



Regulation of Professional Occupations by the Department of Safety and Professional Services

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Occupational regulation affects many professions in Wisconsin, and several state agencies have some occupational oversight role. This paper deals with the occupations and activities subject to regulation by the Department of Safety and Professional Services (DSPS) that were performed in the past by the Department of Regulation and Licensing (DRL). DSPS was created under 2011 Act 32 (the biennial budget), and combined DRL with parts of the former Department of Commerce.

Occupational regulation by DSPS falls into three categories: (a) occupations regulated by independent examining boards attached to DSPS or by affiliated credentialing boards attached to those boards; (b) occupations regulated by semi-autonomous boards that share authority with DSPS; and (c) occupations directly regulated by DSPS. The Department also directly regulates such non-occupational entities as charitable organizations, boxing and mixed martial arts clubs, and private security persons. DSPS provides administrative, legal and enforcement services, assistance in rule making and examinations for the credentialed professions, and assistance to the boards in developing regulatory policies that protect the broad public interest.

This informational paper describes: (a) the history of occupational credentialing in Wisconsin; (b) the types of credentials issued; (c) the duties of professional boards and credentialing by the Department; (d) agency operations and funding; and (e) the current fee setting process. This paper only describes professions formerly regulated by DRL, and does not discuss professions regulated either by other state agencies, or trade

professions regulated by DSPS that were formerly regulated by the Department of Commerce (such as electricians and plumbers).

History of Occupational Regulation

Prior to the creation of DRL, a number of independent examining boards regulated professional occupations. These examining boards set the credential requirements for the regulated profession, granted credentials, promulgated administrative rules applicable to the regulated professionals and collected credential fees. Each of these independent boards had a separate budget and directly employed staff. The first such board was the Pharmacy Examining Board, created in 1882, with 16 additional independent examining boards or councils created through 1965.

In the mid-1960s, Wisconsin state government underwent a series of major reorganizations aimed at improving operational efficiency and responsiveness to the public. The Kellett Commission (named after chairman William R. Kellett) was appointed to study state government operations and made numerous recommendations to reorganize the executive branch. Several of these proposals affected occupational licensure in Wisconsin, including the creation of a single department (DRL) to provide centralized administrative services to the independent examining boards and councils existing at the time. While each board would continue the independent regulation of its own profession, the Department would assume responsibility for the direct regulation of certain

professions where no examining board existed. These recommendations ultimately became law in Chapter 75, Laws of 1967.

Subsequent legislation further consolidated occupational regulation under DRL and gradually transferred many administrative functions from the separate boards to the Department. In 1975, the regulation of barbering and the regulation of the funeral industry were transferred from the Department of Health and Social Services to DRL. Also in that year, DRL was first authorized to hire staff for all the boards with a few exceptions. In 1977, a single appropriation for the expenditure of all license fee revenue was created, and budgetary authority was centralized under the Department. Legislation in 1979 authorized DRL to reorganize its staff along functional lines, rather than by the boards that they served, and to eliminate the last employee positions remaining under a board's direct authority. Provisions of 2009 Wisconsin Act 28 added a second appropriation that split the budget and staffing of the professions regulated by the Medical Examining Board and its affiliated credentialing boards from the remaining DRL regulated professions.

The 2011-13 biennial budget created the Department of Safety and Professional Services, which assumed all activities formerly performed by DRL. In addition to the DRL functions, DSPS includes the Division of Environmental Regulatory Services and the Division of Safety and Buildings, which perform activities formerly administered by the Department of Commerce. [Additional information on other DSPS programs is available in Legislative Fiscal Bureau Informational Papers "Petroleum Environmental Cleanup Fund Award (PECFA) Program," "Private Onsite Wastewater Treatment System Grant Program," and "Fire Department Dues."]

Credentialing of Professions

The Department, boards, examining boards, and affiliated credentialing boards regulate certain professions and classes of businesses identified in statute. The goal of the Department and boards is to ensure, through the issuance of credentials, that the public's health, safety, and welfare are adequately protected. The types of credentials issued include licenses, certificates, registrations and permits. These credentials are generally differentiated by qualification requirements, the use of a professional title, and the range of activities that a credential holder is allowed to perform (scope of practice). However, the different types of credentials can only be defined in general terms, because statutes do not uniformly establish credentialing requirements and the credential titles are often used interchangeably.

Licenses are the most restrictive types of credentials. Qualification requirements usually include an examination, specialized education, and often specific work experience. Licensure restricts both the use of the regulated title and the scope of practice so that it becomes illegal for unlicensed individuals or firms to use the title or practice that profession. Physicians and nurses are examples of occupations subject to formal licensure in order to practice.

Certificates are similar to licenses. While applicants for a certificate may be required to take an exam, certificates generally serve to provide special recognition to individuals who have met predetermined qualifications for a profession, such as certification by a national professional association. Only certificate credential holders may describe themselves as certified. Examples of occupations subject to state certification are acupuncturists, respiratory care practitioners and dietitians.

Registration is generally the least restrictive form of credentialing. In its most simple form, registration requires an individual to file his or her name and address with DSPS, or the appropriate regulatory body, and pay the registration fee. Registration may also be accompanied with a restriction on the use of the title "registered" professional. For example, one must register as an interior designer in order to use the title "Wisconsin registered interior designer." However, a person may still practice interior design without registering.

Permits are another form of credential issued by DSPS. However, because permits are used both as a training credential, as in the case of hearing instrument specialists, or as a primary credential, as with private security persons, permits do not easily fit on the continuum of credential types.

While the distinctions among credentials are helpful in understanding the general level of regulation of occupations, statutes and administrative rule outline specific requirements for each profession's credential. Simply because individuals in a profession are required to register does not necessarily mean that the group is statutorily less restricted than another profession where individuals must be certified. The statutes and administrative should be consulted to determine what each credential issuance entails.

Finally, common usage of credential terms may be misleading without reviewing the relevant statutes. For example, one might think that "registered nurses" need only register in order to practice. However, registered nurses practicing in Wisconsin are required to obtain a license from the Board of Nursing.

Professional Boards

The Department currently provides adminis-

trative services to 28 boards, listed in Table 1. Other occupations are also directly regulated by the Department. As of October, 2012, the professional boards and the Department identified 156 professional credential types in which at least one person or business held a credential. Appendix III shows the number of renewing and initial credentials per profession, as of October, 2012. There were 367,833 active credential holders in October, 2012, and the Department processed 63,145 initial credentials and 331,986 renewals from October, 2010, through October, 2012 (the sum of

Table 1: Professional Boards

Examining Boards

- Accounting Examining Board
- Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board
- Barbering and Cosmetology Examining Board
- Board of Nursing
- Chiropractic Examining Board
- Dentistry Examining Board
- Funeral Directors Examining Board
- Geologists, Hydrologists, and Soil Scientists Examining Board
- Hearing and Speech Examining Board
- Marriage and Family Therapy, Professional Counseling and Social Work Examining Board
- Medical Examining Board*
- Nursing Home Administrators Examining Board
- Optometry Examining Board
- Pharmacy Examining Board
- Physical Therapy Examining Board
- Psychology Examining Board
- Radiography Examining Board
- Real Estate Examining Board
- Veterinary Examining Board

Boards

- Auctioneer Board
- Cemetery Board
- Controlled Substance Board
- Real Estate Appraisers Board

***Credentialing Boards Attached to the Medical Examining Board**

- Athletic Trainers Affiliated Credentialing Board
- Dietitians Affiliated Credentialing Board
- Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
- Occupational Therapists Affiliated Credentialing Board
- Podiatrists Affiliated Credentialing Board

initial and renewal credentials does not equal the number of active credentials, due to the way in which these categories are counted).

Independent Professional Boards. Most of the professional boards are independent, unitary examining boards responsible for regulating the professions or activities under their jurisdiction. Except as specifically described below, all are authorized to promulgate administrative rules defining the professional standards and the regulatory policies governing the occupations or activities under their jurisdiction. In addition, within statutory limits, most of these boards determine the education and experience requirements for obtaining a credential, develop and evaluate credentialing examinations, and establish and enforce standards of professional conduct.

The following independent examining boards do not operate as unitary boards: (a) the Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board; (b) the Professional Geologists, Hydrologists, and Soil Scientists Examining Board; and (c) the Marriage and Family Therapy and Professional Counseling and Social Work Examining Board. For these boards, each of the named professions has its own section, which separately reviews individual applications for credentialing and determines disciplinary actions involving credential holders in that profession. Matters of joint interest to all the professions, such as qualifications and policies established by administrative rules, fall under the overall jurisdiction of the examining board. Issues that affect only a specific profession are addressed by the applicable section or sections of the examining board.

Affiliated credentialing boards regulate five of the professions under the overall jurisdiction of the Medical Examining Board -- podiatrists, dietitians, athletic trainers, massage therapists, and occupational therapists. The affiliated credentialing boards regulate a profession that either does not practice independently of a profession

regulated by the examining board or practices in collaboration with a profession regulated by the examining board. The Podiatrists, Dietitians, Athletic Trainers, Massage Work and Bodywork Therapy, and Occupational Therapists Affiliated Credentialing Boards are responsible for setting standards of professional competence and conduct, reviewing the qualifications of applicants, granting credentials and taking disciplinary actions involving the professions under their jurisdiction.

Some boards are advised by examining councils comprised of members representing a profession that is regulated by the board but does not have statutory representation in the membership of the board. For example, the Medical Examining Board is comprised of nine medical doctors, one doctor of osteopathy, and three public members. In addition to regulating doctors, the Board regulates respiratory care practitioners. The Respiratory Care Practitioners Examining Council advises the Medical Examining Board on rules concerning respiratory care.

Semi-Autonomous Boards. The Real Estate Appraisers Board and the Auctioneer Board are semi-autonomous in nature. This means that DSPS, rather than the board, has statutory authority to promulgate rules governing the real estate appraisal and auctioneering professions. The Department must submit proposed rules to the Board for comment, but the Department retains the rule making authority. The semi-autonomous boards retain responsibility for determining discipline in cases where a complaint has been filed against a credential holder, but the Department, with the advice of the boards, sets all other policies affecting these professions.

Board Membership. In general, the Governor appoints board, examining board, and affiliated credentialing board members to staggered, four-year terms with the advice and consent of the Senate. The one exception is the Controlled Substances Board, comprised of the Attorney

General, the Secretaries of the Departments of Health Services, and Agriculture, Trade and Consumer Protection, the chair of the Pharmacy Examining Board, who serve on the Board by virtue of their office, and one psychiatrist and one pharmacologist appointed by the Governor for three-year terms.

Terms of all board members expire on July 1 and the Governor may not appoint a member to more than two consecutive terms. Board membership is governed by specific statutory criteria. In general, boards consist of experienced practitioners of the regulated profession and public members with no professional connection to the field being regulated. In addition, no member of any board may be an officer, director or employee of a private organization that promotes or furthers the profession or occupation regulated by the board.

The Governor also appoints, with the advice and consent of the Senate, most council and examining council members. Terms for council members range from two to four years, depending upon the council. Council members are subject to the same conflict of interest and term limitation provisions that apply to board, examining board and affiliated credentialing board members.

Appendix I details the membership and types of credentials issued for each board and examining board; Appendix II provides similar information for all current affiliated credentialing boards, attached examining councils and councils serving the Department or one of the boards (as these councils are convened as needed, this list may change frequently).

Direct Credentialing by the Department. In addition to the professions regulated by the examining boards, the Department directly regulates and issues credentials for certain professions and activities. Table 2 lists the professions directly regulated by DSPPS. The Secretary of DSPPS is

authorized to grant, suspend, or revoke credentials for these occupations or activities. Further, the Secretary may promulgate administrative rules, administer and evaluate examinations, and conduct enforcement proceedings for these regulated professions and activities. Although no formal boards or councils are permanently established to regulate these professions or activities, the Secretary may appoint advisory committees consisting of members of the directly credentialed professions to assist DSPPS in developing rules or studying regulatory issues of interest to the profession.

Table 2: Professions Directly Regulated by DSPPS

- Acupuncturists
- Art Therapists
- Athlete Agents
- Barbers and Barbering Managers
- Barbering and Cosmetology Schools
- Behavioral Analysts
- Boxing and Mixed Martial Arts Contests
- Boxers and Related Professions
- Charitable Organizations
- Crematories
- Dance Therapists
- Home Inspectors
- Interior Designers
- Martial Arts Instructors
- Midwives
- Mixed-Martial Arts Fighters
- Music Therapists
- Peddlers
- Private Detectives and Detective Agencies
- Private Security Persons
- Professional Employer Organizations
- Professional Fund-Raisers and Fund-Raising Counsels
- Sanitarians
- Sign Language Interpreters
- Substance Abuse Counselors, Clinical Supervisors, and Prevention Specialists

Department Organization and Funding

The Department is currently organized into an Office of the Secretary and four divisions related to the regulation of occupations: Board Services, Professional Credential Processing, Enforcement,

and Management Services. Other DSPS divisions handle the former Department of Commerce programs (the Division of Environmental and Regulatory Services, and the Division of Safety and Buildings). DSPS has position authority for 122.7 full-time equivalent (FTE) positions for the former DRL programs.

This section reflects the structure of DSPS during the 2011-13 biennium, prior to the proposed reorganization described below.

The Office of the Secretary. The Governor appoints the Secretary of DSPS, with the advice and consent of the Senate. The Secretary is directed by statute to centralize the operations of the Department and the attached boards. Accordingly, the Department provides the attached boards with all staff, administrative and legal services. The allocation, disbursement and budgeting of funds received from credentialing and examination fees are also the responsibility of the Secretary. The Secretary advises the Governor and the Legislature on new programs, creates uniform procedures for disciplinary proceedings and advises the boards on policy development.

The Division of Board Services. This division provides professional and administrative support to regulatory boards, councils, and committees. The division drafts and implements administrative rules and policies, and provides legal counsel to the boards, committees, and councils. Formerly, the bureaus in this Division were divided along professions and credential types, so that bureau members worked with similar professions. Currently the bureaus are made up of teams including a bureau director, legal counsel, paralegal and bureau assistant, and professions are divided by workload.

The Division of Professional Credentialing. Staff in this division develop credential applications and process credential requests. The Division administers the biennial renewal process for

over 367,000 active credential holders. Most new applicants will contact this Division to obtain information on how to apply for a credential and to request the appropriate application materials. Applications can be as simple as completion of the appropriate form, submission of supporting documents and payment of the initial credential fee. More complex licensing may require college transcripts, proof of graduation, internships, residencies, supervised practicum review, criminal background checks, confirmation from national associations, information regarding disclosure of previous disciplinary actions, employment verification, proof of insurance, or verification of holding a valid license in another state.

This Division includes the Office of Education and Examination, which does the following: (a) develops examinations; (b) scores examinations; (c) contracts with private agencies for the examination of credential applicants; and (d) assists boards in reviewing and approving application and continuing education requirements, including monitoring compliance.

The Division of Enforcement. This division performs the following activities: (a) intake and screening of complaints against credential holders; (b) investigation and prosecution of cases in conjunction with the appropriate disciplinary authority; (c) monitoring compliance with disciplinary orders; (d) inspecting business establishments; (e) auditing of various trust accounts and financial records; and (f) promoting early detection and rehabilitation credential holders who abuse of alcohol or other drugs.

In its capacity of investigating complaints, the Division receives complaints alleging improper practice by a credential holder. In cooperation with the examining boards, Division employees investigate complaints and prosecute violations through formal disciplinary hearings before the appropriate boards, when so required. The Department received 2,583 complaints in 2010-11, and 2,724 complaints in 2011-12.

The Division of Management Services. This division provides administrative services for all DSPS programs (including programs not formerly administered by DRL), such as budget and fiscal management, and agency-wide information technology.

Proposed Reorganization. The preceding section describes the structure of DSPS during the 2011-13 biennium. As of the writing of this paper, DSPS has begun a reorganization of its Divisions expected to go into effect during the 2013-15 biennium. This reorganization would rename the Division of Enforcement as the "Division of Legal Services and Compliance," and the Division of Board Services as the "Division of Policy Development." In addition, the two Divisions that were formerly part of the Department of Commerce would be consolidated under the "Division of Industry Services." DSPS indicates that while the roles and responsibilities of the new divisions would remain largely the same, there would be some transfers of staff and duties between the divisions as part of the reorganization.

Agency Funding. The occupational regulation program of DSPS is funded almost entirely from program revenues, primarily collected from examination, initial credential and renewal fees. Table 3 shows the Department's balance statement for fiscal year 2011-12, for the former DRL programs. Ten percent of the program revenue fees collected by DSPS is deposited into the state's general fund, and the remaining ninety percent accrues to the agency's appropriations for general operations, examinations, and background investigation fees.

Transfers to the General Fund. Table 4 shows the amount that DRL and DSPS have transferred to the state's general fund over the past five years. The transfers to the general fund come from two sources: (a) amounts to the general fund either required of DSPS by statute, or identified by the Department of Administration

(DOA) to meet state-wide lapse requirements; and (b) an ongoing statutory requirement that 10% of collected fees be transferred to the general fund (an amount referred to as "GPR-Earned").

Table 3: Balance Statement -- Fiscal Year 2011-12

Opening Balance	\$2,164,242
Revenue	
Credential Fees -- Renewal	\$16,869,863
Credential Fees -- Initial	2,138,333
Examination Fees	2,065,057
Grants	331,400
Penalties for Disciplinary Action	231,426
Criminal Background Check Fee	203,392
Other Revenue	106,091
Other Fees	11,543
Nurse Survey*	<u>-40,441</u>
Total Revenue Collected	\$21,916,663
<i>Total Revenue and Opening Balance</i>	<i>\$24,080,905</i>
Expenditures	
Expenditures and Encumbrances	\$13,061,094
Lapse to General Fund	6,296,057
GPR-Earned (10% Statutory Transfer)	<u>2,405,871</u>
<i>Total Expenditures</i>	<i>\$21,763,022</i>
Closing Balance	\$2,317,883

*Nurse survey revenue shows a deficit in 2011-12 due to the timing of transfers of revenue collected in 2010-11.

Table 4: Transfers from DRL and DSPS to the General Fund*

Fiscal Year	Required Transfers to the General Fund	GPR-Earned	Total
2007-08	\$3,602,000	\$1,902,900	\$5,504,900
2008-09	1,784,300	1,541,200	3,325,500
2009-10	4,844,100	2,379,200	7,223,300
2010-11	6,285,300	1,947,600	8,232,900
2011-12	6,296,100	2,405,900	8,702,000

*Amounts shown for 2007-08 through 2010-11 are for DRL; transfers for 2011-12 are for the former DRL programs in DSPS. DSPS transfers do not count transfers from former Department of Commerce programs.

As part of specified and general DOA directed requirements of 2007 Act 20, DRL was required to transfer \$3.6 million to the state's general fund in 2007-08 and \$1.8 million in 2008-09. Under 2009 Act 28, DRL transferred \$4.8 million in 2009-10, and \$6.3 million in 2010-11 as part of general agency requirements directed by DOA. Provisions of 2011 Act 32 required state agencies to make designated transfers to the general fund, and also directed DOA to identify additional amounts that state agencies would make over the biennium. In fiscal year 2011-12, DSPS transferred \$6.3 million from the Department's occupational regulation revenues. In total, DSPS was required to lapse \$7.8 million from all former DRL and Department of Commerce programs under the Act 32 specified transfers (\$3.5 million) and additional transfers identified by DOA (\$4.3 million).

Fees

The occupational regulation activities of DSPS are primarily funded by fees collected from members of the professions. Each first-time applicant must pay an initial fee when applying for a credential. The initial credential fee should represent shared administrative costs attributable to new credential holders, such as the costs of processing applications and determining eligibility, divided among all new credential holders.

Candidates for a credential requiring an examination must pay a fee equal to DSPS's estimated cost of preparing, administering and grading the examination or obtaining and administering an examination from a test service. Examination fees are determined separately for each type of credential and are set by rule. First-time applicants for a credential requiring an examination pay both the initial fee and the appropriate examination fee.

Occupational credentials are generally renewed biennially. The statutes establish a uniform renewal date for all the credential holders in each regulated profession. These renewal dates fall throughout the biennium.

The Department recovers the costs of background checks for security guards, private detectives, and martial arts instructors and other regulated professionals where a background check may be instituted, through the assessment of a background check fee. Other minor sources of revenue derive from the sale of credential lists, study guides, penalties charged for late renewal, and fees for wall certificates, reciprocal credentials and the endorsement of credential holders to other states.

The Department is statutorily required to credit 10% of the revenue generated from initial and credential renewal fees, from examinations fees and background investigations to the general fund. Consequently, fees must be set at a level sufficient to fund the agency's administrative and enforcement costs, accounting for the statutory 10% GPR-Earned transfer to the general fund.

Current Fee Setting Structure. Prior to 2007 Act 20, DRL licensing fees were set in statute. Any change to fee levels required legislation, with any changes generally made through the biennial budget act. However, beginning with license applications for the 2009-11 biennium, provisions of Act 20 required DRL to set credential fees for occupational and professional credentials administratively, subject to passive review by the Joint Finance Committee (JFC).

Under current law, by January 31 of each odd-numbered year, DSPS must recalculate the administrative and enforcement costs of each credential type and calculate the related fees for each profession. The Department now uses time distribution data for the calculation of fees, which requires agency personnel to document the amount of time they spend on work related to

each business or occupational credential.

The Department must send a report to the JFC Co-chairs, within 14 days of completing the proposed fee adjustments. JFC then has 14 working days after the submission of the report to notify the DSPS Secretary that an objection to the plan resulted in the scheduling of a meeting to review the proposal. If JFC does not schedule a meeting within 14 days of receiving the report, the proposed fee changes will be approved. Once the fees are approved, the Department must post the fee adjustments on the DSPS web site and in credential renewal notices sent to affected credential holders. (This process is described under s. 440.03(9) of the statutes.)

On January 30, 2009, the Department recommended modifications to the initial and credential renewal fees for the 2009-11 biennium. An objection to the proposal was received. On June 30, 2009, JFC approved a modified fee schedule that considered DRL operations changes that were approved as part of 2009-11 biennial budget deliberations, as approved by the Legislature.

For the 2011-13 biennium, DRL recalculated the administrative and enforcement costs for the regulated professions. However, the Department decided to freeze fees at the levels in effect during the 2009-11 biennium, under the rationale that doing so would "help stimulate job creation and the business environment in the state" (see the Department's proposal in the link provided at the end of this paper). No objection to this plan was raised by JFC, and the unchanged fee levels were approved under the passive review process described above.

Special Credential Fees in Statute. In addition to the fees that are set administratively, several professional and occupational credentials either have no fee, or have fees set in statute: (a) registration fees for small cemetery authorities; (b) various fees for boxing and mixed martial arts

(MMA); and (c) waiver of peddlers license fees for certain veterans. Table 5 shows these special credential fees.

Table 5: Special Credential Fees (Fee charged annually, unless otherwise noted)

Occupation or Profession	Fee
Boxing or Mixed Martial Arts (MMA)	
Contest (per contest)	\$300*
Club or Promoter	500
Managers	10
Matchmakers	10
Referees and Judges	15
Examining Physicians	10
Boxers	40
Mixed Martial Arts Fighters	40
Timekeepers	10
Seconds	40
Registered Cemetery Authority (Biennial)	10
Peddler Fee Waiver for Veterans	No Fee

*\$300 processing fee plus a fee ranging from a \$450 flat fee up to a fee of \$4,700 plus 5% of gross ticket sales, based on the size of the venue.

Any cemetery authority that operates a cemetery that is either less than five acres in size and sells fewer than 20 cemetery lots or mausoleum spaces annually, or has less than \$100,000 in trust fund accounts, does not need a cemetery authority license. However, it must register with the Cemetery Board, and pay a biennial \$10 fee (s. 440.91(1m)(b)2.). A cemetery authority of a cemetery organized, maintained and operated by a town, village, city, church, synagogue, mosque, religious, fraternal or benevolent society or incorporated college of a religious order is not required to be licensed or registered.

In the case of boxing and mixed martial arts contests, the statutes specify annual fees for professional boxing and professional and amateur mixed martial arts contests based on the number of tickets sold. The statutes also specify annual fees for the individuals involved in the promotion, judging and participation in these contests. (under Chapter 444 of the statutes).

For peddlers licenses, s. 440.51 of the statutes specifies that certain U.S. veterans be granted a free peddlers license if they have been a resident of Wisconsin for five years preceding application and the veteran has one of the following conditions: (a) a verified disability of at least 25%; (b) a cardiac disability recognized by the U.S. Department of Veterans Affairs; or (c) is blind as defined by Title XVI of the Social Security Act.

There are also several training or apprenticeship credentials. For some professions an individual may participate in an activity, usually under the supervision of an instructor or a licensed professional by obtaining an in-training or apprenticeship credential. The professions that have such a credential include engineers, professional counselors, and marriage and family therapists. Usually there is a limit to how long a person may use the training permit and individuals are assessed the standard initial credential fee (\$75). Other training permits are set by rule and are shown in Appendix IV.

Current Initial and Renewal Fees. Under DRL's 2011-13 proposal, the initial fees were set at \$75 for most professions, as shown in Appen-

dix IV. The current renewal fees vary between \$82 and \$170, as shown in Appendix V. These levels were unchanged from those in effect in the 2009-11 biennium.

The process by which DSPS sets fees should reflect actual costs of issuing initial credentials (such as processing applications and determining eligibility for licensure), enforcement, board services, legal counsel, and the statutorily required 10% transfer to the general fund. However, the decision to freeze fees at 2009-11 levels for the 2011-13 biennium means that the current fee levels do not reflect changes in these costs for all professions that were recalculated by DRL in early 2011.

New Legislation for 2011-13

Appendix VI provides a list of legislation enacted during the 2011-13 legislative session that affected the occupational licensing responsibilities and activities of DSPS.

Additional Resources

Additional information on the Department of Safety and Professional Services is available through the following sources:

Department of Safety and Professional Services Website

www.dsps.wi.gov

DSPS Fee Proposal Letter to Joint Committee on Finance for the 2011-13 Biennium

[www.legis.wisconsin.gov/lfb/jfc/passive_review/Documents/2011_02_25_DRL%20Passive%20review%20on%202011-13%20Fees\(2.25.2011\).pdf](http://www.legis.wisconsin.gov/lfb/jfc/passive_review/Documents/2011_02_25_DRL%20Passive%20review%20on%202011-13%20Fees(2.25.2011).pdf)

APPENDIX I

Professional Boards*

Board	Licenses	Composition of Board**	Notes
Accounting Examining Board	Certified Public Accountant Public Accountant Accounting Corporations or Partnerships	7 members (5 certified public accountants and 2 public members)	
Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors Examining Board	Architect Architectural/Engineering Corporation Designer of Engineering Systems Engineer Landscape Architect Land Surveyor	25 members (3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 land surveyors (all of the above must be licensed) and 10 public members)	The Board is divided into five sections responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Auctioneer Board	Auctioneer Auction Company	7 members (4 licensed auctioneers or auction company representatives and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. Members may serve no more than two terms.
Cemetery Board	Licensed Cemetery Authority Registered Cemetery Authority Preneed Seller Cemetery Salesperson Warehouse for Cemetery Merchandise	6 members (4 licensed cemetery authority representatives and 2 public members)	No member may represent a religious cemetery authority, unless that cemetery is regulated by the Board. No member may serve more than two terms.
Cosmetology Examining Board	Aesthetician Aesthetics Establishment Cosmetologist Cosmetologist Apprentice Cosmetology Establishment Cosmetology Manager Electrologist Electrology Establishment Manicurist Manicuring Establishment	9 members (4 licensed aestheticians or cosmetologists, 1 representative of a private school of cosmetology, 1 representative of a public school of cosmetology, 1 licensed electrologist and 2 public members)	This board formerly regulated barbers. The Department now directly licenses barbers, under advisement of the Barbering Advisory Committee. Except for the members representing schools, no member may be connected with or have a financial interest in a cosmetology school.
Chiropractic Examining Board	Chiropractor Chiropractic Radiological Technician Chiropractic Technician	6 members (4 members, who are graduates of a school of chiropractic and licensed in the state and 2 public members without financial interest in a chiropractic school)	No member may be connected to or have a financial interest in a chiropractic school.
Dentistry Examining Board	Dentist Dental Hygienist	11 members (6 licensed dentists, 3 licensed dental hygienists and 2 public members)	
Funeral Directors Examining Board	Funeral Director Funeral Establishment	6 members (4 licensed funeral directors and 2 public members)	

Board	Licenses	Composition of Board**	Notes
Geologists, Hydrologists and Soil Scientists Examining Board	Professional Geologist Professional Hydrologist Professional Soil Scientist Geology Firm/Corp/Partnership Hydrology Firm/Corp/Partnership Soil Scientist Firm/Corp/Partnership	12 members (3 licensed geologists, 3 licensed hydrologists, 3 licensed soil scientists, 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Hearing and Speech Examining Board	Audiologist Hearing Instrument Specialist Speech-Language Pathologist	10 members (3 licensed hearing instrument specialists, 1 otolaryngologist, 2 audiologists, 2 speech-language pathologist and 2 public members)	
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board	Marriage and Family Therapist Professional Counselor Social Worker Advanced Practice Social Worker Independent Social Worker Independent Clinical Social Worker	13 members (3 licensed marriage and family therapists, 4 licensed social workers, 3 licensed professional counselors and 3 public members)	The Board is divided into three sections, responsible for regulating each of the professions. The full Examining Board acts on issues affecting multiple professions.
Medical Examining Board	Anesthesiologist Assistant Athletic Trainer Dietitian Occupational Therapist Occupational Therapist Assistant Perfusionist Podiatrist Physician (MD) Physician (DO) Physician Assistant Respiratory Care Practitioner	14 members (9 licensed medical doctors, 1 doctor of osteopathy and 3 public members. Nonvoting member: chairperson of the patient's compensation fund peer review council)	3 attached councils and 5 Affiliated Credentialing Boards. See Appendix II for council membership and function.
Nursing, Board of	Registered Nurse Licensed Practical Nurse Nurse-Midwife Advanced Practice Nurse Prescriber	9 members (5 licensed registered nurses, 2 licensed practical nurses and 2 public members. Nurse members must be graduates of accredited nursing programs)	2 attached councils. See Appendix II for attached councils membership and function.
Nursing Home Administrators Examining Board	Nursing Home Administrator	9 members (5 licensed nursing home administrators, 1 physician, 1 licensed nurse and 2 public members).The Secretary of Health Services or a designee serves as a non-voting member.	No more than 2 members may be elected officials or full-time state employees.
Optometry Examining Board	Optometrist	7 members (5 licensed optometrists and 2 public members)	
Pharmacy Examining Board	Pharmacist Pharmacy Drug Distributor Drug Manufacturer	7 members (5 licensed pharmacists and 2 public members)	See Appendix II for attached council membership and function.

Board	Licenses	Composition of Board**	Notes
Physical Therapy Examining Board	Physical Therapist Physical Therapist Assistant	5 members (3 licensed physical therapists, 1 physical therapist assistant, 1 public member)	
Psychology Examining Board	Psychologist School Psychologist	6 members (4 licensed psychologists, each in a different specialty area, and 2 public members)	
Radiography Examining Board	Radiographer Limited X-Ray Machine Operators	7 members (3 licensed radiographers, 1 certified radiology physician, 1 radiologic physicist, 2 public members)	
Real Estate Appraisers Board	General Appraiser Residential Appraiser Licensed Appraiser	7 members (1 certified general appraiser, 1 certified residential appraiser, 1 licensed appraiser, 1 assessor and 3 public members)	No rule-making authority. Advisory to the Department on all matters except discipline. No public member may be connected with or have a financial interest in an appraisal business or other real estate-related business.
Real Estate Examining Board	Apprentice Broker Salesperson Business Entity Time-Share Salesperson	7 members (5 licensed real estate brokers or salespersons and 2 public members)	Members may serve no more than two terms.
Veterinary Examining Board	Veterinarian Veterinary Technician	8 members (5 licensed veterinarians, 1 veterinarian technician and 2 public members.	No member may have a financial interest in a school teaching veterinary medicine.

* Does not include any DSPS boards or councils that were formerly part of the Department of Commerce.

**All members of listed boards serve four-year terms.

APPENDIX II

Attached Councils and Affiliated Examining Boards*

Board	Attached Councils/Boards	Composition of Board	Term in Office (in Years)	Duties
Medical Examining Board (MEB)	Council on Anesthesiologist Assistants	5 members (1 member of the MEB, 1 licensed anesthesiologist, 2 anesthesiologists, and 1 lay member)	3	Advise the MEB on rules for anesthesiology assistants. Appointments made based on recommendations from Wisconsin Society of Anesthesiologists, and the Wisconsin Academy of Anesthesiologist Assistants.
	Athletic Trainers Affiliated Credentialing Board	6 members (4 licensed athletic trainers, 1 person licensed to practice medicine and surgery with athletic trainer experience, 1 public member)	4	Licenses athletic trainers. Develops a form for recording practice protocols. Establishes liability insurance minimums for licensees. Promulgate rules requiring proficiency in defibrillators.
	Dietitians Affiliated Credentialing Board	4 members (3 certified dietitians and 1 public member. All appointed by the Governor)	4	Certifies dietitians. Establishes criteria for approval of educational and training programs and code of ethics to govern the professional conduct of dietitians.
	Occupational Therapists Affiliated Credentialing Board	7 members (3 licensed occupational therapists, 2 licensed occupational therapist assistants, 2 public members)	4	Licenses occupational therapists. Sets standards of: (a) examination requirements; (b) continuing education requirements; and (c) standards of practice and professional conduct. Define the scope of practice. Take disciplinary action against licensees.
	Podiatrists Affiliated Credentialing Board	4 members (3 licensed podiatrists and 1 public member)	4	Licenses podiatrists. Establishes continuing education requirements. Takes disciplinary action against licensees.
	Massage Therapy and Bodywork Therapy Affiliated Credentialing Board	7 members (6 licensed massage therapists that have practiced for at least the preceding two years -- one of these members must represent an approved bodywork or massage therapy school and one must represent such a program offered by a state technical college -- and 1 public member)	4	Licensed massage therapists and bodyworkers. Sets standards of: (a) examination requirements; (b) training program requirements; and (c) standards of practice and professional conduct.
	Physician Assistants, Council on	5 members (3 physician assistants, 1 person who teaches physician assistants, and 1 public member)	4	Advises the MEB on rules for physician assistants.
	Perfusionists Examining Council	5 members (3 licensed perfusionists, 1 cardiothoracic surgeon or a cardiovascular anesthesiologist, and 1 public member)	3	Advises the MEB on rules for perfusionist.
	Respiratory Care Practitioners Examining Council	5 members (3 certified respiratory care practitioners, each with at least 3 years of experience, 1 physician, and 1 public member)	3	Advises examining board on rules promulgated by the MEB related to the practice of respiratory care.

Board	Attached Councils/Boards	Composition of Board	Term in Office (in Years)	Duties
Nursing, Board of	Examining Council on Registered Nurses	4 registered nurses with 3 years of experience, as appointed by the Board of Nursing	4	Advisory to the board.
	Examining Council on Licensed Practical Nurses	5 members (3 licensed practical nurses and 2 registered nurses, one of whom is a faculty member at an accredited school for practical nursing. No member may serve on the Examining Council on Registered Nurses. All appointed by the Board of Nursing)	3	Advisory to the board.
Pharmacy Examining Board	Pharmacist Advisory Council	4 members (2 licensed pharmacists selected by the Chairperson of the Pharmacy Examining Board, 1 licensed physician selected by the Chairperson of the MEB, and 1 licensed nurse appointed by the Chairperson of the Board of Nursing)	3	Advisory to the board.
Departmental	Council on Real Estate Curriculum and Examinations	7 members (5 licensed real estate brokers or salespersons (which must include 1 member of the Real Estate Examining Board, 2 brokers with 5 years experience, and 1 real estate salesperson with 2 years of experience) and 2 public members, one of whom must have 2 years experience in planning or presenting real estate education programs)	4	Advisory to the Department.
	Crematory Authority Council	8 members (Secretary of DSPS as a non-voting member, 3 licensed funeral directors that operate crematories, 3 representatives of cemetery authorities who operate crematories, and 1 public member)	3	Advisory to the Department.
	Sign Language Interpreter Council	9 members (Secretary of DSPS, 5 deaf or hard of hearing persons who have been clients of a sign language interpreter at least one of whom is a graduate of a school for deaf or hard of hearing, 2 licensed sign language interpreters, 1 person who is not hard of hearing and has obtained sign language interpreter services)	3	Advisory to the Department.
<i>Special Use Authorizations</i>				
Controlled Substances Board		6 members (Attorney General, Secretary of Health Services, Secretary of Agriculture, Trade and Consumer Protection, Chair of Pharmacy Examining Board, 1 psychiatrist and 1 pharmacologist)	3 (for psychiatrist and pharmacologist)	Advises DRL boards on matters relating to controlled substances. Approves special use permits for controlled substances. The Board also has duties that are not specific to the Department, relating to rulemaking in defining controlled substances, and creating standards and schedules under the uniform controlled substances act [Chapter 961 of the statutes].

* Does not include any DSPS boards or councils that were formerly part of the Department of Commerce.

APPENDIX III

Credential Holders by Profession As of October, 2012*

Credential Type	Renewal	Initial	Total Active
Accounting Firm	557	88	605
Acupuncturist	461	80	511
Advanced Practice Nurse Prescriber	3,872	878	4,102
Aesthetician	1,589	376	1,913
Aesthetics Establishment	191	207	353
Aesthetics Instructor	40	6	44
Agent For Burial Agreements**	0	73	750
Anesthesiologist Assistant	0	0	32
Appraiser, Certified General	614	329	756
Appraiser, Certified Residential	994	78	1,015
Appraiser, Licensed	353	19	353
Architect	4,292	375	4,246
Architectural or Engineering Corp - Certificate of Authority	1,282	259	1,384
Art Therapist	72	8	75
Athlete Agent	37	31	40
Athletic Trainer	802	202	879
Auction Company	136	42	176
Auctioneer	695	123	808
Audiology	356	24	380
Barber	0	4	5
Barber/Cosmetology Apprentice	29	320	364
Barbering Establishment	0	1	1
Barbering Manager	0	1	1
Barbering and Cosmetology Establishment	6,467	1,932	7,833
Barbering or Cosmetology Instructor	669	108	762
Barbering or Cosmetology Manager	14,959	1,078	15,889
Barbering or Cosmetology Practitioner	15,873	3,059	18,392
Behavior Analyst	13	41	52
Cemetery Authority - Licensed	108	5	105
Cemetery Authority - Registered	3	46	52
Cemetery Authority-Religious**	0	26	403
Cemetery Preneed Seller	108	106	208
Cemetery Salesperson	100	107	206
Certified Dietitian	1,474	226	1,528
Certified Public Accountant	13,377	1,011	13,827
Charitable Organization***	11,997	1,340	6,262
Chiropractic	2,118	225	2,349
Chiropractic Radiological Technician	299	92	372
Chiropractic Technician	789	468	1,318
Clinical Substance Abuse Counselor	1,328	206	1,522

Credential Type	Renewal	Initial	Total Active
Clinical Supervisor-in-Training	63	75	131
Contestant Amateur MMA***	17	245	152
Contestant Professional MMA***	23	184	93
Contestant Boxing***	0	26	26
Crematory Authority	95	14	99
Dance Therapist	8	1	8
Dental Hygiene	5,121	420	5,343
Dentistry	4,267	367	4,476
Designer of Engineering Systems	991	52	1,002
Drug Manufacturer	66	20	80
Electrologist	186	12	198
Electrology Establishment	84	21	102
Electrology Instructor	4	1	5
Engineer In Training	3	348	1,589
Firearms Certifier	15	46	119
Fund-Raising Counsel	2	0	0
Funeral Director	1,252	77	1,294
Funeral Director Apprentice***	234	149	163
Funeral Director Excluding Embalming	2	0	2
Funeral Director in Good Standing	15	1	16
Funeral Establishment	542	54	573
Geology Firm	41	5	42
Hearing Instrument Specialist	208	60	266
Home Inspector	741	132	925
Hydrology Firm	8	0	7
Independent Clinical Supervisor	229	36	262
Intermediate Clinical Supervisor	175	29	205
Judge Boxing***	0	2	2
Judge MMA***	3	13	5
Juvenile Martial Arts Instructor	19	21	31
Land Surveyor	1,287	39	1,289
Landscape Architect	379	45	378
Licensed Marriage and Family Therapist	544	67	605
Licensed Midwife	60	59	114
Licensed Practical Nurse	14,828	2,543	17,004
Licensed Professional Counselor	2,530	450	2,937
Licensed Radiographer	0	5,822	5,834
Limited X-Ray Machine Operator Permit	0	67	67
Manicuring Establishment	602	350	840
Manicuring Instructor	24	8	32
Manicurist	2,902	681	3,542
Marriage and Family Therapist Training License	5	110	198
Massage Therapist Or Bodyworker	19	0	0
Massage Therapist or Bodywork Therapist	2,028	4,362	5,208
Matchmaker***	2	14	12

Credential Type	Renewal	Initial	Total Active
Medicine and Surgery, DO	1,370	271	1,489
Medicine and Surgery, MD	21,727	2,482	23,139
Mixed Martial Arts Contest***	0	32	34
Music Therapist	53	15	60
Nurse - Midwife	183	24	196
Nursing Home Administrator	886	91	893
Occupational Therapist	3,310	311	3,564
Occupational Therapy Assistant	1,223	174	1,385
Optometry	1,084	77	1,115
Peddlers**	0	4	43
Perfusionist	100	19	107
Pharmacist	7,347	757	7,639
Pharmacy (in state)	1,237	125	1,250
Pharmacy (out of state)	528	234	609
Physical Therapist	4,784	592	5,364
Physical Therapist Assistant	1,546	228	1,788
Physician Assistant	1,981	362	2,134
Podiatric Medicine and Surgery	343	26	353
Prevention Specialist	27	8	36
Prevention Specialist-in-Training	9	7	16
Private Detective	943	315	928
Private Detective Agency	534	155	640
Private Practice of School Psychology	49	6	53
Private Security Person	6,289	4,269	6,396
Professional Club – MMA***	0	1	0
Professional Counselor Training License	22	620	1,121
Professional Employer Group***	20	6	13
Professional Employer Group - Limited***	5	5	3
Professional Employer Organization***	36	20	30
Professional Employer Organization - Limited***	40	35	31
Professional Engineer	17,991	1,304	17,853
Professional Fund Raiser	70	29	70
Professional Geologist	808	11	783
Professional Hydrologist	132	1	128
Professional Soil Scientist	112	1	110
Promoter MMA***	0	9	8
Promoter – Boxing***	0	1	1
Psychologist	1,611	154	1,713
Real Estate Broker	10,918	1,089	11,965
Real Estate Business Entity	2,581	376	2,948
Real Estate Salesperson	10,093	1,693	11,514
Referee Boxing***	0	1	2
Referee MMA***	2	10	6
Registered Nurse	82,837	10,276	87,147
Registered Sanitarian	365	7	370

Credential Type	Renewal	Initial	Total Active
Respiratory Care Practitioner	2,761	291	2,846
Ringside Physician***	2	9	7
School of Aesthetics	3	1	3
School of Barbering or Cosmetology	27	9	31
School of Electrology	2	0	2
School of Manicuring	5	3	7
Second***	34	336	185
Sign Language Interpreter	193	247	240
Sign Language Interpreter- Restricted	29	85	77
Social Worker	5,791	677	6,362
Social Worker Training Certificate	6	338	335
Social Worker, Advanced Practice	1,994	752	2,659
Social Worker, Independent	365	16	380
Social Worker, Licensed Clinical	3,514	286	3,775
Soil Science Firm	10	1	10
Special Permits	0	167	139
Speech-Language Pathology	1,824	377	2,199
Substance Abuse Counselor	506	177	682
Substance Abuse Counselor-in-Training	514	595	1,094
Temporary Education Training Permit	0	864	457
Timekeeper***	2	6	6
Timeshare Salesperson	152	249	403
Veterinary Medicine	3,201	361	3,385
Veterinary Technician	1,404	280	1,552
Wholesale Distributor of Prescription Drugs	523	138	556
Wisconsin Registered Interior Designer	<u>250</u>	<u>19</u>	<u>245</u>
Total	331,986	63,145	367,833

* The initial and renewal counts represent the credentials processed from October, 2010 through October 2012. The total active credential count represent the number of active credentials as of October, 2012 (rather than over the two-year range). The total active column does not equal the sum of the initial and renewal columns, since the renewal dates and periods vary, some professionals may reinstate an old license, and some professionals may lose their credential.

** Does not renew.

*** Renews every year or every event.

APPENDIX IV

Initial Credential Fees, 2011-13 Biennium*

Initial Credential Fee **\$75**
(Applies to most professional credentials issued by DSPS)

Credentials with an Initial Credential Fee of Less than \$75

Barber/Cosmetologist Apprentice	\$10
Cemetery Authority - Registered	20
Charitable Organizations	30
Chiropractic Technicians	53
Chiropractic Radiological Technicians	53
Funeral Director Apprentice	20

*Fees were not changed from the levels set in the 2009-11 biennium. In 2011, DRL recalculated costs for each profession but the DRL Secretary made the decision (subsequently approved by the Joint Committee on Finance) to freeze fees at the 2009-11 levels.

APPENDIX V

Occupational Regulation Renewal Fees 2011-13 Biennium*

Credential Type	Renewal Fee
Accountant, Certified Public	\$82
Accounting Corporation or Partnership	82
Acupuncturist	107
Aesthetician	82
Aesthetics Establishment	82
Aesthetics Instructor	82
Aesthetics School	82
Appraiser, Certified General Real Estate	170
Appraiser, Certified Residential Real Estate	170
Appraiser, Licensed Real Estate	170
Architect	82
Architectural/Engineering Corporation	82
Art Therapist, Registered	107
Athlete Agent	107
Athletic Trainers	75
Auction Company	170
Auctioneer	170
Audiologist	170
Barber or Cosmetologist	82
Barbering or Cosmetology Establishment	82
Barbering or Cosmetology Instructor	82
Barbering or Cosmetology Manager	82
Barbering or Cosmetology School	82
Cemetery Authority	170
Cemetery Preneed Seller	170
Cemetery Salesperson	170
Charitable Organizations	54
Chiropractor	170
Chiropractic Technicians	44
Chiropractic Radiological Technicians	44
Counselor, Professional	91
Crematory Authority	170
Dance Therapist, Registered	107
Dental Hygienist	123
Dentist	123
Designer of Engineering Systems	82
Dietician	75
Drug Distributor - Wholesale	128
Drug Manufacturer	128
Physician Training Permit	10

Credential Type	Renewal Fee
Electrologist	\$82
Electrology Establishment	82
Electrology Instructor	82
Electrology School	82
Engineer, Professional	82
Fund-Raiser, Professional	107
Fund-Raising Counsel	107
Funeral Director	170
Funeral Director - Apprentice	10
Funeral Establishment	170
Geologist, Professional	170
Geology Firm/Corporation	170
Hearing Instrument Specialist	170
Home Inspector	107
Hydrologist, Professional	170
Hydrology Firm/Corporation	170
Interior Designer	107
Landscape Architect	82
Land Surveyor	82
Manicuring Establishment	82
Manicuring Instructor	82
Manicuring School	82
Manicurist	82
Marriage and Family Therapist	170
Massage Therapist or Body Worker	82
Midwife	107
Music Therapist	107
Nurse, Advanced Practice Prescriber	82
Nurse, Licensed Practical	82
Nurse, Registered	82
Nurse-Midwife	82
Nursing Home Administrator	170
Occupational Therapist	75
Occupational Therapist Assistant	75
Optometrist	170
Perfusionist	141
Pharmacist	128
Pharmacy	128
Physical Therapist	75
Physical Therapist Assistant	75
Physician	141
Physician Assistant	141
Private Detective	107
Private Detective Agency	107
Private Security Person	107

Credential Type	Renewal Fee
Professional Employer Organization	\$107
Psychologist	170
Real Estate Broker	82
Real Estate Business	82
Real Estate Salesperson	82
Respiratory Care Practitioner	141
Sanitarian	107
School Psychologist, Private Practice	170
Social Worker	85
Social Worker, Advanced Practice	85
Social Worker, Independent	85
Social Worker, Independent Clinical	85
Soil Scientist	170
Soil Science Firm	170
Speech-Language Pathologist	170
Substance Abuse Counselor (SAC)	107
SAC - Training	107
SAC - Clinical	107
SAC - Clinical Supervisor	107
SAC - Clinical Supervisor - Training	107
SAC - Independent Clinical Supervisor	107
SAC - Prevention Specialist	107
SAC - Prevention Specialist - Training	107
Time-Share Salesperson	82
Veterinarian	160
Veterinary Technician	160

*Fees were not changed from the levels set in the 2009-11 biennium. In 2011, DRL recalculated costs for each profession but the DRL Secretary made the decision (subsequently approved by the Joint Committee on Finance) to freeze fees at the 2009-11 levels.

APPENDIX VI

New Legislation for 2011-13

The Legislature passed the following laws during the 2011-13 biennium which affect the regulation of occupations by DSPS. This table provides the act number, and a brief summary of the provisions of that act. Full descriptions of these acts were prepared by the Legislative Council, and are available on that agency's website (<http://legis.wisconsin.gov/lc/publications/act/index.html>)

Act Number	Professions Affected	Summary	Effective Date
Act 32	Multiple	The biennial budget made multiple changes to the regulation of occupations in Wisconsin, including the reorganization of the Department of Regulation and Licensing under the Department of Safety and Professional Services. Other changes include the following, and the creation of the Real Estate Examining Board (and deletion the former Real Estate Board) responsible for granting credentials, creating rules, and enforcing credential requirements for real estate brokers and related professions.	7/1/2011
Act 120	Multiple	Allows military training to count towards training requirements required to receive a credential.	6/1/2012
Act 146	Multiple	Technical changes to DSPS statutes.	4/5/2012
Act 160	Anesthesiology Assistants	Creates a licensure process for anesthesiology assistants, and creates a Council on Anesthesiology Assistants to advise the Medical Examining Board. This act took effect October 1, 2012.	10/1/2012
Act 161	Physician Assistants	Allows physician assistants to perform certain activities such as having private and unrestricted communication with nursing home residents who are their patients, preparing a written excuse for a child's absence from school, and certify a person's illness or disability for that person's appearance before a zoning board of appeals.	4/12/2012
Act 190	Barbers and Cosmetologists	Separates the licensing procedures for barbers and cosmetologists. Previously, both had been regulated by the Barbering and Cosmetology Board. Under the act, DSPS will directly license barbers, and cosmetologists will be regulated by the renamed Cosmetology Board.	7/1/2012
Act 209	Multiple	Waives fees for qualified veterans or service members who apply for a wide range of occupational licenses from DSPS or other state agencies.	7/1/2012
Act 210	Multiple	For a license held by a member of the National Guard or Reserves that would have expired while the member was on active duty, the expiration date is changed from 90 days after discharge from active duty to 180 days after discharge from active duty. The act also changes certain licensing requirements for spouses of members of the National Guard or Reserves who are on active duty.	6/1/2012
Act 255	Multiple	Prohibits DSPS from requiring an applicant or credential holder to submit fingerprints, unless an investigation is needed to determine if that person had been charged or convicted of a crime.	4/20/2012