

STATE OF WISCONSIN  
PODIATRY AFFILIATED CREDENTIALING BOARD

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IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : PODIATRY AFFILIATED  
PODIATRY AFFILIATED : CREDENTIALING BOARD  
CREDENTIALING BOARD : ADOPTING RULES  
: (CLEARINGHOUSE RULE 17-029)  
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PROPOSED ORDER

An order of the Podiatry Affiliated Credentialing Board to amend Pod 4.03 (2) (intro.) and (b), relating to biennial registration.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

**Statutes interpreted:**

None.

**Statutory authority:**

Sections 15.085 (5) (b) and 448.695 (2), Stats.

**Explanation of agency authority:**

Section 15.085 (5) (b), Stats., provides affiliated credentialing boards “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains. . .”

Section 448.695 (2), Stats., provides “[t]he affiliated credentialing board may promulgate rules to carry out the purposes of this subchapter.”

**Related statute or rule:**

None.

**Plain language analysis:**

The Podiatry Affiliated Credentialing Board conducted a comprehensive review of ch. Pod 4 to ensure the rules are consistent with current registration practices and applicable Wisconsin statutes. The resulting changes are to clarify a requirement under s. Pod 4.03 (2) (intro.) and correct a reference in s. Pod 4.03 (2) (b).

**Summary of, and comparison with, existing or proposed federal regulation:**

None.

**Comparison with rules in adjacent states:**

**Illinois:**

68 Ill. Admin. Code 1360.45 contains the requirements for renewing a license in podiatry.

**Iowa:**

645 IAC 220.9 contains the requirements for renewing a license in podiatry.

**Michigan:**

Mich Admin Code, R 338.8126 contains the requirements for renewal of a license in podiatry.

**Minnesota:**

Minnesota Rules, Part 6900.0200 contains the requirements for renewal of a license in podiatry.

**Summary of factual data and analytical methodologies:**

The proposed rules were developed by reviewing the provisions of ch. Pod 4 to ensure the rules are consistent with current registration practices and applicable Wisconsin statutes.

**Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:**

The proposed rules were posted for a period of 14 days for public comment on the economic impact of the proposed rules, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

**Effect on small business:**

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at [Kirsten.Reader@wisconsin.gov](mailto:Kirsten.Reader@wisconsin.gov), or by calling (608) 267-2435.

**Agency contact person:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-261-4472; email at [DSPSAdminRules@wisconsin.gov](mailto:DSPSAdminRules@wisconsin.gov).

**Place where comments are to be submitted and deadline for submission:**

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, P.O. Box 8366, Madison, WI 53708-8935, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the public hearing to be held at 9:00 a.m. on June 22, 2017, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. Pod 4.03 (2) (intro.) and (b) are amended to read:

**Pod 4.03 (2) (intro.)** Failure to renew a license by November 1 of an even-numbered year shall cause the license to lapse. A licensee who allows the license to lapse may apply ~~to the board~~ for reinstatement of the license by the board, subject to s. 440.08 (4), Stats., as follows:

(b) If the licensee applies for renewal of the license more than 5 years after its expiration, the board shall make an inquiry to determine whether the applicant is competent to practice under the license in this state, and shall impose any reasonable conditions on the renewal of the license, including oral examination, as the board deems appropriate. All applicants under this paragraph shall be required to pass the open book examination on statutes and rules, which is the same examination given to initial applicants. ~~This section~~ paragraph does not apply to licensees who have unmet disciplinary requirements or whose licenses have been surrendered or revoked.

SECTION 2. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

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(END OF TEXT OF RULE)  
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This Proposed Order of the Podiatry Affiliated Credentialing Board is approved for submission to the Governor and Legislature.

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Podiatry Affiliated Credentialing Board