

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Relating to: eliminating outdated references to certificates of registration to practice audiology and speech-language pathology, and replacing the term "hearing aid" with "hearing instrument"; eliminating outdated references to transitional appraiser licenses; exempting certain persons who assist occupational therapists from licensure and certification requirements; use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.

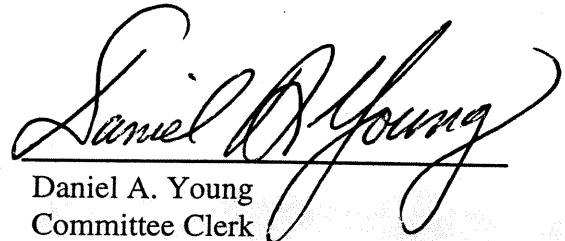
Moved by Representative Johnsrud, seconded by Representative
Ott, that **Assembly Bill 915** be recommended for passage.

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
Chair

Assembly Hearing Slip

(Please print plainly)

Date: March 23, 1998
BILL No. AB 915
Or
Subject _____

William Dusso, General Counsel
(Name)
1400 E. Washington Ave
(Street Address or Route Number)
Madison 53703
(City & Zip Code)

Dept. of Regulation & Licensing
(Representing)

- Speaking In favor:
- Speaking against:
- Registering In favor:
- Registering against:
- Speaking for Information only;
Neither for nor against:

Please return this slip to a messenger promptly.

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

Vote Record

Assembly Committee on Consumer Affairs

Date: 3-24-98 Executive Session Public Hearing

Bill Number: AB 915

Moved by: Johnsrud Seconded by: Ott

Motion: passage

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Present</u>	<u>Absent</u>
Rep. Clifford Otte, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. DuWayne Johnsrud	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Alvin Ott	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Michael Lehman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Frank Urban	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Annette Polly Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Donald Hasenohrl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rep. Spencer Black	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>8</u>	<u>0</u>			

Motion Carried

Motion Failed

1997 Session

FISCAL ESTIMATE

DOA-2048 (R10/94)

- ORIGINAL
- UPDATE
- CORRECTED
- SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.	Amendment No.
AB 915	

Subject
Remedial legislation by the Department of Regulation and Licensing

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Increase Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget Yes No
- Decrease Existing Appropriation
- Decrease Existing Revenues
- Create New Appropriation
- Decrease Costs

Local: No local government costs

- | | | |
|--|--|--|
| 1. <input type="checkbox"/> Increase Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
2. <input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 3. <input type="checkbox"/> Increase Revenue
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
3. <input type="checkbox"/> Decrease Revenue
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory | 5. Types of local government units affected:
<input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities
<input type="checkbox"/> Counties <input type="checkbox"/> Others _____
<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts |
|--|--|--|

Fund Sources Affected

- GPR
- FED
- PRO
- PRS
- SEG-S

Affected Ch. 20 Appropriations
20.165 (1) (g)

Assumptions Used in Arriving at Fiscal Estimate

This bill neither increases nor decreases department revenues or expenditures.

Long-Range Fiscal Implications

Agency/Prepared by:

Department of Regulation and Licensing
 Patricia C. McCormack
 (608) 267-2435

Authorized Signature

Patricia C. McCormack

Date

3/19/98

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

DOA-2047 (R10/94)

ORIGINAL UPDATE
 CORRECTED SUPPLEMENTAL

1997 Session

LRB or Bill No./Adm. Rule No.	Amendment No.
AB 915	

Subject
 Remedial legislation by the Department of Regulation and Licensing

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes	\$	\$ -
(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 0	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Costs	Decreased Costs
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$ 0	\$

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 0	
NET CHANGE IN REVENUES	\$ 0	

Agency/Prepared by: Department of Regulation and Licensing Patricia C. McCormack	Authorized Signature <i>Patricia C. McCormack</i>	Date 3/19/98
--	--	-----------------

1997 Session

FISCAL ESTIMATE

DOA-2048 (R10/94)

- ORIGINAL
- UPDATE
- CORRECTED
- SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.

Amendment No.

AB 915

Subject

Remedial legislation by the Department of Regulation and Licensing

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation
- Increase Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget Yes No
- Decrease Existing Appropriation
- Decrease Existing Revenues
- Decrease Costs
- Create New Appropriation

Local: No local government costs

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory
- 3. Increase Revenue
 - Permissive Mandatory
- 3. Decrease Revenue
 - Permissive Mandatory
- 5. Types of local government units affected:
 - Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG-S

Affected Ch. 20 Appropriations

20.165 (1) (g)

Assumptions Used in Arriving at Fiscal Estimate

This bill neither increases nor decreases department revenues or expenditures.

Long-Range Fiscal Implications

Agency/Prepared by:

Department of Regulation and Licensing
Patricia C. McCormack
(608) 267-2435

Authorized Signature

Patricia C. McCormack

Date

3/19/98

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

DOA-2047 (R10/94)

ORIGINAL UPDATE
 CORRECTED SUPPLEMENTAL

1997 Session

LRB or Bill No./Adm. Rule No.	Amendment No.
AB 915	

Subject
 Remedial legislation by the Department of Regulation and Licensing

i. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

ii. Annualized Costs:

A. State Costs by Category	Annualized Fiscal Impact on State funds from:	
	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes (FTE Position Changes)	\$ - (FTE)	\$ - (- FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 0	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$ -	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
iii. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Costs	Decreased Costs
GPR Taxes	\$ -	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$ 0	\$ -

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ 0	
NET CHANGE IN REVENUES	\$ 0	

Agency/Prepared by: Department of Regulation and Licensing Patricia C. McCormack	Authorized Signature <i>Patricia C. McCormack</i>	Date 3/19/98
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Tommy G. Thompson
Governor

Marlene A. Cummings
Secretary

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

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.

Regulatory Boards

Accounting; Architects; Landscape Architects; Professional Geologists; Professional Engineers; Designers and Land Surveyors; Auctioneer; Barbering and Cosmetology; Chiropractic; Dentistry; Dietitians; Funeral Directors; Hearing and Speech; Medical; Nursing; Nursing Home Administrator; Optometry; Pharmacy; Physical Therapists; Psychology; Real Estate; Real Estate Appraisers; Social Workers; Marriage and Family Therapists and Professional Counselors; and Veterinary.

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 or 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

1997 Session

FISCAL ESTIMATE

DOA-2048 (R10/94)

- ORIGINAL
- UPDATE
- CORRECTED
- SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.

Amendment No.

AB 915

Subject

Remedial legislation by the Department of Regulation and Licensing

Fiscal Effect

State: No State Fiscal Effect

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- Increase Existing Appropriation
- Increase Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget Yes No
- Decrease Existing Appropriation
- Decrease Existing Revenues
- Decrease Costs
- Create New Appropriation

Local: No local government costs

- 1. Increase Costs
 - Permissive Mandatory
- 2. Decrease Costs
 - Permissive Mandatory
- 3. Increase Revenue
 - Permissive Mandatory
- 3. Decrease Revenue
 - Permissive Mandatory
- 5. Types of local government units affected:
 - Towns Villages Cities
 - Counties Others _____
 - School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG-S

Affected Ch. 20 Appropriations

20.165 (1) (g)

Assumptions Used in Arriving at Fiscal Estimate

This bill neither increases nor decreases department revenues or expenditures.

Long-Range Fiscal Implications

Agency/Prepared by:

Department of Regulation and Licensing
Patricia C. McCormack
(608) 267-2435

Authorized Signature

Patricia C. McCormack

Date

3/19/98

FISCAL ESTIMATE WORKSHEET

Detailed Estimate of Annual Fiscal Effect

DOA-2047 (R10/94)

ORIGINAL UPDATE
 CORRECTED SUPPLEMENTAL

1997 Session

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(FTE Position Changes)	(FTE)	(- FTE)
State Operations - Other Costs		-
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Aids to Individuals or Organizations		-
TOTAL State Costs by Category	\$ 0	\$ -
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$	\$ -
FED		-
PRO/PRS		-
SEG/SEG-S		-
iii. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Costs	Decreased Costs
GPR Taxes	\$	\$ -
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
TOTAL State Revenues	\$ 0	\$

NET ANNUALIZED FISCAL IMPACT

	<u>STATE</u>	<u>LOCAL</u>
NET CHANGE IN COSTS	\$ 0	
NET CHANGE IN REVENUES	\$ 0	

Agency/Prepared by: Department of Regulation and Licensing Patricia C. McCormack	Authorized Signature <i>Patricia C. McCormack</i>	Date 3/19/98
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