



CLIFFORD OTTE

WISCONSIN STATE REPRESENTATIVE
27TH ASSEMBLY DISTRICT

December 9, 1997

TO: Members,
Assembly Committee on Consumer Affairs

FROM: Representative Clifford Otte, Chair *CO*

RE: Future Meetings

At this time, I intend to schedule two more meetings for the Committee, **January 29** and **February 26**. PLEASE MARK YOUR CALENDARS and KEEP THESE DATES FREE.

Tentatively, our agenda on January 29 will include (but will not necessarily be limited to) a hearing on AB 400 and AB 466, (previously scheduled for December 4), and executive action on AB 389, AB 416 and SB 322.

Assembly Hearing Slip

(Please print plainly)

Date: 11/20/97
BILL No. SB 322
Or
Subject

FRANK URBAN
(Name)
(Street Address or Route Number)

(City & Zip Code)
Asm. author
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11/20/97
BILL No. SB 322
Or
Subject

Melissa White
(Name)
403¹⁰⁰ North Howard
(Street Address or Route Number)

(City & Zip Code)
Sen. Moon
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11-20-97
BILL No. SB 322
Or
Subject

Myra Sheeran, Executive Assistant
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11/20/97
Bill No. S.B. 322
Or.
Subject

Christina C. Lemon
(Name)
2519 Middleton Beach Rd.
(Street Address or Route Number)
Middleton, WI 53562
(City & Zip Code)
Wisconsin Dietetic Assn.
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11-20-97
Bill No. SB 322
Or.
Subject

Marjorie Morgan
(Name)
4380 W. Mac Lane
(Street Address or Route Number)
Madison WI 53711
(City & Zip Code)
Wis Dietetic Assn.
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11-20-97
Bill No. SB 322
Or.
Subject

Monica Ceille
(Name)
6281 Upper Parkway N
(Street Address or Route Number)
Wausau WI 53213
(City & Zip Code)
(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

Assembly Hearing Slip

(Please print plainly)

Date: 11-20-97
Bill No. SB 322
Or
Subject _____

Secretary Marlene A. Cummings
(Name)
1400 E. Washington Avenue
(Street Address or Route Number)
Madison 53703
(City & Zip Code)
Dept of Regulation & Licensing
(Representing)

Speaking in favor:
~~Written Testimony Submitted~~
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

Assembly Hearing Slip

(Please print plainly)

Date: 11/20/97
Bill No. ~~AB 559~~ SB 322
Or
Subject _____

Sen. Brian Burke
(Name)

(Street Address or Route Number)
Milwaukee
(City & Zip Code)
3rd State Dist
(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



1411 West Montgomery Street
Sparta, Wisconsin 54656
608-269-0042
1-888-232-8631
FAX 608-269-0043

TO: MEMBERS, ASSEMBLY COMMITTEE ON CONSUMER AFFAIRS

FROM: MARGE MORGAN, PRESIDENT -- WISCONSIN DIETETIC ASSOCIATION
JANINE BAMBERGER, LEGISLATIVE CHAIR -- WISCONSIN DIETETIC
ASSOCIATION
CHRISTINA LEMON, LEGISLATIVE CHAIR-ELECT -- WISCONSIN DIETETIC
ASSOCIATION

RE: SUPPORT FOR SENATE BILL 322

DATE: NOVEMBER 20, 1997

Chairperson Otte, members of the Committee, thank you for scheduling Senate Bill 322 for a hearing and allowing us this opportunity to testify in support of its passage.

As you may recall, in 1994 the Governor signed into law 1993 Wisconsin Act 443 which established requirements for the certification of dietitians. The registered dietitian, or RD, works in all health care and non-health care settings and provides services to patients who are referred by a health care provider for nutrition services. As part of the medical team, dietitians develop the nutrition component of care for patients. You will find dietitians involved in prenatal care, which improves birth outcomes, treating heart disease without surgery, dealing with diabetes, cancer and AIDS/HIV infection. Dietitians' services are provided for Healthy Start patients and WIC enrollees.

As part of the 1994 legislation, there was established a Dietitians Affiliated Credentialing Board attached to the Medical Examining Board in the Wisconsin Department of Regulation and Licensing. The Board is made up of three certified dietitians and one member of the public. They are charged with the complete credentialing of dietitians in Wisconsin, including the conduct of hearings and investigations to determine whether a violation of the credentialing laws has occurred. At present, there are over 1,300 certified dietitians in Wisconsin.

The Board, through administrative rule, establishes the criteria for approval of educational programs and the training of dietitians. It defines the code of ethics that governs the professional conduct of certified dietitians and has responsibility for the review and refinement of administrative rules within its jurisdiction.

However, as part of Act 443, the Board is to sunset after June 30, 1999. This sunset was established so there could be an assessment as to whether to make the Board permanent. Two years of experience with the credentialing process indicates that the Board has succeeded in assuring consumers that quality dietetic services are provided by skilled professionals in Wisconsin. In addition, it has helped to make health care professionals more comfortable in referring patients for dietetic services by giving the referring provider an assurance of competency where dietetics are involved.

Dietetic services, when medically necessary or appropriate, are services which save money, improve patient outcomes and enhance the quality of life. They reduce the need for long-term drug therapies for many chronic illnesses, and reduce or prevent hospital stays and invasive medical procedures.

The Dietitians Affiliated Credentialing Board has been working to insure these benefits accrue to patients and providers in Wisconsin. We urge its continuance through repeal of the sunset clause as provided for in Senate Bill 322 and encourage your support for this measure.

We would be happy to answer any questions members of the Committee might have at this time.

Vote Record

Assembly Committee on Consumer Affairs

Date: 1-29-98
Moved by: Black Seconded by: Urban
AB: _____ Clearinghouse Rule: _____
AB: _____ SB: 322 Appointment: _____
AJR: _____ SJR: _____ Other: _____
A: _____ SR: _____

A/S Amdt: _____ to A/S Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____
A/S Sub Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Sub Amdt: _____
A/S Amdt: _____ to A/S Amdt: _____ to A/S Sub Amdt: _____

Be recommended for:

- Passage
- Introduction
- Adoption
- Rejection

- Indefinite Postponement
- Tabling
- Concurrence
- Nonconcurrence
- Confirmation

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

Aye	No	Absent	Not Voting
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Totals: 8 0 0 0

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.

SB 322

97-3820/2

Subject
 Certification requirements of dietitians

Fiscal Effect

State: No State Fiscal Effect

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues | <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues | |
| <input type="checkbox"/> Create New Appropriation | <input type="checkbox"/> Decrease Costs | |

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. Current costs associated with this board include expenses for four board meetings, including \$400 for per diems, \$1,200 for travel, \$850 for lodging, and \$250 for food. Printing and postage costs associated with applications, code books, and newsletters amount to \$1,500.

long-range Fiscal Implications

Agency/Prepared by:

Department of Regulation and Licensing
 Patricia C. McCormack

Authorized Signature

Patricia C. McCormack

Date

10/23/97

FISCAL ESTIMATE WORKSHEET

1997 Session

Detailed Estimate of Annual Fiscal Effect

ORIGINAL UPDATE
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.	Amendment No.
SB 322	

DOA-2047 (R10/94)

Subject Certification requirements of dietitians

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

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
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		
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.)		
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
 (608) 267-2435

Authorized Signature
Patricia C. McCormack

Date
 10/23/97



Wisconsin Association for
Perinatal Care

WAPC 28th Annual Meeting
April 19-21, 1998, Oconomowoc

December 29, 1997

Representative Clifford Otte, Chair
Assembly Committee on Consumer Affairs
P.O. Box 8952
Madison, Wisconsin 53708

AB559/SB322

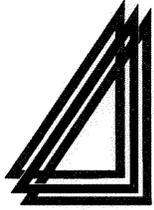
Dear Representative Otte and Members of the Committee on Consumer Affairs:

I write on behalf of the Wisconsin Association for Perinatal Care (WAPC) to support AB559/SB322 which would repeal the sunset date that pertains to certification of dietitians. This legislation would make permanent the current policy that an individual is not able to represent her/himself as a dietitian unless she/he is issued a certificate by the appropriate credentialing board in the Department of Regulation and Licensing. In order to be issued such a certificate, the individual would have to satisfy certain educational and practical requirements and pass an examination.

WAPC recognizes the important role that nutrition plays in maternal and child health, and the particular importance of research based nutritional care plans for pregnant women and infants. It is appropriate to have a certification process in place so that consumers and other health care professionals can be assured that those who represent themselves as dietitians have met minimum education and experience requirements.

Sincerely,

Daniel Bier, M.S., M.A.
Executive Director



WISCONSIN
DIETETIC
ASSOCIATION

1411 West Montgomery Street
Sparta, Wisconsin 54656
608-269-0042
1-888-232-8631
FAX 608-269-0043

November 21, 1997

Representative Clifford Otte
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Otte:

Thanks to you, we are one step closer to our goal of repealing the sunset date associated with certification of dietitians in Wisconsin. We appreciate your scheduling a hearing on S.B. 322 at yesterday's Consumer Affairs Committee meeting.

We sincerely hope this measure will be scheduled for an executive session as soon as possible. Thank you, in advance, for your assistance in moving this bill forward.

Please contact me if I can be of help.

Sincerely,

Christina C. Lemon, RD, MS, CD
Chair-elect, Legislative Committee

Phone: 608-238-6715

WHYTE HIRSCHBOECK DUDEK S.C.

Law Offices

BRIAN J. ELLIOTT
DIRECT DIAL (608) 258-7127

Suite 300
One East Main Street
P.O. Box 2996
Madison, Wisconsin 53701-2996

(608) 255-4440
Fax: (608) 258-7138

OFFICES IN MILWAUKEE, MADISON,
MENOMONEE FALLS, MANITOWOC
AND ZURICH, SWITZERLAND

October 27, 1997

Representative Clifford Otte
Room 109 West, State Capitol
Madison, Wis. 53708

Dear Representative Otte:

This is to confirm our appointment to discuss Assembly Bill 559, relating to repealing the sunset date associated with the Dietitians Affiliated Credentialing Board. This measure has been referred to the Committee on Consumer Affairs. The meeting will take place at your office at 11:00 a.m. on Tuesday, October 28.

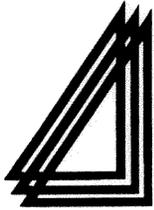
Attending our meeting will be the legislative chair-elect of the Wisconsin Dietetic Association, Ms. Christina Lemon, R.D., M.S., C.D.

I look forward to seeing you then. Should you have any questions or comments concerning this matter, please do not hesitate to contact me.

Sincerely,



Brian J. Elliott



WISCONSIN
DIETETIC
ASSOCIATION

1411 West Montgomery Street
Sparta, Wisconsin 54656
608-269-0042
1-888-232-8631
FAX 608-269-0043

October 30, 1997

Representative Clifford Otte
State Capitol
P.O. Box 8953
Madison, WI 53708

Dear Representative Otte:

Thank you for meeting with Brian Elliott and myself Tuesday to discuss our goal of repealing the sunset date associated with certification of dietitians in Wisconsin. We believe that the credentialing process for dietitians has proved successful, and that certification is accomplishing its goals of assuring the quality of dietetic services to consumers and to other health professionals.

At yesterday's Senate Health Committee hearing, Secretary Marlene Cummings testified in favor of the sunset repeal (S.B. 322/A.B. 559). No opposition was presented. Today the Senate Health Committee recommended passage of S.B. 322.

We sincerely hope you'll be able to schedule A.B. 559 for a hearing in the Assembly Consumer Affairs Committee as soon as possible. Thank you, in advance, for your assistance in moving this bill forward.

If I can be of help in any way, do not hesitate to contact me.

Sincerely,

Christina C. Lemon, RD, MS, CD
Chair-elect, Legislative Committee

Phone: 608-238-6715



State of Wisconsin \ DEPARTMENT OF REGULATION & LICENSING

Tommy G. Thompson
Governor

Marlene A. Cummings
Secretary

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

**Testimony on Senate Bill 322
Before The
Assembly Committee on Consumer Affairs
Room 424 Northeast, State Capitol
Thursday, November 20, 1997, 8:30 a.m.**

*Department of Regulation and Licensing
Marlene A. Cummings, Secretary*

Chairperson Otte and members of the Assembly Committee on Consumer Affairs.

Thank you for the opportunity to testify in favor of Senate Bill 322, which will repeal the sunset provision of June 30, 1999.

The Department, the Dietitians Affiliated Credentialing Board nor the Medical Examining Board have developed standards for sunset provisions. Nutrition today as it was when dietitians were first regulated is vital to the health of every member of society. As Wisconsin and the nation ages, the need for proper nutrition to maintain health and prevent illness is important. Dietetics is one of the health professions that is cost effective and we think the state would be ill served to address discontinuance of this certification at this time.

In addition, the HMO's and PPO's have and will continue to change the way health care is delivered. We do not need to upset the market place with any changes at this time.

I appreciate having the opportunity to change what seemed to be a good idea when 1993 Wisconsin Act 443 was deliberated. Thank you.

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

Record of Committee Proceedings

Committee on Consumer Affairs

Senate Bill 322

Relating to: certification requirements for dietitians.

By Senators Moen, Roessler, Breske, Rosenzweig, Burke, Farrow and Huelsman; cosponsored by Representatives Urban, Robson, Handrick, Carpenter, Bock, M. Lehman, Meyer, Ott, La Fave, Porter, Duff, Seratti, Kreibich, Plale, Notestein, Kelso and Springer.

November 11, 1997 Referred to committee on Consumer Affairs.

November 20, 1997 **PUBLIC HEARING HELD**

Present: (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Hasenohrl and Black.

Absent: (1) Representative Williams.

Appearances for

- Representative Frank Urban, Assembly author
- Melissa White for Senator Rodney Moen, author
- Myra Shelton, Executive Assistant, Department of Regulation & Licensing
- Christina C. Lemon, Middleton, Wisconsin Dietetic Assn.
- Marjorie Morgan, Madison, Wisconsin Dietetic Assn.

Appearances against

- None.

Appearances for Information Only

- Monica Ceille, Wauwatosa

Registrations for

- Secretary Marlene Cummings, Department of Regulation & Licensing
- Senator Brian Burke, 3rd Senate District

Registrations against

- None.

January 29, 1998

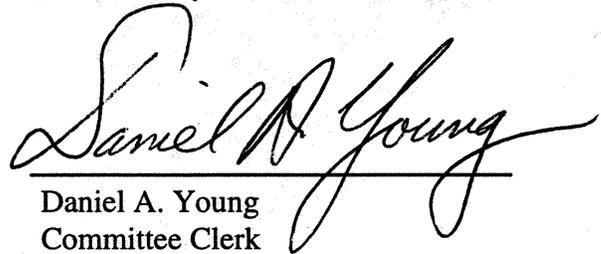
EXECUTIVE SESSION

Present: (8) Representatives Otte, Johnsrud, Ott, M.
Lehman, Urban, Williams, Hasenohrl and
Black.
Absent: (0) None.

Moved by Representative Black, seconded by Representative
Urban, that **Senate Bill 322** be recommended for concurrence.

Ayes: (8) Representatives Otte, Johnsrud, Ott, M.
Lehman, Urban, Williams, Hasenohrl and
Black.
Noes: (0) None.
Absent: (0) None.

CONCURRENCE RECOMMENDED, Ayes 8, Noes 0, Absent 0


Daniel A. Young
Committee Clerk

Assembly

Committee Report

The committee on Consumer Affairs, reports and recommends:

Senate Bill 322

Relating to: certification requirements for dietitians.

By Senators Moen, Roessler, Breske, Rosenzweig, Burke, Farrow and Huelsman; cosponsored by Representatives Urban, Robson, Handrick, Carpenter, Bock, M. Lehman, Meyer, Ott, La Fave, Porter, Duff, Seratti, Kreibich, Plale, Notestein, Kelso and Springer.

CONCURRENCE 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