



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 02-021

AN ORDER to amend Psy 2.02 (1) and (3), relating to the scheduling of examinations.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

02-07-02 RECEIVED BY LEGISLATIVE COUNCIL.

03-04-02 REPORT SENT TO AGENCY.

RS:AS:tlu;ksm

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



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Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

In Psy 2.02 (2), the cross-reference should read “s. Psy 2.01 (1) to (3)” in order to reflect the current text of the rule.

STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-)

PROPOSED ORDER

An order of the Psychology Examining Board to amend Psy 2.02 (1) and (3), relating to the scheduling of examinations.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b) and 227.11 (2), Stats.

Statutes interpreted: s. 455.045, Stats.

Currently, s. Psy 2.02, Wis. Admin. Code, requires that the board schedule examinations on the professional practice of psychology at least twice a year. Examinations are now administered by computer. This proposed rule-making order will eliminate a lengthy lead time prior to the examination that was needed when the examination was administered and scored manually. The same rule requires an applicant to complete all application materials "before the first of the month immediately prior to" a board meeting before taking the examination on the elements of practice essential to the public health, safety or welfare. Since the board meets on a different date each month, another proposed rule change would make the lead time for this requirement easier to administer.

TEXT OF RULE

SECTION 1. Psy 2.02 (2) and (3) are amended to read:

Psy 2.02 (2) No applicant may be admitted to the examination on the professional practice of psychology unless the requirements stated in s. Psy 2.02 (1) to (3) have been met ~~at least 30 days prior to the board meeting preceding the date of the examination.~~

(3) No applicant may be admitted to the examination on the elements of practice essential to the public health, safety or welfare unless the requirements stated in s. Psy 2.01 (1) to (7) and (9) to (12) have been met ~~before the first of the month immediately~~ at least 30 days prior to the board meeting preceding the date of the examination.

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

Dated _____ Agency _____
Chairperson
Psychology Examining Board

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

INITIAL REGULATORY FLEXIBILITY ANALYSIS

These proposed rules will be reviewed by the department through its Small Business Review Advisory Committee to determine whether there will be an economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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2/6/02

**STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD**

**IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-021)**

TO: Senator Judy Robson, Senate Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 15 South, State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that the PSYCHOLOGY EXAMINING BOARD is submitting in final draft form rules relating to the scheduling of examinations.

Please stamp or sign a copy of this letter to acknowledge receipt. If you have any questions concerning the final draft form or desire additional information, please contact Pamela Haack at 266-0495.

**STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD**

IN THE MATTER OF RULE-MAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : ON CLEARINGHOUSE RULE 02-021
PSYCHOLOGY EXAMINING BOARD : (s. 227.19 (3), Stats.)

I. THE PROPOSED RULE:

The proposed rule, including the analysis and text, is attached.

II. REFERENCE TO APPLICABLE FORMS:

No new or revised forms are required by these rules.

III. FISCAL ESTIMATES:

These rules will have no significant impact upon state or local units of government.

IV. STATEMENT EXPLAINING NEED:

Currently, s. Psy 2.02, Wis. Admin. Code, requires that the board schedule examinations on the professional practice of psychology at least twice a year. Examinations are now administered by computer. This proposed rule-making order will eliminate a lengthy lead time prior to the examination that was needed when the examination was administered and scored manually. The same rule requires an applicant to complete all application materials "before the first of the month immediately prior to" a board meeting before taking the examination on the elements of practice essential to the public health, safety or welfare. Since the board meets on a different date each month, another proposed rule change would make the lead time for this requirement easier to administer.

V. NOTICE OF PUBLIC HEARING:

A public hearing was held on March 27, 2002. There were no appearances at the hearing, nor were any written comments received.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 2. In Psy 2.02 (2), the cross-reference should read "s. Psy 2.01 (1) to (3)" in order to reflect the current text of the rule.

Response. That section already reads "s. Psy 2.01 (1) to (3)."

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

These rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

STATE OF WISCONSIN
PSYCHOLOGY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : PSYCHOLOGY EXAMINING BOARD
PSYCHOLOGY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 02-021)

PROPOSED ORDER

An order of the Psychology Examining Board to amend Psy 2.02 (2) and (3), relating to the scheduling of examinations.

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ANALYSIS

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(3) No applicant may be admitted to the examination on the elements of practice essential to the public health, safety or welfare unless the requirements stated in s. Psy 2.01 (1) to (7) and (9) to (12) have been met ~~before the first of the month immediately~~ at least 30 days prior to the board meeting preceding the date of the examination.

(END OF TEXT OF RULE)

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

Dated _____ Agency _____

Chairperson
Psychology Examining Board

FISCAL ESTIMATE

1. The anticipated fiscal effect on the fiscal liability and revenues of any local unit of government of the proposed rule is: \$0.00.
2. The projected anticipated state fiscal effect during the current biennium of the proposed rule is: \$0.00.
3. The projected net annualized fiscal impact on state funds of the proposed rule is: \$0.00.

FINAL REGULATORY FLEXIBILITY ANALYSIS

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

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4/17/02