 is in progress, extend the initial period of suspension for not more than an additional

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1 30 days. If the licensee has caused a delay in the hearing process, the affiliated
2 credentialing board may subsequently suspend the license from the time the hearing
3 is commenced until a final decision is issued or may delegate such authority to the
4 hearing examiner.

5 **SECTION 301.** 448.675 (3) of the statutes is amended to read:

6 448.675 (3) VOLUNTARY SURRENDER. A licensee may voluntarily surrender his
7 or her license to the secretary of the affiliated credentialing board, but the secretary
8 board may refuse to accept the surrender if the affiliated credentialing board has
9 received an allegation of unprofessional conduct against the licensee. The affiliated
10 credentialing board may negotiate stipulations in consideration for accepting the
11 surrender of a license.

12 **SECTION 302.** 448.675 (4) of the statutes is amended to read:

13 448.675 (4) RESTORATION OF LICENSE, CERTIFICATE OR LIMITED PERMIT. The
14 affiliated credentialing board may restore a license ~~which~~ that has been voluntarily
15 surrendered or revoked under this subchapter on such terms and conditions as it
16 considers appropriate.

17 **SECTION 303.** 448.68 (1) of the statutes is amended to read:

18 448.68 (1) Within 30 days after receipt of a report under s. 50.36 (3) (c), the
19 affiliated credentialing board shall notify the licensee, in writing, of the substance
20 of the report. The licensee and the licensee's authorized representative may examine
21 the report and may place into the record a statement, of reasonable length, of the
22 licensee's view of the correctness or relevance of any information in the report. The
23 licensee may institute an action in circuit court to amend or expunge any part of the
24 licensee's record related to the report.

25 **SECTION 304.** 448.68 (2) of the statutes is amended to read:

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1 448.68 (2) If the ~~affiliated credentialing~~ board determines that a report
2 submitted under s. 50.36 (3) (c) is without merit or that the licensee has sufficiently
3 improved his or her conduct, the ~~affiliated credentialing~~ board shall remove the
4 report from the licensee's record. If no report about a licensee is filed under s. 50.36
5 (3) (c) for 2 consecutive years, the licensee may petition the ~~affiliated credentialing~~
6 board to remove any prior reports, which did not result in disciplinary action, from
7 his or her record.

8 **SECTION 305.** 448.68 (3) of the statutes is amended to read:

9 448.68 (3) Upon the request of a hospital, the ~~affiliated credentialing~~ board
10 shall provide the hospital with all information relating to a licensee's loss, reduction
11 or suspension of staff privileges from other hospitals and all information relating to
12 the licensee's being found guilty of unprofessional conduct. In this subsection,
13 "hospital" has the meaning specified under s. 50.33 (2).

14 **SECTION 306.** 448.685 of the statutes is amended to read:

15 **448.685 Injunctive relief.** If the ~~affiliated credentialing~~ board has reason to
16 believe that a person is violating this subchapter or a rule promulgated under this
17 subchapter, the ~~affiliated credentialing~~ board, the department, the attorney general,
18 or the district attorney of the proper county may investigate and may, in addition to
19 any other remedies, bring an action in the name and on behalf of this state to enjoin
20 the person from the violation.

21 **SECTION 307.** 448.69 (2) of the statutes is amended to read:

22 448.69 (2) APPEAL. A person aggrieved by an action taken under this
23 subchapter by the ~~affiliated credentialing~~ board, or its officers or its agents may
24 apply for judicial review as provided in ch. 227, and shall file notice of such appeal
25 with the ~~secretary of the affiliated credentialing~~ board within 30 days. No court of

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1 this state may enter an ex parte stay of an action taken by the ~~affiliated credentialing~~
2 board under this subchapter.

3 **SECTION 308.** 448.695 (1) (intro.) of the statutes is amended to read:

4 448.695 (1) (intro.) The ~~affiliated credentialing~~ board shall promulgate all of
5 the following rules:

6 **SECTION 309.** 448.695 (2) of the statutes is amended to read:

7 448.695 (2) The ~~affiliated credentialing~~ board may promulgate rules to carry
8 out the purposes of this subchapter.

9 **SECTION 310.** 448.695 (3) of the statutes is amended to read:

10 448.695 (3) The ~~affiliated credentialing~~ board shall promulgate rules
11 specifying the requirements for a course of instruction related to X-ray examinations
12 by persons under the direct supervision of a podiatrist under s. 462.02 (2) (f). In
13 promulgating the rules, the ~~affiliated credentialing~~ board shall ~~consult with the~~
14 ~~radiography examining board~~ and shall examine laws and rules in other states. The
15 ~~affiliated credentialing~~ board shall approve courses that meet the requirements set
16 forth in the rules.

17 **SECTION 311.** Subchapter V (title) of chapter 448 [precedes 448.70] of the
18 statutes is amended to read:

19 **CHAPTER 448**

20 **SUBCHAPTER V**

21 **DIETITIANS AFFILIATED**

22 **CREDENTIALING BOARD**

23 **SECTION 312.** 448.70 (1) of the statutes is repealed.

24 **SECTION 313.** 448.72 (1) (c) of the statutes is amended to read:

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1 448.72 (1) (c) A person pursuing a supervised course of study, including
2 internships, leading to a degree or certificate in dietetics from an accredited
3 educational program or an educational program approved by the ~~affiliated~~
4 ~~credentialing board~~ department.

5 **SECTION 314.** 448.72 (6) of the statutes is amended to read:

6 448.72 (6) Prohibit an individual from using the title “~~dietitian~~”, “dietitian,”
7 “licensed ~~dietitian~~” dietitian,” or “certified dietitian” if the person is licensed or
8 certified as a dietitian under the laws of another state ~~which~~ that has licensure or
9 certification requirements that the ~~affiliated credentialing board~~ department
10 determines to be substantially equivalent to the requirements under s. 448.78.

11 **SECTION 315.** 448.74 (intro.) of the statutes is amended to read:

12 **448.74 Duties of ~~affiliated credentialing board~~ the department.** (intro.)
13 The ~~affiliated credentialing board~~ department shall promulgate rules that do all of
14 the following:

15 **SECTION 316.** 448.78 (intro.) of the statutes is amended to read:

16 **448.78 Certification of dietitians.** (intro.) The ~~affiliated credentialing~~
17 ~~board~~ department shall grant a certificate as a dietitian to an individual who does
18 all of the following:

19 **SECTION 317.** 448.78 (3) (intro.) of the statutes is amended to read:

20 448.78 (3) (intro.) Submits evidence satisfactory to the ~~affiliated credentialing~~
21 ~~board~~ department that he or she has done any of the following:

22 **SECTION 318.** 448.78 (3) (a) of the statutes is amended to read:

23 448.78 (3) (a) Received a bachelor’s, master’s, or doctoral degree in human
24 nutrition, nutrition education, food and nutrition, dietetics, or food systems
25 management from a program at a college or university that is regionally accredited,

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1 as determined by the ~~affiliated credentialing board~~ department, and that is located
2 in a state or territory of the United States.

3 **SECTION 319.** 448.78 (3) (b) of the statutes is amended to read:

4 448.78 (3) (b) Received a bachelor's, master's, or doctoral degree in human
5 nutrition, nutrition education, food and nutrition, dietetics, or food systems
6 management from a program at a college or university that is not located in a state
7 or territory of the United States if the ~~affiliated credentialing board~~ department
8 determines that the program is substantially equivalent to a program under par. (a).

9 **SECTION 320.** 448.78 (3) (c) of the statutes is amended to read:

10 448.78 (3) (c) Received a degree from or otherwise successfully completed a
11 program in human nutrition, nutrition education, food and nutrition, dietetics, or
12 food systems management that is approved by the ~~affiliated credentialing board~~
13 department.

14 **SECTION 321.** 448.78 (4) (intro.) of the statutes is amended to read:

15 448.78 (4) (intro.) Submits evidence satisfactory to the ~~affiliated credentialing~~
16 ~~board~~ department that he or she has completed at least 900 hours of dietetics practice
17 in any state or territory of the United States under the supervision of any of the
18 following:

19 **SECTION 322.** 448.78 (4) (c) 1. of the statutes is amended to read:

20 448.78 (4) (c) 1. A program at a college or university that is regionally
21 accredited, as determined by the ~~affiliated credentialing board~~ department, and that
22 is located in a state or territory of the United States.

23 **SECTION 323.** 448.78 (4) (c) 2. of the statutes is amended to read:

24 448.78 (4) (c) 2. A program at a college or university that is not located in a state
25 or territory of the United States if the ~~affiliated credentialing board~~ department

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1 determines that the program is substantially equivalent to a program under subd.
2 1.

3 **SECTION 324.** 448.78 (5) of the statutes is amended to read:

4 448.78 (5) Passes the registration examination for dietitians established by the
5 commission on dietetic registration of the American dietetic association, or passes
6 an equivalent examination approved by the ~~affiliated credentialing board~~
7 department, and held under s. 448.84, to determine fitness to practice dietetics.

8 **SECTION 325.** 448.80 of the statutes is amended to read:

9 **448.80 Temporary certificate.** Upon application and payment of the fee
10 specified in s. 440.05 (6), the ~~affiliated credentialing board~~ department may grant a
11 temporary dietitian certificate to an individual who satisfies the requirements under
12 s. 448.78 (1) to (4) and has submitted an application to take the next available
13 examination under s. 448.84. A temporary certificate granted under this section is
14 valid for a period designated by the ~~affiliated credentialing board~~ department, not
15 to exceed 9 months, and may be renewed once ~~by the affiliated credentialing board~~.

16 **SECTION 326.** 448.82 of the statutes is amended to read:

17 **448.82 Reciprocal certificate.** Upon application and payment of the fee
18 specified in s. 440.05 (2), the ~~affiliated credentialing board~~ department shall grant
19 a dietitian certificate to an individual who holds a similar certificate or license in
20 another state or territory of the United States if the ~~affiliated credentialing board~~
21 department determines that the requirements for receiving the certificate in the
22 other state or territory are substantially equivalent to the requirements under s.
23 448.78.

24 **SECTION 327.** 448.84 (1) of the statutes is amended to read:

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1 **SECTION 334.** 448.95 (5) of the statutes is renumbered 464.40 (2), and 464.40
2 (2) (a), as renumbered, is amended to read:

3 464.40 (2) (a) Preventing, recognizing, and evaluating injuries or illnesses
4 sustained while participating in physical activity.

5 **SECTION 335.** 448.95 (5m) of the statutes is renumbered 464.40 (3) and
6 amended to read:

7 464.40 (3) “Consulting physician” means a person licensed as a physician
8 under subch. II of ch. 448 who consults with an athletic trainer while the athletic
9 trainer is engaging in athletic training.

10 **SECTION 336.** 448.95 (6) of the statutes is renumbered 464.40 (5).

11 **SECTION 337.** 448.95 (7) of the statutes is renumbered 464.40 (6).

12 **SECTION 338.** 448.951 (title) of the statutes is repealed.

13 **SECTION 339.** 448.951 of the statutes is renumbered 464.41 (1) and amended
14 to read:

15 464.41 (1) Except as provided in s. ~~448.952 sub. (2)~~, no person may designate
16 himself or herself as an athletic trainer or use or assume the title “athletic trainer”,
17 “licensed athletic trainer”, “certified athletic trainer,” or “registered athletic trainer”
18 or append to the person’s name any other title, letters, or designation that represents
19 or may tend to represent the person as an athletic trainer unless the person is
20 licensed under this subchapter.

21 **SECTION 340.** 448.952 (title) of the statutes is repealed.

22 **SECTION 341.** 448.952 of the statutes is renumbered 464.41 (2), and 464.41 (2)
23 (a), as renumbered, is amended to read:

SENATE BILL 568**SECTION 341**

1 464.41 (2) (a) Any person lawfully practicing within the scope of a license,
2 permit, registration, or certification granted by this state or the federal government,
3 if the person does not represent himself or herself as an athletic trainer.

4 **SECTION 342.** 448.9525 of the statutes is renumbered 464.42, and 464.42 (title),
5 (1) (intro.), (c) and (e) and (2), as renumbered, are amended to read:

6 **464.42 (title) Duties of affiliated credentialing examining board. (1)**
7 (intro.) The ~~affiliated credentialing~~ examining board shall do all of the following:

8 (c) Prescribe a form for the recording of a protocol required under s. 448.956
9 464.47 (1).

10 (e) Promulgate rules requiring each applicant for a license under this
11 subchapter to submit evidence satisfactory to the ~~affiliated credentialing~~ examining
12 board that the applicant has current proficiency in the use of an automated external
13 defibrillator achieved through instruction provided by an individual, organization,
14 or institution of higher education approved under s. 46.03 (38) to provide such
15 instruction.

16 **(2)** Subject to s. 448.956 464.47 (1), (4) and (5), the ~~affiliated credentialing~~
17 examining board and the medical examining board shall jointly promulgate rules
18 relating to the minimum requirements of a protocol required under s. 448.956 464.47
19 (1).

20 **SECTION 343.** 448.953 of the statutes is renumbered 464.43, and 464.43 (1)
21 (intro.), (c), (d), (e), (f), (h) and (i), (2) (intro.) and (5) (b) (intro.), as renumbered, are
22 amended to read:

23 464.43 **(1)** (intro.) The ~~affiliated credentialing~~ examining board shall grant an
24 athletic trainer license to a person who does all of the following:

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1 (c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
2 to the ~~affiliated credentialing~~ examining board that he or she does not have an arrest
3 or conviction record.

4 (d) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
5 to the ~~affiliated credentialing~~ examining board that he or she does not have a history
6 of alcohol or other drug abuse.

7 (e) Submits evidence satisfactory to the ~~affiliated credentialing~~ examining
8 board that he or she has received at least a bachelor's degree from an accredited
9 college or university.

10 (f) Submits evidence satisfactory to the ~~affiliated credentialing~~ examining
11 board that he or she has met the requirements for certification established by the
12 National Athletic Trainers' Association Board of Certification, Inc., or its successor
13 agency, and has passed the certification examination administered by the National
14 Athletic Trainers' Association Board of Certification, Inc., or its successor agency.

15 (h) Passes an examination under s. ~~448.954~~ 464.44.

16 (i) Submits evidence satisfactory to the ~~affiliated credentialing~~ examining
17 board that he or she has current proficiency in the use of an automated external
18 defibrillator achieved through instruction provided by an individual, organization,
19 or institution of higher education approved under s. 46.03 (38) to provide such
20 instruction.

21 **(2)** (intro.) The ~~affiliated credentialing~~ examining board may waive the
22 requirements under sub. (1) (c) to (i) for an applicant for a license under sub. (1) who
23 establishes to the satisfaction of the ~~affiliated credentialing~~ examining board all of
24 the following:

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1 (5) (b) (intro.) A statement that the applicant authorizes the affiliated
2 credentialing examining board to have access to any of the following:

3 **SECTION 344.** 448.954 of the statutes is renumbered 464.44 and amended to
4 read:

5 **464.44 Examination.** (1) ~~The affiliated credentialing~~ Except as provided in
6 ~~sub. (2), the examining~~ board shall conduct or arrange for examinations for athletic
7 trainer licensure at least semiannually and at times and places determined by the
8 ~~affiliated credentialing~~ examining board. Examinations shall consist of written or
9 oral tests, or both, requiring applicants to demonstrate minimum competency in
10 subjects substantially related to athletic training.

11 (2) In lieu of an examination under sub. (1), the ~~affiliated credentialing~~
12 examining board may accept the results of an examination administered by the
13 National Athletic Trainers' Association Board of Certification, Inc., or its successor
14 agency.

15 **SECTION 345.** 448.9545 of the statutes is renumbered 464.45, and 464.45 (1) (a)
16 and (2) (intro.) and (b) 2., as renumbered, are amended to read:

17 464.45 (1) (a) To be eligible for renewal of a license issued under s. 448.953
18 ~~464.43~~ (1) or (2), a licensee shall, during the 2-year period immediately preceding
19 the renewal date specified under s. 440.08 (2) (a), complete not less than 30 credit
20 hours of continuing education in courses of study approved by the affiliated
21 credentialing examining board.

22 (2) (intro.) The ~~affiliated credentialing~~ examining board may approve any of
23 the following courses for continuing education credit:

24 (b) 2. Each member of the course faculty has expertise in the subject area of the
25 course because he or she has received a degree from an accredited college or

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1 university relating to the subject area, has experience or special training in the
2 subject area covered by the course, or has previously taught the subject area covered
3 by the course.

4 **SECTION 346.** 448.955 of the statutes is renumbered 464.46, and 464.46 (1), (2)
5 (intro.), (a) and (c) and (3) (c), as renumbered, are amended to read:

6 464.46 (1) The renewal dates date for licenses granted under this subchapter
7 are is specified under s. 440.08 (2) (a).

8 (2) (intro.) Renewal applications shall be submitted to the department on a
9 form provided, subject to sub. (3), by the department and shall include the renewal
10 fee determined by the department under s. 440.03 (9) (a) and evidence satisfactory
11 to the ~~affiliated credentialing~~ examining board that the licensee has all of the
12 following:

13 (a) Completed, during the 2-year period immediately preceding the renewal
14 date specified in s. 440.08 (2) (a), the continuing education requirements specified
15 in s. ~~448.9545~~ 464.45.

16 (c) Liability insurance or a surety bond in at least the minimum amount
17 required by the rules promulgated under s. ~~448.9525~~ 464.42 (1) (d).

18 (3) (c) A statement, signed by the licensee and the licensee's consulting
19 physician, that a current copy of the protocol required under s. ~~448.956~~ 464.47 (1) is
20 on file at the place of employment of the athletic trainer and of the consulting
21 physician.

22 **SECTION 347.** 448.956 of the statutes is renumbered 464.47, and 464.47 (1) (a),
23 (1m), (3) (intro.) and (4), as renumbered, are amended to read:

24 464.47 (1) (a) A licensee may engage in athletic training only in accordance
25 with an evaluation and treatment protocol that is established by the athletic trainer

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1 and approved by the consulting physician in accordance with the rules promulgated
2 under s. 448.9525 464.42 (2) and recorded on a protocol form prescribed by the
3 ~~affiliated credentialing~~ examining board under s. 448.9525 464.42 (1) (c).

4 **(1m)** Subject to sub. (1) (a), a licensee may provide athletic training to an
5 individual without a referral, except that a licensee may not provide athletic training
6 as described under s. 448.95 464.40 (5) (d) or (e) in an outpatient rehabilitation
7 setting unless the licensee has obtained a written referral for the individual from a
8 practitioner licensed or certified under ~~subch. II, III, IV, V, or VII of this chapter~~
9 subch. I or II of this chapter; under ch. 446; under subch. II, IV, or V of ch. 448; or
10 under s. 441.16 (2).

11 **(3)** (intro.) When working on behalf of his or her employer, a licensee may, in
12 accordance with a protocol established under sub. (1) (a), do ~~all~~ any of the following:

13 **(4)** If a licensee or the consulting physician of the licensee determines that a
14 patient's medical condition is beyond the scope of practice of the licensee, the licensee
15 shall, in accordance with the protocol established under sub. (1) (a), refer the patient
16 to a health care practitioner who is licensed under subch. I of this chapter; under ch.
17 446 or; under ch. 447; or under subch. II, ~~III~~ or IV of ch. 448 and who can provide
18 appropriate treatment to the patient.

19 **SECTION 348.** 448.957 of the statutes is renumbered 464.48, and 464.48 (1), (2)
20 (intro.), (c), (d) and (h) and (3), as renumbered, are amended to read:

21 464.48 **(1)** Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
22 ~~credentialing~~ examining board may make investigations and conduct hearings to
23 determine whether a violation of this subchapter or any rule promulgated under this
24 subchapter has occurred.

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1 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the affiliated
2 credentialing examining board may reprimand a licensee or may deny, limit,
3 suspend, or revoke a license granted under this subchapter if it finds that the
4 applicant or licensee has done any of the following:

5 (c) Advertised in a manner that is false, deceptive, or misleading.

6 (d) Advertised, practiced, or attempted to practice under another's name.

7 (h) Failed to cooperate with the affiliated credentialing examining board in an
8 investigation under this section.

9 (3) In addition to or in lieu of the penalties provided under sub. (2), the
10 ~~affiliated credentialing~~ examining board may assess against an applicant or licensee
11 a forfeiture of not more than \$10,000 for each violation specified under sub. (2).

12 **SECTION 349.** 448.958 (title) of the statutes is repealed.

13 **SECTION 350.** 448.958 of the statutes is renumbered 464.49 (2) and amended
14 to read:

15 464.49 (2) If the ~~affiliated credentialing~~ examining board has reason to believe
16 that any person is violating this subchapter or any rule promulgated under this
17 subchapter, the ~~affiliated credentialing~~ examining board, the department, the
18 attorney general, or the district attorney of the proper county may investigate and
19 may, in addition to any other remedies, bring an action in the name and on behalf
20 of this state to enjoin the person from the violation.

21 **SECTION 351.** 448.959 (title) of the statutes is repealed.

22 **SECTION 352.** 448.959 of the statutes is renumbered 464.49 (1).

23 **SECTION 353.** Subchapter VII (title) of chapter 448 [precedes 448.96] of the
24 statutes is renumbered subchapter II (title) of chapter 464 [precedes 464.20] and
25 amended to read:

SENATE BILL 568**CHAPTER 464****SUBCHAPTER II****OCCUPATIONAL THERAPISTS****~~AFFILIATED CREDENTIALING~~****BOARD THERAPY**

SECTION 354. 448.96 of the statutes is renumbered 464.20, and 464.20 (1), (3), (4), (5) and (6), as renumbered, are amended to read:

464.20 (1) ~~“Affiliated credentialing “Examining board” means the occupational therapists affiliated credentialing~~ medical therapy examining board.

(3) “Occupation” means intentional, action-oriented behavior that is personally meaningful to an individual and that is determined by the individual’s characteristics, culture, and environment.

(4) “Occupational therapist” means an individual who is licensed by the ~~affiliated credentialing~~ examining board to practice occupational therapy.

(5) “Occupational therapy” means the therapeutic use of purposeful and meaningful occupations to evaluate and treat individuals of all ages who have a disease, disorder, impairment, activity limitation, or participation restriction that interferes with their ability to function independently in daily life roles and environments and to promote health and wellness.

(6) “Occupational therapy assistant” means an individual who is licensed by the ~~affiliated credentialing~~ examining board to assist in the practice of occupational therapy under the supervision of an occupational therapist.

SECTION 355. 448.961 (title) of the statutes is renumbered 464.21 (title).

SECTION 356. 448.961 (1) of the statutes is renumbered 464.21 (1) (a) and amended to read:

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1 464.21 (1) (a) Except as provided in ~~s. 448.962 (1)~~ sub. (2) (a), a person who is
2 not licensed as an occupational therapist may not practice occupational therapy,
3 designate himself or herself as an occupational therapist, claim to render
4 occupational therapy services, or use the abbreviation “O.T.” or “O.T.R.” after the
5 person’s name.

6 **SECTION 357.** 448.961 (2) of the statutes is renumbered 464.21 (1) (b) and
7 amended to read:

8 464.21 (1) (b) Except as provided in s. ~~448.962 (2)~~ sub. (2) (b), a person who is
9 not licensed as an occupational therapy assistant may not assist in the practice of
10 occupational therapy, describe himself or herself as an occupational therapy
11 assistant, or claim to render occupational therapy services as an occupational
12 therapy assistant or use the abbreviation “O.T.A.” or “C.O.T.A.” after the person’s
13 name.

14 **SECTION 358.** 448.962 (intro.) of the statutes is repealed.

15 **SECTION 359.** 448.962 (1) of the statutes is renumbered 464.21 (2) (a), and
16 464.21 (2) (a) (intro.), 3. (intro.), 4. and 5., as renumbered, are amended to read:

17 464.21 (2) (a) (intro.) ~~Require any of the following~~ None of the following is
18 required to be licensed as an occupational therapist under this subchapter:

19 3. (intro.) Any person performing occupational therapy services in this state
20 under a limited permit, as provided under s. ~~448.963~~ 464.22 (4), if at least one of the
21 following applies:

22 4. Any person lawfully practicing within the scope of a license, permit,
23 registration, or certification granted by this state or the federal government.

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1 5. Any person assisting an occupational therapist or occupational therapy
2 assistant in practice under the direct, immediate, and on-premises supervision of
3 the occupational therapist or occupational therapy assistant.

4 **SECTION 360.** 448.962 (2) of the statutes is renumbered 464.21 (2) (b), and
5 464.21 (2) (b) (intro.), 3. and 4., as renumbered, are amended to read:

6 464.21 (2) (b) (intro.) ~~Require any of the following~~ None of the following is
7 required to be licensed as an occupational therapy assistant under this subchapter:

8 3. (intro.) Any person performing occupational therapy services in this state
9 under a limited permit, as provided under s. 448.963 ~~464.22~~ (4), if at least one of the
10 following applies:

11 4. Any person lawfully practicing within the scope of a license, permit,
12 registration, or certification granted by this state or the federal government.

13 **SECTION 361.** 448.963 of the statutes is renumbered 464.22, and 464.22 (2)
14 (intro.), (b) (intro.), 1. and 3. and (c), (3) (intro.), (b) (intro.), 1. and 3. and (c) and (4)
15 (intro.), (a) and (b), as renumbered, are amended to read:

16 464.22 (2) (intro.) The ~~affiliated credentialing~~ examining board shall grant a
17 license as an occupational therapist to a person who does all of the following:

18 (b) (intro.) Submits evidence satisfactory to the ~~affiliated credentialing~~
19 examining board that he or she has done any of the following:

20 1. Successfully completed the academic requirements and supervised
21 internship of an educational program in occupational therapy recognized by the
22 ~~affiliated credentialing~~ examining board and accredited by the Accreditation Council
23 for Occupational Therapy Education of the American Occupational Therapy
24 Association.

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1 3. Been initially certified as an occupational therapist by the National Board
2 for Certification in Occupational Therapy, if the ~~affiliated credentialing~~ examining
3 board determines that the requirements for the certification are equivalent to the
4 requirements under subds. 1. and 2.

5 (c) Passes an examination under s. ~~448.964~~ 464.23.

6 **(3)** (intro.) The ~~affiliated credentialing~~ examining board shall grant a license
7 as an occupational therapy assistant to a person who does all of the following:

8 (b) (intro.) Submits evidence satisfactory to the ~~affiliated credentialing~~
9 examining board that he or she has done any of the following:

10 1. Successfully completed the academic requirements and supervised
11 internship of an educational program in occupational therapy recognized by the
12 ~~affiliated credentialing~~ examining board and accredited by the Accreditation Council
13 for Occupational Therapy Education of the American Occupational Therapy
14 Association.

15 3. Been initially certified as an occupational therapy assistant by the National
16 Board for Certification in Occupational Therapy, if the ~~affiliated credentialing~~
17 examining board determines that the requirements for the certification are
18 equivalent to the requirements under subds. 1. and 2.

19 (c) Passes an examination under s. ~~448.964~~ 464.23.

20 **(4)** (intro.) The ~~affiliated credentialing~~ examining board may, upon application,
21 issue a permit for a limited period of time designated by the ~~affiliated credentialing~~
22 examining board to any of the following:

23 (a) A person who presents evidence satisfactory to the ~~affiliated credentialing~~
24 examining board of having met the requirements under sub. (2) (b) 1. or 2., to practice
25 occupational therapy in association with an occupational therapist.

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1 (b) A person who presents evidence satisfactory to the ~~affiliated credentialing~~
2 examining board of having met the requirements under sub. (3) (b) 1. or 2., to assist
3 in the practice of occupational therapy under the supervision of an occupational
4 therapist.

5 **SECTION 362.** 448.964 of the statutes is renumbered 464.23, and 464.23 (1), as
6 renumbered, is amended to read:

7 464.23 (1) The ~~affiliated credentialing~~ examining board shall conduct or
8 arrange for examinations required for occupational therapist and occupational
9 therapy assistant licensure under s. ~~448.963~~ 464.22 (2) (c) and (3) (c) at times and
10 places determined by the affiliated credentialing board.

11 **SECTION 363.** 448.965 of the statutes is renumbered 464.24, and 464.24 (title),
12 (1) (intro.) and (b) and (2), as renumbered, are amended to read:

13 **464.24 (title) Duties and powers of affiliated credentialing examining**
14 **board. (1)** (intro.) The ~~affiliated credentialing~~ examining board shall promulgate
15 rules that establish each of the following:

16 (b) Continuing education requirements for license renewal for an occupational
17 therapist or occupational therapy assistant under s. ~~448.967~~ 464.25 (2).

18 (2) The ~~affiliated credentialing~~ examining board may promulgate rules that
19 define the scope of practice of occupational therapy or the scope of assisting in the
20 practice of occupational therapy.

21 **SECTION 364.** 448.966 of the statutes is renumbered 464.234 and amended to
22 read:

23 **464.234 Reciprocal licensure. (1)** Upon application and payment of the fee
24 specified in s. 440.05 (2), the ~~affiliated credentialing~~ examining board shall grant a
25 license as an occupational therapist to a person who holds a similar certificate or

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1 license in another state or territory of the United States if the ~~affiliated credentialing~~
2 examining board determines that the requirements for receiving the certificate or
3 license in the other state or territory are substantially equivalent to the
4 requirements under s. ~~448.963~~ 464.22 (2).

5 (2) Upon application and payment of the fee specified in s. 440.05 (2), the
6 ~~affiliated credentialing~~ examining board shall grant a license as an occupational
7 therapy assistant to a person who holds a similar certificate or license in another
8 state or territory of the United States if the ~~affiliated credentialing~~ examining board
9 determines that the requirements for receiving the certificate or license in the other
10 state or territory are substantially equivalent to the requirements under s. ~~448.963~~
11 464.22 (3).

12 **SECTION 365.** 448.967 of the statutes is renumbered 464.25, and 464.25 (2), as
13 renumbered, is amended to read:

14 464.25 (2) The renewal dates for licenses granted under this subchapter are
15 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
16 department on a form provided by the department and shall include the renewal fee
17 determined by the department under s. 440.03 (9) (a) and a statement attesting
18 compliance with the continuing education requirements established in rules
19 promulgated under s. ~~448.965~~ 464.24 (1) (b).

20 **SECTION 366.** 448.968 of the statutes is renumbered 464.26, and 464.26 (1) and
21 (2) (intro.), (c), (d) and (f), as renumbered, are amended to read:

22 464.26 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
23 credentialing examining board may make investigations and conduct hearings to
24 determine whether a violation of this subchapter or any rule promulgated under this
25 subchapter has occurred.

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1 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the affiliated
2 credentialing examining board may reprimand a licensee or deny, limit, suspend, or
3 revoke a license granted under this subchapter if it finds that the applicant or
4 licensee has done any of the following:

5 (c) Advertised in a manner that is false, deceptive, or misleading.

6 (d) Advertised, practiced, or attempted to practice under another's name.

7 (f) Engaged in unprofessional or unethical conduct in violation of the code of
8 ethics established in the rules promulgated under s. 448.965 464.24 (1) (c).

9 **SECTION 367.** 448.969 (title) of the statutes is repealed.

10 **SECTION 368.** 448.969 of the statutes is renumbered 464.27 (3) and amended
11 to read:

12 464.27 (3) If the ~~affiliated credentialing~~ examining board has reason to believe
13 that any person is violating this subchapter or any rule promulgated under this
14 subchapter, the ~~affiliated credentialing~~ examining board, the department, the
15 attorney general, or the district attorney of the proper county may investigate and
16 may, in addition to any other remedies, bring an action in the name and on behalf
17 of this state to enjoin the person from the violation.

18 **SECTION 369.** 448.970 (title) of the statutes is repealed.

19 **SECTION 370.** 448.970 (1) of the statutes is renumbered 464.27 (1).

20 **SECTION 371.** 448.970 (2) of the statutes is renumbered 464.27 (2) and amended
21 to read:

22 464.27 (2) Any person aggrieved by any action taken under this subchapter by
23 the ~~affiliated credentialing~~ examining board, its officers, or its agents may apply for
24 judicial review as provided in ch. 227, and shall file notice of such appeal with the
25 secretary of the ~~affiliated credentialing~~ examining board within 30 days. No court

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1 of this state may enter an ex parte stay of any action taken by the affiliated
2 credentialing examining board under this subchapter.

3 **SECTION 372.** 450.10 (3) (a) 5. of the statutes is amended to read:

4 450.10 (3) (a) 5. A physician, physician assistant, or podiatrist, ~~physical~~
5 ~~therapist, physical therapist assistant, occupational therapist, or occupational~~
6 ~~therapy assistant~~ licensed under ch. 448.

7 **SECTION 373.** 450.10 (3) (a) 5q. of the statutes is renumbered 450.10 (3) (a) 14.
8 and amended to read:

9 450.10 (3) (a) 14. An athletic trainer licensed under subch. ~~VI~~ III of ch. 448 464.

10 **SECTION 374.** 450.10 (3) (a) 12. of the statutes is created to read:

11 450.10 (3) (a) 12. A physical therapist or physical therapist assistant licensed
12 under subch. I of ch. 464.

13 **SECTION 375.** 450.10 (3) (a) 13. of the statutes is created to read:

14 450.10 (3) (a) 13. An occupational therapist or occupational therapist assistant
15 licensed under subch. II of ch. 464.

16 **SECTION 376.** 450.11 (8) (b) of the statutes is amended to read:

17 450.11 (8) (b) The medical examining board, insofar as this section applies to
18 physicians ~~and~~, physician assistants, and podiatrists.

19 **SECTION 377.** 450.11 (8) (bm) of the statutes is repealed.

20 **SECTION 378.** 451.02 (1) of the statutes is amended to read:

21 451.02 (1) An individual holding a license, permit or certificate under ch. 441,
22 446, 447, 448 ~~or~~, 449, or 464 who engages in a practice of acupuncture that is also
23 included within the scope of his or her license, permit or certificate.

24 **SECTION 379.** 457.01 (1c) of the statutes is amended to read:

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1 457.01 (1c) “Advanced practice social worker” means an individual who holds
2 an advanced practice social worker certificate granted ~~by the social worker section~~
3 under this chapter.

4 **SECTION 380.** 457.01 (1r) of the statutes is amended to read:

5 457.01 (1r) “Clinical social worker” means an individual who holds a license
6 to practice clinical social work granted ~~by the social worker section~~ under this
7 chapter.

8 **SECTION 381.** 457.01 (2g) of the statutes is amended to read:

9 457.01 (2g) “Independent social worker” means an individual who holds an
10 independent social worker certificate granted ~~by the social worker section~~ under this
11 chapter.

12 **SECTION 382.** 457.01 (3) of the statutes is amended to read:

13 457.01 (3) “Marriage and family therapist” means an individual who holds a
14 license to practice marriage and family therapy granted ~~by the marriage and family~~
15 ~~therapist section~~ under this chapter.

16 **SECTION 383.** 457.01 (4) of the statutes is repealed.

17 **SECTION 384.** 457.01 (7) of the statutes is amended to read:

18 457.01 (7) “Professional counselor” means an individual who holds a license to
19 practice professional counseling granted ~~by the professional counselor section~~ under
20 this chapter.

21 **SECTION 385.** 457.01 (8) of the statutes is repealed.

22 **SECTION 386.** 457.01 (10) of the statutes is amended to read:

23 457.01 (10) “Social worker” means an individual who holds a social worker
24 certificate granted ~~by the social worker section~~ under this chapter.

25 **SECTION 387.** 457.01 (11) of the statutes is repealed.

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1 **SECTION 388.** 457.03 (1) of the statutes is amended to read:

2 457.03 (1) ~~Upon the advice of the social worker section, marriage and family~~
3 ~~therapist section, and professional counselor section, promulgate~~ Promulgate rules
4 establishing minimum standards for educational programs that must be completed
5 for certification or licensure under this chapter and for supervised clinical training
6 that must be completed for licensure as a clinical social worker, marriage and family
7 therapist, or professional counselor under this chapter and approve educational
8 programs and supervised clinical training programs in accordance with those
9 standards.

10 **SECTION 389.** 457.03 (2) of the statutes is amended to read:

11 457.03 (2) ~~Upon the advice of the social worker section, marriage and family~~
12 ~~therapist section, and professional counselor section, promulgate~~ Promulgate rules
13 establishing a code of ethics to govern the professional conduct of certificate holders
14 and licensees. The rules shall specify the services included within the practice of
15 social work, advanced practice social work, or independent social work that an
16 individual who is certified under this chapter as a social worker, advanced practice
17 social worker, or independent social worker may perform and the degree of
18 supervision, if any, required to perform those services.

19 **SECTION 390.** 457.03 (3) of the statutes is amended to read:

20 457.03 (3) ~~Upon the advice of the social worker section, promulgate~~ Promulgate
21 rules establishing levels of social work practice for individuals with master's or
22 doctoral degrees in social work, in addition to the levels of practice for which
23 certificates are granted under s. 457.08 (2) and (3), and establishing appropriate
24 educational, training, experience, examination, and continuing education

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1 requirements for certification and renewal of a certificate at each level of practice
2 established in rules promulgated under this subsection.

3 **SECTION 391.** 457.04 (8) (a) 1. of the statutes is amended to read:

4 457.04 (8) (a) 1. The name, address, and telephone number of, and any other
5 contact information available for, the appropriate section official of the examining
6 board ~~that or department who~~ is responsible for receiving a complaint and
7 ~~investigating and conducting a hearing under~~ for purposes of s. 457.26 (1).

8 **SECTION 392.** 457.06 (intro.) of the statutes is amended to read:

9 **457.06 General requirements for certification or licensure.** (intro.) The
10 ~~social worker section, marriage and family therapist section, or professional~~
11 ~~counselor section~~ examining board may not grant any certificate or license under this
12 chapter unless the applicant does all of the following:

13 **SECTION 393.** 457.08 (1) (intro.) of the statutes is amended to read:

14 457.08 (1) SOCIAL WORKER CERTIFICATE. (intro.) The ~~social worker section~~
15 examining board shall grant a social worker certificate to an individual who qualifies
16 under s. 457.09 (5) (d) or to any individual who does all of the following:

17 **SECTION 394.** 457.08 (1) (b) of the statutes is amended to read:

18 457.08 (1) (b) Submits evidence satisfactory to the ~~social worker section~~
19 examining board that he or she has received a bachelor's or master's degree in social
20 work from a program accredited by, or a preaccreditation program of, the council on
21 social work education or a doctorate degree in social work.

22 **SECTION 395.** 457.08 (1) (c) of the statutes is amended to read:

23 457.08 (1) (c) Passes an examination approved by the ~~social worker section~~
24 examining board to determine minimum competence to practice as a social worker
25 as specified in the rules promulgated under s. 457.03 (2).

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1 **SECTION 396.** 457.08 (2) (intro.) of the statutes is amended to read:

2 457.08 (2) **ADVANCED PRACTICE SOCIAL WORKER CERTIFICATE.** (intro.) The ~~social~~
3 ~~worker section~~ examining board shall grant an advanced practice social worker
4 certificate to any individual who is certified under sub. (1) and does all of the
5 following:

6 **SECTION 397.** 457.08 (2) (b) of the statutes is amended to read:

7 457.08 (2) (b) Submits evidence satisfactory to the ~~social worker section~~
8 examining board that he or she has received a master's degree in social work from
9 a program accredited by, or a preaccreditation program of, the council on social work
10 education or a doctorate degree in social work.

11 **SECTION 398.** 457.08 (2) (c) of the statutes is amended to read:

12 457.08 (2) (c) Passes an examination approved by the ~~social worker section~~
13 examining board to determine minimum competence to practice as an advanced
14 practice social worker as specified in the rules promulgated under s. 457.03 (2).

15 **SECTION 399.** 457.08 (3) (intro.) of the statutes is amended to read:

16 457.08 (3) **INDEPENDENT SOCIAL WORKER CERTIFICATE.** (intro.) The ~~social worker~~
17 ~~section~~ examining board shall grant an independent social worker certificate to any
18 individual who is certified under sub. (1) and does all of the following:

19 **SECTION 400.** 457.08 (3) (b) of the statutes is amended to read:

20 457.08 (3) (b) Submits evidence satisfactory to the ~~social worker section~~
21 examining board that he or she has received a master's degree in social work from
22 a program accredited by, or a preaccreditation program of, the council on social work
23 education or a doctorate degree in social work.

24 **SECTION 401.** 457.08 (3) (c) of the statutes is amended to read:

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1 457.08 (3) (c) Submits evidence satisfactory to the ~~social worker section~~
2 examining board that after receiving a master's or doctorate degree in social work
3 he or she has engaged in the equivalent of at least 2 years of full-time supervised
4 social work practice approved by the ~~social worker section~~ examining board.

5 **SECTION 402.** 457.08 (3) (d) of the statutes is amended to read:

6 457.08 (3) (d) Passes an examination approved by the ~~social worker section~~
7 examining board to determine minimum competence to practice as an independent
8 social worker as specified in the rules promulgated under s. 457.03 (2) or passes the
9 academy of certified social workers examination administered by the National
10 Association of Social Workers.

11 **SECTION 403.** 457.08 (4) (intro.) of the statutes is amended to read:

12 457.08 (4) CLINICAL SOCIAL WORKER LICENSE. (intro.) The ~~social worker section~~
13 examining board shall grant a clinical social worker license to any individual who is
14 certified under sub. (1) and does all of the following:

15 **SECTION 404.** 457.08 (4) (b) (intro.) of the statutes is amended to read:

16 457.08 (4) (b) (intro.) Submits evidence satisfactory to the ~~social worker section~~
17 examining board that he or she satisfies each of the following:

18 **SECTION 405.** 457.08 (4) (b) 2. of the statutes is amended to read:

19 457.08 (4) (b) 2. As part of the master's or doctorate degree program specified
20 in subd. 1. or postgraduate studies, the individual has completed a clinical social
21 work concentration and supervised clinical field training, both of which are approved
22 by the ~~social worker section~~ examining board, except that, upon the advice of the
23 ~~social worker section~~ examining board, the examining board may promulgate rules
24 that allow an individual to substitute a specified number of hours of supervised
25 clinical work experience for the supervised clinical field training.

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1 **SECTION 406.** 457.08 (4) (c) (intro.) of the statutes is amended to read:

2 457.08 (4) (c) (intro.) Submits evidence satisfactory to the ~~social worker section~~
3 examining board that after receiving a master's or doctorate degree in social work
4 he or she has engaged in the equivalent of at least 3,000 hours of clinical social work
5 practice, including at least 1,000 hours of face-to-face client contact, supervised by
6 one of the following:

7 **SECTION 407.** 457.08 (4) (c) 4. of the statutes is amended to read:

8 457.08 (4) (c) 4. An individual, other than an individual specified in subd. 1.,
9 2., or 3., who is approved by the ~~social worker section~~ examining board or satisfies
10 requirements for supervision that are specified in rules promulgated by the
11 examining board upon the advice of the ~~social worker section~~ examining board.

12 **SECTION 408.** 457.08 (4) (d) of the statutes is amended to read:

13 457.08 (4) (d) Passes an examination approved by the ~~social worker section~~
14 examining board to determine minimum competence to practice as a clinical social
15 worker.

16 **SECTION 409.** 457.09 (1) (intro.) of the statutes is amended to read:

17 457.09 (1) (intro.) The ~~social worker section~~ examining board shall grant a
18 social worker training certificate to any individual who does all of the following:

19 **SECTION 410.** 457.09 (1) (c) of the statutes is amended to read:

20 457.09 (1) (c) Submits evidence satisfactory to the ~~social worker section~~
21 examining board that he or she has a bachelor's degree from an accredited college or
22 university in psychology, sociology, criminal justice, or another human service
23 program approved by the ~~section~~ examining board.

24 **SECTION 411.** 457.09 (1) (d) of the statutes is amended to read:

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1 457.09 (1) (d) Submits a statement to the ~~social worker section~~ examining
2 board that he or she is seeking to attain social worker degree equivalency under sub.
3 (4) while he or she holds a social worker training certificate.

4 **SECTION 412.** 457.09 (4m) (a) of the statutes is amended to read:

5 457.09 (4m) (a) The ~~social worker section~~ examining board shall determine
6 whether a course, internship, or employment satisfies the requirements under sub.
7 (4) and whether a social worker training certificate holder has attained social worker
8 degree equivalency.

9 **SECTION 413.** 457.09 (4m) (b) of the statutes is amended to read:

10 457.09 (4m) (b) Notwithstanding sub. (4), for the purpose of determining
11 whether a social worker training certificate holder has attained social worker degree
12 equivalency under sub. (4), the ~~section~~ examining board shall apply course work or
13 internships that the certificate holder completed, or employment that the certificate
14 holder held, as part of the program leading to the degree that he or she specified to
15 satisfy the requirement in sub. (1) (c) if the course work, internship, or employment
16 satisfies the requirements in sub. (4).

17 **SECTION 414.** 457.09 (5) (b) of the statutes is amended to read:

18 457.09 (5) (b) If a social worker training certificate holder passes the
19 examination specified under par. (a), he or she shall be permitted to take an
20 examination approved by the ~~social worker section~~ examining board that tests
21 knowledge of state law relating to social work.

22 **SECTION 415.** 457.09 (5) (c) of the statutes is amended to read:

23 457.09 (5) (c) If an individual fails an examination specified under par. (a) or
24 (b), he or she may retake the examination. The ~~social worker section~~ examining

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1 board may not place any restrictions on the number of times an individual may
2 retake the examinations specified under pars. (a) and (b).

3 **SECTION 416.** 457.09 (5) (d) of the statutes is amended to read:

4 457.09 (5) (d) The ~~social worker section~~ examining board shall grant a social
5 worker certificate to an individual who has held a social worker training certificate
6 and who passes the examinations specified under pars. (a) and (b).

7 **SECTION 417.** 457.10 (intro.) of the statutes is amended to read:

8 **457.10 Marriage and family therapist license.** (intro.) The ~~marriage and~~
9 ~~family therapist section~~ examining board shall grant a marriage and family
10 therapist license to any individual who does all of the following:

11 **SECTION 418.** 457.10 (2) (intro.) of the statutes is amended to read:

12 457.10 (2) (intro.) Submits evidence satisfactory to the ~~marriage and family~~
13 ~~therapist section~~ examining board that he or she has done any of the following:

14 **SECTION 419.** 457.10 (2) (b) of the statutes is amended to read:

15 457.10 (2) (b) Received a master's or doctorate degree in marriage and family
16 therapy, psychology, sociology, social work, professional counseling, or other mental
17 health field that included course work that the ~~marriage and family therapist section~~
18 examining board determines is substantially equivalent to the course work required
19 for a master's or doctorate degree in marriage and family therapy described under
20 par. (a).

21 **SECTION 420.** 457.10 (3) (intro.) of the statutes is amended to read:

22 457.10 (3) (intro.) Submits evidence satisfactory to the ~~marriage and family~~
23 ~~therapist section~~ examining board that after receiving a master's or doctorate degree
24 required under sub. (2) he or she has engaged in the equivalent of at least 3,000 hours

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1 of marriage and family therapy practice, including at least 1,000 hours of
2 face-to-face client contact, supervised by one of the following:

3 **SECTION 421.** 457.10 (3) (d) of the statutes is amended to read:

4 457.10 (3) (d) An individual, other than an individual specified in par. (a), (b),
5 or (c), who is approved by the ~~marriage and family therapist section~~ examining board
6 or satisfies requirements for supervision that are specified in rules promulgated by
7 the ~~examining board upon the advice of the marriage and family therapist section~~
8 examining board.

9 **SECTION 422.** 457.10 (4) of the statutes is amended to read:

10 457.10 (4) Passes an examination approved by the ~~marriage and family~~
11 ~~therapist section~~ examining board to determine minimum competence to practice
12 marriage and family therapy.

13 **SECTION 423.** 457.11 (1) (intro.) of the statutes is amended to read:

14 457.11 (1) (intro.) The ~~marriage and family therapist section~~ examining board
15 shall grant a marriage and family therapist training license to any individual who
16 does all of the following:

17 **SECTION 424.** 457.11 (1) (c) of the statutes is amended to read:

18 457.11 (1) (c) Satisfies the requirements in s. 457.10 (2), or submits proof
19 satisfactory to the ~~marriage and family therapist section~~ examining board that he
20 or she is enrolled or will be enrolled in an institute for marriage and family therapy
21 that is approved by the commission on accreditation for marriage and family therapy
22 education of the American Association for Marriage and Family Therapy or by the
23 ~~marriage and family therapist section~~ examining board, or holds a graduate degree
24 in a mental health field approved by the ~~marriage and family therapist section~~
25 examining board and is enrolled or will be enrolled in a master's or doctoral degree

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1 program in marriage and family therapy accredited by the commission on
2 accreditation for marriage and family therapy education or by the ~~marriage and~~
3 ~~family therapist section~~ examining board.

4 **SECTION 425.** 457.11 (1) (d) of the statutes is amended to read:

5 457.11 (1) (d) Submits evidence satisfactory to the ~~marriage and family~~
6 ~~therapist section~~ examining board that he or she is in a position, or has an offer for
7 a position, as a marriage and family therapist in a supervised marriage and family
8 therapist practice or is in a position, or has an offer for a position, in which the
9 applicant will, in the opinion of the ~~marriage and family therapist section~~ examining
10 board, receive training and supervision equivalent to the training and supervision
11 received in a supervised marriage and family therapist practice.

12 **SECTION 426.** 457.11 (2) of the statutes is amended to read:

13 457.11 (2) A marriage and family therapist training license is valid for 48
14 months and may be renewed at the discretion of the ~~marriage and family therapist~~
15 ~~section~~ examining board. A marriage and family therapist training license
16 authorizes the holder to use any title specified in s. 457.04 (5) and to practice
17 marriage and family therapy within the scope of his or her training or supervision
18 during the period in which the license is valid.

19 **SECTION 427.** 457.12 (intro.) of the statutes is amended to read:

20 **457.12 Professional counselor license.** (intro.) The ~~professional counselor~~
21 ~~section~~ examining board shall grant a professional counselor license to any
22 individual who does all of the following:

23 **SECTION 428.** 457.12 (2) of the statutes is amended to read:

24 457.12 (2) Submits evidence satisfactory to the ~~professional counselor section~~
25 examining board that he or she has received a master's or doctorate degree in

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1 professional counseling or its equivalent from a program approved by the
2 professional counselor ~~section~~ examining board.

3 **SECTION 429.** 457.12 (3) (intro.) of the statutes is amended to read:

4 457.12 (3) (intro.) Submits evidence satisfactory to the professional counselor
5 ~~section~~ examining board that he or she has done any of the following:

6 **SECTION 430.** 457.12 (3) (a) 4. of the statutes is amended to read:

7 457.12 (3) (a) 4. An individual, other than an individual specified in subd. 1.,
8 2., or 3., who is approved by the professional counselor ~~section~~ examining board or
9 satisfies requirements for supervision that are specified in rules promulgated by the
10 examining board upon the advice of the professional counselor ~~section~~ examining
11 board.

12 **SECTION 431.** 457.12 (3) (b) 4. of the statutes is amended to read:

13 457.12 (3) (b) 4. An individual, other than an individual specified in subd. 1.,
14 2., or 3., who is approved by the professional counselor ~~section~~ examining board or
15 satisfies requirements for supervision that are specified in rules promulgated by the
16 examining board ~~upon the advice of the professional counselor section~~.

17 **SECTION 432.** 457.12 (4) of the statutes is amended to read:

18 457.12 (4) Passes an examination approved by the professional counselor
19 ~~section~~ examining board to determine minimum competence to practice professional
20 counseling.

21 **SECTION 433.** 457.13 (1) (intro.) of the statutes is amended to read:

22 457.13 (1) (intro.) The professional counselor ~~section~~ examining board shall
23 grant a professional counselor training license to any individual who does all of the
24 following:

25 **SECTION 434.** 457.13 (1) (d) of the statutes is amended to read:

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1 457.13 (1) (d) Submits evidence satisfactory to the ~~professional counselor~~
2 ~~section~~ examining board that he or she is in a position, or has an offer for a position,
3 as a professional counselor in a supervised clinical professional counseling practice
4 or is in a position, or has an offer for a position, in which the applicant will, in the
5 opinion of the ~~professional counselor section~~ examining board, receive training and
6 supervision equivalent to the training and supervision received in a supervised
7 clinical professional counseling practice.

8 **SECTION 435.** 457.13 (2) of the statutes is amended to read:

9 457.13 (2) A professional counselor training license is valid for 48 months and
10 may be renewed at the discretion of the ~~professional counselor section~~ examining
11 board. Notwithstanding s. 457.04 (6), a professional counselor training license
12 authorizes the holder to use any title specified in s. 457.04 (6) and to practice
13 professional counseling within the scope of his or her training or supervision during
14 the period in which the license is valid.

15 **SECTION 436.** 457.14 (1) (intro.) of the statutes is amended to read:

16 457.14 (1) (intro.) Upon application and payment of the fee specified in s.
17 440.05 (6), ~~the appropriate section of the~~ examining board may grant a temporary
18 social worker, advanced practice social worker, independent social worker, clinical
19 social worker, marriage and family therapist, or professional counselor certificate or
20 license to any individual who does one of the following:

21 **SECTION 437.** 457.14 (2) of the statutes is amended to read:

22 457.14 (2) A temporary certificate or license granted under sub. (1) is valid for
23 a period designated by ~~the appropriate section of the~~ examining board, not to exceed
24 9 months, and may be renewed once ~~by that section of the~~ examining board.

25 **SECTION 438.** 457.15 (1) (intro.) of the statutes is amended to read:

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1 457.15 (1) (intro.) Upon application and payment of the fee specified in s.
2 440.05 (2), the ~~social worker section~~ examining board may do all of the following:

3 **SECTION 439.** 457.15 (1) (a) of the statutes is amended to read:

4 457.15 (1) (a) Grant a social worker certificate to any individual who holds a
5 similar certificate in another state or territory of the United States and who passes
6 an examination approved by the ~~social worker section~~ examining board that tests
7 knowledge of state law relating to social work, if the ~~social worker section~~ examining
8 board determines that the requirements for obtaining the certificate in the other
9 state or territory are substantially equivalent to the requirements under s. 457.08
10 (1).

11 **SECTION 440.** 457.15 (1) (b) of the statutes is amended to read:

12 457.15 (1) (b) Grant an advanced practice social worker certificate to any
13 individual who holds a similar certificate in another state or territory of the United
14 States and who passes an examination approved by the ~~social worker section~~
15 examining board that tests knowledge of state law relating to advanced practice
16 social work, if the ~~social worker section~~ examining board determines that the
17 requirements for obtaining the certificate in the other state or territory are
18 substantially equivalent to the requirements under s. 457.08 (2).

19 **SECTION 441.** 457.15 (1) (c) of the statutes is amended to read:

20 457.15 (1) (c) Grant an independent social worker certificate to any individual
21 who holds a similar certificate in another state or territory of the United States and
22 who passes an examination approved by the ~~social worker section~~ examining board
23 that tests knowledge of state law relating to independent social work, if the ~~social~~
24 ~~worker section~~ examining board determines that the requirements for obtaining the

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1 certificate in the other state or territory are substantially equivalent to the
2 requirements under s. 457.08 (3).

3 **SECTION 442.** 457.15 (1) (d) of the statutes is amended to read:

4 457.15 (1) (d) Grant a clinical social worker license to any individual who holds
5 a similar certificate or license in another state or territory of the United States and
6 who passes an examination approved by the ~~social worker section~~ examining board
7 that tests knowledge of state law relating to clinical social work, if the ~~social worker~~
8 ~~section~~ examining board determines that the requirements for obtaining the
9 certificate or license in the other state or territory are substantially equivalent to the
10 requirements under s. 457.08 (4).

11 **SECTION 443.** 457.15 (2) of the statutes is amended to read:

12 457.15 (2) Upon application and payment of the fee specified in s. 440.05 (2),
13 the ~~marriage and family therapist section~~ examining board may grant a marriage
14 and family therapist license to any individual who holds a similar certificate or
15 license in another state or territory of the United States and who passes an
16 examination approved by the ~~marriage and family therapist section~~ examining
17 board that tests knowledge of state law relating to marriage and family therapy, if
18 the ~~marriage and family therapist section~~ examining board determines that the
19 requirements for obtaining the certificate or license in the other state or territory are
20 substantially equivalent to the requirements under s. 457.10.

21 **SECTION 444.** 457.15 (3) of the statutes is amended to read:

22 457.15 (3) Upon application and payment of the fee specified in s. 440.05 (2),
23 the ~~professional counselor section~~ examining board may grant a professional
24 counselor license to any individual who holds a similar certificate or license in
25 another state or territory of the United States and who passes an examination

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1 approved by the ~~professional counselor section~~ examining board that tests
2 knowledge of state law relating to professional counseling, if the ~~professional~~
3 ~~counselor section~~ examining board determines that the requirements for obtaining
4 the certificate or license in the other state or territory are substantially equivalent
5 to the requirements under s. 457.12.

6 **SECTION 445.** 457.16 (1) of the statutes is amended to read:

7 457.16 (1) The ~~appropriate section of the~~ examining board shall arrange for
8 examinations for social worker, advanced practice social worker, independent social
9 worker, clinical social worker, marriage and family therapist, and professional
10 counselor certification and licensure to be conducted at least semiannually and at
11 times and places determined by ~~that section of the~~ examining board, and shall
12 provide public notice of each examination at least 90 days before the date of the
13 examination.

14 **SECTION 446.** 457.20 (3) (c) of the statutes is amended to read:

15 457.20 (3) (c) If the application is for renewal of a professional counselor license
16 that was originally granted as a professional counselor certificate under 1991
17 Wisconsin Act 160, section 21 (2) (g), evidence satisfactory to the ~~professional~~
18 ~~counselor section~~ examining board that the applicant continues to be employed by
19 a federal, state, or local governmental agency as a professional counselor,
20 professional rehabilitation counselor, vocational rehabilitation counselor, or
21 rehabilitation counselor.

22 **SECTION 447.** 457.22 (1) (a) of the statutes is amended to read:

23 457.22 (1) (a) ~~Upon the advice of the social worker section,~~ Promulgate
24 Promulgate rules establishing requirements and procedures for social workers,
25 advanced practice social workers, independent social workers, and clinical social

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1 workers to complete continuing education programs or courses of study in order to
2 qualify for renewal.

3 **SECTION 448.** 457.22 (1) (b) of the statutes is amended to read:

4 457.22 (1) (b) ~~Upon the advice of the marriage and family therapist section,~~
5 ~~promulgate~~ Promulgate rules establishing requirements and procedures for
6 marriage and family therapists to complete continuing education programs or
7 courses of study in order to qualify for renewal.

8 **SECTION 449.** 457.22 (1) (c) of the statutes is amended to read:

9 457.22 (1) (c) ~~Upon the advice of the professional counselor section, promulgate~~
10 Promulgate rules establishing requirements and procedures for professional
11 counselors to complete continuing education programs or courses of study in order
12 to qualify for renewal.

13 **SECTION 450.** 457.22 (2) of the statutes is amended to read:

14 457.22 (2) The rules promulgated under sub. (1) may not require an individual
15 to complete more than 30 hours of continuing education programs or courses of study
16 in order to qualify for renewal. ~~The appropriate section of the examining board may~~
17 ~~waive all or part of the requirements established in rules promulgated under this~~
18 ~~section if it determines that prolonged illness, disability, or other exceptional~~
19 ~~circumstances have prevented the individual from completing the requirements.~~

20 **SECTION 451.** 457.25 (1) of the statutes is amended to read:

21 457.25 (1) Any public or private mental health or health care agency,
22 institution or facility, or any other person or entity that employs or contracts for
23 services with a credential holder, that terminates, suspends, or restricts the
24 employment or contract of the credential holder as a result of adverse or disciplinary
25 action against the credential holder relating to his or her practice of social work,

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1 advanced practice social work, independent social work, clinical social work,
2 marriage and family therapy, or professional counseling shall submit a written
3 report of the action to ~~the appropriate section of the examining board~~ within 30 days
4 after the date on which the action is taken or, if grounds for such an action exist and
5 the credential holder terminates his or her employment before the action is taken,
6 within 30 days after the date on which the credential holder terminates his or her
7 employment.

8 **SECTION 452.** 457.25 (2) of the statutes is amended to read:

9 457.25 (2) Any state or local professional society or organization of social
10 workers, marriage and family therapists, or professional counselors that terminates,
11 revokes, or suspends the membership of a credential holder, or takes any other
12 adverse or disciplinary action against a credential holder relating to his or her
13 practice of social work, advanced practice social work, independent social work,
14 clinical social work, marriage and family therapy, or professional counseling, shall
15 submit a written report of the action to ~~the appropriate section of the examining~~
16 board within 30 days after the date on which the action is taken or, if grounds for such
17 an action exist and the credential holder terminates his or her membership before
18 the action is taken, within 30 days after the date on which the credential holder
19 terminates his or her membership.

20 **SECTION 453.** 457.25 (3) of the statutes is amended to read:

21 457.25 (3) Any insurer, as defined in s. 600.03 (27), who provides professional
22 liability insurance coverage for a credential holder and who pays a claim for damages
23 arising out of the rendering of services by the credential holder or obtains any
24 information that tends to substantiate a charge that the credential holder has
25 engaged in conduct that constitutes grounds for discipline under s. 457.26 shall

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1 submit a written report of the payment or information to ~~the appropriate section of~~
2 the examining board within 30 days after the date on which the payment is made or
3 information is obtained.

4 **SECTION 454.** 457.25 (4) of the statutes is amended to read:

5 457.25 (4) Any circuit court that appoints a guardian of the person or estate
6 of a credential holder or makes a judgment or other determination that a credential
7 holder is mentally ill or mentally incompetent or that a credential holder has done
8 any of the acts enumerated in s. 457.26 (2) shall submit a written report of the
9 appointment, judgment, or determination to ~~the appropriate section of the~~
10 examining board within 30 days after the date on which the appointment, judgment,
11 or determination is made.

12 **SECTION 455.** 457.26 (1) of the statutes is amended to read:

13 457.26 (1) Subject to the rules promulgated under s. 440.03 (1), ~~the appropriate~~
14 ~~section of the~~ examining board may make investigations and conduct hearings to
15 determine whether a violation of this chapter or any rule promulgated under this
16 chapter has occurred.

17 **SECTION 456.** 457.26 (2) (intro.) of the statutes is amended to read:

18 457.26 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), ~~the~~
19 ~~appropriate section of the~~ examining board may reprimand a credential holder or
20 deny, limit, suspend, or revoke a credential under this chapter if it finds that the
21 applicant credential holder has done any of the following:

22 **SECTION 457.** 457.28 of the statutes is amended to read:

23 **457.28 Injunctive relief.** ~~If the appropriate section of the~~ examining board
24 has reason to believe that any person is violating s. 457.04, ~~the appropriate section~~
25 ~~of the examining board,~~ the examining board, the department, the attorney general,

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1 or the district attorney of the proper county may investigate and may, in addition to
2 any other remedies, bring an action in the name and on behalf of this state to enjoin
3 the person from the violation.

4 **SECTION 458.** Subchapter III (title) of chapter 459 [precedes 459.40] of the
5 statutes is created to read:

CHAPTER 459**SUBCHAPTER III****LICENSURE OF SIGN****LANGUAGE INTERPRETERS**

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10 **SECTION 459.** 459.40 (2) of the statutes is created to read:

11 459.40 (2) "Examining board" means the hearing and speech examining board.

12 **SECTION 460.** 459.45 (title) of the statutes is created to read:

13 **459.45 (title) Powers and duties of examining board.**

14 **SECTION 461.** Chapter 460 (title) of the statutes is renumbered subchapter IV
15 (title) of chapter 464 [precedes 464.60].

16 **SECTION 462.** 460.01 (intro.) of the statutes is renumbered 464.60 (intro.) and
17 amended to read:

18 **464.60 Definitions.** (intro.) In this ~~chapter~~ subchapter:

19 **SECTION 463.** 460.01 (1g) of the statutes is renumbered 464.60 (1).

20 **SECTION 464.** 460.01 (1r) of the statutes is renumbered 464.60 (2) and amended
21 to read:

22 464.60 (2) ~~"Affiliated credentialing~~ "Examining board" means the ~~massage~~
23 ~~therapy and bodywork therapy affiliated credentialing~~ medical therapy examining
24 board.

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1 **SECTION 465.** 460.01 (2m) of the statutes is renumbered 464.60 (3) and
2 amended to read:

3 464.60 (3) “License holder” means a person granted a license under this
4 ~~chapter~~ subchapter.

5 **SECTION 466.** 460.01 (3) of the statutes is renumbered 464.60 (4).

6 **SECTION 467.** 460.01 (4) of the statutes is renumbered 464.60 (5).

7 **SECTION 468.** 460.01 (5) of the statutes is renumbered 464.60 (6).

8 **SECTION 469.** 460.01 (6) of the statutes is renumbered 464.60 (7).

9 **SECTION 470.** 460.01 (7) of the statutes is renumbered 464.60 (8).

10 **SECTION 471.** 460.02 (title) of the statutes is renumbered 464.61 (title).

11 **SECTION 472.** 460.02 of the statutes is renumbered 464.61 (1) and amended to
12 read:

13 464.61 (1) Except as provided in ~~s. 460.03~~ sub. (2), no person may provide
14 massage therapy or bodywork therapy, designate himself or herself as a massage
15 therapist or bodywork therapist or masseur or masseuse, or use or assume the title
16 “massage therapist and bodywork therapist” or “massage therapist” or “bodywork
17 therapist” or “masseur” or “masseuse” or any title that includes “massage therapist,”
18 “bodywork therapist,” or “bodyworker,” or append to the person’s name the letters
19 “M.T.,” “R.M.T.,” “L.M.T.,” “C.M.T.,” “B.T.,” “B.W.,” “L.B.W.,” “R.B.W.,” or “C.B.W.,”
20 or use any other title or designation that represents or may tend to represent that
21 he or she is licensed under this ~~chapter~~ subchapter, unless the person is licensed
22 under this ~~chapter~~ subchapter.

23 **SECTION 473.** 460.03 (title) of the statutes is repealed.

24 **SECTION 474.** 460.03 of the statutes is renumbered 464.61 (2), and 464.61 (2)
25 (intro.), (a), (b) and (bm) 1. (intro.) and 3., as renumbered, are amended to read:

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1 464.61 (2) (intro.) A license under this ~~chapter~~ subchapter is not required for
2 any of the following:

3 (a) A person holding a license, permit, registration, or certification granted by
4 this state or the federal government who engages in a practice of massage therapy
5 or bodywork therapy within the scope of his or her license, permit, registration, or
6 certification and who does not imply that he or she is licensed under this ~~chapter~~
7 subchapter. A person who is exempt from licensure under this ~~subsection~~ paragraph
8 may use the terms “bodywork,” “bodyworker,” and “bodywork therapy” to identify his
9 or her practice.

10 (b) A person who is authorized to practice massage therapy or bodywork
11 therapy in another state or country and is providing a consultation to or
12 demonstration with a license holder. A person who is exempt from licensure under
13 this ~~subsection~~ paragraph may use the terms “bodywork,” “bodyworker,” and
14 “bodywork therapy” to identify his or her practice.

15 (bm) 1. (intro.) A person who does any of the following and who satisfies the
16 requirements of ~~par. (b)~~ subd. 2.:

17 3. A person who is exempt from licensure under this ~~subsection~~ paragraph may
18 use the terms “bodywork,” “bodyworker,” and “bodywork therapy” to identify his or
19 her practice.

20 **SECTION 475.** 460.04 (title) of the statutes is renumbered 464.62 (title) and
21 amended to read:

22 **464.62 (title) Duties of affiliated ~~credentialing~~ examining board.**

23 **SECTION 476.** 460.04 (1m) of the statutes is renumbered 464.62 (intro.) and
24 amended to read:

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1 **464.62** (intro.) The ~~affiliated credentialing~~ examining board shall ~~prepare~~ do
2 all of the following:

3 **(1) Prepare** an examination on state laws and administrative rules governing
4 massage therapy and bodywork therapy.

5 **SECTION 477.** 460.04 (2) of the statutes is renumbered 464.62 (2), and 464.62
6 (2) (intro.), (b), (c), (d), (e), (f) and (g), as renumbered, are amended to read:

7 464.62 **(2)** (intro.) ~~The affiliated credentialing board shall promulgate~~
8 Promulgate rules that establish all of the following:

9 (b) Criteria for approving a training program for purposes of s. ~~460.05~~ 464.63
10 (1) (e) 1. Rules promulgated under this paragraph shall require the training program
11 to meet the requirements under s. ~~460.095~~ 464.73 and to consist of at least 600
12 classroom hours.

13 (c) Requirements and procedures for obtaining the informed consent of a client
14 under s. ~~460.11~~ 464.69 (1) and for making a report required under s. ~~460.12~~ 464.70
15 (1).

16 (d) A definition of “sexually oriented business” for purposes of s. ~~460.11~~ 464.69
17 (3).

18 (e) A requirement that an applicant for a license under this ~~chapter~~ subchapter
19 submit evidence satisfactory to the ~~affiliated credentialing~~ examining board that the
20 applicant has current proficiency in the use of an automated external defibrillator
21 achieved through instruction provided by an individual, organization, or institution
22 of higher education approved under s. 46.03 (38) to provide such instruction.

23 (f) Requirements to be satisfied by a person seeking a temporary license under
24 s. ~~460.08~~ 464.67. The rules promulgated under this ~~subsection~~ paragraph shall
25 require the person to be a graduate of a massage therapy or bodywork therapy school

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1 or program and may require the holder of a temporary license to make disclosures
2 to clients and to practice under the supervision of a massage therapist or bodywork
3 therapist licensed under this ~~chapter~~ subchapter.

4 (g) A requirement that an applicant for a license under this ~~chapter~~ subchapter
5 pass an examination on state laws and administrative rules governing massage
6 therapy and bodywork therapy.

7 **SECTION 478.** 460.05 (1) of the statutes is renumbered 464.63 (1) and 464.63
8 (1) (intro.), (c), (e), (f) and (g), as renumbered, are amended to read:

9 464.63 (1) (intro.) The ~~affiliated credentialing~~ examining board shall grant a
10 license as a massage therapist or bodywork therapist to a person who satisfies all of
11 the following:

12 (c) The person submits an application for the license to the ~~affiliated~~
13 ~~credentialing~~ examining board on a form provided by the ~~affiliated credentialing~~
14 examining board.

15 (e) Except as provided in sub. (2), the person submits evidence satisfactory to
16 the ~~affiliated credentialing~~ examining board that he or she has done all of the
17 following:

18 1. Graduated from a school of massage therapy or bodywork therapy approved
19 by the educational approval board under s. 38.50 that meets the requirements under
20 s. ~~460.095~~ 464.73 or completed a training program approved by the ~~affiliated~~
21 ~~credentialing~~ examining board under the rules promulgated under s. ~~460.04~~ 464.62

22 (2) (b).

23 2. Completed at least 6 classroom hours in the laws of this state and rules of
24 the ~~affiliated credentialing~~ examining board relating to the practice of massage

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1 therapy or bodywork therapy in a course of instruction approved by the affiliated
2 credentialing examining board.

3 (f) The person passes the examinations under s. ~~460.06~~ 464.64.

4 (g) The person submits evidence satisfactory to the ~~affiliated credentialing~~
5 examining board that he or she has in effect malpractice liability insurance coverage
6 in an amount that is not less than \$1,000,000 per occurrence and \$1,000,000 for all
7 occurrences in one year.

8 **SECTION 479.** 460.05 (2) of the statutes is renumbered 464.63 (2) and amended
9 to read:

10 464.63 (2) The ~~affiliated credentialing~~ examining board may waive a
11 requirement specified in sub. (1) (e) if a person establishes, to the satisfaction of the
12 ~~affiliated credentialing~~ examining board, that he or she has education, training, or
13 other experience that is substantially equivalent to the requirement.

14 **SECTION 480.** 460.05 (4) of the statutes is repealed.

15 **SECTION 481.** 460.06 of the statutes is renumbered 464.64 and amended to
16 read:

17 **464.64 Examinations.** The ~~affiliated credentialing~~ examining board may not
18 grant a license under this chapter subchapter unless the applicant achieves a
19 passing grade on the following examinations:

20 (1) A nationally administered, entry-level competency examination for
21 therapeutic massage and bodywork therapy that meets generally accepted
22 psychometric principles and standards or a substantially equivalent examination
23 approved by the ~~affiliated credentialing~~ examining board.

24 (2) The examination on state laws and administrative rules governing
25 massage therapy and bodywork therapy required under s. ~~460.04~~ 464.62 (2) (g).

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1 **SECTION 482.** 460.07 (title) of the statutes is repealed.

2 **SECTION 483.** 460.07 (1) of the statutes is renumbered 464.69 (4) and amended
3 to read:

4 464.69 (4) ~~Each person who is licensed under this chapter~~ A license holder shall
5 conspicuously display ~~the~~ his or her license in the place of business where he or she
6 practices massage therapy or bodywork therapy so that the license can easily be seen
7 and read.

8 **SECTION 484.** 460.07 (2) of the statutes is renumbered 464.65, and 464.65 (2),
9 (3) and (4), as renumbered, are amended to read:

10 464.65 (2) If applicable, proof of completion of continuing education under s.
11 ~~460.10~~ 464.68.

12 (3) Evidence satisfactory to the ~~affiliated credentialing~~ examining board that
13 the applicant has in effect malpractice liability insurance coverage in an amount that
14 is not less than \$1,000,000 per occurrence and \$1,000,000 for all occurrences in one
15 year.

16 (4) Evidence satisfactory to the ~~affiliated credentialing~~ examining board that
17 the applicant has current proficiency in the use of an automated external
18 defibrillator achieved through instruction provided by an individual, organization,
19 or institution of higher education approved under s. 46.03 (38) to provide such
20 instruction.

21 **SECTION 485.** 460.08 of the statutes is renumbered 464.67 and amended to
22 read:

23 **464.67 Temporary license.** The ~~affiliated credentialing~~ examining board
24 may grant a temporary license for a period not to exceed 6 months to an applicant

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1 who satisfies the requirements established in the rules under s. ~~460.04~~ 464.62 (2) (f).

2 A temporary license may not be renewed.

3 **SECTION 486.** 460.09 of the statutes is renumbered 464.66 and amended to
4 read:

5 **464.66 Reciprocal license.** Upon application and payment of the fee
6 specified in s. 440.05 (2), the ~~affiliated-credentialing~~ examining board shall grant a
7 massage therapist or bodywork therapist license to a person who holds a similar
8 license in another state or territory of the United States or another country if the
9 ~~affiliated-credentialing~~ examining board determines that the requirements for
10 receiving the license in the other state, territory, or country are substantially
11 equivalent to the requirements under s. ~~460.05~~ 464.63.

12 **SECTION 487.** 460.095 of the statutes is renumbered 464.73, and 464.73 (2) and
13 (4) (intro.), as renumbered, are amended to read:

14 464.73 (2) Administer, score, and require, as a prerequisite to graduation, the
15 examination required under s. ~~460.06~~ 464.64 (2).

16 (4) (intro.) Ensure that each instructor hired by the school or training program
17 on or after December 1, 2010, to teach courses in theory and the practice of massage
18 therapy or bodywork therapy is licensed under this chapter subchapter and has at
19 least one of the following:

20 **SECTION 488.** 460.10 of the statutes is renumbered 464.68, and 464.68 (1)
21 (intro.) and (2), as renumbered, are amended to read:

22 464.68 (1) (intro.) The ~~affiliated-credentialing~~ examining board may
23 promulgate rules establishing all of the following:

24 (2) The ~~affiliated-credentialing~~ examining board may waive all or part of any
25 requirement established in rules promulgated under sub. (1) (a) if it determines that

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1 prolonged illness, disability, or other exceptional circumstances have prevented a
2 license holder from completing the requirement.

3 **SECTION 489.** 460.11 of the statutes is renumbered 464.69, and 464.69 (title)
4 and (3), as renumbered, are amended to read:

5 **464.69** (title) **Practice requirements and restrictions.**

6 **(3)** A license holder may not, whether for compensation or not, practice
7 massage therapy or bodywork therapy for a sexually oriented business, as defined
8 by the ~~affiliated credentialing~~ examining board by rule.

9 **SECTION 490.** 460.12 of the statutes is renumbered 464.70, and 464.70 (1), (2),
10 (3), (4) and (5) (b), as renumbered, are amended to read:

11 **464.70 Duty to make reports. (1)** A license holder shall submit a report to
12 the ~~affiliated credentialing~~ examining board if he or she has reasonable cause to
13 believe that another license holder has committed a crime relating to prostitution
14 under ss. 944.30 to 944.34 or has had sexual contact or sexual intercourse with a
15 client. If the report relates to sexual contact or sexual intercourse with a client, the
16 report may not identify the client unless the client has provided written consent for
17 disclosure of this information.

18 **(2)** The ~~affiliated credentialing~~ examining board may use a report made under
19 sub. (1) as the basis for an investigation under s. ~~460.14~~ 464.71 (1). If, after an
20 investigation, the ~~affiliated credentialing~~ examining board has reasonable cause to
21 believe that a license holder has committed a crime, the ~~affiliated credentialing~~
22 examining board shall report the belief to the district attorney for the county in
23 which the crime, in the opinion of the ~~affiliated credentialing~~ examining board,
24 occurred.

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1 (3) If, after an investigation, the ~~affiliated credentialing~~ examining board
2 determines that a report submitted under sub. (1) is without merit, the ~~affiliated~~
3 ~~credentialing~~ examining board shall remove the report from the record of the license
4 holder who is the subject of the report.

5 (4) All reports and records made from reports under sub. (1) and maintained
6 by the ~~affiliated credentialing~~ examining board, the department, district attorneys,
7 and other persons, officials, and institutions shall be confidential and are exempt
8 from disclosure under s. 19.35 (1). Information regarding the identity of a client with
9 whom a license holder is suspected of having sexual contact or sexual intercourse
10 shall not be disclosed by persons who have received or have access to a report or
11 record unless disclosure is consented to in writing by the client. The report of
12 information under sub. (1) and the disclosure of a report or record under this
13 subsection does not violate any person's responsibility for maintaining the
14 confidentiality of patient health care records, as defined in s. 146.81 (4) and as
15 required under s. 146.82. Reports and records may be disclosed only to the ~~affiliated~~
16 ~~credentialing~~ examining board, the department, and the appropriate staff of a
17 district attorney or a law enforcement agency within this state for purposes of
18 investigation or prosecution.

19 (5) (b) A license holder shall submit a written report to the ~~affiliated~~
20 ~~credentialing~~ examining board if he or she is convicted of a felony or misdemeanor,
21 or is found to have committed a violation, in this state or elsewhere, and if the
22 circumstances of the felony, misdemeanor, or violation substantially relate to the
23 practice of massage therapy or bodywork therapy. The report shall identify the date,
24 place, and nature of the conviction or finding and shall be submitted within 30 days
25 after the entry of the judgment of conviction or the judgment finding that he or she

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1 committed the violation. If the report is submitted by mail, the report is considered
2 to be submitted on the date that it is mailed.

3 **SECTION 491.** 460.13 (title) of the statutes is repealed.

4 **SECTION 492.** 460.13 of the statutes is renumbered 464.69 (5) and amended to
5 read:

6 464.69 (5) Except as provided in s. ~~460.03 (1) and (2)~~ 464.61 (2) (a) and (b), a
7 license holder may not advertise that he or she practices massage therapy or
8 bodywork therapy unless the advertisement includes a statement that the license
9 holder is a “licensed massage therapist and bodywork therapist” or “licensed
10 massage therapist” or “licensed bodywork therapist.”

11 **SECTION 493.** 460.14 of the statutes is renumbered 464.71, and 464.71 (1), (2)
12 (intro.), (f), (g) and (j), (2m) (intro.) and (3), as renumbered, are amended to read:

13 464.71 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
14 ~~credentialing~~ examining board may make investigations and conduct hearings to
15 determine whether a violation of this ~~chapter~~ subchapter or any rule promulgated
16 under this ~~chapter~~ subchapter has occurred.

17 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
18 ~~credentialing~~ examining board may reprimand a license holder or deny, limit,
19 suspend, or revoke a license under this ~~chapter~~ subchapter if it finds that the
20 applicant or license holder has done any of the following:

21 (f) Intentionally made a false statement in a report submitted under s. ~~460.12~~
22 464.70 (1).

23 (g) Engaged in unprofessional conduct in violation of the standards established
24 in rules promulgated under s. ~~460.04~~ 464.62 (2) (a).

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1 (j) Violated this ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~
2 subchapter.

3 (2m) (intro.) Subject to the rules promulgated under s. 440.03 (1), the ~~affiliated~~
4 ~~credentialing~~ examining board shall revoke a license under this ~~chapter~~ subchapter
5 if the license holder is convicted of any of the following:

6 (3) The ~~affiliated credentialing~~ examining board may restore a license that has
7 been suspended or revoked on such terms and conditions as the ~~affiliated~~
8 ~~credentialing~~ examining board may deem appropriate.

9 **SECTION 494.** 460.15 of the statutes is renumbered 464.74 and amended to
10 read:

11 **464.74 Penalty Violations and penalty.** Any person who violates this
12 ~~chapter~~ subchapter or any rule promulgated under this ~~chapter~~ subchapter shall
13 forfeit not more than \$1,000 for each violation.

14 **SECTION 495.** 460.17 of the statutes is renumbered 66.0440 and amended to
15 read:

16 **66.0440 ~~Local regulation~~ Massage and bodywork therapy.** A city, village,
17 town, or county may not enact an ordinance that regulates the practice of massage
18 therapy or bodywork therapy, as defined in s. 464.60 (5), by a person who is licensed
19 by the ~~affiliated credentialing~~ medical therapy examining board under ~~this chapter~~
20 subch. IV of ch. 464. No provision of any ordinance enacted by a city, village, town,
21 or county that is in effect before February 1, 1999, and that relates to the practice of
22 massage therapy or bodywork therapy, may be enforced against a person who is
23 licensed by the ~~affiliated credentialing~~ medical therapy examining board under ~~this~~
24 chapter subch. IV of ch. 464.

25 **SECTION 496.** 462.01 (1) of the statutes is amended to read:

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1 the person is licensed by the ~~professional hydrologist section~~ as a professional
2 hydrologist under this chapter.

3 **SECTION 514.** 470.02 (3) of the statutes is amended to read:

4 470.02 (3) Engage or offer to engage in the practice of professional soil science,
5 designate himself or herself as a professional soil scientist, or use or assume the title
6 “professional soil scientist” or any other title, letters, or designation ~~which~~ that
7 represents or may tend to represent the person as a professional soil scientist unless
8 the person is licensed by the ~~professional soil scientist section~~ as a professional soil
9 scientist under this chapter.

10 **SECTION 515.** 470.03 (title) of the statutes is amended to read:

11 **470.03 (title) Duties of the examining board department.**

12 **SECTION 516.** 470.03 (1) (intro.) of the statutes is amended to read:

13 470.03 (1) (intro.) The ~~examining board~~ department shall do all of the
14 following:

15 **SECTION 517.** 470.03 (1) (a) of the statutes is amended to read:

16 470.03 (1) (a) ~~Upon the advice of the professional geologist section,~~ promulgate
17 Promulgate rules establishing requirements and standards for the practice of
18 professional geology by a person who is licensed as a professional geologist under this
19 chapter, including a code of ethics that governs the practice of professional geology.

20 **SECTION 518.** 470.03 (1) (b) of the statutes is amended to read:

21 470.03 (1) (b) ~~Upon the advice of the professional hydrologist section,~~
22 ~~promulgate~~ Promulgate rules establishing requirements and standards for the
23 practice of professional hydrology by a person who is licensed as a professional
24 hydrologist under this chapter, including a code of ethics that governs the practice
25 of professional hydrology.

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1 **SECTION 519.** 470.03 (1) (c) of the statutes is amended to read:

2 470.03 (1) (c) ~~Upon the advice of the professional soil scientist section,~~
3 ~~promulgate~~ Promulgate rules establishing requirements and standards for the
4 practice of professional soil science by a person who is licensed as a professional soil
5 scientist under this chapter, including a code of ethics that governs the practice of
6 professional soil science.

7 **SECTION 520.** 470.03 (2) of the statutes is amended to read:

8 470.03 (2) ~~Upon the advice of the appropriate section of the examining board,~~
9 ~~the examining board~~ The department may promulgate rules that establish
10 continuing education requirements that a person must satisfy to be eligible to renew
11 a license that is issued under this chapter.

12 **SECTION 521.** 470.03 (3) of the statutes is amended to read:

13 470.03 (3) ~~Upon the advice of the appropriate section of the examining board,~~
14 ~~the examining board~~ The department may promulgate rules that exempt a person
15 who is engaged in a profession related to those listed in s. 470.025 (12) (intro.) from
16 the requirement to obtain a license under this chapter if the practice of the profession
17 by the person involves only the incidental practice of geology, hydrology, or soil
18 science, as defined in s. 470.025 (12) (a), and the person does not designate himself
19 or herself as a professional geologist, hydrologist, or soil scientist or use any other
20 title, letters, or designation that represents or tends to represent that the person is
21 a professional geologist, hydrologist, or soil scientist.

22 **SECTION 522.** 470.04 (1) (intro.) of the statutes is amended to read:

23 470.04 (1) (intro.) ~~The professional geologist, hydrologist or soil scientist~~
24 ~~section~~ department may not grant a license under this chapter unless an applicant
25 does each of the following:

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1 **SECTION 523.** 470.04 (2) (intro.) of the statutes is amended to read:

2 470.04 (2) (intro.) The ~~professional geologist section~~ department shall grant a
3 professional geologist license to a person who satisfies the requirements under sub.
4 (1) and who submits evidence satisfactory to the ~~section~~ department of all of the
5 following:

6 **SECTION 524.** 470.04 (2) (b) of the statutes is amended to read:

7 470.04 (2) (b) Subject to sub. (7), that he or she has a bachelor's degree with
8 course credits in geology of a variety and nature sufficient to constitute a geology
9 major from a college or university approved by the ~~examining board~~ department.

10 **SECTION 525.** 470.04 (2) (c) 1. (intro.) of the statutes is amended to read:

11 470.04 (2) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional
12 experience in geologic work of a character satisfactory to the ~~section~~ which
13 department that demonstrates that the applicant is qualified to assume responsible
14 charge of geologic work. At least 2 years of the geologic work required under this
15 subdivision must have been performed under the supervision of any of the following:

16 **SECTION 526.** 470.04 (2) (c) 1. c. of the statutes is amended to read:

17 470.04 (2) (c) 1. c. Any other person whom the ~~section~~ department determines
18 is qualified to have responsible charge of geologic work.

19 **SECTION 527.** 470.04 (2) (c) 2. of the statutes is amended to read:

20 470.04 (2) (c) 2. Subject to sub. (6), at least 7 years of professional experience
21 in geologic work of a character satisfactory to the ~~section~~ which department that
22 demonstrates that the applicant is qualified to assume responsible charge of geologic
23 work, with a satisfactory evaluation of the last 2 years of the professional experience
24 under a peer review system approved by the ~~section~~ department.

25 **SECTION 528.** 470.04 (3) (intro.) of the statutes is amended to read:

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1 470.04 (3) (intro.) The ~~professional hydrologist section~~ department shall grant
2 a professional hydrologist license to a person who satisfies the requirements under
3 sub. (1) and who submits evidence satisfactory to the ~~section~~ department of all of the
4 following:

5 **SECTION 529.** 470.04 (3) (b) of the statutes is amended to read:

6 470.04 (3) (b) Subject to sub. (7), that he or she has a bachelor's degree with
7 course credits in hydrology or water resources of a variety and nature sufficient to
8 constitute a hydrology or water resources major from a college or university approved
9 by the ~~examining board~~ department.

10 **SECTION 530.** 470.04 (3) (c) 1. (intro.) of the statutes is amended to read:

11 470.04 (3) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional
12 experience in hydrologic work of a character satisfactory to the ~~section which~~
13 department that demonstrates that the applicant is qualified to assume responsible
14 charge of hydrologic work. At least 2 years of the hydrologic work required under this
15 subdivision must have been performed under the supervision of any of the following:

16 **SECTION 531.** 470.04 (3) (c) 1. c. of the statutes is amended to read:

17 470.04 (3) (c) 1. c. Any other person who the ~~section~~ department determines is
18 qualified to have responsible charge of hydrologic work.

19 **SECTION 532.** 470.04 (3) (c) 2. of the statutes is amended to read:

20 470.04 (3) (c) 2. Subject to sub. (6), at least 7 years of professional experience
21 in hydrologic work of a character satisfactory to the ~~section which~~ department that
22 demonstrates that the applicant is qualified to assume responsible charge of
23 hydrologic work, with a satisfactory evaluation of the last 2 years of the professional
24 experience under a peer review system approved by the ~~section~~ department.

25 **SECTION 533.** 470.04 (4) (intro.) of the statutes is amended to read:

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1 470.04 (4) (intro.) The ~~professional soil scientist section~~ department shall grant
2 a professional soil scientist license to a person who satisfies the requirements under
3 sub. (1) and who submits evidence satisfactory to the ~~section~~ department of all of the
4 following:

5 **SECTION 534.** 470.04 (4) (b) of the statutes is amended to read:

6 470.04 (4) (b) Subject to sub. (7), that he or she has a bachelor's degree with
7 course credits in soil science of a variety and nature sufficient to constitute a soil
8 science major from a college or university approved by the ~~examining board~~
9 department.

10 **SECTION 535.** 470.04 (4) (c) 1. (intro.) of the statutes is amended to read:

11 470.04 (4) (c) 1. (intro.) Subject to sub. (5), at least 5 years of professional
12 experience in soil science work of a character satisfactory to the ~~section which~~
13 department that demonstrates that the applicant is qualified to assume responsible
14 charge of soil science work. At least 2 years of the soil science work required under
15 this subdivision must have been performed under the supervision of any of the
16 following:

17 **SECTION 536.** 470.04 (4) (c) 1. c. of the statutes is amended to read:

18 470.04 (4) (c) 1. c. Any other person who the ~~section~~ department determines is
19 qualified to have responsible charge of soil science work.

20 **SECTION 537.** 470.04 (4) (c) 2. of the statutes is amended to read:

21 470.04 (4) (c) 2. Subject to sub. (6), at least 7 years of professional experience
22 in soil science work of a character satisfactory to the ~~section which~~ department that
23 demonstrates that the applicant is qualified to assume responsible charge of soil
24 science work, with a satisfactory evaluation of the last 2 years of the professional
25 experience under a peer review system approved by the ~~section~~ department.

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1 **SECTION 538.** 470.04 (5) of the statutes is amended to read:

2 470.04 (5) The ~~appropriate section of the examining board~~ department shall
3 reduce the 5-year-experience requirement under sub. (2) (c) 1., (3) (c) 1., or (4) (c) 1.
4 to 4 years if an applicant for a license has one or more advanced degrees, approved
5 by the ~~section~~ department, in geology, geophysics, geochemistry, hydrology,
6 engineering geology, geotechnical engineering, soil science, or a related science.

7 **SECTION 539.** 470.04 (6) of the statutes is amended to read:

8 470.04 (6) The ~~appropriate section of the examining board~~ department shall
9 reduce the 7-year-experience requirement under sub. (2) (c) 2., (3) (c) 2., or (4) (c) 2.
10 to 6 years if an applicant for a license has one or more advanced degrees, approved
11 by the ~~section~~ department, in hydrology, geology, geophysics, geochemistry,
12 engineering geology, geotechnical engineering, soil science, or a related science.

13 **SECTION 540.** 470.04 (7) of the statutes is amended to read:

14 470.04 (7) The ~~appropriate section of the examining board~~ department may
15 waive a requirement specified in sub. (2) (b), (3) (b), or (4) (b) if an applicant for a
16 license has professional experience in excess of 5 years that the applicant
17 demonstrates to the satisfaction of the ~~section~~ department is substantially
18 equivalent to the requirement.

19 **SECTION 541.** 470.045 (3) (a) of the statutes is amended to read:

20 470.045 (3) (a) A firm, partnership, or corporation desiring a certificate of
21 authorization shall submit an application to the department on forms provided by
22 the department, listing the names and addresses of all officers and directors, and all
23 individuals in its employment licensed to practice professional geology, hydrology, or
24 soil science in this state who will be in responsible charge of professional geology,
25 hydrology, or soil science being practiced in this state through the firm, partnership,

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1 or corporation and other relevant information required by the ~~appropriate section of~~
2 ~~the examining board~~ department. A similar type of form shall also accompany the
3 renewal fee. If there is a change in any of these persons, the change shall be reported
4 on the same type of form, and filed with the department within 30 days after the
5 effective date of the change. The ~~appropriate section of the examining board~~
6 department shall grant a certificate of authorization to a firm, partnership, or
7 corporation complying with this subsection upon payment of the initial credential fee
8 determined by the department under s. 440.03 (9) (a). This subsection does not apply
9 to firms, partnerships, or corporations exempt under s. 470.025 (3).

10 **SECTION 542.** 470.05 of the statutes is amended to read:

11 **470.05 Examination.** ~~Beginning no later than January 1, 2000, the~~
12 ~~appropriate section of the examining board~~ The department shall conduct or arrange
13 for examinations for licensure as a professional geologist, hydrologist, or soil
14 scientist at least semiannually and at times and places determined by the ~~section~~
15 department. Examinations under this section shall require an applicant to
16 demonstrate minimum competency in the principles and practice of subjects
17 substantially related to the practice of professional geology, hydrology, or soil science
18 and may consist of one or more written or oral tests, or both.

19 **SECTION 543.** 470.06 (intro.) of the statutes is amended to read:

20 **470.06 Reciprocal licenses.** (intro.) Upon application and payment of the
21 fee specified in s. 440.05 (2), the ~~appropriate section of the examining board~~
22 department may issue a professional geologist, hydrologist, or soil scientist license
23 to a person who has been issued a similar license by another state or territory of the
24 United States or in another country if he or she submits evidence satisfactory to the
25 ~~section~~ department of all of the following:

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1 **SECTION 544.** 470.07 of the statutes is amended to read:

2 **470.07 Renewal of licenses.** The renewal dates for licenses granted under
3 this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be
4 submitted to the department on a form provided by the department and shall include
5 the renewal fee determined by the department under s. 440.03 (9) (a) and evidence
6 satisfactory to the ~~appropriate section of the examining board~~ department that the
7 applicant has completed any continuing education requirements specified in rules
8 promulgated under s. 470.03 (2).

9 **SECTION 545.** 470.08 (1) of the statutes is amended to read:

10 470.08 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~appropriate~~
11 ~~section of the examining board~~ department may make investigations and conduct
12 hearings to determine whether a violation of this chapter or any rule promulgated
13 under this chapter has occurred.

14 **SECTION 546.** 470.08 (2) (intro.) of the statutes is amended to read:

15 470.08 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
16 ~~appropriate section of the examining board~~ department may reprimand a person
17 issued a license under this chapter, or may deny, limit, suspend, or revoke a license
18 under this chapter, if the applicant or license holder has done any of the following:

19 **SECTION 547.** 470.08 (2) (g) of the statutes is amended to read:

20 470.08 (2) (g) Violated any requirement or standard relating to the practice of
21 professional geology, hydrology, or soil science established by the ~~examining board~~
22 department by rule.

23 **SECTION 548.** 470.08 (2) (i) of the statutes is amended to read:

24 470.08 (2) (i) Failed to cooperate with the ~~examining board~~ department in an
25 investigation under this section.

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1 **SECTION 549.** 470.08 (3) of the statutes is amended to read:

2 470.08 (3) The ~~examining board~~ department may reprimand a firm,
3 partnership, or corporation that holds a certificate of authorization issued under this
4 chapter or may limit, suspend, or revoke such a certificate if any of the agents,
5 employees, or officers of the firm, partnership, or corporation has committed any act
6 or has been guilty of any conduct ~~which~~ that would authorize a reprimand or a
7 limitation, suspension, or revocation of a license under this chapter, unless the firm,
8 partnership, or corporation submits evidence satisfactory to the ~~examining board~~
9 department that the agent, employee, or officer is no longer practicing or offering to
10 practice professional geology, hydrology, or soil science in its behalf.

11 **SECTION 550.** 470.08 (4) of the statutes is amended to read:

12 470.08 (4) Any person may make charges that any holder of a license or
13 certificate of authorization issued under this chapter has committed an act for which
14 a reprimand or limitation, suspension, or revocation of registration is authorized
15 under sub. (2). Such charges shall be in writing, shall be sworn to by the person
16 making them, and shall be submitted to the ~~examining board~~ department. The
17 ~~examining board~~ department may, on its own motion, make such charges. All
18 charges, unless dismissed by the ~~examining board~~ department as unfounded or
19 trivial, shall be heard by the ~~appropriate section of the examining board~~ department,
20 subject to the rules promulgated under s. 440.03 (1).

21 **SECTION 551.** 470.08 (5) of the statutes is amended to read:

22 470.08 (5) If, after a hearing under sub. (4), ~~3 members of a section of the~~
23 ~~examining board vote in favor of sustaining~~ department sustains the charges
24 specified in sub. (4), the ~~examining board~~ department shall reprimand the holder of

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1 the license or certificate of authorization or limit, suspend, or revoke the license or
2 certificate.

3 **SECTION 552.** 470.08 (6) of the statutes is amended to read:

4 470.08 (6) The ~~examining board~~ department, for reasons the appropriate
5 ~~section of the examining board~~ department considers sufficient, may reissue a
6 license or certificate of record to any person whose certificate has been revoked if 3
7 ~~members of the section vote in favor of the reissuance.~~ Subject to the rules of the
8 ~~examining board~~ department, the ~~examining board~~ department may, upon payment
9 of the required fee, issue a new license or certificate of authorization to replace any
10 license or certificate that is revoked, lost, destroyed, or mutilated.

11 **SECTION 553.** Chapter 480 (title) of the statutes is repealed and recreated to
12 read:

13 **CHAPTER 480**

14 **AUCTIONEERS**

15 **SECTION 554.** 480.01 (5) of the statutes is repealed.

16 **SECTION 555.** 480.04 of the statutes is repealed.

17 **SECTION 556.** 480.06 of the statutes is repealed.

18 **SECTION 557.** 480.18 (3) of the statutes is amended to read:

19 480.18 (3) An auctioneer shall, upon reasonable notice, make the records
20 described in sub. (1) available for inspection and copying by the department ~~or the~~
21 ~~board.~~

22 **SECTION 558.** 480.24 (1) of the statutes is amended to read:

23 480.24 (1) Subject to the rules promulgated under s. 440.03 (1), the board
24 department may make investigations or conduct hearings to determine whether a
25 violation of this chapter or any rule promulgated under this chapter has occurred.

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1 The ~~board~~ department may require a registrant or an auction company
2 representative of an auction company that is a registrant to undergo and may
3 consider the results of one or more physical, mental, or professional competency
4 examinations if the ~~board~~ department believes that the results of any of those
5 examinations may be useful to the ~~board~~ department in conducting its investigation.

6 **SECTION 559.** 480.24 (2) (intro.) of the statutes is amended to read:

7 480.24 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
8 ~~board~~ department may reprimand a registrant or deny, limit, suspend, or revoke a
9 certificate under this chapter if it finds that the applicant or registrant or an auction
10 company representative of an auction company that is an applicant or registrant has
11 done any of the following:

12 **SECTION 560.** 480.24 (3) (intro.) of the statutes is amended to read:

13 480.24 (3) (intro.) The ~~board~~ department may, as a condition of removing a
14 limitation imposed under this chapter on a certificate issued under this chapter or
15 of reinstating a certificate that has been suspended or revoked under this chapter,
16 do any of the following:

17 **SECTION 561.** 480.24 (3) (a) of the statutes is amended to read:

18 480.24 (3) (a) Require the registrant or an auction company representative of
19 an auction company that is a registrant to obtain minimum results specified by the
20 ~~board~~ department on one or more physical, mental, or professional competency
21 examinations if the ~~board~~ department determines that obtaining the minimum
22 results is related to correcting one or more of the bases upon which the limitation,
23 suspension, or revocation was imposed.

24 **SECTION 562.** 632.895 (12m) (b) 7. of the statutes is amended to read:

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1 632.895 (**12m**) (b) 7. An occupational therapist, as defined in s. 448.96 464.20
2 (4).

3 **SECTION 563.** 655.45 (1) of the statutes is amended to read:

4 655.45 (**1**) For the quarter beginning on July 1, 1986, and for each quarter
5 thereafter, the director of state courts shall file reports complying with sub. (2) with
6 the medical examining board, the ~~physical~~ medical therapy examining board, ~~the~~
7 ~~podiatry-affiliated credentialing board~~, the board of nursing, and the department,
8 respectively, regarding health care providers licensed by the respective bodies.

9 **SECTION 564.** 655.45 (1m) of the statutes is amended to read:

10 655.45 (**1m**) For the quarter beginning on July 1, 1995, and for each quarter
11 thereafter, the director of state courts shall file reports complying with sub. (2) with
12 the ~~dietitians-affiliated credentialing board~~ department of safety and professional
13 services regarding health care providers certified ~~by the dietitians-affiliated~~
14 ~~credentialing board~~ under subch. V of ch. 448.

15 **SECTION 565.** 895.48 (1m) (a) of the statutes is amended to read:

16 895.48 (**1m**) (a) Except as provided in par. (b), any physician, physician
17 assistant, or ~~podiatrist, or athletic trainer~~ licensed under ch. 448, chiropractor
18 licensed under ch. 446, dentist licensed under ch. 447, athletic trainer licensed under
19 subch. III of ch. 464, emergency medical technician licensed under s. 256.15, first
20 responder certified under s. 256.15 (8), registered nurse licensed under ch. 441, or
21 a massage therapist or bodywork therapist licensed under ~~ch. 460~~ subch. IV of ch.
22 464 who renders voluntary health care to a participant in an athletic event or contest
23 sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private school,
24 as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a public
25 agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1) (c), is

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1 immune from civil liability for his or her acts or omissions in rendering that care if
2 all of the following conditions exist:

3 1. The health care is rendered at the site of the event or contest, during
4 transportation to a health care facility from the event or contest, or in a locker room
5 or similar facility immediately before, during, or immediately after the event or
6 contest.

7 2. The physician, podiatrist, athletic trainer, chiropractor, dentist, emergency
8 medical technician, first responder, physician assistant, registered nurse, massage
9 therapist, or bodywork therapist does not receive compensation for the health care,
10 other than reimbursement for expenses.

11 **SECTION 566.** 905.015 (2) (intro.) of the statutes is amended to read:

12 905.015 (2) (intro.) In addition to the privilege under sub. (1), a person who is
13 licensed as an interpreter under s. ~~440.032 (3)~~ 459.42 may not disclose any aspect of
14 a confidential communication facilitated by the interpreter unless one of the
15 following conditions applies:

16 **SECTION 567.** 938.78 (2) (g) of the statutes is amended to read:

17 938.78 (2) (g) Paragraph (a) does not prohibit an agency from disclosing
18 information about an individual in its care or legal custody on the written request
19 of the department of safety and professional services or of any interested examining
20 board or affiliated credentialing board in that department for use in any
21 investigation or proceeding relating to any alleged misconduct by any person who is
22 credentialed or who is seeking credentialing under ch. 448, 455 ~~or~~, 457, or 464.
23 Unless authorized by an order of the court, the department of safety and professional
24 services and any examining board or affiliated credentialing board in that
25 department shall keep confidential any information obtained under this paragraph

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1 and may not disclose the name of or any other identifying information about the
2 individual who is the subject of the information disclosed, except to the extent that
3 redisclosure of that information is necessary for the conduct of the investigation or
4 proceeding for which that information was obtained.

5 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
6 **Services.**

7 (1) ELIMINATION OF CERTAIN BOARDS AND TRANSFER OF THEIR FUNCTIONS TO THE
8 DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES.

9 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
10 liabilities of the auctioneer board, cemetery board, dietitians affiliated credentialing
11 board, and examining board of professional geologists, hydrologists, and soil
12 scientists, and all assets and liabilities of the medical examining board that are
13 primarily related to the functions of the dietitians affiliated credentialing board, as
14 determined by the secretary of safety and professional services, become the assets
15 and liabilities of the department of safety and professional services.

16 (b) *Tangible personal property.* On the effective date of this paragraph, all
17 records and other tangible personal property of the auctioneer board, cemetery
18 board, dietitians affiliated credentialing board, and examining board of professional
19 geologists, hydrologists, and soil scientists, and all records and other tangible
20 personal property of the medical examining board that are primarily related to the
21 functions of the dietitians affiliated credentialing board, as determined by the
22 secretary of safety and professional services, are transferred to the department of
23 safety and professional services.

24 (c) *Contracts.* All contracts entered into by the auctioneer board, cemetery
25 board, dietitians affiliated credentialing board, and examining board of professional

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1 geologists, hydrologists, and soil scientists remain in effect and are transferred to the
2 department of safety and professional services. The department of safety and
3 professional services shall carry out any obligations under such a contract until the
4 contract is modified or rescinded by the department of safety and professional
5 services to the extent allowed under the contract.

6 (d) *Rules and orders.* All rules promulgated by the cemetery board, dietitians
7 affiliated credentialing board, and examining board of professional geologists,
8 hydrologists, and soil scientists that are in effect on the effective date of this
9 paragraph remain in effect until their specified expiration dates or until amended
10 or repealed by the department of safety and professional services. All orders issued
11 by those boards and by the auctioneer board that are in effect on the effective date
12 of this paragraph remain in effect until their specified expiration dates or until
13 modified or rescinded by the department of safety and professional services.

14 (e) *Pending matters.* All matters pending with the auctioneer board, cemetery
15 board, dietitians affiliated credentialing board, and examining board of professional
16 geologists, hydrologists, and soil scientists on the effective date of this paragraph are
17 transferred to the department of safety and professional services and all materials
18 submitted to or actions taken by those boards with respect to the pending matters
19 are considered as having been submitted to or taken by the department of safety and
20 professional services.

21 (2) ELIMINATION OF CERTAIN BOARDS AND TRANSFER OF THEIR FUNCTIONS TO THE
22 MEDICAL EXAMINING BOARD.

23 (a) *Assets and liabilities.* On the effective date of this paragraph, all assets and
24 liabilities of the podiatry affiliated credentialing board and radiography examining
25 board become the assets and liabilities of the medical examining board.

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1 (b) *Tangible personal property.* On the effective date of this paragraph, all
2 records and other tangible personal property of the podiatry affiliated credentialing
3 board and radiography examining board are transferred to the medical examining
4 board.

5 (c) *Contracts.* All contracts entered into by the podiatry affiliated credentialing
6 board and radiography examining board remain in effect and are transferred to the
7 medical examining board. The medical examining board shall carry out any
8 obligations under such a contract until the contract is modified or rescinded by the
9 medical examining board to the extent allowed under the contract.

10 (d) *Rules and orders.* All rules promulgated by the podiatry affiliated
11 credentialing board and radiography examining board that are in effect on the
12 effective date of this paragraph remain in effect until their specified expiration dates
13 or until amended or repealed by the medical examining board. All orders issued by
14 those boards that are in effect on the effective date of this paragraph remain in effect
15 until their specified expiration dates or until modified or rescinded by the medical
16 examining board.

17 (e) *Pending matters.* All matters pending with the podiatry affiliated
18 credentialing board and radiography examining board on the effective date of this
19 paragraph are transferred to the medical examining board and all materials
20 submitted to or actions taken by those boards with respect to the pending matters
21 are considered as having been submitted to or taken by the medical examining board.

22 (3) TRANSFER OF REGULATION OF SIGN LANGUAGE INTERPRETERS.

23 (a) *Transfer of functions.*

24 1. 'Rules and orders.' All rules promulgated by the department of safety and
25 professional services and of the sign language interpreter council under the

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1 authority of section 440.032 of the statutes and that are in effect on the effective date
2 of this subdivision remain in effect until their specified expiration date or until
3 amended or repealed by the hearing and speech examining board. All orders issued
4 by the department of safety and professional services under the authority of section
5 440.032 of the statutes or of the sign language interpreter council that are in effect
6 on the effective date of this subdivision remain in effect until their specified
7 expiration date or until modified or rescinded by the hearing and speech examining
8 board.

9 2. 'Pending matters.' Any matter pending with the department of safety and
10 professional services under the authority of section 440.032 of the statutes or of the
11 sign language interpreter council on the effective date of this subdivision is
12 transferred to the hearing and speech examining board, and all materials submitted
13 to or actions taken by the department of safety and professional services or the sign
14 language interpreter council with respect to the pending matter are considered as
15 having been submitted to or taken by the hearing and speech examining board.

16 3. 'Contracts.' All contracts entered into by the department of safety and
17 professional services under the authority of section 440.032 of the statutes or of the
18 sign language interpreter council in effect on the effective date of this subdivision
19 remain in effect and are transferred to the hearing and speech examining board. The
20 hearing and speech examining board shall carry out any obligations under such a
21 contract until the contract is modified or rescinded by the hearing and speech
22 examining board to the extent allowed under the contract.

23 (b) *Board membership.*

24 1. 'Reduction in board membership.' The governor shall determine which
25 hearing instrument specialist member is to be removed from the hearing and speech

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1 examining board as a result of this act's treatment of section 15.405 (6m) (a) of the
2 statutes. No later than the 60th day after the effective date of this subdivision, the
3 governor shall notify the examining board of that determination and report that
4 determination to the legislature under section 13.172 (2) of the statutes.

5 2. 'Initial appointments.' Notwithstanding the length of terms specified for the
6 members of the hearing and speech examining board under section 15.405 (6m) of
7 the statutes, the new member appointed to the hearing and speech examining board
8 under section 15.405 (6m) (e) of the statutes, as affected by this act, shall be
9 appointed for a term expiring on July 1, 2018; one of the 2 new members appointed
10 to the hearing and speech examining board under section 15.405 (6m) (dm) of the
11 statutes, as created by this act, shall be appointed for a term expiring on July 1, 2018;
12 and one of the 2 new members appointed to the hearing and speech examining board
13 under section 15.405 (6m) (dm) of the statutes, as created by this act, shall be
14 appointed for a term expiring on July 1, 2019.

15 (4) ELIMINATION OF CERTAIN BOARD SECTIONS.

16 (a) *Assets and liabilities.*

17 1. On the effective date of this paragraph, all assets and liabilities of each
18 section of the examining board of architects, landscape architects, professional
19 engineers, designers, and professional land surveyors in the department of safety
20 and professional services become the assets and liabilities of that examining board.

21 2. On the effective date of this paragraph, all assets and liabilities of each
22 section of the marriage and family therapy, professional counseling, and social work
23 examining board in the department of safety and professional services become the
24 assets and liabilities of that examining board.

25 (b) *Tangible personal property.*

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1 1. On the effective date of this paragraph, all records and other tangible
2 personal property of each section of the examining board of architects, landscape
3 architects, professional engineers, designers, and professional land surveyors in the
4 department of safety and professional services are transferred to that examining
5 board.

6 2. On the effective date of this paragraph, all records and other tangible
7 personal property of each section of the marriage and family therapy, professional
8 counseling, and social work examining board in the department of safety and
9 professional services are transferred to that examining board.

10 (c) *Contracts.*

11 1. All contracts entered into by each section of the examining board of
12 architects, landscape architects, professional engineers, designers, and professional
13 land surveyors in the department of safety and professional services in effect on the
14 effective date of this paragraph remain in effect and are transferred to that
15 examining board. The examining board shall carry out any obligations under such
16 a contract until the contract is modified or rescinded by the examining board to the
17 extent allowed under the contract.

18 2. All contracts entered into by each section of the marriage and family therapy,
19 professional counseling, and social work examining board in the department of
20 safety and professional services in effect on the effective date of this paragraph
21 remain in effect and are transferred to that examining board. The examining board
22 shall carry out any obligations under such a contract until the contract is modified
23 or rescinded by the examining board to the extent allowed under the contract.

24 (d) *Rules and orders.*

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1 1. All rules promulgated by each section of the examining board of architects,
2 landscape architects, professional engineers, designers, and professional land
3 surveyors in the department of safety and professional services that are in effect on
4 the effective date of this paragraph remain in effect until their specified expiration
5 dates or until amended or repealed by that examining board. All orders issued by
6 each section of the examining board of architects, landscape architects, professional
7 engineers, designers, and professional land surveyors in the department of safety
8 and professional services that are in effect on the effective date of this paragraph
9 remain in effect until their specified expiration dates or until modified or rescinded
10 by the examining board.

11 2. All orders issued by each section of the marriage and family therapy,
12 professional counseling, and social work examining board in the department of
13 safety and professional services that are in effect on the effective date of this
14 paragraph remain in effect until their specified expiration dates or until modified or
15 rescinded by that examining board.

16 (e) *Pending matters.*

17 1. All matters pending with each section of the examining board of architects,
18 landscape architects, professional engineers, designers, and professional land
19 surveyors in the department of safety and professional services on the effective date
20 of this paragraph are transferred to that examining board and all materials
21 submitted to or actions taken by each section with respect to the pending matters are
22 considered as having been submitted to or taken by the examining board.

23 2. All matters pending with each section of the marriage and family therapy,
24 professional counseling, and social work examining board in the department of
25 safety and professional services on the effective date of this paragraph are

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1 transferred to that examining board and all materials submitted to or actions taken
2 by each section with respect to the pending matters are considered as having been
3 submitted to or taken by the examining board.

4 (f) *Elimination of board members.*

5 1. The governor shall determine which 14 members — consisting of one
6 architect, one landscape architect, one professional engineer, one designer, one
7 professional land surveyor, and 9 public members — are to be removed from the
8 examining board of architects, landscape architects, professional engineers,
9 designers, and professional land surveyors as a result of this act's treatment of
10 section 15.405 (2) of the statutes. No later than the 60th day after the effective date
11 of this paragraph, the governor shall notify the examining board of that
12 determination and report that determination to the legislature under section 13.172
13 (2) of the statutes.

14 2. The governor shall determine which 3 members — consisting of 1 social
15 worker and 2 public members — are to be removed from the marriage and family
16 therapy, professional counseling, and social work examining board as a result of this
17 act's treatment of section 15.405 (7c) (a) 1. and 4. of the statutes. No later than the
18 60th day after the effective date of this paragraph, the governor shall notify the
19 affected members and the examining board of that determination and report that
20 determination to the legislature under section 13.172 (2) of the statutes.

21 (5) ELIMINATION OF ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD,
22 OCCUPATIONAL THERAPISTS AFFILIATED CREDENTIALING BOARD, AND MASSAGE THERAPY AND
23 BODYWORK THERAPY AFFILIATED CREDENTIALING BOARD.

24 (a) *Transfer of functions.*

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1 1. 'Rules and orders.' All rules promulgated by the athletic trainers affiliated
2 credentialing board, the occupational therapists affiliated credentialing board, and
3 the massage therapy and bodywork therapy affiliated credentialing board and that
4 are in effect on the effective date of this subdivision remain in effect until their
5 specified expiration date or until amended or repealed by the medical therapy
6 examining board. All orders issued by the athletic trainers affiliated credentialing
7 board, the occupational therapists affiliated credentialing board, and the massage
8 therapy and bodywork therapy affiliated credentialing board that are in effect on the
9 effective date of this subdivision remain in effect until their specified expiration date
10 or until modified or rescinded by the medical therapy examining board.

11 2. 'Pending matters.' Any matter pending with the athletic trainers affiliated
12 credentialing board, the occupational therapists affiliated credentialing board, or
13 the massage therapy and bodywork therapy affiliated credentialing board on the
14 effective date of this subdivision is transferred to the medical therapy examining
15 board, and all materials submitted to or actions taken by the athletic trainers
16 affiliated credentialing board, the occupational therapists affiliated credentialing
17 board, or the massage therapy and bodywork therapy affiliated credentialing board
18 with respect to the pending matter are considered as having been submitted to or
19 taken by the medical therapy examining board.

20 3. 'Contracts.' All contracts entered into by the athletic trainers affiliated
21 credentialing board, the occupational therapists affiliated credentialing board, or
22 the massage therapy and bodywork therapy affiliated credentialing board in effect
23 on the effective date of this subdivision remain in effect and are transferred to the
24 medical therapy examining board. The medical therapy examining board shall carry

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1 out any obligations under such a contract until the contract is modified or rescinded
2 by the medical therapy examining board to the extent allowed under the contract.

3 4. 'Tangible personal property.' On the effective date of this subdivision, all
4 tangible personal property, including records, of the athletic trainers affiliated
5 credentialing board, the occupational therapists affiliated credentialing board, and
6 the massage therapy and bodywork therapy affiliated credentialing board is
7 transferred to the medical therapy examining board.

8 (b) *Medical therapy examining board membership; initial appointments.*
9 Notwithstanding the length of terms specified for the members of the medical
10 therapy examining board under section 15.405 (7r) of the statutes, the new member
11 appointed to the medical therapy examining board under section 15.405 (7r) (ar) of
12 the statutes, as affected by this act, shall be appointed for a term expiring on July
13 1, 2018; the new member appointed to the medical therapy examining board under
14 section 15.405 (7r) (at) of the statutes, as affected by this act, shall be appointed for
15 a term expiring on July 1, 2019; and the new member appointed to the medical
16 therapy examining board under section 15.405 (7r) (av) of the statutes, as affected
17 by this act, shall be appointed for a term expiring on July 1, 2020.

SECTION 9352. Initial applicability; Other.

18 (1) The treatment of section 17.07 (3e) of the statutes first applies to a state
19 officer who is appointed and qualifies on the effective date of this act.
20

21 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
22 SECTIONS 9401 to 9452 of this act, this act takes effect on the day after publication.

SECTION 9438. Effective dates; Safety and Professional Services.

23 (1) **ELIMINATION OF CERTAIN BOARD MEMBERS.** The treatment of section 15.405 (2)
24 (intro.), (a), (b), and (c), (6m) (a), and (7c) (a) 1. and 4., (am) (intro.) and 4., (b), (c), (d),
25

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1 (e), and (f) of the statutes takes effect on the first day of the 3rd month beginning after
2 publication.

3 (2) CERTAIN TERMS OF BOARD MEMBERS. The repeal and recreation of section 15.07

4 (1) (cm) of the statutes takes effect on June 30, 2016.

5 (END)