Assembly

Record of Committee Proceedings

Committee on Consumer Affairs

Assembly Bill 915

Relating to: eliminating outdated references to certificates of registration to practice audiology and speech-language pathology, and replacing the term hearing aid" with hearing instrument"; eliminating outdated references to transitional appraiser licenses; exempting certain persons who assist occupational therapists from licensure and certification requirements; use of titles and representations regarding Wisconsin registered interior designers by firms, partnerships and corporations; continuing education requirements for physicians and podiatrists; allowing the optometry examining board to deny, limit, suspend or revoke a certificate authorizing an optometrist to use topical ocular diagnostic or therapeutic pharmaceutical agents or to remove foreign bodies from an eye, and continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents or to remove foreign bodies from an eye; and public accountants practicing under a certificate of authority and qualifications for applicants for a certificate as a certified public accountant (suggested as remedial legislation by the department of regulation and licensing).

Law Revision Committee.

March 17, 1998 Referred to committee on Consumer Affairs.

March 23, 1998 PUBLIC HEARING HELD

Present: (6) Representatives Otte, Johnsrud, Ott, M. Lehman, Williams and Black.

Absent: (2) Representatives Urban and Hasenohrl.

Appearances for

• William Dusso, General Counsel, Dept. of Regulation & Licensing

Appearances against

None.

Appearances for Information Only

None.

Registrations for

• None.

Registrations against

None.

March 24, 1998 **EXECUTIVE SESSION**

Present: (8) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams, Hasenohrl and Black.

Absent: (0) None.

Moved by Representative Johnsrud, seconded by Representative Ott, that Assembly Bill 915 be recommended for passage.

Ayes: (8) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams, Hasenohrl and Black.

Noes: (0) None. Absent: (0) None.

PASSAGE RECOMMENDED, Ayes 8, Noes 0, Absent 0

Daniel A. Young

Committee Clerk

Assembly

Committee Report

The committee on **Consumer Affairs**, reports and recommends:

Assembly Bill 915

Relating to: eliminating outdated references to certificates of registration to practice audiology and speech-language pathology, and replacing the term hearing aid" with hearing instrument"; eliminating outdated references to transitional appraiser licenses; exempting certain persons who assist occupational therapists from licensure and certification requirements; use of titles and representations regarding Wisconsin registered interior designers by firms, partnerships and corporations; continuing education requirements for physicians and podiatrists; allowing the optometry examining board to deny, limit, suspend or revoke a certificate authorizing an optometrist to use topical ocular diagnostic or therapeutic pharmaceutical agents or to remove foreign bodies from an eye, and continuing education requirements for optometrists certified to use therapeutic pharmaceutical agents or to remove foreign bodies from an eye; and public accountants practicing under a certificate of authority and qualifications for applicants for a certificate as a certified public accountant (suggested as remedial legislation by the department of regulation and licensing).

Law Revision Committee.

PASSAGE RECOMMENDED, Ayes 8, Noes 0, Absent 0

Ayes: (8) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (0) None.

Representative Clifford Otte

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Chair

Assembly Hearing Slip

(Please print plainly)

| | | | Coursel | Bre | | | • | phristras | |
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| Date: MALCh 23, 1998 | BIII NO. 46 415 | | William Dusso, General Coursel | 1400 E. WAShington Muc | ddress or Ro | | (City & Zip Code) | Det. of Regulation of Licensing | (Répresenting) 🔾 |
| Date: 🚣 | BIII No. | Or Subject_ | Willia | (Name) //80 | (Street A | Madison | Colty & Z | Sect.o | (Represe |

(Répresenting) U Speaking *in favor:*

Speaking a*gainst:*

Registering *in favor:*

Registering *against:*Speaking for *information only;*Neither for nor against:

Please return this slip to a messenger promptly.

O

Assembly Sergeant at Arms:
Room 411 West
State Capitol
Madison, WI 53702

Vote Record

Assembly Committee on Consumer Affairs

| Date: 3-24-98 Bill Number: AB 9/5 Moved by: Sahnsture Motion: passage | | ecutive S | <u></u> | Public H | learing |
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| Committee Member Rep. Clifford Otte, Chair Rep. DuWayne Johnsrud Rep. Alvin Ott Rep. Michael Lehman Rep. Frank Urban Rep. Annette Polly Williams Rep. Donald Hasenohrl Rep. Spencer Black Totals: | Aye Aye Aye Aye Aye Aye | No | Absent | Presen | t Absent |

| Motion | Carried |
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| | | | • | 1997 Session | |
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| FISCAL ESTIMATE | I ORIGINAL | ☐ UPDATE | LRB or Bill No./A | dm. Rule No. Ame | endment No. |
| DOA-2048 (R10/94) | CORRECTED | SUPPLEMENT | AB 9 | 15 | |
| Subject Remedial legislation by th | ne Department of Reg | ulation and Licensing | | | |
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| Agency/Prepared by: | Au | thorized Signature | | Date | |
| Department of Regulation Patricia C. McCormack (608) 267-2435 | and Licensing | estin C M | e Coemack | 3/19 |)/ 98 |

| FISCAL ESTIMATE WORKSHEET Detailed Estimate of Annual Fiscal Effect | | | | | 1997 Sess | ion |
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State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Marlene A. Cummings Secretary

1400 E. WASHINGTON AVENUE P.O. BOX 8935 MADISON, WISCONSIN 53708-8935 (608) 266-2112

Tommy G. Thompson Governor

STATEMENT OF

William Dusso, Representing the DEPARTMENT OF REGULATION AND LICENSING

Before The

ASSEMBLY COMMITTEE ON CONSUMER AFFAIRS

Concerning

1997 Assembly Bill 915

March 23, 1998 Room 225 NW, State Capitol

Chairperson Otte and members of the Committee, thank you for the opportunity to appear concerning 1997 Assembly Bill 915. I am William Dusso, appearing for the Department of Regulation and Licensing.

Assembly Bill 915 is derived from requests for remedial legislative changes made by the Department of Regulation and Licensing. Changes proposed by the bill are summarized in the chart, attached.

Thank you for your consideration of this request.

ASSEMBLY BILL 915

Summary of Proposals Introduced by the Law Revision Committee (Department of Regulation and Licensing)

I. Hearing and Speech - Remove Obsolete Transitional Provisions and Change "hearing aid" to "hearing instrument."

- Remove outdated provisions of Subchapter III, in ch. 459, Stats., and sec. 440.04 (8), Stats., that relate to the "registration" of speech-language pathologists and audiologists. These transition registration provisions were in effect between December 1, 1990 and June 30, 1993. The current "licensing" provisions under Subchapter II, became effective as of July 1, 1993.
- Change statutory references from "hearing aid" to "hearing instrument". "Hearing instrument" is the preferred term. The change should be made for consistency. Some other terms in ch. 459, Stats., have been changed to reflect the new terminology (i.e., in 1995 Wis. Act 170, the term "hearing aid dealers and fitters" has been changed to "hearing instrument specialist").

II. Real Estate Appraisers - Remove Outdated Transitional Provisions

• Transitional licenses issued by the department expired on January 1, 1996. The statute providing for transitional license included an expiration date of January 1, 1996. All transitional licenses expired on January 1, 1996. Section 458.08 (5), Stats., should be repealed.

III. Occupational Therapists - Recognize Occupational Therapists Use of Supervised Aides

Chapter 448, Stats includes exceptions permitting respiratory care practitioners, physicians
and podiatrists to use unlicensed health care aides, providing the aides act under the direct,
supervision of the credentialed professional. This proposal recognizes that occupational
therapists also utilize unlicensed support staff in their work..

IV. Interior Designers - Clarify Advertising Restriction on Interior Design Firms.

• Wisconsin Act 322, creating a title protection statute for interior designers, restricts use of the title "Wisconsin registered interior designer." This title may not be used by a firm, partnership or corporation unless at least one principal, partner or officer who is in responsible charge of the interior design services provided by the firm, partnership or corporation is a Wisconsin registered interior designer. This limitation should be revised to permit a firm, partnership or corporation to advertise that it is a "Wisconsin registered interior designer" if the business provides interior design services under the supervision of a registered interior designer employe who is not a principal, partner of officer of the business entity.

V. Physicians - Correct Terminology: Time Period for Continuing Medical Education.

• Clarify renewal requirements for physicians so that a physician applying for renewal of his or her certificate of registration must submit proof that he or she has completed at least 30 hours of continuing education during the 2 years immediately preceding the date of the physician's application for renewal. [Current requirement refers to "calendar years."]

VI. Optometrists - Correct Terminology: Time Period for Optometry Continuing Education

• Clarify renewal requirements for optometrists under sec. 449.18 (7) to provide that the period for completing continuing education is the 2-year period immediately preceding the date of his or her application for renewal of the certification. [Current law refers to calendar years.]

VII. Accountants - Eliminate Antiquated Provisions.

- Under current law, the Accounting Examining Board may grant a certificate of authority to
 practice as a public accountant only to persons who applied for the certificate of authority
 before December 1, 1935. The Accounting Examining Board is no longer able to grant
 certificates of authority to practice as a public accountant, and there no longer are any
 public accountants practicing public accounting under a certificate of authority.
- Current statutes also specify that a person who applies for a certificate as a certified public accountant before July 1, 1968, must satisfy certain education and experience requirements.
- The accounting statute should be changed to eliminate references to these outdated provisions.

The proposals identified above relating to public accountants, continuing education were included in 1995 Assembly Bill 759, which passed the Assembly but failed for lack of time in the Senate.

Prepared by: William Dusso

Department of Regulation and Licensing

266-0011

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| FISCAL EST | | Ø OF | RIGINAL | UPDAT | E | LR | B or Bill No./Ac | im. Rule No. | Amendment No. |
| DOA-2048 (R10/94) | | □ cc | RRECTED | SUPPLEMENTAL | | | AB 91 | 15 | |
| Subject Remedial leg | islation | by the Departm | ent of Regul | ation and Lice | nsing | | | | |
| Fiscal Effect | | | | | | | | | |
| State: | E No | State Fiscal Effect | ł | • | | | | | |
| | | columns below o | | es a direct app | opriation or | affect | a sum suffic | ent annoncie | .tio |
| | | ease Existing App | | _ | | 1 | | · | |
| | | | · | | disting Reven | | | | possible to absorb |
| | | xease Existing App | | ☐ Decrease E | xisting Rever | lues | within ag | ency's budget | ☐ Yes ☐ No |
| | | ate New Appropria | ropriation | | | | | Costs | |
| Local: | | local government o | 1 | | | le | | | 4 <u>4</u> |
| 1. Increase | | | 3. Increas | | | э. ту П т | | vernment units : | Cities |
| ☐ Perm | | Mandatory | Peri | | landatory | | | | LJ Cides |
| 2. Decrease | | ☐ Mandatory | 3. Decrea | | | | ounties | Others_ | |
| Fund Sources A | issive iffected | ☐ Mandatory | Реп | | ndatory ted Ch. 20 A | □ s | chool Districts | WTCS DI | etricts |
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| ong-Range Fisc | ai implic | ations | · · · · · · · · · · · · · · · · · · · | | | | | | |
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| Agency/Prepared | bv: | | Auti | orized Signatu | re | - | · · · · · · · · · · · · · · · · · · · | Date | • |
| | f Regula Cormac | ation and Lice k | | skin C | | Gen | nele | | 3/19/98 |

| FISCAL ESTIMATE WORKSHEET Detailed Estimate of Annual Fiscal Effect | | | | | 1997 Sess | sion |
|---|-------------------------------------|---|---|--------------------------|--------------|---|
| DOA-2047 (R10/94) | X ORIGINAL | UPDATE | Ē | LRB or Bill No./A | dm. Rule No. | Amendment No |
| | CORRECTED | SUPPLE | MENTAL | AB 9 | 15 | |
| Subject Remedial legislation by the Department of | Pogulatia 111 | 7 | | | | |
| One-time Costs or Revenue impacts for State | Regulation and Lic | ensing | | | | |
| f. One-time Costs or Revenue impacts for State | a englor rocal Govern | iment (do not i | nclude in a | nnualized fiscal | effect): | - · · · · · · · · · · · · · · · · · · · |
| | | | | | | |
| II. Annualized Costs: | | | Anni | ualized Fiscal Im | rael on Pla | |
| A. State Costs by Category | | • | Inc | reased Costs | Dec | reased Costs |
| State Operations - Salaries and Fringe | 8 | | | | | |
| (FTE Position Changes) | | | \$ | | \$ - | |
| State Operations - Other Costs | | | (| FITE) | (- | FTE) |
| | | | | | | |
| Local Assistance | | | | | | |
| Alds to Individuals or Organizations | | | | | 1 . | hahada |
| TOTAL State Costs by Ca | tegory | | \$0 | | \$ - | |
| B. State Costs by Source of Funds | | | | ased Costs | • | eased Costs |
| | | | \$ | | \$ - | |
| FED | | | | | | |
| PRO/PRS | ingan mengalah di Nabi Maraban kala | | AUNISHUMS | alida no voja el selvici | | |
| SEG/SEG-S | | | | | | |
| (III. State Revenues - Complete this only when proposal (e.g., tax increase, decrease in lice | will increase or decrease | stato revenues | incre | ssed Costs | Dacre | ased Costs |
| GPR Taxes | ense 106, etc.) | | \$ | | 1 | |
| GPR Earned | | | * | | \$ - | |
| FED | | | | | | 1 (1) 2 (1) |
| PRO/PRS | | | | | - | |
| SEG/SEG-S | | | | | | |
| | | | | | - | |
| TOTAL State Revenues | | | \$0 | | \$ | |
| | | | | | | |
| NET | T ANNUALIZED F | ISCAL IMPA | CT | | | |
| | ST | ATE | | | LOCAL | |
| ET CHANGE IN COSTS | \$ 0 | | *************************************** | | | • |
| ET CHANGE IN REVENUES | \$ 0 | | | | | ** months and the same of the |
| | | | | | | |
| gency/Prepared by: | Authorized Signature | | | | Date | |
| epartment of Regulation and Licensing atricia C. McCormack | Patric C | | inac | | | 9/98 |