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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Health...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
(**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
(**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (October 2013)

Assembly

Record of Committee Proceedings

Committee on Health

Clearinghouse Rule 11-027

Relating to background checks and fingerprinting.
Submitted by Department of Regulation and Licensing.

August 10, 2011 Referred to Committee on Health.

September 21, 2011 **PUBLIC HEARING HELD**

Present: (10) Representatives Stone, Severson, Kaufert, Van Roy, Petersen, Litjens, Richards, Pasch, Seidel, C. Taylor.
Absent: (0) None.
Excused: (1) Representative Strachota.

Appearances For

- None.

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- John Murray, Madison — Executive Assistant, Dept of Safety & Professional Services
- Chad Zadrazil, Madison — Dept of Safety & Professional Services

Registrations Against

- None.

Registrations for Information Only

- None.

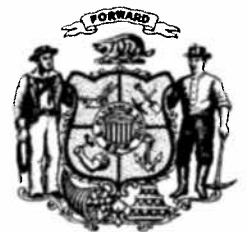
October 10, 2011 No action taken.

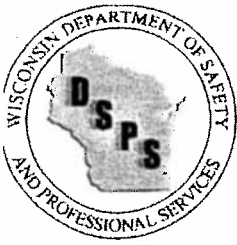


Marsha Dake
Committee Clerk



WISCONSIN STATE LEGISLATURE





STATE OF WISCONSIN

Department of Safety and Professional Services
1400 E Washington Ave.
Madison WI 53703

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Governor Scott Walker

Secretary Dave Ross

Voice: 608-266-2112 • FAX: 608-267-0644 • TTY: 608-267-2416

TO: Department of Safety and Professional Services
FROM: Board of Nursing
DATE: August 2, 2011
RE: Clearinghouse Rule #11-27

The Wisconsin Board of Nursing supports the proposed rule, Clearinghouse 11-27, which creates RL 4.08, Wis. Admin. Code to require federal criminal background checks for the licensure of physicians. In fact, the Board of Nursing has been on record for a number of years in support of federal criminal background checks and has sought similar authority for nurse licensure. The Board of Nursing has a pending scope statement to initiate rule-making for this purpose.

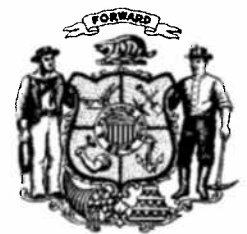
The National Council of State Boards of Nursing in July 1999 adopted Uniform Core Licensure Requirements. The use of criminal background checks is consistent with the recommendations of the National Council Delegate Assembly for uniform core licensure requirements. The NCSBN Model Nursing Practice Act and Model Nursing Administrative Rules also included language for the authority to conduct federal and state criminal background checks. This authority is increasingly important in a mobile society where nurses and other health care providers often relocate for both professional and personal reasons. The rationale is that a criminal background has a potential impact on the ability of an individual to practice a profession safely. The existence of a criminal background may predict how the individual might treat vulnerable patients and may be indicative of affective or behavioral disorders. Individuals with criminal backgrounds may pose a serious risk of harm to the safety and welfare of patients due to inadequate critical thinking skills and poor judgment. Without the ability to conduct federal background checks, licensing boards are not fully informed of this relevant information which should be considered as part of a licensing decision.

The Nurse Licensure Compact, which Wisconsin is a part of, recommends that member states work toward adopting uniform core licensure requirements. The NLC provides for mutual recognition of nurse licensure among member states whereby a nurse is allowed to practice in a compact state without obtaining a new license in each jurisdiction. Thus, it is important that each member state have the authority to conduct federal criminal background checks. Currently, 19 of the 24 states which are members of the Nurse Licensure Compact (NLC) require federal background checks. Of the remaining compact member states (not including Wisconsin); one requires federal background checks based upon self-report or substance abuse history, and two others are introducing legislation to require criminal background checks. The only bordering compact state (Iowa) requires background checks. A comparison of the other neighboring states indicates that Michigan and Illinois require fingerprinting and criminal background checks. Minnesota is pursuing legislation.

In summary, the Board of Nursing supports the proposed rule for federal criminal background checks as a necessary and modern component of a regulatory board's authority. The proposed rule will assist the licensing boards in making informed and appropriate licensing decisions and thereby fulfilling its duty to protect the health, safety and welfare of the public.



WISCONSIN STATE LEGISLATURE



Dake, Marsha

From: Dake, Marsha
Sent: Wednesday, August 10, 2011 4:14 PM
To: Rep.Stone; Rep.Severson; Rep.Kaufert; Rep.Van Roy; Rep.Strachota; Rep.Petersen;
Rep.Litjens; Rep.Richards; Rep.Pasch; Rep.Pocan; Rep.Seidel; Scholz, AJ; Field, Adam;
Hein, Tanya; Buschman, Sara; Bowers, Deborah; Turke, Jon; Ludwig, Frederic; Trost, Craig;
Verette, Natalie; Larson, Brian; Moran, Christian; Carpenter, Dan
Subject: Committee on Health Rule Referral
Attachments: Ch RL 4 CR 11- 027 (Background Check) 08-04-11 FINAL draft form.pdf

Members of the Assembly Committee on Health:

The following Clearinghouse Rule has been referred to the Assembly Committee on Health:

Clearinghouse Rule 11-027 relating to background checks and fingerprinting (DSPS - formerly DRL)

The final date for committee action on CHR 11-027 is September 9, 2011. Please contact my office (6-8590) by September 2, 2011 if you have any questions or would like to request a hearing on this rule.

Thank you,

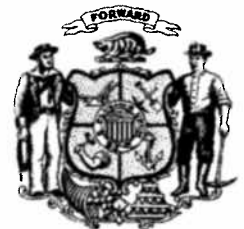
Marsha Dake
Committee Clerk
Office of Rep. Jeff Stone



Ch RL 4 CR 11-
027 (Background...



WISCONSIN STATE LEGISLATURE



New date:
Oct 10

DATE: August 10, 2011
TO: Marsha Dake
Committee on Health
FROM: Patrick E. Fuller, Assembly Chief Clerk
RE: Clearinghouse Rules Referral

The following Clearinghouse Rule has been referred to your committee.

CLEARINGHOUSE RULE 11-027

AN ORDER to renumber and amend RL 4.08 (intro.) and to create RL 4.08 (2), relating to background checks and fingerprinting.

Submitted by **Department of Regulation and Licensing.**

Report received from Agency on **August 4, 2011.**

To committee on **Health.**

Referred on **Wednesday, August 10, 2011.**

Last day for action - **Friday, September 9, 2011.**

Under section 227.19 (4) of the Wisconsin Statutes, your committee has 30 days to take action or get an extension. The day **after** the official referral date is day one of your review period. Therefore, the 30th day should fall four weeks and two days after the referral date. For example, for Clearinghouse Rules referred on a Monday, a Wednesday would be your 30th day. For Clearinghouse Rules referred on a Thursday or Friday, your 30th day would fall on a weekend. Therefore, your time would expire on the next working day (Monday) as provided for in s. 990.001 of the Wisconsin Statutes. Also, if the 30th day falls on a legal holiday, time would expire on the next working day.

To extend your review period for an additional 30 days, your committee has one of two options. Section 227.19(4)(b) states that you can request in writing that the agency meet with the committee to review the proposed rule. Another option is to publish or post notice that the committee will hold a meeting or hearing to review the proposed rule and immediately send a copy of the notice to the agency.

Section 227.19 **requires** you to notify each member of your committee that you have received this Clearinghouse Rule. Although some committee chairs choose to do so, you are not required by law or rule to send a copy of the text of the rule to each member at this time. Instead, your notice could state that members should contact you if they wish to receive a hard copy of the rule. Another option would be to email the rule to members. Please put a copy of your official notification memo in the rule jacket.

Three copies of the Clearinghouse Rule and its accompanying documents are contained in the jacket. If you wish to have your Legislative Council attorney review the Clearinghouse Rule, send him/her a copy. I only need one copy remaining in the jacket when you report it out of committee at the end of the review period.

The identical process is happening simultaneously in the Senate. Keep track of their action on the rule.

For assistance with the Clearinghouse Rule process, please consult Kay Inabnet (6-5550) or your Legislative Council attorney. If you wish to learn more on this subject, read *Review of Administrative Rules* which is part of the Legislative Council's Wisconsin Legislator Briefing Book series, section 227.19 of the Wisconsin Statutes or part 2 of the *Administrative Rules Procedures Manual* written by the Revisor of Statutes Bureau and the Wisconsin Legislative Council staff.





STATE OF WISCONSIN

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Madison WI 53703

Governor Scott Walker Secretary Dave Ross

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September 21, 2011

Clearinghouse Rule 11-027: Relating to background checks and fingerprinting

Background of CHR 11-027

The proposed rule in Clearinghouse Rule 11-027 amends Wis. Admin. § RL 4.08 to authorize the Department of Safety and Professional Services (DPS) to require applicants for a license to practice medicine and surgery to submit fingerprints and undergo a criminal background check as part of the initial licensure process. The rule change is promulgated to advance the Wisconsin Medical Examining Board's and DPS's statutory goal of protecting the public. *See* ss. 440.03(13)(a) and s. 448.05(1)(a), Stats..

Currently, applicants for a license to practice medicine and surgery may be required to submit fingerprints and undergo criminal background checks only if "there exists reason to believe that the applicant has failed to accurately describe his or her conviction record." Wis. Admin. Code § RL 4.08. The proposed rule establishes two components of the RL 4.08. The first component creates a class of licenses that the applicants for which are required to submit fingerprints and undergo criminal background checks in situations when there is not a reason to believe that an applicant has failed to accurately describe his or her conviction record. The second component designates the physician license, the license to practice medicine and surgery, as a member of the class of licenses described above.

Public Policy

While Wis. Admin. Code § RL 4.08 is a rule administered by DPS, the Wisconsin Medical Examining Board has been on record in favor of the requirement since 2006 and unanimously approved the Scope Statement for the proposed rule change in January 2011.¹ Further, in a 2008 Milwaukee Journal Sentinel article, members of the Board, doctors, lawmakers, and medical ethicists recommended conducting criminal background checks on applicants who apply to practice medicine in Wisconsin.²

The primary reason to require applicants for an initial license to practice medicine and surgery in Wisconsin to undergo criminal background checks is to protect public safety. Public safety is increased by ensuring that DPS and the Medical Examining Board has the tools to thoroughly review relevant information relating to the character, credentials and backgrounds of all applicants who apply to practice medicine in Wisconsin.

¹ See Wisconsin Medical Examining Board, Meeting Minutes for August 16, 2006 at http://drl.wi.gov/meetings_notes.asp?thismeeting=1371; Meeting Minutes for September 20, 2006 at http://drl.wi.gov/meetings_notes.asp?thismeeting=1372; and, Meeting Minutes for January 19, 2011 at http://drl.wi.gov/meetings_notes.asp?thismeeting=2710.

² Gina Barton, *Sent to Jail. Then Back to Medicine*, Milwaukee Journal Sentinel, Jan. 28, 2008 at <http://www.jsonline.com/news/wisconsin/29593729.html>.

Currently, over half of U.S. medical and osteopathic boards require applicants to undergo criminal background checks as part of the licensure process.³ Statistics from the other states demonstrate the effectiveness of background checks for ensuring applicants disclose all of the relevant information on the application. For example, since beginning to collect statistics in 2008, approximately 62% of letters of warning which have been issued by the Iowa Medical Board for failing to disclose information on an application regard failing to disclose criminal history information.⁴

A 2006 Federation of State Medical Boards' survey of Medical and Osteopathic Boards that require criminal background checks as part of the licensure process found that between 2-5% of physicians applying for licensure in each state had criminal histories. Further, the study found that between 1-3% of applicants with criminal histories did not disclose them on the application.⁵ The survey found that the most common undisclosed crimes discovered by the criminal background check were DUI and theft.⁶ In sum, the survey found examples of numerous undisclosed crimes, including: shoplifting, sex crimes, larceny, forged prescriptions, domestic violence, drug use/dealing/smuggling, assault and battery, demonstrating, breaking and entering, child abuse, deportation, criminal mischief and murder.⁷

In addition to increasing public safety, requiring criminal background checks during the physician licensure process also comports with the goals of the Health Resources and Services Administration Licensure Portability Grant Program that DSPS won in February 2010. One of the goals of the Licensure Portability Grant Program is to reduce barriers to physician licensure portability to improve the accessibility to healthcare for underserved citizens. Along with DSPS, nine other Midwestern State Medical and Osteopathic Boards are cooperating through the Grant Program to develop an expedited licensure process for physicians.⁸ The expedited licensure process standardizes eligibility requirements and enables eligible physicians to apply for licensure from each of the Boards through a more efficient process. In November 2010, representatives from the Boards identified requiring criminal background checks as a best practice and an important component of the expedited licensure process.⁹

³ See *Criminal Background Checks Overview by State*, Federation of State Medical Boards, Sep. 6, 2010 at http://www.fsmb.org/pdf/GRPOL_Criminal_Background_Checks.pdf.

⁴ Amy Van Maanen, *Letters of Warning for Non-Disclosure of Information on Licensure Applications*, Iowa Board of Medicine, Sep. 14, 2011, *attached*.

⁵ *Trends in Physician Regulation*, Federation of State Medical Boards, page 14, April 2006, at http://www.fsmb.org/pdf/pub_fsmb_trends_in_physician_regulation_2006.pdf.

⁶ *Id.*

⁷ *Id.*

⁸ In addition to the Wisconsin Medical Examining Board, the nine other Midwestern State Medical and Osteopathic Boards are the: Illinois Medical Licensing Board, Medical Licensing Board of Indiana, Iowa Board of Medicine, Kansas Board of Healing Arts, Michigan Board of Medicine, Michigan Board of Osteopathic Medicine and Surgery, Minnesota Board of Medical Practice, Missouri Board of the Healing Arts and the South Dakota Board of Medical and Osteopathic Examiners.

⁹ ARRA Licensure Portability Task Force Meeting Minutes for November 4-5, 2010 at http://drl.wi.gov/meetings_notes.asp?thismeeting=2635.

In November 2010, only four of the Boards required criminal background checks as part of their physician licensure process.¹⁰ From November 2010, four other Boards, including the Wisconsin Medical Examining Board, have either begun requiring criminal background checks as part of their physician licensure processes or are working towards implementing the requirement. In Illinois, Board Staff is working on a plan to implement the statutory requirement to conduct criminal background checks as part of the physician licensure process. In South Dakota, the Medical Board is working on legislation to authorize it to require applicants to undergo criminal background check. Finally, in Indiana, the Governor signed Indiana Senate Bill 363 in May 2011 that requires applicants for a physician license who apply after July 1, 2011 to submit fingerprints and undergo a criminal background check as part of the licensure process.¹¹

Therefore, eight out of ten State Boards participating in the Grant Program either require or are in the process of the requiring criminal background checks as part of the physician licensure process. Currently, the Minnesota Board of Medical Practice is not in the process instituting a requirement, but may seek the authority to require background checks in the future. In fact, at its August 6, 2011 meeting, the Board unanimously approved the expedited physician licensure process that included the background check requirement. The Executive Director of the Board, Rob Leach, noted the background check issue and a Board Member, Dr. Gerald Kaplan, stated that he would like to “revisit the issue of criminal background checks” and that he is “willing to go to the legislature to testify in favor of allowing the board to perform background checks.”¹²

Another aspect of the ARRA Licensure Portability Grant Program is to reduce aspects of each state’s licensure process that may be redundant or create additional barriers to licensure portability. While not conclusive, the statistics from Indiana collected as part of the Grant Program indicate that requiring applicants for a physician license to undergo criminal background checks as part of the licensure process is not burdensome. As previously mentioned, on July 1, 2011, the Indiana Medical Licensing Board began requiring applicants for initial licensure to submit fingerprints as part of the licensure process. Yet, the number of applicants submitting an application during July and August 2011 was greater than the number of applicants submitting an application for physician licensure during the same period of 2010.¹³ Specifically, applicants submitted 309 during July and August 2010 and 347 applications for the same period in 2011.¹⁴

As the above information demonstrates, the proposed rule is intended to protect the public, improve licensure portability and not be a burden on physicians.

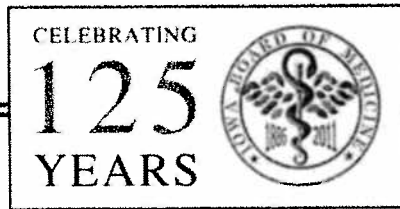
¹⁰ In November 2010, the Boards requiring criminal background checks as part of the physician licensure process were: the Iowa Board of Medicine, the Kansas Board of Healing Arts, the Michigan Board of Medicine and the Michigan Board of Osteopathic Medicine and Surgery.

¹¹ Indiana Senate Enrolled Act No. 0363, at <http://www.in.gov/legislative/bills/2011/SE/SE0363.1.html>.

¹² Minnesota Board of Medical Practice, Meeting Minutes for Aug. 6, 2011 (in the agenda for September 10, 2011 on page 6), at http://www.state.mn.us/mn/externalDocs/BMP/March_10_2007_Agenda_030107121437_PublicBoardAgenda09-10-2011.pdf.

¹³ Indiana ARRA Portability Grant Compliance Data, Sep. 7, 2011, *attached*.

¹⁴ *Id.*



STATE OF IOWA
IOWA BOARD OF MEDICINE

MARK BOWDEN
Executive Director

Letters of Warning for Non-Disclosure of Information on Licensure Applications

Prepared by Amy Van Maanen, Director of Licensure & Administration

September 14, 2011

A search was done on all letters of warning from 1998 through September 14, 2011 to determine how many letters of warning were sent to physicians that failed to disclose information on their application for licensure. The following information indicates the number of letters sent each year for cases of non-disclosure on a licensure application. It should be noted that these numbers only reflect the cases in which the Board determined the non-disclosure rose to the level of an informal action.

1998: 0
1999: 0
2000: 0
2001: 4
2002: 10
2003: 3
2004: 7
2005: 9
2006: 43
2007: 12
2008: 12 (5 for edu/trng & 7 for crime)
2009: 13 (2 for state disp, 5 for edu/trng, & 6 for crime)
2010: 17 (1 for issues with a hosp, 3 for state disp, 2 for edu/trng & 11 for crime)
2011: 5 (5 for crime)

INDIANA

ARRA Portability Grant Compliance Data

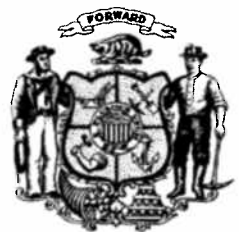
Current as of: 9/7/2011

Month	Number of State Staff Primarily Working with Medical Board(s)	Number of State Staff Vacancies Primarily Working with Medical Board(s)	Total Number of Physician Applications	Number of Physician Applicants for Full Licensure	Number of Physician Applicants Licensed in Another State	Number of Physician Applications from Another State	Number of Physician Telemedicine Applications (if Applicable)
Jan-10	7	0	102			60	
Feb-10	7	0	124			81	
Mar-10	7	0	181			111	
Apr-10	7	0	175			102	
May-10	7	0	161			100	
Jun-10	7	0	158			54	
Jul-10	7	0	156			31	
Aug-10	7	0	153			8	
Sep-10	7	0	126			4	
Oct-10	7	0	86			4	
Nov-10							
Dec-10	6	1 on extended leave	74			55	
Jan-11	7	0	96			50	
Feb-11							
Mar-11	7	0	210			52	
Apr-11	7		229			98	
May-11	7	0	168			85	
Jun-11	7		205			68	
Jul-11	7		177			78	
Aug-11	5	2 on extended leave	170			121	
Sep-11							
Oct-11							
Nov-11							
Dec-11							
Jan-12							

Comments (Please Date and Initial All Comments):



WISCONSIN STATE LEGISLATURE



STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULE-MAKING : REPORT TO THE LEGISLATURE
PROCEEDINGS BEFORE THE : ON CLEARINGHOUSE RULE 11-027
DEPARTMENT OF SAFETY AND : (S. 227.19 (3), Stats.)
PROFESSIONAL SERVICES :

I. THE PROPOSED RULE:

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

II. REFERENCES TO APPLICABLE FORMS:

The proposed rule does not require new forms. However, existing DSPS forms will be updated to include physicians in the list of professions for which applicants must submit fingerprints as part of the licensure process. For example DSPS Forms ## 2823 and 2687 will need to be updated to include applicants for physician licenses. DSPS Form # 546 will also need to be updated with instructions on the fingerprint and criminal history report process for applicants for physician licenses. Existing instructions on the fingerprint and criminal history report process on DSPS Form # 2880 can be replicated on DSPS Form # 546. All relevant forms are attached.

III. FISCAL ESTIMATES:

The department finds that this proposed rule will have no significant fiscal impact on the private sector. The department also finds that the proposed rule will have no significant fiscal impact on the State of Wisconsin or on local units of government.

IV. DETAILED STATEMENT EXPLAINING THE BASIS AND PURPOSE OF THE PROPOSED RULE, INCLUDING HOW THE PROPOSED RULE ADVANCES RELEVANT STATUTORY GOALS OR PURPOSES:

The proposed rule is promulgated to advance the department's statutory goal of protecting the public by ensuring applicants for licensure satisfy the eligibility requirements, including whether applicants have an arrest or conviction record. *See* ss. 440.03(13)(a) and s. 448.05(1)(a), Stats.. Specifically, subject to ss. 111.321, 111.322 and 111.355, Stats., s. 448.05(1)(a), Stats., requires that applicants not have an arrest or conviction record to be qualified for the grant of any license by the Medical Examining Board. Section 440.03(13)(a), Stats., authorizes the department to conduct investigations to determine whether applicants have arrest or conviction records and require applicants to provide any information that is necessary for the investigation.

The proposed rule advances the above statutory goal of protecting the public by requiring all applicants for physician licenses to submit fingerprints and undergo criminal background checks as part of the licensure process. Currently, applicants for physician licenses may be required to submit fingerprints and undergo criminal background checks if "there exists

reason to believe that the applicant has failed to accurately describe his or her conviction record.”

The basis of the proposed rule is federal Public Law 92-544 (1972), 86 Stat. 1115. Public Law 92-544 empowers the FBI to conduct criminal background checks and provide the results to state agencies for non-criminal purposes if the FBI determines that there is adequate statutory authority. The FBI has determined that s. 440.03(13) Stats., is adequate statutory authority to allow the FBI to conduct background checks and provide the results with the department.

V. NOTICE OF PUBLIC HEARING:

The department held a public hearing on July 20, 2011 and accepted written comments until August 1, 2011. No interested persons from the public presented testimony at the public hearing. The department received written comments from the Board of Nursing.

SUMMARY OF PUBLIC HEARING COMMENTS AND WRITTEN COMMENTS:

The Board of Nursing’s written comments are attached. The comments support the proposed rule. The Board cites public safety and the increased ability of healthcare professionals to practice in multiple states as reasons for supporting the proposed rule. Further, the Board indicates that it intends to propose a similar rule to require background checks for applicants for nursing licenses as part of its licensure process.

DEPARTMENT RESPONSE TO PUBLIC HEARING COMMENTS AND WRITTEN COMMENTS:

The department made no changes to the proposed rule in response to comments, because there were no comments during the public hearing and the written comments from the Board of Nursing support the proposed rule.

VI. RESPONSE TO LEGISLATIVE COUNCIL STAFF RECOMMENDATIONS:

Comment 5.e & f: In SECTION 1 and SECTION 2, “persons” should be changed to “applicant’s” and “their” should be changed to “his or her.”

Response: “Persons” has been changed to “applicant” and “their” has been changed to “his or her.” The recommendation to change “persons” to “applicant’s” is not grammatically correct and does not convey the intended meaning of the rule change.

All other recommendations in the clearinghouse report were accepted and incorporated into the final draft of the proposed rule.

VII. FINAL REGULATORY FLEXIBILITY ANALYSIS:

The proposed rule will have no significant economic impact on small businesses, as defined in s. 227.114(1), Stats.

STATE OF WISCONSIN
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE : DEPARTMENT OF SAFETY
DEPARTMENT OF SAFETY AND : AND PROFESSIONAL SERVICES
PROFESSIONAL SERVICE : (CLEARINGHOUSE RULE 11-027)

PROPOSED ORDER

The Wisconsin Department of Safety and Professional Services (formerly the Department of Regulation and Licensing) proposes an order to renumber and amend s. RL 4.08 (intro), and to create RL 4.08 (2), relating to background checks and fingerprinting.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Sections 440.03 (13) (a), (b) and (c), and 448.05 (1) (a), Stats.

Statutory authority:

Sections 15.08 (5) (b), 227.11 (2) (a), 440.03 (1), 440.03(13) (d), 448.40 (1), Stats.

Explanation of agency authority:

Section 448.05, Stats., is enforced and administered by the Department of Safety and Professional Services (“DSPS”) and the Medical Examining Board. Specifically, s. 448.40 (1), Stats., authorizes the Medical Examining Board to promulgate rules to carry out the purposes of the Medical Examining Board subchapter. Section 448.05 (1), Stats., is in the Medical Examining Board subchapter.

Further, the Medical Examining Board is obligated under s. 15.08 (5) (b), Stats., to promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

DSPS is a department in state government, and is therefore an “agency” under s. 227.01 (1), Stats.. Under s. 227.11(2) (a), Stats., it may promulgate rules interpreting the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute. Both ss. 440.03 (13) and 448.05 (1), Stats., are enforced and administered by DSPS.

Last, DSPS is authorized under s. 440.03 (1), Stats., to promulgate rules defining uniform procedures to be used by the department, the attached boards, the examining boards, and the affiliated credentialing boards.

Related statute or rule:

Section 440.03 (7) Stats., and Wis. Admin. Code § RL 4.07 (52)

Plain language analysis:

Subject to ss. 111.321, 111.322 and 111.355, Stats., s. 448.05 (1) (a), Stats., requires that an applicant must not have an arrest or conviction record to be qualified for the granting of any license by the Medical Examining Board. Section 448.03 (13) (a), Stats., authorizes DSPS to conduct investigations to determine whether applicants have arrest or conviction records and require applicants to provide any information that is necessary for the investigations. Under s. 448.03 (13) (b), Stats., DSPS may investigate whether applicants for licenses to practice medicine and surgery have arrest or conviction records pursuant to rules it promulgates.

DSPS promulgated Wis. Admin. Code ss. RL 4.07 and RL 4.08 to interpret s. 448.03 (13), Stats.. Under ss. RL 4.07 and RL 4.08, DSPS may require an applicant for physician licensure to submit fingerprints and undergo a criminal background check if “there exists reason to believe that the applicant has failed to accurately describe his or her conviction record.”

Currently, applicants for physician licenses may be required to submit fingerprints and undergo criminal background checks if “there exists reason to believe that the applicant has failed to accurately describe his or her conviction record.” The proposed changes to Wis. Admin. Code s. RL 4.08 enable DSPS to require an applicant for a physician license to submit fingerprints and undergo a criminal background check as part of the licensure process when there is no reason to believe that an applicant has failed to accurately describe his or her conviction record. Therefore, DSPS may require any applicant for a physician license to submit fingerprints and undergo a criminal background check prior to DSPS issuing a license to him or her.

Requiring fingerprints and criminal background checks as part of the physician licensure process involves two changes to Wis. Admin. Code s. RL 4.08. First, the language added to SECTION 1 creates a class of licensed credentials the applicants for which may be required to be photographed, submit fingerprints, and undergo criminal background checks in situations when there is not a reason to believe that an applicant has failed to accurately describe his or her conviction record.

Second, SECTION 2 defines the physician license as a member of the class of licensed credentials created by the changes to SECTION 1. Together, the changes to SECTION 1 and SECTION 2 require all applicants for a physician license to practice medicine and surgery to submit a full set of fingerprints along with their application for licensure. The

fingerprints will be used to verify the applicant's identity and conduct searches for criminal arrests and convictions in accordance with s. 440.03 (13), Stats.

Summary of, and comparison with, existing or proposed federal legislation:

While there are numerous federal laws that empower the FBI to conduct criminal background checks and provide criminal history reports to state agencies for non-criminal purposes, two are most relevant in this case. They are: Public Law 92-544 (1972), 86 Stat. 1115, and the National Child Protection Act of 1993, 42 U.S.C. § 5119a, as amended by the Volunteers for Children Act, Public Law 105-251 (1998).

The most relevant federal law, and the basis of the proposed rule, is Public Law 92-544 (1972). Public Law 92-544 empowers the FBI to conduct criminal background checks and provide the resulting information to state agencies for non-criminal purposes, such as licensing. However, under Pub. L 92-544, the FBI will only conduct background checks and provide criminal history reports to state agencies for non-criminal purposes based on a federal law or state statute that explicitly authorizes background checks and the sharing of criminal history reports for non-criminal purposes.

Under the law, both the U.S. Attorney General and the Director of the FBI have the authority to determine whether a federal law or state statute explicitly authorize criminal background checks and the sharing of criminal history reports with state agencies for non-criminal purposes. *See* Pub. L 92-544 and 28 C.F.R. § 0.85(j). With its authority, the FBI delineated standards to determine whether a law authorizes background checks and the sharing of criminal history reports for non-criminal purposes. The standards are:

- The authorization must exist as the result of legislative enactment or its functional equivalent;
- The authorization must require fingerprinting of the applicant;
- The authorization must, expressly or by implication, authorize use of FBI records for screening of the applicant;
- The authorization must not be against public policy; and
- The authorization must not be overly broad in its scope, it must identify the specific category of applicants/licensees.

On January 7, 2011, Phillip Collins, Deputy Director of the Crime Information Bureau of the Wisconsin Department of Justice confirmed that the FBI approves s. 440.03 (13), Stats., as meeting the FBI standards listed above to enable DSPS to obtain fingerprints and criminal history reports as part of the physician licensing process. Therefore, Pub. L 92-544 is the federal basis for the proposed changes to s. RL 4.08 that enable DSPS to obtain criminal history reports from the FBI.

The second relevant federal law is the National Child Protection Act of 1993, 42 U.S.C. § 5119a as amended by the Volunteers for Children Act ("VCA"), Public Law 105-251 (1998). The proposed rule does not rely on the amendments made to 42 U.S.C. § 5119a by VCA because the FBI has approved s. 440.03(13) as adequate statutory authority to

enable DSPS to obtain fingerprints and criminal history reports as part of the physician licensing process. However, the Iowa Medical Board utilizes 42 U.S.C. § 5119a to enable the Board to require applicants for physician licenses to submit fingerprints and the Board to obtain criminal history reports from the FBI as a part of the Board's licensure process. The Iowa Board relies on the amendments made to 42 U.S.C. § 5119a by VCA because the FBI has approved 42 U.S.C. § 5119a as meeting the standards listed above but has not approved any Iowa statute as meeting the standards.

The Volunteers for Children Act enables state agencies and businesses that are designated as "qualified entities" by an authorized state agency to require "providers" to submit fingerprints for non-criminal background checks. Under the law, a "qualified entity" is "a business or organization, whether public, private, for-profit, not-for-profit, or voluntary, that provides care or care placement services, including a business or organization that licenses or certifies others to provide care or care placement services." 42 U.S.C. § 5119c. A "provider" is a person who wants to own, be employed by, be licensed by or volunteer at a "qualified entity." *Id.* The authorized state agency in Iowa has designated the Iowa Medical Board as a "qualified entity" and applicants as "providers." Therefore, the Iowa Medical Board is able to require background checks and obtain criminal history reports for the non-criminal purpose of reviewing applicants for physician licenses.

Comparison with rules in adjacent states:

Illinois: Illinois statute requires applicants for medical licensure to provide fingerprints for a criminal background check. 225 ILCS 60/9.7. The statute further requires the Illinois Department of Professional Regulation to promulgate rules to implement the requirement. *Id.* However, a review of Illinois' application and online instructions indicates that Illinois currently does not require applicants for physician licenses to submit fingerprints or undergo background checks. *See* <http://www.idfpr.com/dpr/WHO/med.asp>, accessed on Jan. 3, 2011.

Iowa: Iowa administrative rules require applicants for medical licensure to pay for and provide a full set of fingerprints for state and federal criminal background checks. IAC 653-9.4(2)p., 9.5(3)p., 9.6(2)j. and 8.4(7). Iowa promulgated the administrative rules based on the federal National Child Protection Act of 1993, 42 U.S.C. § 5119a as amended by the Volunteers for Children Act, Public Law 105-251 (1998). As mentioned above, the Volunteers for Children Act is approved by the FBI as a basis to enable "qualified entities" to require "providers" to submit fingerprints for non-law enforcement criminal background checks.

Michigan: Michigan statute requires applicants for medical licenses to provide fingerprints for state and federal criminal background checks. MCL 333.16174(3).

Minnesota: Minnesota currently does not require applicants for medical licenses to undergo criminal background checks.

Summary of factual data and analytical methodologies:

In February 2010, DSPS was awarded an American Recovery and Reinvestment Act grant to lead a group of ten state medical and osteopathic boards to reduce barriers to the portability of physician licenses. Since the award, DSPS has worked with the boards in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri and South Dakota to develop best practices to improve the licensing process of physicians. In November, the states identified requiring applicants to submit fingerprints and undergo criminal background as a best practice.

The background check requirement conforms to longstanding recommendations by the Federation of State Medical Boards (“FSMB”). Since April 2001, FSMB has affirmed its position that it is a best practice for state medical boards to “conduct criminal background checks as part of the licensure application process.” See Federation of State Medical Boards, *Public Policy Compendium*, April 2010. The FSMB reaffirmed its position in April 2010. *Id.*

Further, as of September 2010, 35 out of 68 U.S. medical and osteopathic boards require applicants to submit fingerprints and undergo criminal background checks as part of the application process. FSMB, *Criminal Background Checks Overview by State*, Last Updated September 6, 2010, at http://www.fsmb.org/pdf/GRPOL_Criminal_Background_Checks.pdf.

Analysis and supporting documents used to determine effect on small business or in preparation of economic report:

Section 227.137, Stats., requires an “agency” to prepare an economic impact report before submitting the proposed rule-making order to the Wisconsin Legislative Council. DSPS is not included as an “agency” in this section. Nonetheless, the department’s Small Business Review Advisory Committee was consulted to determine whether the proposed rule would have any impact on small business in Wisconsin. The Committee concluded that the proposed rule will not have any significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats.

Anticipated costs incurred by the private sector:

Every person seeking initial licensure to practice medicine and surgery in Wisconsin will incur the cost of conducting the criminal background check. The cost to the applicant of conducting a criminal background check is approximately \$56.25. The cost is the price the department charges applicants for the professions for which it currently requires the same criminal background check process.

Fiscal estimate:

The department estimates that the proposed rule will have no significant fiscal impact.

Effect on small business:

On May 19, 2011, the department's Small Business Review Advisory Committee determined that the proposed rule will not have any significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1), Stats.

Agency contact person:

Shawn Leatherwood, Paralegal, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708; telephone 608-261-4438; email at Shancethea.L Leatherwood@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Shawn Leatherwood, Paralegal, Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708-8935, or by email to Shancethea.L Leatherwood@wisconsin.gov. Comments must be received on or before August 1, 2011, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. RL 4.08 (intro) is renumbered RL 4.08(1) and amended to read:

RL 4.08 Photographs and fingerprints. (1) The department may require an applicant for any of the credentials set forth in s. RL 4.07 and not listed in sub. (2) to be photographed and fingerprinted as a part of the credentialing process, if there exists reason to believe that the applicant has failed to accurately describe his or her conviction record. The department may refer photographs and fingerprints so obtained to the department of justice for internal analysis or submission to the federal bureau of investigation for the purpose of verifying the identity of the ~~persons~~ applicant fingerprinted and obtaining records of ~~their~~ his or her criminal arrests and convictions.

SECTION 2. RL 4.08 (2) is created to read:

The department shall require an applicant for a physician license under s. 448.02 to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the applicant's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of the applicant fingerprinted and obtaining records of his or her criminal arrests and convictions. The department shall charge the applicant any fees, costs, or other expenses incurred in conducting any investigation under this rule.

(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 _____

Ch. RL 4 CR 11-027 (Background Check)

WISCONSIN EASY PATH NETWORK

For Out-of-State Applicants ONLY

THIS FORM MUST BE MAILED WITH FEE TO L-1 ENROLLMENT SERVICES DIVISION/PEARSON VUE

Authorized Agency Information (To be completed by Requesting Agency)

State Agency: DRL - Department of Regulation and Licensing

Reason for fingerprinting (please circle one): Security Guard/Private Detective, Wholesale Distributor-Designated Representative, Behavior Analyst, Juvenile Martial Arts Instructor, Private Detective Agency

Original TCN (if resubmission for rejected prints):

Applicant Information (To be completed by Applicant)

Applicant First Name: Last Name: Middle:

Home Address: (Street Address) (City) (State) (Zip)

Daytime Phone Number: Email Address:

Date of Birth: Place of Birth (State or Country):

Gender: (Male / Female) Height: (Feet and Inches) Weight:

Ethnicity: Hair Color: Eye Color: W=White, B=Black, A=Asian/Pacific Islander, I=American/Alaskan Indian, O=Other

Citizenship: Social Security Number:

Drivers License Number: Drivers License State:

Drivers License Expiration Date: Employer Name:

Employer Address:

Payment Method (Check or Money Order Only):

Service Center Information (To be completed by Fingerprinting Technician)

- I HAVE COMPARED THE GOVERNMENT-ISSUED IDENTIFICATION PRESENTED BY THE APPLICANT AND ATTEST THAT TO MY BEST DETERMINATION; I HAVE FINGERPRINTED THE SAME PERSON.
I HAVE PUT THE TWO FINGERPRINT CARDS INTO A SEALED ENVELOPE WITH MY SIGNATURE AND DATE ACROSS THE FLAP OF THE ENVELOPE.

Name of Fingerprint Technician: (Please Print Clearly)

Signature of Fingerprint Technician:

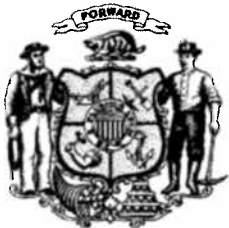
Date Prints Taken:

Applicant is required to mail this completed form, along with sealed envelope and payment of \$56.25 to the following address:

L-1 Enrollment Services Division / Pearson Vue
Attn: Card Scan
1650 Wabash Ave., Suite D
Springfield, IL 62704
(866) 416-4896



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Richard Sweet
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Pam Shannon
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

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 11-027

AN ORDER to renumber and amend RL 4.08 (intro.) and to create RL 4.08 (2), relating to background checks and fingerprinting.

Submitted by **DEPARTMENT OF REGULATION AND LICENSING**

04-25-2011 RECEIVED BY LEGISLATIVE COUNCIL.

05-16-2011 REPORT SENT TO AGENCY.

PS:AH

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



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Richard Sweet
Clearinghouse Director

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Legislative Council Director

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Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 11-027

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

2. Form, Style and Placement in Administrative Code

- a. In the second paragraph of the plain language analysis, "chs." should be changed to "ss." in two locations. In the fourth paragraph and elsewhere, "Section" should be written "SECTION" when referring to the numbered SECTIONS of the rule.
- b. The effect of the proposed rule on small businesses should have been determined prior to the submission of the analysis of the proposed rule to the Rules Clearinghouse. [See s. 227.14 (2) (a) 6., Stats.] A brief summary of that determination should be included in the analysis for the proposed order.
- c. In the section regarding the analysis and supporting documents used to prepare an economic impact report and determine the effect on small businesses, although no economic impact report is required, the section should describe any data or methodologies used in determining whether the rule will impact small businesses.
- d. A specific deadline for submission of comments should be added once it is known. [s. 227.14 (2) (a) 8., Stats.]
- e. In SECTION 1 of the rule, "RL 4.08 (1)" should be added after the word "renumbered" in the treatment clause.
- f. The language in SECTION 2 should not be underscored, as it is completely new language. [See s. 1.06 (1), Manual.]

4. Adequacy of References to Related Statutes, Rules and Forms

In addition to the statutory provisions listed and discussed as statutory authority, s. 440.03 (13) (d), Stats., should be mentioned, as it appears to provide the most explicit statutory authorization for charging applicants for licensure for the costs of conducting background investigations.

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The third and fourth paragraphs of the plain language analysis could be revised to more clearly convey that the proposed rule would subject all applicants seeking licensure as a physician to be fingerprinted, whereas the current rule does not.

b. In the section of the analysis that describes factual data and analytical methodologies, a quotation mark is missing in the second paragraph.

c. In the section of the analysis regarding analysis and supporting documents used to determine whether the rule will impact small businesses, the full name of the department should be replaced with the acronym for the department.

d. In the section of the analysis regarding costs anticipated to be incurred by the private sector, the words "that it currently requires undergoing" should be replaced with "for which it currently requires".

e. In SECTION 1, "persons" on line 7 should be changed to "applicant's" and "their" on line 8 should be changed to "his or her".

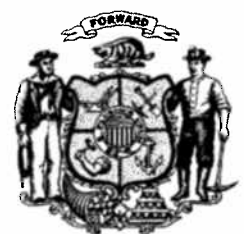
f. In SECTION 2, on line 4, "persons" should be changed to "applicant's" and on line 5, "their" should be changed to "his or her".

6. Potential Conflicts With, and Comparability to, Related Federal Regulations

In the summary of related federal legislation, P.L. 92-544 is cited as a relevant federal law. In the comparison of rules in adjacent states, P.L. 105-251 is discussed as it relates to Iowa's administrative rules. It appears that the former law was amended by the latter law, as codified under 42 U.S.C. s. 5119a. It may be appropriate to discuss current federal law, as amended and including the current U.S. Code citation, in the summary of related federal legislation.



WISCONSIN STATE LEGISLATURE



Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 8935
Madison, WI 53708-8935

1400 E. Washington Avenue
Madison, WI 53703

FAX #: (608) 261-7083
Phone #: (608) 266-2112

E-Mail: web@dsps.wi.gov
Website: <http://dsps.wi.gov>

DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

AUTHORIZATION FOR RELEASE OF FBI INFORMATION

(For official use only, not to be released to unauthorized persons.)

I hereby empower any employee of the Department of Regulation and Licensing to obtain through the Wisconsin Department of Justice, a copy of any arrest record maintained by the Federal Bureau of Investigation associated to me pursuant to a search based on a submitted set of fingerprints within one year of the date of this form.

If we receive a criminal history report, you will have the opportunity to complete, or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction or updating of the FBI identification record are set forth in 28 CFR 16.34. We would not deny the license or employment based on the information in the record until you have been afforded a reasonable time to correct or complete the record or have declined to do so.

PRIVACY STATEMENT

Authority: The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely completion or approval of your application.

Social Security Account Number (SSAN): Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

Principal Purpose: Certain determinations, such as employment, security, licensing, and adoption, may be predicated on fingerprint based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be

Wisconsin Department of Safety and Professional Services

pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

Routine Uses: The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System (Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

Additional Information: The requesting agency and/or the agency conducting the application investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

RECORD COMPLETENESS OR ACCURACY CHALLENGE NOTICE

FBI Record: This record is subject to the following use and dissemination restrictions:

Under provisions set forth in Title 28, Code of Federal Regulations (CFR), Section 50.12, both governmental and nongovernmental entities authorized to submit fingerprints and receive FBI identification records must notify the individuals fingerprinted that the fingerprints will be used to check the criminal history records of the FBI. Identification Records obtained from the BRI may be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency or other authorized entity.

Wisconsin Department of Safety and Professional Services

The official making the determination of suitability for licensing or employment shall provide the applicant the opportunity to complete, or challenge the accuracy of, the information contained in the FBI identification record. The deciding official should not deny the license of employment based on the information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.

An individual should be presumed not guilty of any charge/arrest for which there is no final disposition stated on the record or otherwise determined. If the applicant wishes to correct the record as it appears in the FBI's CJIS Division Records System, the applicant should be advised that the procedures to change, correct or update the record are set forth in Title 28, CFR, Section 16.34.

The CJIS Division is not the source of the data appearing on identification records. All data is obtained from fingerprint submissions or related identification forms submitted to the FBI by local, state, and federal agencies. As a result, the responsibility for authentication and correction of such data rests upon the contributing agency (i.e., police department, county court, etc.). Please contact this agency or the central repository in the state where the arrest occurred to request a change, correction, or update. The FBI is not authorized to mod' the record without written notification from the appropriate criminal justice agency.

Wisconsin Record:

Subject to 111.33 to 111.36, Section 111.321 of the Wisconsin Statutes prohibits act of employment discrimination based on arrest and conviction records. Applicants should be notified of their right to challenge the accuracy and completeness of any information contained in a criminal record before any final determination is made. Challenges should be submitted to the Crime Information Bureau on form DJ-LE-247 and may include a request for fingerprint comparison.

Form DJ-LE-247 and information on the Wisconsin challenge process may be found online at <http://www.doj.state.wi.us/dles/cib/challenge.asp>

Other State's Record: Contact the state holding or contributing the record being challenged. A list of contacts for background check information for other states may be found at <http://www.doj.state.wi.us/dles/cib/sclist.asp>

I also understand that federal law prohibits the sharing of this information with anyone other than an employee of the organization granted permission by this release.

Wisconsin Department of Safety and Professional Services

Check type of license applying for and complete all requested information.

- For Private Security Guard/Private Detective** **For Juvenile Martial Arts Instructor**

Print Name: _____

Print Address: _____

Street & Number

City / State / Zip

Signature: _____

Date

Witness Full Name: _____

Signature

Date

- For Wholesale Distributor:**

Print Applicant's D/B/A Name: _____

Print Facility's Address: _____

Street & Number

City / State / Zip

Print Designated Representative's Name: _____

Designated Representative: _____

Signature

Date

Witness Full Name: _____

Signature

Date

NOTE: This form must be signed by the Designated Representative in the presence of a witness on the same date.

- For Behavior Analyst Licensure**

Print Name: _____

Print Address: _____

Street & Number

City / State / Zip

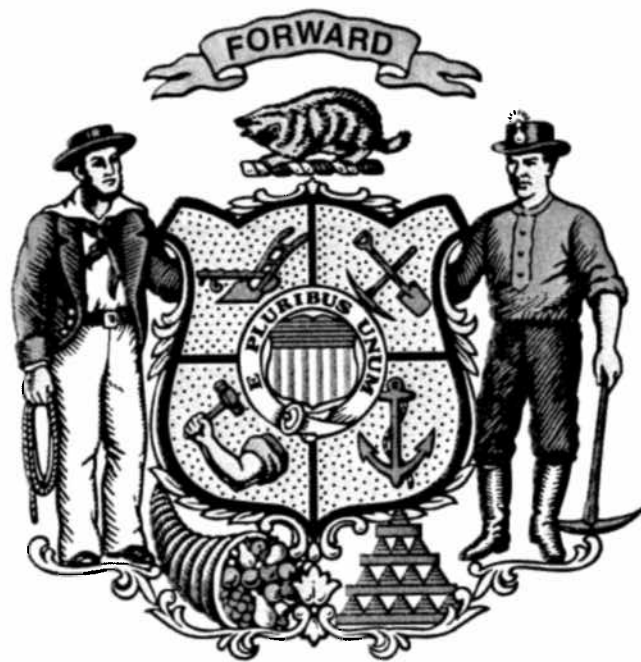
Signature: _____

Date

Witness Full Name: _____

Signature

Date



Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935
Madison, WI 53708-8935

FAX #: (608) 261-7083
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703

E-Mail: web@drl.state.wi.us
Website: <http://drl.wi.gov>

DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

INSTRUCTION PACKET FOR JUVENILE MARTIAL ARTS INSTRUCTOR

Enclosed are the forms to apply for a juvenile martial arts instructor permit. Failure to submit all required documents will result in a delay of processing your application.

PROCEDURES

Every person who wishes to receive a permit as a juvenile martial arts instructor must file the attached "Application for Juvenile Martial Arts Instructor Permit" (Form #2881). Applicants may photocopy the form request forms from the Department, or download the application on the web at <http://drl.wi.gov>.

All juvenile martial arts instructors who are credentialed by the Wisconsin Department of Regulation and Licensing will be required to be electronically fingerprinted. Inked, hard copy fingerprint cards will not be accepted.

INSTRUCTIONS FOR COMPLETING THE APPLICATION

1. **Application for Juvenile Martial Arts Instructor Permit (Form #2881):** Complete the enclosed application and attach the appropriate fee.
2. **Fingerprints:** All juvenile martial arts instructors who are credentialed by the Wisconsin Department of Regulation and Licensing will be required to be electronically fingerprinted. The Department has contracted with Pearson Vue as the vendor to provide this service. To schedule an appointment, visit the IBT Reservation Center at www.ibtfingerprint.com or call 1-866-416-4896. Please allow up to 5 days for an appointment to have your fingerprints taken. The cost for the digital fingerprints will be \$56.25 and is expected at the time of the reservation in the form of major credit/debit card, electronic check or prepaid voucher. **YOU MUST SUBMIT YOUR APPLICATION TO THE DEPARTMENT WITHIN 14 DAYS OF BEING FINGERPRINTED.**

Electronic fingerprinting sites are located in Duluth, Minnesota and various sites in Wisconsin.

Two forms of signature identification are required: one must be government issued identification with photograph. Qualifying government issued identification includes state driver's license, state identification card, military photo ID, passport, valid school ID for minors only. NOTE: Your reservation must be made in your legal name and your identification must match the reservation. If you do not present the appropriate identification, your fingerprints will not be taken and you will be held responsible for the fee. The staff at the IBT facilities are not permitted to make any exceptions.

You should plan to arrive at the test center fifteen minutes before the scheduled start time of the appointment for check-in.

Attention Out of State Applicants Only: If you currently reside outside of the state of Wisconsin and are unable to have digital fingerprints taken at an IBT test center site, you may submit your fingerprints using the Wisconsin Easy Path Network (Form #2823). You will be required to have your fingerprints taken at a local law enforcement facility. You must submit the Wisconsin Easy Path Network (Form #2823), two fingerprint cards, and the \$56.25 to the address listed on the form. **YOU MUST SUBMIT YOUR APPLICATION TO THE DEPARTMENT WITHIN 14 DAYS OF BEING FINGERPRINTED.**

Wisconsin Department of Regulation & Licensing

3. **Criminal History Checks Notice:** Provisions set forth in Title 28, Code of Federal Regulations (CFR) Section 16.34, require us to notify you that your fingerprints may be used to check the criminal history records with the FBI. Identification records obtained from the FBI may be used solely for the purpose requested and may not be disseminated outside the receiving department, related agency or other authorized entity. The Department of Regulation and Licensing does not deny a license based on the information in the record itself, but does require the submittal of a certified copy of the criminal complaint and judgment of conviction in any matter which would appear to be cause for denial of a license.
4. The **Authorization for Release of FBI Information** (Form #2687) must be signed by the applicant and a witness and returned with the application.
5. **Photograph:** Submit ONE recent photograph of your head and shoulders only with your name printed on the photograph.
6. **Convictions and Pending Charges (Form #2252):** All applicants will be required to answer questions on the application about convictions of crimes, other violations and pending charges, in Wisconsin or any other state. The Department will obtain a state and federal criminal records search on all applicants.

No person may, for a fee, provide martial arts instruction to a minor if the person is a disqualified offender. A "disqualified offender" means any of the following:

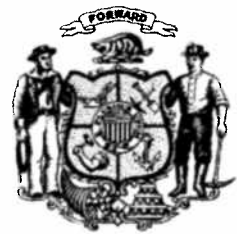
- a) A person who is required to comply with the reporting requirements under s. 301.45(1g),
- b) A person who has been convicted of a violation of s. 940.01 or a violation of the law of another state or the United States that would be a violation of s. 940.01 if committed in this state.

If an applicant has **EVER** been convicted of a misdemeanor or felony or has pending charges, and if the Department determines that the crimes are substantially related to the practice of a juvenile martial arts instructor, the Department will not grant any kind of permit until it has received sufficient information to determine whether the permit should be granted, denied or limited. It is the responsibility of the applicant to provide complete information to the Department. Applications are deemed complete after submission of all relevant background information by the applicant. A certified copy of the police report, criminal complaint and judgment of conviction is required for each conviction.

7. The juvenile martial arts instructor permit expires on August 31 of the even-numbered year. It may be renewed for a two-year period at that time. Permits issued between July 1, 2010 and August 31, 2010 will not expire until August 31, 2012.



WISCONSIN STATE LEGISLATURE



Wisconsin Department of Regulation & Licensing

Mail To: P.O. Box 8935
Madison, WI 53708-8935

FAX #: (608) 261-7083
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703

E-Mail: web@drl.state.wi.us
Website: <http://drl.wi.gov/>

MEDICAL EXAMINING BOARD

INFORMATION FOR COMPLETING MEDICINE AND SURGERY APPLICATION

PLAN AHEAD:

Applicants, recruiters and institutions and others involved in the placement of individuals who seek to be credentialed in the state of Wisconsin should understand that the credentialing process **may take 30 to 60 days or more**, and that credentialing is not guaranteed to any applicant. Some factors that determine the length of time it may take to process an application depend on the length of time the applicant has been in practice, the total number of jurisdictions the applicant has been credentialed in and the length of time it takes for supporting documents to be received in the board office and reviewed.

The application consists of an all-inclusive packet with instructions and information on all applicable requirements. We attempt to process applications in a timely fashion. We cannot issue a credential until all the required documents have been received and reviewed in the board office. It is the Department's legislative mandate to provide consumer protection for Wisconsin residents.

The Bureau and the Board have been prevailed upon to waive requirements to expedite the process, only to discover legitimate grounds to deny a credential. This can present a serious problem for the applicant, recruiter or institutions if the applicant has relocated, purchased property, or made other commitments prior to the issuance of a Wisconsin credential. **We urge you no to make these moves until you know that your credential has been issued.**

Please "plan ahead" as we cannot speed up the credentialing process nor waive supporting documents even in emergency situations.

PLEASE READ BEFORE COMPLETING YOUR APPLICATION:

Enclosed is an application for a license to practice medicine and surgery in the State of Wisconsin. Please check the appropriate square on the bottom of page one of "Application for License to Practice Medicine and Surgery" (Form #570) to indicate the basis by which you are applying for a license and attach the required fee made payable to Regulation and Licensing. You are required to supply evidence that you have completed 12 months of postgraduate training in a facility approved by the board.

FEDERATION CREDENTIALS VERIFICATION SERVICE:

The Department of Regulation and Licensing will accept a physician information profile completed by the Federation Credentials Verification Service (FCVS). This service is through the Federation of State Medical Boards. However, if this is the first time you are utilizing this service, it may take 4 to 6 weeks longer instead of utilizing our Department state forms. You may obtain this service online, website www.fsmb.org. If you utilize this service (FCVS), you will **not** have to use our form to verify your medical school education (#2164), post-graduate training (#2165), licensure exam scores (EBAHR), board action information (#1445), or provide a copy of your medical diploma or ECFMG certificate.

APPLICATION IS NOT COMPLETE UNTIL ALL OF THE FOLLOWING DOCUMENTS HAVE BEEN RECEIVED:

Application (Form #570)	Malpractice Suits or Claims Form (Form #2829) and copies of malpractice suit. Court documents with allegations and settlement, if applicable.
Copy of ECFMG certificate if a Foreign Graduate (FCVS)	Letters from all State Boards where licensed (includes active and inactive licenses) (See page 3 of Application Form for instructions)
Copy of Professional Diploma and translation if necessary (FCVS)	Signed Authorization and Waiver Form (Form #571)
Medical Education Verification Form (Form #2164 (FCVS)	Physician Profile Data Report from the American Medical Association, or American Osteopathic Association
Certificate of Post-graduate Training (Form #2165 (FCVS)	Disciplinary Inquiry Report from the Federation of State Medical Boards (Form #1445) (FCVS)
National Board, FLEX, State Board, USMLE or LMCC score (FCVS)	Fee attached to application (Form #570)
Work History (Form 1934)	Passage of the Wisconsin Statutes and Rules Examination
National Practitioner Data Bank Report	Convictions & Pending Charges Form (if applicable)
Hospital, Facility and Employer Verification (Form #2167)	

Wisconsin Department of Regulation & Licensing

ENDORSEMENT CANDIDATES:

Endorsement of FLEX and/or USMLE:

- a) Endorsement of the FLEX examination (Wisconsin requires that prior to June 1985 you must have taken FLEX all three (3) days at one sitting AND obtained a FLEX weighted average of 75%. After June 1985, Wisconsin requires a passing score of 75% in Component 1 and 75% in Component 2),
- b) Endorsement of FLEX Component 1 and USMLE Step 3, or
- c) Endorsement of USMLE Steps 1, 2 and 3.

Complete the enclosed "Examination and Board Action History Report" or you may wish to electronically obtain at FSMB's website www.fsmb.org and go to Transcript Request section located on FSMB's main website page.

Endorsement of National Boards and/or USMLE: (United States graduates)

- a) Part I, II & III of National Boards, or
"Request for Endorsement of NBME Certification" forms are available on the internet. World Wide Web address: [http:// www.nbme.org](http://www.nbme.org).
- b) Part I, II of National Boards and USMLE Step 3.
"Request for Endorsement of NBME Certification" forms are available on the internet. World Wide Web address: <http:// www.nbme.org>.

Endorsement of National Boards I & II for ECFMG Certification and Step 3 of USMLE: (Foreign Graduates)

You are required to contact ECFMG, 3624 Market St., Philadelphia, PA 19104-2685 to request certified National Boards I & II subjects and scores and a historical record of these exams. Exams must have been taken after 9/89. ECFMG should forward this information directly to the Board office. There is no fee for certification requests from ECFMG.

Complete the enclosed "Examination and Board Action History Report" form to request USMLE Step 3 scores or you may wish to electronically obtain at FSMB's website www.fsmb.org and go to Transcript Request section located on FSMB's main website page.

Endorsement of the National Board of Osteopathic Medical Examiners Certification:

Mail your request for "Endorsement of Certification/Official Transcript" form and fee to the National Board of Osteopathic Medical Examiners, (773) 714-0622, www.nbome.org/. Transcripts must be mailed directly to the Wisconsin Medical Examining Board office.

Endorsement of LMCC:

LMCC examination must have been taken after 1/1/78. Direct certification from the Medical Council of Canada is required.

Reciprocity of State Board Exam Taken Prior to 1972:

Scores must be certified by the State Board and sent directly to this office. The State Board must indicate the subjects covered in the examination, the scores received, the general average, the date of the examination, your license number and date of issuance, your status of licensure, information pertaining to disciplinary action, and the board seal.

Verification of Other Medical Licenses is Required:

YOU ARE REQUIRED TO HAVE EACH STATE BOARD IN WHICH YOU HAVE EVER BEEN LICENSED SUBMIT LETTERS OF VERIFICATION TO THE WISCONSIN MEDICAL EXAMINING BOARD. THE LETTERS MUST INDICATE YOUR DATE OF BIRTH, LICENSE NUMBER, DATE OF ISSUANCE, AND A STATEMENT REGARDING DISCIPLINARY ACTIONS. THESE LETTERS WILL BE REQUIRED IN ORDER TO COMPLETE YOUR APPLICATION FOR LICENSURE.

Wisconsin Department of Regulation & Licensing

USMLE STEP 3 EXAMINATION CANDIDATES:

Candidates are required to write both days of the examination. You will not be permitted to write Step 3 of USMLE in Wisconsin unless you are also applying for a license to practice medicine and surgery in the State of Wisconsin.

Prior to writing USMLE Step 3, a candidate must have successfully completed:

- USMLE Step 1 and Step 2, **or**
- Part I and Part II of the National Boards, **or**
- FLEX Component 1, **and**
- Successfully complete twelve months of postgraduate/internship training in an approved facility within 60 days of desired examination date.

If you have **failed to pass** any of these examinations **in three or more attempts**, you must submit evidence of further professional training or education in examination areas in which you had previously demonstrated deficiencies. This evidence will be reviewed by the board prior to being admitted to the USMLE Step 3 examination.

1. Your "Application for Licensure to Practice Medicine and Surgery" (Form #570), **with all supporting documents** listed on page two of Form #570, **MUST BE RECEIVED** in the Board office **before we will forward your "USMLE Step 3 Application" to the Federation of State Medical Boards.**
2. Complete the enclosed "USMLE Step 3 Application" and submit with your "Application for Licensure to Practice Medicine and Surgery" (Form #570).
3. Request scores for the USMLE Steps 1 and 2, National Board, or FLEX. These scores must be received in the board office before we will forward your "USMLE Step 3 Application" to the Federation of State Medical Boards.

NATIONAL PRACTITIONER DATA BANK:

All candidates must request the "Practitioner Request for Information Disclosure" (Self Query) from the National Practitioners Data Bank. Self Queries are obtained on the NPDB website: <http://www.npdb-hipdb.com/welcomesq.html> under "Perform a Self Query". When you have completed the online NPDB form, you will need to print a copy for yourself and mail it directly to NPDB. When NPDB has completed your request, they will send the self query report directly to you. You must first open this report to make sure that the results were not rejected and all information submitted is correct. Forward all parts of this report directly to our office for final review. If you have further questions regarding this report, contact NPDB helpline at 1-800-767-6732.

ONLINE OPEN-BOOK EXAMINATION ON THE WISCONSIN STATUTES AND ADMINISTRATIVE CODE. (Required for all applicants)

This online exam can not be taken until you receive an application ID# from the Credentialing Staff. Once your initial application has been processed, your Exam ID # will appear on your application checklist under "Open Book Exam Results". Your exam results must be manually posted to your online checklist. Please allow at least 15 business days from the date you finish your exam for this posting to be completed.

Read these instructions carefully before beginning the exam. The exam cannot be taken on a Macintosh computer. The passing score is 90%. The codebook from which most of the exam questions are derived can be found on our website. Additional information be found in Forms 2147 and 2450 at the [Physician Applications/Forms](#) page.

To Log On:

Go to <http://exam.dr1.wi.gov>

Select: "Test Launching" from the drop-down menu and click "Start"

Select instructor "gsp" from the drop-down menu.

Enter the test name and password (They are sent to you after you have submitted your application.

Click "Login"

Enter your student ID (your applicant ID number), and your name.

Click "Start Test Session".

Wisconsin Department of Regulation & Licensing

The test is not timed, you may exit and return as often as you like. To exit and return later to the exam, click on the "X" at the upper right corner of the computer screen. Do not click "Done" until you have completed the exam and are ready to submit your exam for scoring.

You can go back and forth to questions and change your answers by clicking the appropriate arrows on each screen. There is only one correct answer for each question.

After you select "Done", your score is immediately calculated and will automatically be submitted to the Department. Your score will be posted to your online checklist in 15-20 business days. If you have questions about the exam, technical problems and/or click "done" before you are ready to transmit the exam contact gail.pizarro@wisconsin.gov.

If you fail the exam (score less than 90%) and must retake the exam, download the retake application and submit it along with a \$75.00 retake fee to the Department. You will then be assigned another test.

ORAL EXAMINATIONS:

The oral examination process in the State of Wisconsin was created under MED 1.06 of the Administrative Code:

Panel Review: Oral and written examinations.

- a) All applicants shall complete a written examination. In addition, an applicant **may** be required to complete an oral examination if the applicant:
 1. Has a medical condition which in any way impairs or limits the applicant's ability to practice medicine or surgery with reasonable skill and safety.
 2. Uses chemical substances so as to impair in any way the applicant's ability to practice medicine and surgery with reasonable skill and safety.
 3. Has been disciplined or had licensure denied by a licensing or regulatory authority in Wisconsin or another jurisdiction.
 4. Has been found to have been negligent in the practice of medicine or has been a party in a lawsuit in which was alleged that the applicant had been negligent in the practice of medicine.
 5. Has been convicted of a crime the circumstances of which substantially relate to the practice of medicine.
 6. Has lost, had reduced or had suspended his or her hospital staff privileges, or has failed to continuously maintain hospital privileges during the applicant's period of licensure following post-graduate training.
 7. Has been graduated from a medical school not approved by the board.
 8. Has been diagnosed as suffering from pedophilia, exhibitionism or voyeurism.
 9. Has within the past 2 years engaged in the illegal use of controlled substances.
 10. Has been subject to adverse formal action during the course of medical education, postgraduate training, hospital practice, or other medical employment.
 11. Has not practiced medicine and surgery for a period of 3 years prior to application, unless the applicant has been graduated from a school of medicine within that period.
- b) An application filed under s. Med 1.02 shall be reviewed by an application review panel of at least 2 board members designated by the chairperson of the board. The panel shall determine whether the applicant is eligible for a regular license without completing an oral examination.

An applicant can also be required to take an oral examination under Med 1.08(2), if the applicant has been examined four or more times before achieving a passing grade.

If you are selected to appear for an oral examination, an additional examination fee will be required prior to being scheduled for the oral examination. You will be scheduled to appear before the review panel at one of the regularly scheduled board meetings.

ALL CANDIDATES are required to take an open book examination on Wisconsin Statutes and Rules relating to the practice of medicine in this state. You will receive retake information when your application is processed. If you fail the open book examination, an additional fee will be required for you to retake it.

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FOREIGN GRADUATES:

ECFMG Certificate: Graduates of foreign medical schools must provide a copy of an ECFMG certificate with “valid indefinitely” status.

Fifth Pathway Certificate: If you participated in a 5th Pathway program, you must submit a copy of your 5th Pathway certificate from the program you attended.

Certificate of Professional Education: The only document accepted by the Board in lieu of the “Certificate of Professional Education” is an **original** letter signed by the Dean or Registrar which indicates the degree received and the date the degree was conferred.

OTHER REQUIRED FORMS:

1. Request physician profile data report from the American Medical Association or the American Osteopathic Association.
2. If not using FCVS, request disciplinary inquiry report from Federation of State Medical Boards (Form #1445).

LOCUM TENENS:

A Locum Tenens license may be issued to a candidate who intends only to practice medicine and surgery in Wisconsin for a 90-day period or less. However, the application process is almost identical in processing time and documentation requirements to that for the permanent license.

Eligibility: Applicants must hold a current license to practice medicine and surgery in another jurisdiction of the United States or Canada.

All applicants are required to complete the same application packet as applicants applying for a permanent license, with the following additional requirements:

- 1) a letter requesting services from a physician licensed in Wisconsin including starting and ending date;
- 2) notarized copy of an original wall certificate of licensure; and
- 3) a notarized copy of a current registration card to practice medicine and surgery in another jurisdiction of the United States or Canada.

After your completed application is received in the Department, it will be reviewed by two members of the Board. Upon approval you will be issued a Locum Tenens license number, which is good for 90 days.

ALL CANDIDATES are required to take an open book examination on Wisconsin Statutes and Rules relating to the practice of medicine in this state. You will receive retake information when your application is processed. If you fail this open book examination, an additional fee will be required for you to retake it.

VISITING PROFESSOR:

In order to receive a visiting professor license, an applicant will need to complete the Wisconsin statutes and rules examination.

All applicants are required to complete the same application packet as applicants applying for permanent license, with the following additional requirements:

- 1) Letter from the appointing authority of a medical school in Wisconsin indicating that the applicant has been invited to serve on the academic staff of such medical school as a visiting professor.

After your completed application is received in the Department, it will be reviewed by two members of the board. Upon approval, you will be issued a Visiting Professor license number, which is good for 2 years.

This license is designed for a graduate of a foreign medical school located outside of the United States or Canada who is invited to serve on the academic staff of a medical school in this state as a visiting professor.

The holder of a visiting professor license may practice medicine and surgery providing such practice is full-time and is entirely limited to the duties of the academic position to which the holder of the license is appointed.

Wisconsin Department of Regulation & Licensing

A visiting professor license shall expire two years after the date of its issuance, and may be renewed for additional two year periods at the discretion of the board.

ALL CANDIDATES are required to take an open book examination on Wisconsin Statutes and Rules relating to the practice of medicine in this state. You will receive retake information when your application is processed. If you fail this open book examination, an additional fee will be required for you to retake it.

MAILING INSTRUCTIONS:

Mail the "Application for Licensure to Practice Medicine and Surgery" (Form #570), the appropriate fee, and documentation to the following address:

MAILING ADDRESS:

DEPARTMENT OF REGULATION & LICENSING
MEDICAL EXAMINING BOARD
P.O. BOX 8935
MADISON WI 53708-8935

EXPRESS DELIVERY:

DEPARTMENT OF REGULATION & LICENSING
MEDICAL EXAMINING BOARD
1400 E. WASHINGTON AVE
MADISON WI 53703

Wisconsin Department of Regulation & Licensing

CODES FOR SPECIALTIES:

ENTER ONLY ONE SPECIALTY CODE ON THE "APPLICATION FOR LICENSE TO PRACTICE MEDICINE AND SURGERY" (FORM #570)

Academic Medicine	37	Otolaryngology	67
Administrative Medicine	71	Otorhinolaryngology - Ent	15
Aerospace Medicine	33	Pain	66
Alcoholism - Chemical Dependency	49	Pathology	16
Allergy - Immunology	01	Pathology - Clinical	17
Anesthesiology	02	Pathology - Surgical Anatomic	72
Aviation Medicine	32	Pediatrics	18
Dermatology	03	Pediatrics - Other	60
Emergency Medicine	31	Perinatology	62
Endocrinology	56	Pharmacology - Clinical	48
Family Practice	41	Physical Medicine and Rehabilitation	19
Gastroenterology	06	Preventive Medicine	09
General Practice	08	Proctology	36
Genetics	61	Psychiatry	20
Geriatrics	29	Psychiatry - Child	21
Hand Surgery	64	Public Health	22
Hebiatrics	46	Radiation - Oncology	70
Hematology	07	Radiology	53
Hyperbaric Medicine	65	Radiology - Diagnostic	43
Immunology - Infectious Diseases	47	Radiology - Nuclear Medicine	68
Institutional Medicine	39	Radiology - Ultrasound	69
Internal Medicine	04	Research	34
Internal Medicine - Cardiology	05	Retired	24
Internal Medicine - Pulmonary Medicine	45	Rheumatology	57
Neonatology	63	School Physician	52
Nephrology	40	Surgery - Cardiovascular	44
Neurology	10	Surgery - Colon and Rectal	54
Neurophysiology	51	Surgery - General	25
Nuclear Medicine	23	Surgery - Maxillofacial	58
Obstetrics and Gynecology	12	Surgery - Neurological	11
Occupational Medicine	30	Surgery - Peripheral Vascular	59
Oncology	38	Surgery - Plastic	26
Ophthalmology	13	Surgery - Thoracic	27
Orthopedic Surgery	14	Urology	28