



WJ

(PI)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

LPS: please
P.W.F. Tr.
✓ Jim Giff

Gen Cat ✓

1 AN ACT...; relating to: examination requirements for various professional
2 credentials.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 39.393 (1) (c) of the statutes is amended to read:
4 39.393 (1) (c) A program in this state that confers a 2nd degree that will make
5 the person eligible to sit for examination licensure under s. 441.04 441.06 or 441.10.

History: 2001 a. 16; 2005 a. 368.

6 SECTION 2. 441.04 of the statutes is renumbered 441.06 (1) (a) and amended
7 to read:

(No B) but (I)

8 441.06 (1) (a) ~~Requisites for examination as a registered nurse.~~ Any
9 person who has graduated ^{The applicant} ~~Graduates~~ from a high school or its equivalent as
10 determined by the board, does.

SECTION 2

1 (b) Does not have an arrest or conviction record, subject to ss. 111.321, 111.322
 2 and 111.335, holds.

3 (c) Holds a diploma of graduation from an accredited school of nursing and, if
 4 the school is located outside this state, submits evidence of general and professional
 5 educational qualifications comparable to those required in this state at the time of
 6 graduation may apply to the department for licensure by the board as a registered
 7 nurse, and upon payment of.

8 (d) Pays the fee specified under s. 440.05 (1) shall be entitled to examination.

9 History: 1971 c. 125; 1975 c. 39, 199; 1977 c. 29; 1979 c. 337; 1981 c. 380; 1981 c. 391 s. 211; 1987 a. 264.

10 **SECTION 3.** 441.06 (1) of the statutes is renumbered 441.06 (1) (intro.) and
 11 amended to read:

12 441.06 (1) An The board shall grant a license as a registered nurse to an
 13 applicant for licensure as a registered nurse who complies with all of the following
 14 requirements of this subchapter and satisfactorily passes an:

15 (e) Passes the examination shall under s. 441.05 to receive a license as a
 16 registered nurse in this state.

17 (1m) The holder of such a license as a registered nurse under the laws of
 18 another state or territory or province of Canada may be granted a license as a
 19 registered nurse in this state without examination if the holder's credentials of
 20 general and professional educational qualifications and other qualifications are
 21 comparable to those required in this state during the same period and if the board
 22 is satisfied from the holder's employment and professional record that the holder is
 23 currently competent to practice the profession. The board shall evaluate the
 24 credentials and determine the equivalency and competency in each case. The

1 application for licensure without examination shall be accompanied by the fee
2 prescribed in s. 440.05 (2).

History: 1971 c. 125, 215; 1973 c. 159; 1975 c. 39, 199; 1977 c. 29, 164; 1979 c. 34, 162; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96, 187; 2007 a. 20; 2009 a. 42.

3 SECTION 4. 441.10 (1) of the statutes is renumbered 441.10 (3) (a) 1. and
4 amended to read:

5 441.10 (3) (a) 1. ~~PREREQUISITES FOR EXAMINATION AS LICENSED PRACTICAL NURSES.~~

6 ~~A person who is~~ ^{The applicant} ~~is~~ ¹⁸ years of age or older, ~~does.~~

7 ~~2. Does not~~ ^{The applicant} have an arrest or conviction record, subject to ss. 111.321, 111.322
8 and 111.335, ~~has.~~

9 ~~3. Has~~ ^{The applicant} completed 2 years of high school or its equivalent as determined by the
10 board ~~and holds.~~

11 ~~4. Holds~~ ^{The applicant} a diploma of graduation from an accredited school for licensed
12 practical nurses approved by ~~that~~ ^{the} board, ~~may apply to the board for licensing as~~
13 ~~a licensed practical nurse, and, upon payment of the examination.~~

14 ~~5. Pays~~ ^{The applicant} the fee specified in s. 440.05 (1), ~~shall be entitled to take an~~
15 ~~examination.~~

16 (ag) Any school for licensed practical nurses, in order to be accredited, must
17 offer a course of not less than 9 months.

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42.

18 SECTION 5. 441.10 (3) (a) of the statutes is renumbered 441.10 (10) (3) (a) (intro.)
19 and amended to read:

20 SECTION 6. 441.10 (3) (a) 6. of the statutes is created to read:

21 441.10 (3) (a) 6. ^{The applicant} Passes the examination under sub. (2) for licensure as a
22 licensed practical nurse in this state.

Move to 4-8

(Intro.)

1 441.10 (3) (a) ~~On complying with this subchapter relating to applicants~~ The
2 board shall grant a license as a licensed practical nurse to an applicant for licensure
3 as licensed practical nurses, and passing an examination, the applicant shall receive
4 a license as a licensed practical nurse. who satisfies all of the following conditions:

5 (ar) The holder of the a license under this subsection is a “licensed practical
6 nurse” and may append the letters “L.P.N.” to his or her name. The board may
7 reprimand or may limit, suspend, or revoke the license of a licensed practical nurse
8 under s. 441.07.

Insert from p. 3 →

History: 1971 c. 125, 215; 1975 c. 39, 199; 1977 c. 29, 418; 1979 c. 34, 162, 337; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 273 ss. 3, 8; 1987 a. 27, 264; 1991 a. 39; 1999 a. 22; 2001 a. 107; 2005 a. 96; 2007 a. 20; 2009 a. 28, 42.

9 SECTION 7. 442.04 (4) (a) of the statutes is renumbered 442.04 (5) (a).

10 SECTION 8. 442.04 (4) (bm) of the statutes is renumbered 442.04 (5) (b) 3. and
11 amended to read:

Strike extra space

12 442.04 (5) (b) 3. ~~A person may not take the examination leading to the~~
13 ~~certificate to practice as a certified public accountant unless the person has~~
14 ~~completed at least 150 semester hours of education with an accounting concentration~~
15 ~~at an institution, and has received a bachelor’s or higher degree with an accounting~~
16 ~~concentration from an institution, except as provided in par. (c).~~

The plan
person

History: 1975 c. 224; 1977 c. 219, 418; 1979 c. 337; 1981 c. 356, 380, 391; 1995 a. 333; 2001 a. 16.

17 SECTION 9. 442.04 (4) (c) of the statutes is renumbered 442.04 (5) (c) and
18 amended to read:

19 442.04 (5) (c) If an applicant has a bachelor’s or higher degree from an
20 institution, and satisfies the other conditions under par. (b), but does not have an
21 accounting concentration required in par. (bm) (b) 3., the examining board may
22 review such other educational experience from an institution as the applicant
23 presents and, if the examining board determines that such other experience provides
24 the reasonable equivalence of an accounting concentration required in par. (bm) (b)

1 3., the examining board shall ~~approve~~ grant a certificate as a certified public
2 accountant to the applicant for examination.

History: 1975 c. 224; 1977 c. 219, 418; 1979 c. 337; 1981 c. 356, 380, 391; 1995 a. 333; 2001 a. 16.

3 **SECTION 10.** 442.04 (5) of the statutes is renumbered 442.04 (5) (b) (intro.) and
4 amended to read:

5 442.04 (5) (b) ^(intro.) The examining board may not grant a certificate as a certified
6 public accountant to any person other than a person who is satisfies all of the
7 following conditions:

8 1. ^{The person} ~~Is~~ 18 years of age or older, ~~does.~~
9 2. ^{The person} ~~Does~~ not have an arrest or conviction record, subject to ss. 111.321, 111.322,
10 and 111.335, and, ~~except.~~

11 4. ^{the person} ~~Except~~ as provided in s. 442.05, has successfully passed an examination in
12 such subjects affecting accountancy as the examining board considers necessary.

13 ~~The examining board may not grant the certificate unless the applicant has~~

14 5. ^{The person} ~~Has~~ at least one year of public accounting experience or its equivalent, the
15 sufficiency of the experience or the equivalency to be judged by the examining board.

16 (d) The examining board shall ensure that evaluation procedures and
17 examinations under this subsection are nondiscriminatory, relate directly to
18 accountancy, and are designed to measure only the ability to perform competently
19 as an accountant. The examining board may use the examination service provided
20 by the American Institute of Certified Public Accountants.

History: 1975 c. 224; 1977 c. 219, 418; 1979 c. 337; 1981 c. 356, 380, 391; 1995 a. 333; 2001 a. 16.

21 **SECTION 11.** 445.045 (1) (g) of the statutes is amended to read:

22 445.045 (1) (g) The person must have successfully passed a comprehensive
23 examination conducted by the examining board as required by s. 445.04. The

1 ~~examination may be taken at any time after completion of the college and mortuary~~
2 ~~school instruction and regardless of the age of the applicant.~~

History: 1971 c. 213 s. 5; 1971 c. 228 s. 44; 1971 c. 301, 307; 1975 c. 39 ss. 654, 654n, 732 (2); 1975 c. 199; 1979 c. 175 ss. 29, 53; 1979 c. 221 ss. 662, 2202 (45); Stats. 1979 s. 445.045; 1981 c. 380; 1981 c. 391 s. 211; 1983 a. 485; 1991 a. 316; 1999 a. 85.

3 **SECTION 12.** 449.04 (title) of the statutes is amended to read:

4 **449.04 (title) Examination and licensure.**

History: 1977 c. 29, 418; 1991 a. 39; 2005 a. 297.

5 **SECTION 13.** 449.04 (1) of the statutes is renumbered 449.04 (1) (intro.) and
6 amended to read:

7 **449.04 (1) Licenses** ^(intro.) The examining board may grant a license to engage in the
8 practice of optometry shall be issued only to persons a person who pass satisfies all
9 of the following conditions:

10 ^{The person} (c) Passes an examination approved or conducted by the examining board. ~~An~~
11 ~~applicant who qualifies under s. 449.05 may take any examination approved or~~
12 ~~administered by the examining board upon payment of~~

13 ^{The person} (d) Pays the fee specified in s. 440.05 (1).

History: 1977 c. 29, 418; 1991 a. 39; 2005 a. 297.

14 **SECTION 14.** 449.05 (intro.) of the statutes is repealed.

15 **SECTION 15.** 449.05 (1m) of the statutes is renumbered 449.04 (1) (a). ✓

16 **SECTION 16.** 449.05 (2m) of the statutes is renumbered 449.04 (1) (b). ✓

17 **SECTION 17.** 449.055 (5) of the statutes is amended to read:

18 449.055 (5) The person satisfies the requirements under s. ~~449.05~~ 449.04 (1)
19 (a) and (b). ✓

History: 2005 a. 297, ss. 16 to 19.

20 **SECTION 18.** 450.03 (2) of the statutes is renumbered 450.03 (2) (intro.) and
21 amended to read:

(intro.)
1 450.03 (2) ⁱⁿ ~~The~~ Except as provided under s. 450.10, the board shall issue a
2 license as a pharmacist to any person who ~~files satisfactory proof of qualifications~~
3 ~~under s. 450.04 (3)~~, ^{passes} does all of the following:

4 (c) Passes the examination under s. 450.04 ~~and pays.~~

5 (d) Pays the fee specified in s. 440.05 (1), ~~except as provided under s. 450.10.~~

History: 1985 a. 146; 1987 a. 264; 1991 a. 39; 2001 a. 16; 2005 a. 96; 2009 a. 42.

6 **SECTION 19.** 450.04 (3) (intro.) of the statutes is renumbered 450.04 (3) and
7 amended to read:

8 450.04 (3) Every candidate for examination for licensure as a pharmacist shall
9 submit an application on a form provided by the department and pay the fee specified
10 in s. 440.05 (1) at least 30 days before the date of examination. ~~Every candidate shall~~
11 ~~also submit proof to the board that he or she:~~

History: 1985 a. 146; 1991 a. 39; 1997 a. 27; 1997 a. 237 s. 722u; 2001 a. 16.

12 **SECTION 20.** 450.04 (3) (a) of the statutes is renumbered 450.03 (2) (a) and
13 amended to read:

14 450.03 (2) (a) Has received a professional degree from a pharmacy program
15 approved by the board; ~~and.~~

History: 1985 a. 146; 1991 a. 39; 1997 a. 27; 1997 a. 237 s. 722u; 2001 a. 16.

16 **SECTION 21.** 450.04 (3) (b) of the statutes is renumbered 450.03 (2) (b) and
17 amended to read:

18 450.03 (2) (b) Has completed an internship in the practice of pharmacy or has
19 practical experience acquired in another state ~~which~~ that is comparable to that
20 included in an internship and ~~which~~ that is approved and verified by the board or by
21 the agency ~~which~~ that is the equivalent of the board in the state in which the practical
22 experience was acquired.

History: 1985 a. 146; 1991 a. 39; 1997 a. 27; 1997 a. 237 s. 722u; 2001 a. 16.

23 **SECTION 22.** 451.06 (1) of the statutes is renumbered 451.06.

1 SECTION 23. 451.06 (2) of the statutes is repealed.

2 SECTION 24. 452.09 (3) (e) of the statutes is repealed.

3 SECTION 25. 454.07 (3) of the statutes is repealed.

4 SECTION 26. 454.24 (3) of the statutes is repealed.

5 SECTION 27. 456.03 of the statutes is renumbered 456.03 (intro.) and amended

6 to read:

and examination (intro.)

7 **456.03 Licenses.** An applicant for a license as a nursing home administrator

8 who does all of the following and has successfully complied with the any other

9 requirements for licensure under this chapter ~~and passed the examination~~ shall be

10 granted a license by the examining board, certifying that the applicant has met the

11 requirements of the laws and rules entitling the applicant to serve, act, practice, and

12 otherwise hold himself or herself out as a duly licensed nursing home administrator.;

History: 1975 c. 198; 1979 c. 162; 1991 a. 39.

13 SECTION 28. 456.03 (5) of the statutes is created to read:

14 456.03 (5) Passes the examination under s. 456.05. ✓

15 SECTION 29. 456.04 (intro.) ✓ of the statutes is repealed.

16 SECTION 30. 456.04 (1) of the statutes is renumbered 456.03 (1). ✓

17 SECTION 31. 456.04 (2) of the statutes is renumbered 456.03 (2). ✓

18 SECTION 32. 456.04 (3) of the statutes is renumbered 456.03 (3). ✓

19 SECTION 33. 456.04 (4) of the statutes is renumbered 456.03 (4). ✓

20 SECTION 34. 459.26 (3) of the statutes is amended to read:

21 459.26 (3) An individual is not eligible for examination unless he or she has

22 ~~satisfied the requirements for licensure under s. 459.24 (2) (a) to (d) or (3) (a) to (d)~~

23 ~~and~~, at least 30 days before the date of examination, submits an application for

1 examination to the department on a form provided by the department and pays the
2 fee specified in s. 440.05 (1).

History: 1989 a. 316; 1991 a. 39; 1997 a. 49; 2009 a. 356.

3

(END)

Gallagher, Michael

From: Weigand, Jeffrey - DSPS <Jeffrey.Weigand@wisconsin.gov>
Sent: Thursday, June 20, 2013 5:00 PM
To: Gallagher, Michael
Subject: RE: Draft review: LRB -1866/P1 Topic: Allow applicants for licensure to sit for exam prior to degree completion

Hi Mike –

We are still reviewing this bill but in the mean time we have some changes we would like to make.

- 1.) To comply with federal law we need to exempt all real estate appraisers from this. The AQB requires that education be completed first and we can't contradict that.
- 2.) We would like a blanket statement added either in chapter 15 or 440 or wherever you see fit, that would prohibit all boards and the DSPS from requiring education completion as a condition of examination. This will cover all the boards who now have administrative rules, but not statutes, requiring this and will prohibit any future boards from doing so in the future.
- 3.) The language in the bill needs to include "program completion" as well as "education" completion.

I hope these changes make sense. Please let me know if you need any further clarification.

Jeff Weigand
Legislative Liaison
Wisconsin Department of Safety and Professional Services
608-267-9794

From: LRB.Legal [<mailto:LRB-LegalServices@legis.wisconsin.gov>]
Sent: Tuesday, June 04, 2013 11:34 AM
To: Weigand, Jeffrey - DSPS
Subject: Draft review: LRB -1866/P1 Topic: Allow applicants for licensure to sit for exam prior to degree completion

Following is the PDF version of draft LRB -1866/P1.



Tracks



LRB-1866/PT

MPG:wlj:jm

Stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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Insert

Regen

1 AN ACT *to repeal* 449.05 (intro.), 451.06 (2), 452.09 (3) (e), 454.07 (3), 454.24 (3)
 2 and 456.04 (intro.); *to renumber* 442.04 (4) (a), 449.05 (1m), 449.05 (2m),
 3 451.06 (1), 456.04 (1), 456.04 (2), 456.04 (3) and 456.04 (4); *to renumber and*
 4 *amend* 441.04, 441.06 (1), 441.10 (1), 441.10 (3) (a), 442.04 (4) (bm), 442.04 (4)
 5 (c), 442.04 (5), 449.04 (1), 450.03 (2), 450.04 (3) (intro.), 450.04 (3) (a), 450.04 (3)
 6 (b) and 456.03; *to amend* 39.393 (1) (c), 445.045 (1) (g), 449.04 (title), 449.055
 7 (5) and 459.26 (3); and *to create* 441.10 (3) (a) 6. and 456.03 (5) of the statutes;
 8 **relating to:** examination requirements for various professional credentials.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

9 SECTION 1. 39.393 (1) (c) of the statutes is amended to read:

Insert A

1 39.393 (1) (c) A program in this state that confers a 2nd degree that will make
2 the person eligible to sit for examination licensure under s. 441.04 441.06 or 441.10.

3 **SECTION 2.** 441.04 of the statutes is renumbered 441.06 (1) (a) and amended

4 to read:

5 ~~441.06 (1) (a) *Requisites for examination as a registered nurse.* Any person who~~
6 ~~has graduated~~ The applicant graduates from a high school or its equivalent as
7 determined by the board, ~~does.~~

8 (b) The applicant does not have an arrest or conviction record, subject to ss.
9 111.321, 111.322 and 111.335, ~~holds.~~

10 (c) The applicant holds a diploma of graduation from an accredited school of
11 nursing and, if the school is located outside this state, submits evidence of general
12 and professional educational qualifications comparable to those required in this
13 state at the time of graduation ~~may apply to the department for licensure by the~~
14 ~~board as a registered nurse, and upon payment of.~~

15 (d) The applicant pays the fee specified ~~under in~~ s. 440.05 (1) ~~shall be entitled~~
16 ~~to examination.~~

17 **SECTION 3.** 441.06 (1) of the statutes is renumbered 441.06 (1) (intro.) and
18 amended to read:

19 441.06 (1) (intro.) ~~An~~ The board shall grant a license as a registered nurse to
20 an applicant for licensure as a registered nurse who complies with all of the following
21 requirements of this subchapter and satisfactorily passes an:

22 (e) The applicant passes the examination shall under s. 441.05 to receive a
23 license as a registered nurse in this state.

24 (1m) The holder of such a license as a registered nurse under the laws of
25 another state or territory or province of Canada may be granted a license as a

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1 registered nurse in this state without examination if the holder's credentials of
2 general and professional educational qualifications and other qualifications are
3 comparable to those required in this state during the same period and if the board
4 is satisfied from the holder's employment and professional record that the holder is
5 currently competent to practice the profession. The board shall evaluate the
6 credentials and determine the equivalency and competency in each case. The
7 application for licensure without examination shall be accompanied by the fee
8 prescribed in s. 440.05 (2).

9 **SECTION 4.** 441.10 (1) of the statutes is renumbered 441.10 (3) (a) 1. and
10 amended to read:

11 441.10 (3) (a) 1. ~~Prerequisites for examination as licensed practical nurses.~~
12 ~~A person who~~ The applicant is 18 years of age or older, ~~does.~~

13 2. The applicant does not have an arrest or conviction record, subject to ss.
14 111.321, 111.322 and 111.335, ~~has.~~

15 3. The applicant has completed 2 years of high school or its equivalent as
16 determined by the board ~~and holds.~~

17 4. The applicant holds a diploma of graduation from an accredited school for
18 licensed practical nurses approved by ~~that~~ the board, ~~may apply to the board for~~
19 ~~licensing as a licensed practical nurse, and, upon payment of the examination.~~

20 5. The applicant pays the fee specified in s. 440.05 (1), ~~shall be entitled to take~~
21 ~~an examination.~~

22 (ag) Any school for licensed practical nurses, in order to be accredited, must
23 offer a course of not less than 9 months.

24 **SECTION 5.** 441.10 (3) (a) of the statutes is renumbered 441.10 (10) (3) (a) (intro.)
25 and amended to read:

1 441.10 (3) (a) (intro.) ~~On complying with this subchapter relating to applicants~~
2 The board shall grant a license as a licensed practical nurse to an applicant for
3 ~~licensure as licensed practical nurses, and passing an examination, the applicant~~
4 ~~shall receive a license as a licensed practical nurse. who satisfies all of the following~~
5 conditions:

6 (ar) The holder of ~~the~~ a license under this subsection is a “licensed practical
7 nurse” and may append the letters “L.P.N.” to his or her name. The board may
8 reprimand or may limit, suspend, or revoke the license of a licensed practical nurse
9 under s. 441.07.

10 **SECTION 6.** 441.10 (3) (a) 6. of the statutes is created to read:

11 441.10 (3) (a) 6. The applicant passes the examination under sub. (2) for
12 licensure as a licensed practical nurse in this state.

13 **SECTION 7.** 442.04 (4) (a) of the statutes ^{as affected by 2013 Wisconsin Act 21} is renumbered 442.04 (5) (a).

14 **SECTION 8.** 442.04 (4) (bm) of the statutes is renumbered 442.04 (5) (b) 3. and
15 amended to read:

16 442.04 (5) (b) 3. ~~A person may not take the examination leading to the~~
17 ~~certificate to practice as a certified public accountant unless the~~ The person has
18 completed at least 150 semester hours of education with an accounting concentration
19 at an institution, and has received a bachelor’s or higher degree with an accounting
20 concentration from an institution, except as provided in par. (c).

21 **SECTION 9.** 442.04 (4) (c) of the statutes is renumbered 442.04 (5) (c) and
22 amended to read:

23 442.04 (5) (c) If an applicant has a bachelor’s or higher degree from an
24 institution, and satisfies the other conditions under par. (b), but does not have an
25 accounting concentration required in par. ~~(bm)~~ (b) 3., the examining board may

1 review such other educational experience from an institution as the applicant
2 presents and, if the examining board determines that such other experience provides
3 the reasonable equivalence of an accounting concentration required in par. ~~(b)~~ (b)
4 3., the examining board shall ~~approve~~ grant a certificate as a certified public
5 accountant to the applicant for examination.

6 SECTION 10. 442.04 (5) of the statutes is renumbered 442.04 (5) (b) (intro.) and
7 amended to read:

8 442.04 (5) (b) (intro.) The examining board may not grant a certificate as a
9 certified public accountant to any person other than a person who ~~is~~ satisfies all of
10 the following conditions:

11 1. The person is 18 years of age or older, ~~does.~~

12 2. The person does not have an arrest or conviction record, subject to ss.
13 111.321, 111.322, and 111.335, ~~and, except.~~

14 4. Except as provided in s. 442.05, the person has successfully passed an
15 examination in such subjects affecting accountancy as the examining board
16 considers necessary. ~~The examining board may not grant the certificate unless the~~
17 ~~applicant has~~

18 5. The person has at least one year of public accounting experience or its
19 equivalent, the sufficiency of the experience or the equivalency to be judged by the
20 examining board.

21 (d) The examining board shall ensure that evaluation procedures and
22 examinations under this subsection are nondiscriminatory, relate directly to
23 accountancy, and are designed to measure only the ability to perform competently
24 as an accountant. The examining board may use the examination service provided
25 by the American Institute of Certified Public Accountants.

1 **SECTION 11.** 445.045 (1) (g) of the statutes is amended to read:

2 445.045 (1) (g) The person must have successfully passed a comprehensive
3 examination conducted by the examining board as required by s. 445.04. ~~The~~
4 ~~examination may be taken at any time after completion of the college and mortuary~~
5 ~~school instruction and regardless of the age of the applicant.~~

6 **SECTION 12.** 449.04 (title) of the statutes is amended to read:

7 **449.04 (title) Examination and licensure.**

8 **SECTION 13.** 449.04 (1) of the statutes is renumbered 449.04 (1) (intro.) and
9 amended to read:

10 449.04 (1) (intro.) ~~Licenses~~ The examining board may grant a license to engage
11 in the practice of optometry shall be issued only to persons a person who pass
12 satisfies all of the following conditions:

13 (c) The person passes an examination approved or conducted by the examining
14 board. ~~An applicant who qualifies under s. 449.05 may take any examination~~
15 ~~approved or administered by the examining board upon payment of~~

16 (d) The person pays the fee specified in s. 440.05 (1).

17 **SECTION 14.** 449.05 (intro.) of the statutes is repealed.

18 **SECTION 15.** 449.05 (1m) of the statutes is renumbered 449.04 (1) (a).

19 **SECTION 16.** 449.05 (2m) of the statutes is renumbered 449.04 (1) (b).

20 **SECTION 17.** 449.055 (5) of the statutes is amended to read:

21 449.055 (5) The person satisfies the requirements under s. 449.05 449.04 (1)
22 (a) and (b).

23 **SECTION 18.** 450.03 (2) of the statutes is renumbered 450.03 (2) (intro.) and
24 amended to read:

1 450.03 (2) (intro.) ~~The Except as provided in s. 450.10, the board shall issue a~~
2 license as a pharmacist to any person who files ~~satisfactory proof of qualifications~~
3 ~~under s. 450.04 (3)~~, passes does all of the following:

4 (c) Passes the examination under s. 450.04 ~~and pays.~~

5 (d) Pays the fee specified in s. 440.05 (1), ~~except as provided under s. 450.10.~~

6 **SECTION 19.** 450.04 (3) (intro.) of the statutes is renumbered 450.04 (3) and
7 amended to read:

8 450.04 (3) Every candidate for examination for licensure as a pharmacist shall
9 submit an application on a form provided by the department and pay the fee specified
10 in s. 440.05 (1) at least 30 days before the date of examination. ~~Every candidate shall~~
11 ~~also submit proof to the board that he or she:~~

12 **SECTION 20.** 450.04 (3) (a) of the statutes is renumbered 450.03 (2) (a) and
13 amended to read:

14 450.03 (2) (a) Has received a professional degree from a pharmacy program
15 approved by the board; ~~and.~~

16 **SECTION 21.** 450.04 (3) (b) of the statutes is renumbered 450.03 (2) (b) and
17 amended to read:

18 450.03 (2) (b) Has completed an internship in the practice of pharmacy or has
19 practical experience acquired in another state ~~which~~ that is comparable to that
20 included in an internship and ~~which~~ that is approved and verified by the board or by
21 the agency ~~which~~ that is the equivalent of the board in the state in which the practical
22 experience was acquired.

23 **SECTION 22.** 451.06 (1) of the statutes is renumbered 451.06.

24 **SECTION 23.** 451.06 (2) of the statutes is repealed.

25 **SECTION 24.** 452.09 (3) (e) of the statutes is repealed.

1 **SECTION 25.** 454.07 (3) of the statutes is repealed.

2 **SECTION 26.** 454.24 (3) of the statutes is repealed.

3 **SECTION 27.** 456.03 of the statutes is renumbered 456.03 (intro.) and amended
4 to read:

5 **456.03 Licenses.** (intro.) An applicant for a license as a nursing home
6 administrator who does all of the following and has successfully complied with the
7 any other requirements for licensure under this chapter ~~and passed the examination~~
8 shall be granted a license by the examining board, certifying that the applicant has
9 met the requirements of the laws and rules entitling the applicant to serve, act,
10 practice, and otherwise hold himself or herself out as a duly licensed nursing home
11 administrator.;

12 **SECTION 28.** 456.03 (5) of the statutes is created to read:

13 456.03 (5) Passes the examination under s. 456.05.

14 **SECTION 29.** 456.04 (intro.) of the statutes is repealed.

15 **SECTION 30.** 456.04 (1) of the statutes is renumbered 456.03 (1).

16 **SECTION 31.** 456.04 (2) of the statutes is renumbered 456.03 (2).

17 **SECTION 32.** 456.04 (3) of the statutes is renumbered 456.03 (3).

18 **SECTION 33.** 456.04 (4) of the statutes is renumbered 456.03 (4).

19 **SECTION 34.** 459.26 (3) of the statutes is amended to read:

20 459.26 (3) An individual is not eligible for examination unless he or she has
21 ~~satisfied the requirements for licensure under s. 459.24 (2) (a) to (d) or (3) (a) to (d)~~
22 ~~and~~, at least 30 days before the date of examination, submits an application for
23 examination to the department on a form provided by the department and pays the
24 fee specified in s. 440.05 (1).

25

(END)

1 INSERT A

Under current law, the Department of Safety and Professional Services (DSPS) and various boards under DSPS administer Wisconsin's professional credentialing laws. For many credentials, DSPS or the relevant board requires that a candidate for a credential complete postsecondary education or other training to be eligible to sit for the examination for the credential.

Under this bill, DSPS or a board may not require a person to complete any postsecondary education or other program before the person is eligible to take an examination for a credential. The bill creates an exception from that prohibition for the examination for a real estate appraiser certification or license issued by the Real Estate Appraisers Board.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

2 END INSERT A

3 INSERT 2-4 

4 SECTION ~~II~~ 440.071 of the statutes is created to read:

5 **440.071 No degree completion requirement to sit for examination. (1)**

6 Except as provided under sub. (2), the department or a credentialing board or other
7 board in the department may not require a person to complete any postsecondary
8 education or other program before the person is eligible to take an examination for
9 a credential the department or credentialing board or other board in the department
10 grants or issues.

11 (2) This section does not apply to an examination for a real estate appraiser
12 certification under s. 458.06 or license under s. 458.08.

13 END INSERT 2-4

Gallagher, Michael

From: Weigand, Jeffrey - DSPS <Jeffrey.Weigand@wisconsin.gov>
Sent: Thursday, August 01, 2013 9:50 AM
To: Gallagher, Michael
Cc: Weigand, Jeffrey - DSPS
Subject: Draft 1866

Hi Mike –

I'm not sure if you got my voicemail or not but we would like to change one thing with this draft.

We would like to take similar language to what is found in 480.24(2) and give the Nursing Board the explicit authority to deny a license if an applicant violates any of the nursing board rules. It could read something like this:

(2) Subject to the rules promulgated under s. 440.03 (1), the board may reprimand, deny, limit, suspend or revoke a license under this chapter if it finds that the applicant has violated any of the nursing board rules.

We have a meeting with the Governor's office on Tuesday of next week at which point we will be introducing this bill along with our cleanup bill.

Thanks Mike.

Jeff Weigand
Legislative Liaison
WI Department of Safety and Professional Services
608-267-9794



Today, by 6:30, + possible
State of Wisconsin
2013 - 2014 LEGISLATURE

THANKS
=



LRB-1866(1)
MPG:wlj:ph

stays

12

2013 BILL

Insert

Regen

1 AN ACT *to repeal* 449.05 (intro.), 451.06 (2), 452.09 (3) (e), 454.07 (3), 454.24 (3)
 2 and 456.04 (intro.); *to renumber* 442.04 (4) (a), 449.05 (1m), 449.05 (2m),
 3 451.06 (1), 456.04 (1), 456.04 (2), 456.04 (3) and 456.04 (4); *to renumber and*
 4 *amend* 441.04, 441.06 (1), 441.10 (1), 441.10 (3) (a), 442.04 (4) (bm), 442.04 (4)
 5 (c), 442.04 (5), 449.04 (1), 450.03 (2), 450.04 (3) (intro.), 450.04 (3) (a), 450.04 (3)
 6 (b) and 456.03; *to amend* 39.393 (1) (c), 445.045 (1) (g), 449.04 (title), 449.055
 7 (5) and 459.26 (3); and *to create* 440.071, 441.10 (3) (a) 6. and 456.03 (5) of the
 8 statutes; **relating to:** examination requirements for various professional
 9 credentials

and the powers of the Board of Nursing

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) and various boards under DSPS administer Wisconsin's professional credentialing laws. For many credentials, DSPS or the relevant board requires that a candidate for a credential complete postsecondary education or other training to be eligible to sit for the examination for the credential.

Under this bill, DSPS or a board may not require a person to complete any postsecondary education or other program before the person is eligible to take an

BILL

Insert A

examination for a credential. The bill creates an exception from that prohibition for the examination for a real estate appraiser certification or license issued by the Real Estate Appraisers Board.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 39.393 (1) (c) of the statutes is amended to read:

2 39.393 (1) (c) A program in this state that confers a 2nd degree that will make
3 the person eligible to sit for examination licensure under s. 441.04 441.06 or 441.10.

4 **SECTION 2.** 440.071 of the statutes is created to read:

5 **440.071 No degree completion requirement to sit for examination. (1)**

6 Except as provided under sub. (2), the department or a credentialing board or other
7 board in the department may not require a person to complete any postsecondary
8 education or other program before the person is eligible to take an examination for
9 a credential the department or credentialing board or other board in the department
10 grants or issues.

11 **(2)** This section does not apply to an examination for a real estate appraiser
12 certification under s. 458.06 or license under s. 458.08.

13 **SECTION 3.** 441.04 of the statutes is renumbered 441.06 (1) (a) and amended
14 to read:

15 441.06 (1) (a) ~~Requisites for examination as a registered nurse. Any person who~~
16 ~~has graduated~~ The applicant graduates from a high school or its equivalent as
17 determined by the board, ~~does.~~

18 **(b)** The applicant does not have an arrest or conviction record, subject to ss.
19 111.321, 111.322 and 111.335, ~~holds.~~

Insert 2-3

BILL

1 (c) The applicant holds a diploma of graduation from an accredited school of
2 nursing and, if the school is located outside this state, submits evidence of general
3 and professional educational qualifications comparable to those required in this
4 state at the time of graduation ~~may apply to the department for licensure by the~~
5 ~~board as a registered nurse, and upon payment of.~~

6 (d) The applicant pays the fee specified under in s. 440.05 (1) ~~shall be entitled~~
7 ~~to examination.~~

8 **SECTION 4.** 441.06 (1) of the statutes is renumbered 441.06 (1) (intro.) and
9 amended to read:

Subject to s. 441.007(19),

10

441.06 (1) (intro.) ~~An~~ The board shall grant a license as a registered nurse to
11 an applicant for licensure as a registered nurse who complies with all of the following
12 requirements of this subchapter and satisfactorily passes an:

13 (e) The applicant passes the examination shall under s. 441.05 to receive a
14 license as a registered nurse in this state.

15 **(1m)** The holder of such a license as a registered nurse under the laws of
16 another state or territory or province of Canada may be granted a license as a
17 registered nurse in this state without examination if the holder's credentials of
18 general and professional educational qualifications and other qualifications are
19 comparable to those required in this state during the same period and if the board
20 is satisfied from the holder's employment and professional record that the holder is
21 currently competent to practice the profession. The board shall evaluate the
22 credentials and determine the equivalency and competency in each case. The
23 application for licensure without examination shall be accompanied by the fee
24 prescribed in s. 440.05 (2).

Insert 3-24

BILL

1 SECTION 5. 441.10 (1) of the statutes is renumbered 441.10 (3) (a) 1. and
2 amended to read:

3 441.10 (3) (a) 1. ~~'Prerequisites for examination as licensed practical nurses.'~~
4 ~~A person who~~ The applicant is 18 years of age or older, ~~does.~~

5 2. The applicant does not have an arrest or conviction record, subject to ss.
6 111.321, 111.322 and 111.335, ~~has.~~

7 3. The applicant has completed 2 years of high school or its equivalent as
8 determined by the board ~~and holds.~~

9 4. The applicant holds a diploma of graduation from an accredited school for
10 licensed practical nurses approved by that the board, ~~may apply to the board for~~
11 ~~licensing as a licensed practical nurse, and, upon payment of the examination.~~

12 5. The applicant pays the fee specified in s. 440.05 (1), ~~shall be entitled to take~~
13 ~~an examination.~~

14 (ag) Any school for licensed practical nurses, in order to be accredited, must
15 offer a course of not less than 9 months.

16 SECTION 6. 441.10 (3) (a) of the statutes is renumbered 441.10 (10) (3) (a) (intro.)
17 and amended to read:

Subject to s. 447.07 (1g),

18 441.10 (3) (a) (intro.) ~~On complying with this subchapter relating to applicants~~
19 The board shall grant a license as a licensed practical nurse to an applicant for
20 ~~licensure as licensed practical nurses, and passing an examination, the applicant~~
21 ~~shall receive a license as a licensed practical nurse. who satisfies all of the following~~
22 conditions:

23 (ar) The holder of the a license under this subsection is a "licensed practical
24 nurse" and may append the letters "L.P.N." to his or her name. The board may

BILL

1 reprimand or may limit, suspend, or revoke the license of a licensed practical nurse
2 under s. 441.07.

3 **SECTION 7.** 441.10 (3) (a) 6. of the statutes is created to read:

4 441.10 (3) (a) 6. The applicant passes the examination under sub. (2) for
5 licensure as a licensed practical nurse in this state.

6 **SECTION 8.** 442.04 (4) (a) of the statutes, as affected by 2013 Wisconsin Act 21,
7 is renumbered 442.04 (5) (a).

8 **SECTION 9.** 442.04 (4) (bm) of the statutes is renumbered 442.04 (5) (b) 3. and
9 amended to read:

10 442.04 (5) (b) 3. ~~A person may not take the examination leading to the~~
11 ~~certificate to practice as a certified public accountant unless the~~ The person has
12 completed at least 150 semester hours of education with an accounting concentration
13 at an institution, and has received a bachelor's or higher degree with an accounting
14 concentration from an institution, except as provided in par. (c).

15 **SECTION 10.** 442.04 (4) (c) of the statutes is renumbered 442.04 (5) (c) and
16 amended to read:

17 442.04 (5) (c) If an applicant has a bachelor's or higher degree from an
18 institution, and satisfies the other conditions under par. (b), but does not have an
19 accounting concentration required in par. ~~(bm)~~ (b) 3., the examining board may
20 review such other educational experience from an institution as the applicant
21 presents and, if the examining board determines that such other experience provides
22 the reasonable equivalence of an accounting concentration required in par. ~~(bm)~~ (b)
23 3., the examining board shall ~~approve~~ grant a certificate as a certified public
24 accountant to the applicant for examination.

Insert 5-5

BILL**SECTION 11**

1 **SECTION 11.** 442.04 (5) of the statutes is renumbered 442.04 (5) (b) (intro.) and
2 amended to read:

3 442.04 **(5)** (b) (intro.) The examining board may not grant a certificate as a
4 certified public accountant to any person other than a person who is satisfies all of
5 the following conditions:

6 1. The person is 18 years of age or older,~~does.~~

7 2. The person does not have an arrest or conviction record, subject to ss.
8 111.321, 111.322, and 111.335,~~and, except.~~

9 4. Except as provided in s. 442.05, the person has successfully passed an
10 examination in such subjects affecting accountancy as the examining board
11 considers necessary. ~~The examining board may not grant the certificate unless the~~
12 ~~applicant has~~

13 5. The person has at least one year of public accounting experience or its
14 equivalent, the sufficiency of the experience or the equivalency to be judged by the
15 examining board.

16 (d) The examining board shall ensure that evaluation procedures and
17 examinations under this subsection are nondiscriminatory, relate directly to
18 accountancy, and are designed to measure only the ability to perform competently
19 as an accountant. The examining board may use the examination service provided
20 by the American Institute of Certified Public Accountants.

21 **SECTION 12.** 445.045 (1) (g) of the statutes is amended to read:

22 445.045 **(1)** (g) The person must have successfully passed a comprehensive
23 examination conducted by the examining board as required by s. 445.04. ~~The~~
24 ~~examination may be taken at any time after completion of the college and mortuary~~
25 ~~school instruction and regardless of the age of the applicant.~~

BILL

1 **SECTION 13.** 449.04 (title) of the statutes is amended to read:

2 **449.04** (title) **Examination and licensure.**

3 **SECTION 14.** 449.04 (1) of the statutes is renumbered 449.04 (1) (intro.) and
4 amended to read:

5 449.04 (1) (intro.) ~~Licenses~~ The examining board may grant a license to engage
6 in the practice of optometry shall be issued only to persons a person who pass
7 satisfies all of the following conditions:

8 (c) The person passes an examination approved or conducted by the examining
9 board. ~~An applicant who qualifies under s. 449.05 may take any examination~~
10 ~~approved or administered by the examining board upon payment of~~

11 (d) The person pays the fee specified in s. 440.05 (1).

12 **SECTION 15.** 449.05 (intro.) of the statutes is repealed.

13 **SECTION 16.** 449.05 (1m) of the statutes is renumbered 449.04 (1) (a).

14 **SECTION 17.** 449.05 (2m) of the statutes is renumbered 449.04 (1) (b).

15 **SECTION 18.** 449.055 (5) of the statutes is amended to read:

16 449.055 (5) The person satisfies the requirements under s. 449.05 449.04 (1)
17 (a) and (b).

18 **SECTION 19.** 450.03 (2) of the statutes is renumbered 450.03 (2) (intro.) and
19 amended to read:

20 450.03 (2) (intro.) ~~The~~ Except as provided in s. 450.10, the board shall issue a
21 license as a pharmacist to any person who ~~files satisfactory proof of qualifications~~
22 ~~under s. 450.04 (3), passes~~ does all of the following:

23 (c) Passes the examination under s. 450.04 and ~~pays.~~

24 (d) Pays the fee specified in s. 440.05 (1), ~~except as provided under s. 450.10.~~

BILL**SECTION 20**

1 **SECTION 20.** 450.04 (3) (intro.) of the statutes is renumbered 450.04 (3) and
2 amended to read:

3 450.04 (3) Every candidate for examination for licensure as a pharmacist shall
4 submit an application on a form provided by the department and pay the fee specified
5 in s. 440.05 (1) at least 30 days before the date of examination. ~~Every candidate shall~~
6 ~~also submit proof to the board that he or she:~~

7 **SECTION 21.** 450.04 (3) (a) of the statutes is renumbered 450.03 (2) (a) and
8 amended to read:

9 450.03 (2) (a) Has received a professional degree from a pharmacy program
10 approved by the board; ~~and~~

11 **SECTION 22.** 450.04 (3) (b) of the statutes is renumbered 450.03 (2) (b) and
12 amended to read:

13 450.03 (2) (b) Has completed an internship in the practice of pharmacy or has
14 practical experience acquired in another state ~~which~~ that is comparable to that
15 included in an internship and ~~which~~ that is approved and verified by the board or by
16 the agency ~~which~~ that is the equivalent of the board in the state in which the practical
17 experience was acquired.

18 **SECTION 23.** 451.06 (1) of the statutes is renumbered 451.06.

19 **SECTION 24.** 451.06 (2) of the statutes is repealed.

20 **SECTION 25.** 452.09 (3) (e) of the statutes is repealed.

21 **SECTION 26.** 454.07 (3) of the statutes is repealed.

22 **SECTION 27.** 454.24 (3) of the statutes is repealed.

23 **SECTION 28.** 456.03 of the statutes is renumbered 456.03 (intro.) and amended
24 to read:

BILL

1 **456.03 Licenses.** (intro.) An applicant for a license as a nursing home
2 administrator who does all of the following and has successfully complied with ~~the~~
3 any other requirements for licensure under this chapter ~~and passed the examination~~
4 shall be granted a license by the examining board, certifying that the applicant has
5 met the requirements of the laws and rules entitling the applicant to serve, act,
6 practice, and otherwise hold himself or herself out as a duly licensed nursing home
7 administrator;

8 **SECTION 29.** 456.03 (5) of the statutes is created to read:

9 456.03 (5) Passes the examination under s. 456.05.

10 **SECTION 30.** 456.04 (intro.) of the statutes is repealed.

11 **SECTION 31.** 456.04 (1) of the statutes is renumbered 456.03 (1).

12 **SECTION 32.** 456.04 (2) of the statutes is renumbered 456.03 (2).

13 **SECTION 33.** 456.04 (3) of the statutes is renumbered 456.03 (3).

14 **SECTION 34.** 456.04 (4) of the statutes is renumbered 456.03 (4).

15 **SECTION 35.** 459.26 (3) of the statutes is amended to read:

16 459.26 (3) An individual is not eligible for examination unless he or she has
17 ~~satisfied the requirements for licensure under s. 459.24 (2) (a) to (d) or (3) (a) to (d)~~
18 ~~and~~, at least 30 days before the date of examination, submits an application for
19 examination to the department on a form provided by the department and pays the
20 fee specified in s. 440.05 (1).

21

(END)