

**BILL****SECTION 171**

1           **SECTION 171.** 443.035 (intro.) of the statutes is amended to read:

2           **443.035 Registration requirements for landscape architects.** (intro.)

3           The ~~landscape architect section of the~~ examining board shall register as a landscape  
4           architect an individual who does all of the following:

5           **SECTION 172.** 443.035 (1) (intro.) of the statutes is amended to read:

6           443.035 (1) (intro.) Submits to the department evidence satisfactory to the  
7           ~~landscape architect section~~ examining board of any of the following:

8           **SECTION 173.** 443.035 (1) (a) of the statutes is amended to read:

9           443.035 (1) (a) That he or she has a bachelor's degree in landscape architecture,  
10           or a master's degree in landscape architecture, from a curriculum approved by the  
11           ~~landscape architect section~~ examining board and has at least 2 years of practical  
12           experience in landscape architecture of a character satisfactory to the ~~landscape~~  
13           ~~architect section~~ examining board.

14           **SECTION 174.** 443.035 (1) (b) of the statutes is amended to read:

15           443.035 (1) (b) That he or she has a specific record of at least 7 years of training  
16           and experience in the practice of landscape architecture including at least 2 years of  
17           courses in landscape architecture approved by the ~~landscape architect section~~  
18           examining board, and 4 years of practical experience in landscape architecture of a  
19           character satisfactory to the ~~landscape architect section~~ examining board.

20           **SECTION 175.** 443.04 (intro.) of the statutes is amended to read:

21           **443.04 Registration requirements for professional engineers.** (intro.)

22           An applicant for registration as a professional engineer shall submit satisfactory  
23           evidence to the ~~professional engineer section of the~~ examining board of all of the  
24           following:

25           **SECTION 176.** 443.04 (1m) of the statutes is amended to read:

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1           443.04 (1m) A diploma of graduation, or a certificate, from an engineering  
2 school or college approved by the ~~professional engineer section~~ examining board as  
3 of satisfactory standing in an engineering course of not less than 4 years or a diploma  
4 of graduation or degree from a technical college approved by the ~~professional~~  
5 ~~engineer—section~~ examining board as of satisfactory standing in an  
6 engineering–related course of study of not less than 2 years.

7           **SECTION 177.** 443.04 (2m) (a) of the statutes is amended to read:

8           443.04 (2m) (a) For an applicant possessing a diploma or certificate from a  
9 course of study of not less than 4 years as specified in sub. (1m), a specific record of  
10 4 or more years of experience in engineering work of a character satisfactory to the  
11 ~~professional engineer section~~ examining board and indicating that the applicant is  
12 competent to be placed in responsible charge of engineering work.

13           **SECTION 178.** 443.04 (2m) (b) of the statutes is amended to read:

14           443.04 (2m) (b) For an applicant possessing a diploma or degree from a course  
15 of study of not less than 2 years as specified in sub. (1m), a specific record of 6 or more  
16 years of experience in engineering work of a character satisfactory to the ~~professional~~  
17 ~~engineer section~~ examining board and indicating that the applicant is competent to  
18 be placed in responsible charge of engineering work.

19           **SECTION 179.** 443.05 (1) (intro.) of the statutes is amended to read:

20           443.05 (1) (intro.) An applicant for certification as an engineer–in–training  
21 shall submit as satisfactory evidence to the ~~professional engineer section~~ of the  
22 examining board one of the following:

23           **SECTION 180.** 443.05 (1) (a) of the statutes is amended to read:

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1           443.05 (1) (a) A diploma of graduation in engineering or a certificate in  
2 engineering from a school or college approved by the ~~professional engineer section~~  
3 examining board as of satisfactory standing.

4           **SECTION 181.** 443.05 (1) (b) of the statutes is amended to read:

5           443.05 (1) (b) A specific record of 4 years or more of experience in engineering  
6 work of a character satisfactory to the ~~professional engineer section~~ examining  
7 board.

8           **SECTION 182.** 443.05 (2) of the statutes is amended to read:

9           443.05 (2) Graduation in engineering from a school or college approved by the  
10 ~~professional engineer section~~ examining board as of satisfactory standing shall be  
11 considered as equivalent to 4 years of experience and the completion satisfactory to  
12 the ~~professional engineer section~~ examining board of each year of work in  
13 engineering in such school or college without graduation shall be considered as  
14 equivalent to one year of experience. Graduation in a course other than engineering  
15 from a school or college approved by the ~~professional engineer section~~ examining  
16 board as of satisfactory standing shall be considered as equivalent to 2 years of  
17 experience. No applicant may receive credit for more than 4 years of experience  
18 under this subsection.

19           **SECTION 183.** 443.06 (1) (a) of the statutes is amended to read:

20           443.06 (1) (a) Application for a license to engage in the practice of professional  
21 land surveying shall be made to the ~~professional land surveyor section~~ of the  
22 examining board under oath, on forms provided by the department, which shall  
23 require the applicant to submit such information as the ~~professional land surveyor~~  
24 section examining board deems necessary. The ~~professional land surveyor section~~  
25 examining board may require applicants to pass written or oral examinations or

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1 both. Applicants who do not have an arrest or conviction record, subject to ss.  
2 111.321, 111.322, and 111.335, shall be entitled to be granted a license to engage in  
3 the practice of professional land surveying when satisfactory evidence is submitted  
4 that the applicant has met one or more of the requirements of sub. (2).

5 **SECTION 184.** 443.06 (1) (b) of the statutes is amended to read:

6 443.06 (1) (b) Each year, but not more than 4 years, of work or training  
7 completed in a curriculum in the practice of professional land surveying approved by  
8 the professional land surveyor section examining board, or of responsible charge of  
9 teaching the practice of professional land surveying may be considered as equivalent  
10 to one year of qualifying experience in the practice of professional land surveying,  
11 and each year, but not more than 4 years, completed in a curriculum other than the  
12 practice of professional land surveying approved by the professional land surveyor  
13 section examining board, may be considered as equivalent to one-half year of  
14 qualifying experience.

15 **SECTION 185.** 443.06 (2) (intro.) of the statutes is amended to read:

16 443.06 (2) REQUIREMENTS; LICENSE. (intro.) The professional land surveyor  
17 section examining board may grant a license to engage in the practice of professional  
18 land surveying to any person who has submitted to it an application, the required  
19 fees, and one or more of the following:

20 **SECTION 186.** 443.06 (2) (am) of the statutes is amended to read:

21 443.06 (2) (am) Evidence satisfactory to the professional land surveyor section  
22 examining board that he or she has received a bachelor's degree in a course in the  
23 practice of professional land surveying or a related field that has a duration of not  
24 less than 4 years and is approved by the professional land surveyor section  
25 examining board, and that he or she has engaged in the practice of professional land

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1 surveying for at least 2 years and has demonstrated practice of satisfactory character  
2 that indicates that the applicant is competent to engage in the practice of  
3 professional land surveying, if the applicant has passed an oral and written or  
4 written examination administered by the ~~professional land surveyor section~~  
5 examining board.

6 **SECTION 187.** 443.06 (2) (bm) of the statutes is amended to read:

7 443.06 (2) (bm) Evidence satisfactory to the ~~professional land surveyor section~~  
8 examining board that he or she has received an associate degree in a course in the  
9 practice of professional land surveying or a related field that has a duration of not  
10 less than 2 years and is approved by the ~~professional land surveyor section~~  
11 examining board, and that he or she has engaged in the practice of professional land  
12 surveying for at least 4 years and has demonstrated practice of satisfactory character  
13 that indicates that the applicant is competent to engage in the practice of  
14 professional land surveying, if the applicant has passed an oral and written or  
15 written examination administered by the ~~professional land surveyor section~~  
16 examining board.

17 **SECTION 188.** 443.06 (2) (cm) of the statutes is amended to read:

18 443.06 (2) (cm) Evidence satisfactory to the ~~professional land surveyor section~~  
19 examining board that he or she has engaged in the practice of professional land  
20 surveying for at least 10 years and has demonstrated practice of satisfactory  
21 character that indicates that the applicant is competent to engage in the practice of  
22 professional land surveying, if the applicant has passed an oral and written or  
23 written examination administered by the ~~professional land surveyor section~~  
24 examining board. This paragraph applies to applications for licenses to engage in

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1 the practice of professional land surveying that are submitted to the professional  
2 ~~land surveyor section~~ examining board after June 30, 2000 and before July 1, 2019.

3 **SECTION 189.** 443.06 (2) (d) of the statutes is amended to read:

4 443.06 (2) (d) An unexpired certificate of registration, certificate of  
5 certification, or license as a land surveyor or to engage in the practice of professional  
6 land surveying issued to the applicant by the proper authority in any state or  
7 territory or possession of the United States or in any other country whose  
8 requirements meet or exceed the requirement for licensure in this subsection, if the  
9 applicant has passed an oral and written or written examination administered by the  
10 ~~professional land surveyor section~~ examining board.

11 **SECTION 190.** 443.07 (1) (intro.) of the statutes is amended to read:

12 443.07 (1) (intro.) An applicant for a permit as a designer shall submit as  
13 evidence satisfactory to ~~the designer section~~ of the examining board one of the  
14 following to indicate that he or she is competent to be in charge of such work:

15 **SECTION 191.** 443.07 (1) (a) of the statutes is amended to read:

16 443.07 (1) (a) A specific record of 8 years or more of experience in specialized  
17 engineering design work and the satisfactory completion of a written examination  
18 in the field or branch, as determined by the ~~designer section~~ examining board, in  
19 which certification is sought.

20 **SECTION 192.** 443.07 (3) of the statutes is amended to read:

21 443.07 (3) Permits shall be granted, designated, and limited to the fields and  
22 subfields of technology as are determined by the ~~designer section~~ examining board  
23 and recognized in engineering design practice. Any person holding a permit may  
24 prepare plans and specifications and perform consultation, investigation, and  
25 evaluation in connection with the making of plans and specifications, within the

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1 scope of the permit, notwithstanding that such activity constitutes the practice of  
2 architecture or professional engineering under this chapter.

3 **SECTION 193.** 443.07 (5) of the statutes is amended to read:

4 443.07 (5) The permit shall, on its face, restrict the holder thereof to the specific  
5 field and subfields of designing in which the permittee acquired his or her experience  
6 in designing. If qualified in more than one type of designing, persons may receive  
7 permits for more than one field or subfield of designing as may be determined by the  
8 ~~designer section~~ examining board.

9 **SECTION 194.** 443.08 (3) (a) 1. of the statutes is amended to read:

10 443.08 (3) (a) 1. A firm, partnership, or corporation desiring a certificate of  
11 authorization shall submit an application to the department on forms provided by  
12 the department, listing the names and addresses of all officers and directors, and all  
13 individuals in its employment registered to practice architecture in this state who  
14 will be in responsible charge of architecture being practiced in this state through the  
15 firm, partnership, or corporation and other relevant information required by the  
16 ~~architect section~~ of the examining board. A similar type of form shall also accompany  
17 the renewal fee. If there is a change in any of these persons, the change shall be  
18 reported on the same type of form, and filed with the department within 30 days after  
19 the effective date of the change. The ~~architect section~~ examining board shall grant  
20 a certificate of authorization to a firm, partnership, or corporation complying with  
21 this subsection upon payment of the initial credential fee determined by the  
22 department under s. 440.03 (9) (a). This subsection does not apply to firms,  
23 partnerships, or corporations exempt under s. 443.14 (3) or (5).

24 **SECTION 195.** 443.08 (3) (a) 2. of the statutes is amended to read:

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1           443.08 (3) (a) 2. A firm, partnership, or corporation desiring a certificate of  
2 authorization shall submit an application to the department on forms provided by  
3 the department, listing the names and addresses of all officers and directors, and all  
4 individuals in its employment registered to practice professional engineering in this  
5 state who will be in responsible charge of professional engineering being practiced  
6 in this state through the firm, partnership, or corporation and other relevant  
7 information required by ~~the professional engineer section~~ of the examining board.  
8 A similar type of form shall also accompany the renewal fee. If there is a change in  
9 any of these persons, the change shall be reported on the same type of form, and filed  
10 with the department within 30 days after the effective date of the change. The  
11 ~~professional engineer section~~ examining board shall grant a certificate of  
12 authorization to a firm, partnership, or corporation complying with this subsection  
13 upon payment of the initial credential fee determined by the department under s.  
14 440.03 (9) (a). This subsection does not apply to firms, partnerships, or corporations  
15 exempt under s. 443.14 (3) or (5).

16           **SECTION 196.** 443.08 (3) (a) 3. of the statutes is amended to read:

17           443.08 (3) (a) 3. A firm, partnership, or corporation desiring a certificate of  
18 authorization shall submit an application to the department on forms provided by  
19 the department, listing the names and addresses of all officers and directors, and all  
20 individuals in its employment granted a permit to practice designing in this state  
21 who will be in responsible charge of designing being practiced in this state through  
22 the firm, partnership, or corporation and other relevant information required by ~~the~~  
23 ~~designer section~~ of the examining board. A similar type of form shall also accompany  
24 the renewal fee. If there is a change in any of these persons, the change shall be  
25 reported on the same type of form, and filed with the department within 30 days after



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1 the effective date of the change. The ~~designer-section~~ examining board shall grant  
2 a certificate of authorization to a firm, partnership, or corporation complying with  
3 this subsection upon payment of the initial credential fee determined by the  
4 department under s. 440.03 (9) (a). This subsection does not apply to firms,  
5 partnerships, or corporations exempt under s. 443.14 (3) or (5).

6 **SECTION 197.** 443.09 (4m) of the statutes is amended to read:

7 443.09 (4m) No person may be registered as a landscape architect under this  
8 chapter unless he or she passes a written examination or written and oral  
9 examinations conducted or approved by the ~~landscape architect-section~~ of the  
10 examining board under sub. (5).

11 **SECTION 198.** 443.09 (5) of the statutes is amended to read:

12 443.09 (5) Written or written and oral examinations shall be held at such time  
13 and place as the ~~landscape architect-section~~ of the examining board determines. The  
14 scope of the examinations and the methods of procedure shall be prescribed by the  
15 ~~landscape architect-section~~ examining board with special reference to the applicant's  
16 ability to design and supervise architectural, landscape architectural, or  
17 engineering work, which shall promote the public welfare and ensure the safety of  
18 life, health, and property. A candidate failing an examination may, upon application  
19 and payment of the required reexamination fee, be examined again by the ~~landscape~~  
20 ~~architect-section~~ examining board. No restrictions may be placed on the number of  
21 times an unsuccessful candidate may be reexamined, except that after failure of 3  
22 reexaminations, the ~~landscape architect-section~~ examining board may require a  
23 one-year waiting period before further reexamination.

24 **SECTION 199.** 443.10 (1) (a) of the statutes is amended to read:

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1           443.10 (1) (a) The ~~appropriate section of the~~ examining board may, upon  
2 application and the payment of the required fee, grant a certificate of registration as  
3 an architect, as a landscape architect, or as a professional engineer to any person who  
4 holds an unexpired certificate of similar registration issued to the person by the  
5 proper authority in any state or territory or possession of the United States or in any  
6 country in which the requirements for the registration of architects, landscape  
7 architects, or professional engineers are of a standard not lower than specified in this  
8 chapter.

9           **SECTION 200.** 443.10 (1) (b) of the statutes is amended to read:

10           443.10 (1) (b) The ~~appropriate section of the~~ examining board may, upon  
11 application and payment of the required fee, grant a certificate of registration as an  
12 architect, as a landscape architect, or as a professional engineer to any person who  
13 holds an unrevoked card or certificate of national reciprocal registration, issued by  
14 any state, territory, or possession of the United States or by any country, which is in  
15 conformity with the regulations of the national council of state board of architectural,  
16 or engineering examiners, or council of landscape architectural registration boards,  
17 and who complies with the regulations of the ~~appropriate section~~ examining board,  
18 except as to qualifications and registration fee.

19           **SECTION 201.** 443.10 (1) (c) of the statutes is amended to read:

20           443.10 (1) (c) The ~~professional engineer section of the~~ examining board may,  
21 upon application therefor, and the payment of the required fee, grant a  
22 certificate-of-record as engineer-in-training to any person who holds an unexpired  
23 certificate of similar certification issued to the person by the proper authority in any  
24 state or territory or possession of the United States or in any country in which the

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1 requirements for the certification of engineers-in-training are of a standard not  
2 lower than specified in this chapter.

3 **SECTION 202.** 443.10 (1) (d) of the statutes is amended to read:

4 443.10 (1) (d) The ~~appropriate section of the~~ examining board may, upon  
5 application and payment of the required fee, grant a permit to practice or to offer to  
6 practice architecture, landscape architecture, or professional engineering to a  
7 person who is not a resident of and has no established place of business in this state,  
8 or who has recently become a resident of this state, if the person holds an unexpired  
9 certificate of similar registration issued to the person by the proper authority in any  
10 state or territory or possession of the United States or in any country in which the  
11 requirements for the registration of architects, landscape architects, or professional  
12 engineers are of a standard not lower than specified in this chapter.

13 **SECTION 203.** 443.10 (2) (c) of the statutes is amended to read:

14 443.10 (2) (c) The ~~appropriate section of the~~ examining board shall grant a  
15 certificate of registration upon payment of the registration fee to any applicant who,  
16 in the opinion of the ~~appropriate section~~ examining board, has satisfactorily met all  
17 the applicable requirements of this chapter. The certificate shall authorize the  
18 practice of architecture, landscape architecture, or professional engineering, as  
19 appropriate.

20 **SECTION 204.** 443.10 (2) (d) of the statutes is amended to read:

21 443.10 (2) (d) The granting of a certificate of registration ~~by the appropriate~~  
22 ~~section of the examining board~~ under this chapter shall be evidence that the person  
23 named in the certificate is entitled to all the rights and privileges of a registered  
24 architect, a registered landscape architect, or a registered professional engineer

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1 under the classification stated on the certificate, while the certificate remains  
2 unrevoked or unexpired.

3 **SECTION 205.** 443.10 (2) (f) of the statutes is amended to read:

4 443.10 (2) (f) ~~The professional engineer section~~ of the examining board shall  
5 grant a certificate of record as engineer-in-training to any applicant who, in the  
6 opinion of the ~~professional engineer section~~ examining board, has satisfactorily met  
7 all the requirements of this section pertaining to engineers-in-training.

8 **SECTION 206.** 443.10 (2) (h) of the statutes is amended to read:

9 443.10 (2) (h) Certificates of record as engineers-in-training shall expire on  
10 July 31st of the 10th year after their issuance unless extended by ~~the professional~~  
11 ~~engineer section~~ of the examining board. An application for extension shall contain  
12 evidence satisfactory to the ~~professional engineer section~~ examining board that the  
13 applicant's professional experience has been delayed.

14 **SECTION 207.** 443.10 (3) of the statutes is repealed.

15 **SECTION 208.** 443.10 (4) (a) of the statutes is amended to read:

16 443.10 (4) (a) A list, showing the names and addresses of all  
17 engineers-in-training certified by ~~the professional engineer section~~ of the  
18 examining board during the period from July 1 to June 30, shall be prepared each  
19 year by the ~~professional engineer section~~ examining board. The list shall be  
20 obtainable by purchase at cost.

21 **SECTION 209.** 443.10 (4) (b) of the statutes is amended to read:

22 443.10 (4) (b) ~~Each section of the~~ The examining board shall keep a record of  
23 its proceedings together with a record of all other information pertaining to its  
24 proceedings as may be deemed necessary by ~~that section~~ of the examining board. The  
25 records of ~~each section~~ of the examining board shall be prima facie evidence of the

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1 proceedings of ~~that section~~ of the examining board set forth in the records, and a  
2 transcript thereof, duly certified by the secretary chairperson of ~~that section~~ of the  
3 examining board, or his or her designee, under seal, shall be admissible in evidence  
4 with the same effect as if the original were produced.

5 **SECTION 210.** 443.10 (5) of the statutes is amended to read:

6 443.10 (5) FEES; RENEWALS. The ~~professional land surveyor section~~ examining  
7 board shall grant a license to engage in the practice of professional land surveying  
8 to any applicant who has met the applicable requirements of this chapter. The  
9 renewal date for the license is specified under s. 440.08 (2) (a), and the renewal fee  
10 for the license is determined by the department under s. 440.03 (9) (a).

11 **SECTION 211.** 443.11 (1) (intro.) of the statutes is amended to read:

12 443.11 (1) (intro.) The ~~appropriate section of the~~ examining board may  
13 reprimand an architect, landscape architect, or professional engineer or limit,  
14 suspend, or revoke the certificate of registration of any registrant, and the certificate  
15 of record of any engineer-in-training, who is found guilty of:

16 **SECTION 212.** 443.11 (1) (e) of the statutes is amended to read:

17 443.11 (1) (e) Any violation of the rules of professional conduct adopted and  
18 promulgated by ~~that section~~ of the examining board.

19 **SECTION 213.** 443.11 (2) of the statutes is amended to read:

20 443.11 (2) The ~~appropriate section of the~~ examining board may reprimand a  
21 firm, partnership, or corporation holding a certificate of authorization issued under  
22 this chapter or may limit, suspend, or revoke such a certificate if any of the agents,  
23 employees, or officers of the firm, partnership, or corporation has committed any act  
24 or has been guilty of any conduct which would authorize a reprimand or a limitation,  
25 suspension, or revocation of the certificate of registration of a registrant or the

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1 certificate of record of an engineer-in-training under this chapter, unless the firm,  
2 partnership, or corporation submits evidence satisfactory to ~~the appropriate section~~  
3 of the examining board that the agent, employee, or officer is not now practicing or  
4 offering to practice architecture, landscape architecture, or professional engineering  
5 in its behalf.

6 **SECTION 214.** 443.11 (3) of the statutes is amended to read:

7 443.11 (3) Any person may make charges that any registrant, holder of a  
8 certificate of record as engineer-in-training or corporate holder of a certificate of  
9 authorization has committed an act for which a reprimand or limitation, suspension,  
10 or revocation of registration is authorized under sub. (1). Such charges shall be in  
11 writing, shall be sworn to by the person making them and shall be submitted to the  
12 ~~appropriate section of the examining board.~~ The ~~appropriate section of the~~  
13 examining board may, on its own motion, make such charges. All charges, unless  
14 dismissed by ~~the appropriate section of the examining board~~ as unfounded or trivial,  
15 shall be heard by ~~the appropriate section of the examining board~~, subject to the rules  
16 promulgated under s. 440.03 (1).

17 **SECTION 215.** 443.11 (4) of the statutes is amended to read:

18 443.11 (4) If after a hearing under sub. (3), ~~3 members of a section of the~~  
19 examining board ~~vote in favor of sustaining~~ sustains the charges specified in sub. (3),  
20 ~~the appropriate section of the examining board~~ shall reprimand or limit, suspend, or  
21 revoke the certificate of registration of the registered architect, registered landscape  
22 architect, or registered professional engineer, the certificate of record of the holder  
23 of a certificate as engineer-in-training, or the certificate of authorization of a firm,  
24 partnership, or corporation.

25 **SECTION 216.** 443.11 (5) of the statutes is repealed.

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1           **SECTION 217.** 443.11 (6) of the statutes is amended to read:

2           443.11 (6) The ~~appropriate section of the~~ examining board, for reasons it  
3           considers sufficient, may reissue a certificate of registration or a certificate of record  
4           to any person, or a certificate of authorization to any firm, partnership, or  
5           corporation, whose certificate has been revoked under this section if ~~3 members of~~  
6           ~~the section of the examining board vote in favor of such reissuance.~~ Subject to the  
7           rules of the examining board, ~~the appropriate section of the~~ examining board may,  
8           upon payment of the required fee, issue a new certificate of registration, certificate  
9           of record or certificate of authorization, to replace any certificate that is revoked, lost,  
10          destroyed, or mutilated.

11          **SECTION 218.** 443.12 (1) of the statutes is amended to read:

12          443.12 (1) The ~~professional land surveyor section~~ examining board may  
13          reprimand a professional land surveyor, or limit, suspend, or revoke the license of  
14          any professional land surveyor, for the practice of any fraud or deceit in obtaining the  
15          license, or any gross negligence, incompetence, or misconduct in the practice of  
16          professional land surveying.

17          **SECTION 219.** 443.12 (2) of the statutes is amended to read:

18          443.12 (2) Charges of fraud, deceit, gross negligence, incompetence, or  
19          misconduct may be made against any professional land surveyor by the ~~professional~~  
20          ~~land surveyor section~~ examining board or any person. Such charges may be made  
21          on information and belief, but shall be in writing, stating the specific acts, be signed  
22          by the complainant and be submitted to the examining board. All charges shall be  
23          heard according to the rules promulgated under s. 440.03 (1).

24          **SECTION 220.** 443.12 (3) of the statutes is amended to read:

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1           443.12 (3) If after a hearing ~~3 members vote~~ the examining board finds in favor  
2 of reprimand or limiting, suspending, or revoking the license of a professional land  
3 surveyor, the ~~professional land surveyor section~~ examining board shall notify the  
4 surveyor to that effect. The surveyor shall return the license to the examining board  
5 immediately on receipt of notice of a revocation. ~~The action of the professional land~~  
6 ~~surveyor section may be reviewed under ch. 227.~~

7           **SECTION 221.** 443.12 (4) of the statutes is amended to read:

8           443.12 (4) ~~The professional land surveyor section~~ examining board, for reasons  
9 it deems sufficient, may reinstate a license to engage in the practice of professional  
10 land surveying that has been revoked, ~~if 3 members vote in favor of such~~  
11 ~~reinstatement.~~ This subsection does not apply to a license that is revoked under s.  
12 440.12.

13           **SECTION 222.** 443.13 (1) (intro.) of the statutes is amended to read:

14           443.13 (1) (intro.) ~~The designers' section of the~~ examining board may limit,  
15 suspend, or revoke a permit or reprimand the permittee if the permittee is guilty of  
16 any of the following:

17           **SECTION 223.** 443.13 (2) of the statutes is amended to read:

18           443.13 (2) If, after a hearing conducted under the rules promulgated under s.  
19 440.03 (1) ~~before the designers' section of the~~ examining board, ~~two-thirds of the~~  
20 ~~members of the section vote in favor of sustaining~~ the examining board sustains the  
21 charges, ~~the designers' section of the~~ examining board shall reprimand the permittee  
22 or limit, suspend, or revoke the permit. ~~The action of the designers' section of the~~  
23 ~~examining board under this section is subject to review under ch. 227.~~

24           **SECTION 224.** 443.18 (1) (a) of the statutes is amended to read:



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1           443.18 (1) (a) Any person who practices or offers to practice architecture,  
2           landscape architecture, or professional engineering in this state, or who uses the  
3           term “architect,” “landscape architect,” or “professional engineer” as part of the  
4           person’s business name or title, except as provided in s. 443.08 (6), or in any way  
5           represents himself or herself as an architect, landscape architect, or a professional  
6           engineer unless the person is registered or exempted in accordance with this chapter,  
7           or unless the person is the holder of an unexpired permit issued under s. 443.10 (1)  
8           (d), or any person presenting or attempting to use as his or her own the certificate  
9           of registration of another, or any person who gives any false or forged evidence of any  
10          kind to the examining board ~~or to any section of the examining board~~ or to any  
11          member of the examining board ~~or to any member of any section of the examining~~  
12          ~~board~~ in obtaining a certificate of registration, or any person who falsely  
13          impersonates any other registrant of like or different name, or any person who  
14          attempts to use an expired or revoked certificate of registration, or violates any of the  
15          provisions of this section, may be fined not less than \$100 nor more than \$500 or  
16          imprisoned for not more than 3 months or both.

17           **SECTION 225.** 443.18 (2) (a) of the statutes is amended to read:

18           443.18 (2) (a) If it appears upon complaint to the examining board ~~or to any~~  
19          ~~section of the examining board~~ by any person, or is known to the examining board  
20          ~~or to any section of the examining board~~ that any person who is neither registered  
21          nor exempt under this chapter nor the holder of an unexpired permit under s. 443.10  
22          (1) (d) is practicing or offering to practice, or is about to practice or to offer to practice,  
23          architecture, landscape architecture, or professional engineering in this state, the  
24          ~~appropriate section of the examining board~~ or the attorney general or the district  
25          attorney of the proper county may investigate and may, in addition to any other

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1 remedies, bring action in the name and on behalf of this state against any such  
2 person to enjoin the person from practicing or offering to practice architecture,  
3 landscape architecture, or professional engineering.

4 **SECTION 226.** 443.18 (2) (b) of the statutes is amended to read:

5 443.18 (2) (b) If it appears upon complaint to the examining board by any  
6 person, or is known to the examining board that any person who does not have a  
7 license to engage in the practice of professional land surveying in this state, or who  
8 is not exempt or excepted from the licensure requirements under this chapter, is  
9 engaging in or offering to engage in the practice of professional land surveying in this  
10 state, the professional land surveyor section, the examining board, the department,  
11 the department of justice, or the district attorney of the proper county may  
12 investigate and may, in addition to any other remedies, bring action in the name and  
13 on behalf of the state to enjoin the person from engaging in or offering to engage in  
14 the practice of professional land surveying.

15 **SECTION 227.** 445.01 (2) of the statutes is amended to read:

16 445.01 (2) An "apprentice funeral director" is any person engaged in the  
17 learning of the practice of funeral directing under the instruction and personal  
18 supervision of a duly licensed and registered funeral director under this chapter,  
19 whose funeral establishment is located in this state; provided, that no person shall  
20 may serve or attempt to serve as such apprentice funeral director under any such  
21 funeral director until the person has filed registration thereof with the examining  
22 board department.

23 **SECTION 228.** 445.01 (4) of the statutes is repealed.

24 **SECTION 229.** 445.03 (title) of the statutes is amended to read:

25 **445.03 (title) Powers of examining board the department.**

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**SECTION 230**

1        **SECTION 230.** 445.03 (1) (intro.) of the statutes is amended to read:

2        445.03 (1) (intro.) The ~~examining board~~ department shall:

3        **SECTION 231.** 445.03 (2) (intro.) of the statutes is amended to read:

4        445.03 (2) (intro.) The ~~examining board~~ department may:

5        **SECTION 232.** 445.04 (1) of the statutes is amended to read:

6        445.04 (1) Except for conducting funeral services, the business of a funeral  
7 director must be conducted in a funeral establishment that has been issued a permit  
8 ~~by the examining board under this chapter.~~

9        **SECTION 233.** 445.04 (2) of the statutes is amended to read:

10        445.04 (2) Except as provided in s. 257.03, no person may engage in the  
11 business of a funeral director, or make a representation as engaged in such business,  
12 in whole or in part, unless first licensed as a funeral director ~~by the examining board~~  
13 under this chapter. Application for a license, other than a renewal, shall be in writing  
14 and verified on a form to be furnished by the department. The application must  
15 specify the address at which the applicant proposes to conduct the business of a  
16 funeral director and shall contain such other information as the ~~examining board~~  
17 department requires to determine compliance with the requirements of this chapter.  
18 Accompanying the application shall be the initial credential fee determined by the  
19 department under s. 440.03 (9) (a), together with affidavits of recommendation from  
20 at least 2 persons of the county in which the applicant resides or proposes to conduct  
21 the business of a funeral director.

22        **SECTION 234.** 445.04 (3) (a) of the statutes is amended to read:

23        445.04 (3) (a) Written examinations for a funeral director's license shall be held  
24 at least once a year and shall be conducted by the ~~examining board~~ department at  
25 a time and place to be designated by the ~~examining board~~ department.

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1       **SECTION 235.** 445.045 (1) (d) of the statutes is amended to read:

2       445.045 (1) (d) The person must have completed 2 academic years of instruction  
3 in a recognized college or university, in a course of study approved by the examining  
4 board department, or have equivalent education.

5       **SECTION 236.** 445.045 (1) (e) of the statutes is amended to read:

6       445.045 (1) (e) The person must have satisfactorily completed 9 months or more  
7 instruction in a prescribed course in mortuary science approved by the examining  
8 board department at any time after having completed one year of college work or  
9 equivalent education.

10       **SECTION 237.** 445.045 (1) (g) of the statutes is amended to read:

11       445.045 (1) (g) The person must have successfully passed a comprehensive  
12 examination conducted by the examining board department as required by s. 445.04.

13       **SECTION 238.** 445.045 (2) (b) of the statutes is amended to read:

14       445.045 (2) (b) Any person who served actively in the armed forces of the United  
15 States between August 3, 1951, and October 1, 1959, and who was discharged under  
16 conditions other than dishonorable, registers with the examining board department  
17 within 6 months of the date of discharge, and who satisfies the legal requirements  
18 in effect at the time the person entered the armed forces.

19       **SECTION 239.** 445.06 of the statutes is amended to read:

20       **445.06 Renewal of licenses.** The renewal date for a funeral director's license  
21 is specified under s. 440.08 (2) (a), and the renewal fee for such license is determined  
22 by the department under s. 440.03 (9) (a). Before any renewal license is delivered  
23 to any licensed funeral director, proof must be furnished by the applicant, to the  
24 satisfaction of the examining board department, that the applicant is doing business  
25 at a recognized funeral establishment. The applicant must also furnish proof of

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1 completion of at least 15 hours of continuing education during the previous 2-year  
2 licensure period, except that new licensees are exempt from this requirement during  
3 the time between initial licensure and commencement of a full 2-year licensure  
4 period.

5 **SECTION 240.** 445.08 (1) of the statutes is amended to read:

6 445.08 (1) Any person holding a valid license as a funeral director or embalmer  
7 in another state having requirements substantially equal to those in this state for  
8 a funeral director's license may apply for a license to practice in this state by filing  
9 with the ~~examining board~~ department a certified statement from an authorized  
10 official of the state in which the applicant holds a license, showing the qualifications  
11 upon which said license was granted. Thereupon the ~~examining board~~ department  
12 may, upon the payment of the required fee, issue a funeral director's license.

13 **SECTION 241.** 445.08 (4) (intro.) of the statutes is amended to read:

14 445.08 (4) (intro.) Applications for the examination at a time and place to be  
15 arranged and conducted by the ~~examining board~~ department for a reciprocal funeral  
16 director's license shall be in writing and verified on a form to be furnished by the  
17 ~~examining board~~ department, and shall be accompanied by all of the following:

18 **SECTION 242.** 445.08 (4) (b) of the statutes is amended to read:

19 445.08 (4) (b) Any other information that the ~~examining board~~ department  
20 requires.

21 **SECTION 243.** 445.095 (1) (a) of the statutes is amended to read:

22 445.095 (1) (a) A person desiring to become an apprentice as a funeral director  
23 shall apply on a form provided for the purpose and appear before the ~~examining~~  
24 ~~board~~ department, or any duly appointed representative of the ~~examining board~~  
25 department. The application shall state that the applicant is 18 years of age or older,

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1 holds a high school diploma or possesses equivalent education as defined by the  
2 ~~examining board department~~, does not have an arrest or conviction record, subject  
3 to ss. 111.321, 111.322, and 111.335, and has completed one academic year of  
4 instruction in a recognized college or university in a course of study approved by the  
5 ~~examining board department~~ or has equivalent education. The application must be  
6 substantiated by the oath of the applicant and be accompanied by the fee specified  
7 in s. 440.05 (6). When the ~~examining board department~~ is satisfied as to the  
8 qualification of an applicant for apprenticeship, it shall issue a certificate of  
9 apprenticeship. When the apprentice enters the employment of a licensed funeral  
10 director, the apprentice shall immediately notify the ~~examining board department~~,  
11 giving the name and place of business of the funeral director whose service the  
12 apprentice has entered. If, at any time thereafter, the apprentice leaves the employ  
13 of the licensed funeral director whose service the apprentice has entered, the  
14 licensed funeral director shall give the apprentice an affidavit showing the length of  
15 time served as an apprentice with that employer, and the work done in detail, which  
16 affidavit shall be filed with the ~~examining board department~~ and made a matter of  
17 record in that office. If the apprentice thereafter enters the employ of another  
18 licensed funeral director in this state, the applicant shall forthwith report such  
19 employment to the ~~examining board department~~.

20 **SECTION 244.** 445.095 (1) (d) of the statutes is amended to read:

21 445.095 (1) (d) All apprentices registered under this section shall report at  
22 least semiannually to the ~~examining board department~~ upon forms provided by the  
23 ~~examining board department~~. The reports shall contain the information required by  
24 the ~~examining board department~~. Failure to submit the required reports shall  
25 ~~constitute~~ constitutes justification for termination of the apprenticeship.

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1 ~~SECTION 245. 445.095 (1) (e) of the statutes is amended to read:~~

2 ~~445.095 (1) (e) The semiannual report must show the number of hours served~~  
3 ~~by the apprentice and the number of bodies the apprentice has assisted in~~  
4 ~~embalming, or otherwise prepared for burial or disposition during such period, the~~  
5 ~~number of funeral services at which the apprentice has assisted, and give such other~~  
6 ~~information as may be required by the ~~examining board~~ department. The data~~  
7 ~~contained in the report shall be certified to as correct by the licensed funeral director~~  
8 ~~under whom the apprentice has served during such period.~~

9 ~~SECTION 246. 445.095 (2) (c) of the statutes is amended to read:~~

10 ~~445.095 (2) (c) Only one funeral director apprenticeship shall may be~~  
11 ~~recognized by the ~~examining board~~ department at any one funeral establishment in~~  
12 ~~a current year that has had less than 150 funeral services or prepared less than 150~~  
13 ~~bodies for burial or shipment during the preceding year.~~

14 ~~SECTION 247. 445.095 (2) (d) of the statutes is amended to read:~~

15 ~~445.095 (2) (d) The ~~examining board~~ department may recognize a 2nd funeral~~  
16 ~~director apprenticeship at a funeral establishment during the current year that has~~  
17 ~~had 150 funerals or more and has prepared 150 bodies or more for burial or shipment~~  
18 ~~during the preceding year, provided that full-time employment is given to at least~~  
19 ~~2 licensed funeral directors at such funeral establishment.~~

20 ~~SECTION 248. 445.095 (4) of the statutes is amended to read:~~

21 ~~445.095 (4) Before such apprentice shall be eligible to receive a license to~~  
22 ~~practice funeral directing, the apprentice shall present, in connection with the other~~  
23 ~~evidence required by this chapter, affidavits from the several licensed funeral~~  
24 ~~directors under whom the apprentice has worked, showing that the apprentice has~~  
25 ~~assisted in embalming for burial or shipment at least 25 bodies, has assisted in~~

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1 preparing 25 dead human bodies for burial or transportation, other than by  
2 embalming, and has assisted in at least 25 funeral services during the  
3 apprenticeship. This work must all have been done within 4 years from the date of  
4 registering as an apprentice, but such time may be extended by the ~~examining board~~  
5 department for good cause shown, not to exceed one additional year. The provisions  
6 of this section shall be suspended for such period as a registered apprentice may be  
7 an active member of the military or naval forces of the United States.

8 **SECTION 249.** 445.10 (1) of the statutes is amended to read: ✓

9 445.10 (1) The term of an apprenticeship for a funeral director shall begin on  
10 the date of registration and terminate after a period of not more than 4 years from  
11 the time of first registration unless the time is extended under this chapter. A  
12 registered apprentice must make application for license and must appear before the  
13 ~~examining board~~ department for examination within 4 years from the date of  
14 registration unless the time is extended under this chapter. Noncompliance with  
15 this subsection terminates the right to serve as an apprentice.

16 **SECTION 250.** 445.10 (2) of the statutes is amended to read: ✓

17 445.10 (2) In all applications of apprentices for licenses as funeral directors  
18 under this chapter, the eligibility of the applicant to take the examination shall be  
19 determined by the records filed with the ~~examining board~~ department. ✓

20 **SECTION 251.** 445.10 (6) of the statutes is amended to read:

21 445.10 (6) The ~~examining board~~ department may limit, suspend or revoke a  
22 certificate of apprenticeship, or reprimand an apprentice, for violation of any  
23 provision of this chapter. ✓

24 **SECTION 252.** 445.10 (7) of the statutes is amended to read:



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1 445.10 (7) An apprentice who has allowed a certificate of apprenticeship to  
2 lapse or who has had an apprenticeship suspended or revoked, may within one year  
3 after such lapse or suspension or revocation make application for reregistration, but  
4 ~~the department may not allow more than 2 such reregistrations shall be allowed by~~  
5 ~~the examining board per apprentice.~~ The ~~examining board~~ department may, at its  
6 discretion, allow an apprentice credit under a registration for the time actually  
7 served under a previous registration; provided, that if the previous registration has  
8 been suspended or revoked for cause, not more than ~~75%~~ 75 percent of the time  
9 previously served shall be credited on the reregistration.

10 **SECTION 253.** 445.105 (1) of the statutes is amended to read: ✓

11 445.105 (1) No person may conduct, maintain, manage, or operate any funeral  
12 establishment unless the ~~examining board~~ department has issued the person a  
13 permit for the funeral establishment and the permit is conspicuously displayed in  
14 the funeral establishment, except that a permit is not required for funeral services  
15 held in any building or part of a building that is erected under s. 157.11 (1), private  
16 residence, church, or lodge hall, if dead human bodies are not embalmed, cared for,  
17 or prepared for burial or transportation, in the building, residence, church, or lodge  
18 hall.

19 **SECTION 254.** 445.105 (2m) (intro.) of the statutes is amended to read: ✓

20 445.105 (2m) (intro.) The ~~examining board~~ department may not issue a permit  
21 to operate a funeral establishment unless all of the following are satisfied:

22 **SECTION 255.** 445.105 (2m) (c) of the statutes is amended to read: ✓

23 445.105 (2m) (c) If the funeral establishment is used for caring or preparing  
24 for burial or transportation of dead human bodies, the funeral establishment has a  
25 preparation room; the preparation room is equipped with a tile, cement, or

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1 composition floor; and the preparation room has necessary drainage and ventilation  
2 and contains necessary equipment, instruments, and supplies for the preparation  
3 and embalming of dead human bodies for burial, transportation, or other disposition.  
4 The ~~examining board~~ department shall promulgate rules specifying the equipment,  
5 instruments, and supplies that are necessary for purposes of this paragraph.

6 **SECTION 256.** 445.105 (2s) of the statutes is amended to read:

7 445.105 (2s) The funeral director in charge of the funeral establishment under  
8 sub. (2m) shall have full charge, control, and supervision of all funeral directing and  
9 embalming services at the funeral establishment, and that funeral director shall  
10 ensure that the funeral establishment operates in compliance with this chapter and  
11 rules promulgated by the ~~examining board~~ department.

12 **SECTION 257.** 445.105 (4) of the statutes is amended to read:

13 445.105 (4) Violations of this chapter or any rules or regulations of the  
14 ~~examining board~~ department committed by any person, or an officer, agent, or  
15 employee with the knowledge or consent of any person operating such funeral  
16 establishments shall be considered sufficient cause for reprimand or for limitation,  
17 suspension, or revocation of such funeral establishment permit.

18 **SECTION 258.** 445.105 (5) of the statutes is amended to read:

19 445.105 (5) No operator of a funeral establishment shall ~~may~~ allow any  
20 licensed funeral director to operate out of such funeral establishment unless ~~such~~ the  
21 licensed funeral director is the operator of or an employee of the operator of a funeral  
22 establishment ~~which~~ that has been granted a permit ~~by the examining board~~ under  
23 this chapter.

24 **SECTION 259.** 445.11 of the statutes is amended to read:

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1       **445.11 Register; change of address.** ~~The examining board department~~ shall  
2 keep a register of the names and business address addresses of all persons to whom  
3 licenses or ~~certificate~~ certificates of registration are issued under this chapter, the  
4 number and date of each license or certificate, and date of renewal. The register shall  
5 be available for purchase at cost. ✓

6       **SECTION 260.** 445.12 (3g) (a) 3. of the statutes is amended to read:

7       445.12 (3g) (a) 3. Contacting a prospective purchaser of a burial agreement by  
8 door-to-door solicitation or in a manner that violates rules promulgated by the  
9 ~~examining board department~~ under s. 445.125 (3m) (j) 2. ✓

10       **SECTION 261.** 445.12 (3g) (c) of the statutes is amended to read:

11       445.12 (3g) (c) Paragraph (a) 3. does not prohibit a licensed funeral director,  
12 agent of a licensed funeral director, operator of a funeral establishment, or agent of  
13 an operator of a funeral establishment from using mass-marketing practices or  
14 in-person contacts or communications permitted under this section or by a rule  
15 promulgated by the ~~examining board department~~ under s. 445.125 (3m) (j) 2. ✓

16       **SECTION 262.** 445.12 (3r) (b) of the statutes is amended to read:

17       445.12 (3r) (b) Authorize an insurance intermediary licensed under ch. 628 to  
18 sell or solicit the sale of a burial agreement under s. 445.125 (3m) (b) 2. a. unless the  
19 insurance intermediary meets the training requirements established by the  
20 ~~examining board department~~ by rule under s. 445.125 (3m) (j) 1. a. ✓

21       **SECTION 263.** 445.12 (4) of the statutes is amended to read:

22       445.12 (4) No licensed funeral director or operator of a funeral establishment  
23 may publish, or cause to be published, any false, misleading, or fraudulent  
24 advertisement, or take undue advantage of patrons or commit any fraudulent act in  
25 the conduct of business, or do any other act not in accord with the rules established

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1 by the department of health services and the ~~examining board~~ department and not  
2 in accord with proper business practice as applied to the business or profession of  
3 funeral directing and embalming.

4 **SECTION 264.** 445.125 (3m) (b) 1. a. of the statutes is amended to read:

5 445.125 **(3m)** (b) 1. a. The burial agreement meets the requirements specified  
6 in pars. (d) to (f) and in the rules promulgated by the ~~examining board~~ department  
7 under par. (j) 1. b.

8 **SECTION 265.** 445.125 (3m) (b) 2. a. of the statutes is amended to read:

9 445.125 **(3m)** (b) 2. a. A licensed funeral director or operator of a funeral  
10 establishment may authorize an agent who is an insurance intermediary licensed  
11 under ch. 628, and who meets the training requirements established by the  
12 ~~examining board~~ department under par. (j) 1. a., to sell or solicit the sale of a burial  
13 agreement that is funded with the proceeds of a life insurance policy and that meets  
14 the requirements specified in pars. (d) to (f).

15 **SECTION 266.** 445.125 (3m) (b) 2. b. of the statutes is amended to read:

16 445.125 **(3m)** (b) 2. b. A licensed funeral director or operator of a funeral  
17 establishment shall report to the ~~examining board~~ department the identity of any  
18 agent authorized by the licensed funeral director or operator of the funeral  
19 establishment under subd. 2. a. and provide evidence satisfactory to the ~~examining~~  
20 ~~board~~ department that such agent meets the training requirements established by  
21 the ~~examining board~~ department by rule under par. (j) 1. a. The ~~examining board~~  
22 ~~department~~ shall promulgate rules establishing requirements and procedures for  
23 making reports and providing the evidence required under this subd. 2. b.

24 **SECTION 267.** 445.125 (3m) (b) 2. c. of the statutes is amended to read:

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1 445.125 (3m) (b) 2. c. A licensed funeral director or operator of a funeral  
2 establishment is responsible for and bound by any act of an agent, authorized by the  
3 licensed funeral director or operator of the funeral establishment under subd. 2. a.,  
4 that is within the scope of the agent's apparent authority, while a contract under par.  
5 (c) 1. between the agent and the licensed funeral director or operator of the funeral  
6 establishment remains in force, and after that time until the licensed funeral  
7 director or operator of the funeral establishment has made reasonable efforts to  
8 recover from the agent any forms for burial agreements provided to the agent by the  
9 licensed funeral director or operator of the funeral establishment and other indicia  
10 of agency. Reasonable efforts shall include a formal demand in writing for return of  
11 the indicia, and notice to the ~~examining board~~ department if the agent does not  
12 comply with the demand promptly.

13 **SECTION 268.** 445.125 (3m) (c) 1. of the statutes is amended to read:

14 445.125 (3m) (c) 1. No agent of an operator of a funeral establishment may  
15 solicit the sale of or sell a burial agreement funded with the proceeds of a life  
16 insurance policy unless he or she has a contract with the operator of the funeral  
17 establishment that authorizes him or her to act as the agent of the operator of the  
18 funeral establishment and that satisfies the requirements established by the  
19 ~~examining board~~ department by rule under par. (j) 1. c.

20 **SECTION 269.** 445.125 (3m) (c) 2. b. of the statutes is amended to read:

21 445.125 (3m) (c) 2. b. Furnish to the applicant a copy of the booklet prepared  
22 and distributed by the ~~examining board~~ department under par. (j) 3. that describes  
23 the differences between funding a burial agreement with the proceeds of a life  
24 insurance policy under this subsection and entering into a burial agreement funded  
25 by a trust under sub. (1).

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1           **SECTION 270.** 445.125 (3m) (h) of the statutes is amended to read:

2           445.125 (3m) (h) If an applicant under par. (g) is terminating a trust  
3 established under sub. (1), the agent, licensed funeral director, or operator of the  
4 funeral establishment shall, before accepting the applicant's initial premium,  
5 furnish written notice to the ~~examining board~~ department that satisfies  
6 requirements established by the ~~examining board~~ department by rule under par. (j)  
7 1. d., and may not accept the applicant's initial premium until 30 days after providing  
8 written notice under this paragraph.

9           **SECTION 271.** 445.125 (3m) (i) 2. of the statutes is amended to read:

10           445.125 (3m) (i) 2. The funeral director under subd. 1. or the funeral director  
11 in charge of the funeral establishment under subd. 1. shall make a record maintained  
12 under subd. 1. available to the ~~examining board~~ department if the ~~board~~ department  
13 submits a written request to examine the record to the funeral director at least 3 days  
14 before the examination is to occur.

15           **SECTION 272.** 445.125 (3m) (j) 1. (intro.) of the statutes is amended to read:

16           445.125 (3m) (j) 1. (intro.) The ~~examining board~~ department shall promulgate  
17 rules establishing all of the following:

18           **SECTION 273.** 445.125 (3m) (j) 1. d. of the statutes is amended to read:

19           445.125 (3m) (j) 1. d. The form and content of written notice that a licensed  
20 funeral director, or operator of a funeral establishment or an agent of a licensed  
21 funeral director or operator of a funeral establishment is required to provide to the  
22 ~~examining board~~ department under par. (h).

23           **SECTION 274.** 445.125 (3m) (j) 2. of the statutes is amended to read:

24           445.125 (3m) (j) 2. The ~~examining board~~ department may promulgate rules  
25 establishing standards for marketing practices for a burial agreement that is funded

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1 with the proceeds of a life insurance policy, including standards for telephone  
2 solicitation of prospective purchasers. The rules promulgated under this subdivision  
3 may prohibit a method of telephone solicitation if the ~~examining board~~ department  
4 determines that the prohibition is necessary to protect the public.

5 **SECTION 275.** 445.125 (3m) (j) 3. of the statutes is amended to read:

6 445.125 (3m) (j) 3. The ~~examining board~~ department shall prepare and  
7 distribute a booklet that describes the differences between funding a burial  
8 agreement with the proceeds of a life insurance policy under this subsection and  
9 entering into a burial agreement funded by a trust under sub. (1). The ~~examining~~  
10 ~~board~~ department may charge a reasonable fee for the cost of preparation and  
11 distribution of the booklet.

12 **SECTION 276.** 445.13 (1) of the statutes is amended to read: ✓

13 445.13 (1) Subject to the rules promulgated under s. 440.03 (1), the ~~examining~~  
14 ~~board~~ department may make investigations, subpoena witnesses, conduct hearings,  
15 limit, suspend, or revoke a license of a funeral director, a certificate of registration  
16 of an apprentice, or a permit of an operator of a funeral establishment, and  
17 reprimand a funeral director, apprentice, or operator of a funeral establishment for  
18 any violation of 15 USC 45 and 57, of this chapter, or of any rule of the department  
19 of health services or the ~~examining board~~ department, for unprofessional conduct,  
20 including misrepresentation or fraud in obtaining the license, permit, or certificate  
21 of registration, or for any violation of this chapter or any rule of the ~~examining board~~  
22 department by an agent authorized by the funeral director or operator of the funeral  
23 establishment under s. 445.125 (3m) (b) 2. a.

24 **SECTION 277.** 445.13 (1e) of the statutes is amended to read: ✓

**BILL**

1 445.13 (1e) In addition to or in lieu of a reprimand or limitation, suspension,  
2 or revocation of a license or permit under sub. (1), the ~~examining board~~ department  
3 may assess against any person who violates s. 445.12 (3g) or (3r) or 445.125 (3m) or  
4 a rule promulgated under s. 445.125 (3m) (j) a forfeiture of no more than \$1,000 for  
5 each violation.

6 **SECTION 278.** 445.13 (1m) (intro.) of the statutes is amended to read:

7 445.13 (1m) (intro.) The ~~examining board~~ department shall investigate an  
8 allegation that a funeral director has failed to do any of the following:

9 **SECTION 279.** 445.13 (2) of the statutes is amended to read:

10 445.13 (2) No reprimand or order limiting, suspending, or revoking a license,  
11 certificate of registration, or permit, ~~or and~~ no assessment of forfeiture, shall ~~may~~ be  
12 made until after a hearing conducted by the ~~examining board~~ department. This  
13 subsection does not apply to a license, certificate of registration, or permit that is  
14 limited or suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12.

15 **SECTION 280.** 445.15 (1) of the statutes is amended to read:

16 445.15 (1) Except as provided in sub. (1m), any person violating any provision  
17 of this chapter or any rule of the department of health services and the ~~examining~~  
18 ~~board~~ department relating to its subject matter, shall be fined not more than \$5,000,  
19 imprisoned not less than 30 days nor more than 3 months, or both.

20 **SECTION 281.** 445.15 (1m) of the statutes is amended to read:

21 445.15 (1m) A funeral director or operator of a funeral establishment who  
22 violates s. 445.12 (3r) shall be fined not more than \$5,000 for each violation. Each  
23 day that an insurance intermediary authorized by a funeral director or operator of  
24 a funeral establishment fails to meet the training requirements established by the



## BILL

## SECTION 281

1 ~~examining board department by rule under s. 445.125 (3m) (j) 1. a. constitutes a~~  
2 ~~separate violation of s. 445.12 (3r) (b).~~

3 **SECTION 282.** 448.05 (5) (c) of the statutes is amended to read:

4 448.05 (5) (c) In promulgating rules under par. (a), the board shall recognize  
5 the objective under s. 448.20 (4) (2m) (d).

6 **SECTION 283.** 448.20 (title) of the statutes is created to read:

7 **448.20 (title) Medical assistants council.**

8 **SECTION 284.** 448.20 of the statutes is renumbered 448.20 (2m), and 448.20  
9 (2m) (title), (a), (c) (intro.) and (d), as renumbered, are amended to read:

10 448.20 (2m) (title) ~~COUNCIL ON DUTIES; PHYSICIAN ASSISTANTS; DUTIES.~~ (a)  
11 *Recommend licensing and practice standards.* The council ~~on physician assistants~~  
12 shall develop and recommend to the ~~examining~~ board licensing and practice  
13 standards for physician assistants. In developing the standards, the council shall  
14 consider the following factors: an individual's training, wherever given; experience,  
15 however acquired, including experience obtained in a hospital, a physician's office,  
16 the armed services or the federal health service of the United States, or their  
17 equivalent as found by the ~~examining~~ board; and education, including that offered  
18 by a medical school and the technical college system board.

19 (c) *Advise board.* (intro.) The council shall advise the board on all of the  
20 following:

21 (d) *Adhere to program objectives.* In formulating standards under this section  
22 subsection, the council shall recognize that an objective of this program is to increase  
23 the existing pool of health personnel.

24 **SECTION 285.** 448.20 (1m) of the statutes is created to read:

**BILL**

1           448.20 (1m) DEFINITION. In this section, "council" means the medical assistants  
2 council.

3           **SECTION 286.** 448.20 (4m) of the statutes is created to read:

4           448.20 (4m) DUTIES; PERFUSIONISTS. The council shall consult with the board  
5 as provided in s. 448.40 (2) (b) and (c).

6           **SECTION 287.** 448.23 of the statutes is renumbered 448.20 (3m) and amended  
7 to read:

8           448.20 (3m) ~~COUNCIL ON~~ DUTIES; ANESTHESIOLOGIST ASSISTANTS. The council ~~on~~  
9 ~~anesthesiologist assistants~~ shall guide, advise, and make recommendations to the  
10 board regarding the scope of anesthesiologist assistant practice and promote the safe  
11 and competent practice of anesthesiologist assistants in the delivery of health care  
12 services.

13           **SECTION 288.** 448.40 (2) (b) of the statutes is amended to read:

14           448.40 (2) (b) Establishing the scope of the practice of perfusion. In  
15 promulgating rules under this paragraph, the board shall consult with the  
16 ~~perfusionists examining~~ medical assistants council.

17           **SECTION 289.** 448.40 (2) (c) of the statutes is amended to read:

18           448.40 (2) (c) Establishing continuing education requirements for renewal of  
19 a license to practice perfusion under s. 448.13 (2). In promulgating rules under this  
20 paragraph, the board shall consult with the ~~perfusionists examining~~ medical  
21 assistants council.

22           **SECTION 290.** Subchapter III (title) of chapter 448 [precedes 448.50] of the  
23 statutes is repealed.

24           **SECTION 291.** 448.50 of the statutes is renumbered ~~463.01~~, and ~~463.01~~ (1v), as  
25 renumbered, is amended to read:

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1 ~~463.01 (1v)~~ "Examining board" means the physical medical therapy examining  
2 board.

3 SECTION 292. 448.51 (title) of the statutes is renumbered ~~463.02~~ (title).

4 SECTION 293. 448.51 (1) of the statutes is renumbered ~~463.02~~ (1) (a) and  
5 amended to read:

6 ~~463.02 (1) (a)~~ Except as provided in s. 448.52 sub. (2), no person may practice  
7 physical therapy unless the person is licensed as a physical therapist under this  
8 subchapter.

9 SECTION 294. 448.51 (1e) of the statutes is renumbered ~~463.02~~ (1) (b).

10 SECTION 295. 448.51 (1s) of the statutes is renumbered ~~463.02~~ (1) (c).

11 SECTION 296. 448.51 (2) (a) of the statutes is repealed.

12 SECTION 297. 448.51 (2) (b) of the statutes is renumbered ~~463.02~~ (1) (d) and  
13 amended to read:

14 ~~463.02 (1) (d)~~ Except as provided in s. 448.52 ~~(2m)~~ sub. (2) (b), no person may  
15 claim to render physical therapy or physiotherapy services unless the person is  
16 licensed as a physical therapist under this subchapter.

17 SECTION 298. 448.52 (title) of the statutes is repealed.

18 SECTION 299. 448.52 (1m) of the statutes is renumbered ~~463.02~~ (2) (a).

19 SECTION 300. 448.52 (2m) of the statutes is renumbered ~~463.02~~ (2) (b), and  
20 ~~463.02 (2) (b) 1.~~, as renumbered, is amended to read:

21 ~~463.02 (2) (b) 1.~~ Except as provided in ~~par. (b)~~ subd. 2., a chiropractor licensed  
22 under ch. 446 claiming to render physical therapy, if the physical therapy is provided  
23 by a physical therapist employed by the chiropractor.

24 SECTION 301. 448.522 of the statutes is renumbered ~~463.08~~ (7).

25 SECTION 302. 448.527 (title) of the statutes is repealed.

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1 **SECTION 303.** 448.527 of the statutes is renumbered ~~463.03~~ (1) and amended  
2 to read:

3 ~~463.03~~ (1) The ~~examining board shall promulgate~~ Promulgate rules  
4 establishing a code of ethics governing the professional conduct of physical  
5 therapists and physical therapist assistants.

6 **SECTION 304.** 448.53 of the statutes is renumbered ~~463.04~~, and ~~463.04~~ (1) (e),  
7 as renumbered, is amended to read:

8 ~~463.04~~ (1) (e) Passes an examination under s. 448.54 ~~463.06~~. 464

9 **SECTION 305.** 448.535 of the statutes is renumbered ~~463.05~~, and ~~463.05~~ (1) (e),  
10 as renumbered, is amended to read:

11 ~~463.05~~ (1) (e) Passes an examination under s. 448.54 ~~463.06~~. 464

12 **SECTION 306.** 448.54 of the statutes is renumbered ~~463.06~~, and ~~463.06~~ (3), as  
13 renumbered, is amended to read:

14 ~~463.06~~ (3) Notwithstanding s. 448.53 ~~463.04~~ (1) (f), the examining board may  
15 not require an applicant for physical therapist licensure to take an oral examination  
16 or an examination to test proficiency in the English language for the sole reason that  
17 the applicant was educated at a physical therapy school that is not in the United  
18 States if the applicant establishes, to the satisfaction of the examining board, that  
19 he or she satisfies the requirements under s. 448.53 ~~463.04~~ (3). 464

20 **SECTION 307.** 448.55 of the statutes is renumbered ~~463.07~~, and ~~463.07~~ (2), as  
21 renumbered, is amended to read: 464

22 ~~463.07~~ (2) The renewal dates for licenses granted under this subchapter, other  
23 than temporary licenses granted under rules promulgated under s. 448.53 ~~463.04~~ (2), 464  
24 are specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the  
25 department on a form provided by the department and shall include the renewal fee

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**BILL**

1 determined by the department under s. 440.03 (9) (a) and proof of compliance with  
2 the requirements established in any rules promulgated under sub. (3).

3 SECTION 308. 448.56 (title) of the statutes is renumbered 463.08 (title) and  
4 amended to read: 464 (S)

5 463.08 (title) **Practice requirements and restrictions.**

6 SECTION 309. 448.56 (1) of the statutes is renumbered 463.08 (1) (a) and  
7 amended to read:

8 463.08 (1) (a) Except as provided in this subsection paragraph and s. 448.52

164 9 463.02 (2), a person may practice physical therapy only upon the written referral of  
10 a physician, physician assistant, chiropractor, dentist, podiatrist, or advanced  
11 practice nurse prescriber certified under s. 441.16 (2). Written referral is not  
12 required if a physical therapist provides services in schools to children with  
13 disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated by the  
14 department of public instruction; provides services as part of a home health care  
15 agency; provides services to a patient in a nursing home pursuant to the patient's  
16 plan of care; provides services related to athletic activities, conditioning, or injury  
17 prevention; or provides services to an individual for a previously diagnosed medical  
18 condition after informing the individual's physician, physician assistant,  
19 chiropractor, dentist, podiatrist, or advanced practice nurse prescriber certified  
20 under s. 441.16 (2) who made the diagnosis. The examining board may promulgate  
21 rules establishing additional services that are excepted from the written referral  
22 requirements of this subsection paragraph.

23 SECTION 310. 448.56 (1m) (title) of the statutes is renumbered 463.08 (2) (title).

24 SECTION 311. 448.56 (1m) (a) of the statutes is renumbered 463.08 (2).

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1 **SECTION 312.** 448.56 (1m) (b) of the statutes is renumbered ~~463~~.08 (1) (b) and  
2 amended to read:

3 ~~463~~.08 (1) (b) The examining board shall promulgate rules establishing the  
4 requirements that a physical therapist must satisfy if a physician, physician  
5 assistant, chiropractor, dentist, podiatrist, or advanced practice nurse prescriber  
6 makes a written referral under sub-~~(1)~~ par. (a). The purpose of the rules shall be to  
7 ensure continuity of care between the physical therapist and the health care  
8 practitioner.

9 **SECTION 313.** 448.56 (2) of the statutes is renumbered ~~463~~.08 (3) and amended  
10 to read:

11 ~~463~~.08 (3) FEE SPLITTING. No licensee may give or receive, directly or indirectly,  
12 to or from any other person any fee, commission, rebate, or other form of  
13 compensation or anything of value for sending, referring, or otherwise inducing a  
14 person to communicate with a licensee in a professional capacity, or for any  
15 professional services not actually rendered personally by the licensee or at the  
16 licensee's direction.

17 **SECTION 314.** 448.56 (3) to (5) of the statutes are renumbered ~~463~~.08 (4) to (6).

18 **SECTION 315.** 448.56 (6) of the statutes is renumbered ~~463~~.08 (8) and amended  
19 to read:

20 ~~463~~.08 (8) PHYSICAL THERAPIST ASSISTANTS. A physical therapist assistant may  
21 assist a physical therapist in the practice of physical therapy if the physical therapist  
22 provides direct or general supervision of the physical therapist assistant. The  
23 examining board shall promulgate rules defining "direct or general supervision" for  
24 purposes of this subsection. Nothing in this subsection interferes with delegation  
25 authority under any other provision of this chapter or ch. 448.

**BILL**

1 SECTION 316. 448.565 (title) of the statutes is repealed.

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2 SECTION 317. 448.565 of the statutes is renumbered 463.03 (2) and amended  
3 to read:

4 ~~463.03 (2)~~ The examining board shall promulgate Promulgate rules  
5 establishing procedures and requirements for filing complaints against licensees  
6 and shall publicize the procedures and requirements.

7 SECTION 318. 448.567 (title) of the statutes is repealed.

8 SECTION 319. 448.567 of the statutes is renumbered 463.03 (3) and amended  
9 to read:

10 ~~463.03 (3)~~ The examining board shall promulgate Promulgate rules that  
11 require the examining board on a periodic basis to conduct performance self-audits  
12 of its activities under this subchapter.

13 SECTION 320. 448.57 of the statutes is renumbered 463.09, and 463.09 (2)  
14 (intro.), (c), (d) and (f), as renumbered, are amended to read:

15 ~~463.09 (2)~~ (intro.) Subject to the rules promulgated under s. 440.03 (1), the  
16 examining board may reprimand a licensee or may deny, limit, suspend, or revoke  
17 a license granted under this subchapter if it finds that the applicant or licensee has  
18 done any of the following:

19 (c) Advertised in a manner that is false, deceptive, or misleading.

20 (d) Advertised, practiced, or attempted to practice under another's name.

21 (f) Engaged in unprofessional or unethical conduct in violation of the code of  
22 ethics established in the rules promulgated under s. 448.527 ~~463.03 (1)~~.

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23 SECTION 321. 448.58 (title) of the statutes is repealed.

24 SECTION 322. 448.58 of the statutes is renumbered 463.10 (2) and amended to  
25 read:

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1 ~~463~~.10 (2) If the examining board has reason to believe that any person is  
2 violating this subchapter or any rule promulgated under this subchapter, the  
3 examining board, the department, the attorney general, or the district attorney of  
4 the proper county may investigate and may, in addition to any other remedies, bring  
5 an action in the name and on behalf of this state to enjoin the person from the  
6 violation.

7 **SECTION 323.** 448.59 (title) of the statutes is repealed.

8 **SECTION 324.** 448.59 of the statutes is renumbered ~~463~~.10 (1).

9 **SECTION 325.** Subchapter IV (title) of chapter 448 [precedes 448.60] of the  
10 statutes is amended to read:

11 **CHAPTER 448**

12 **SUBCHAPTER IV**

13 **PODIATRY AFFILIATED**

14 **CREDENTIALING BOARD**

15 **SECTION 326.** 448.60 (1) of the statutes is amended to read:

16 448.60 (1) ~~“Affiliated credentialing board”~~ “Board” means the podiatry  
17 ~~affiliated credentialing~~ medical examining board.

18 **SECTION 327.** 448.60 (3) of the statutes is amended to read:

19 448.60 (3) “Podiatrist” means an individual possessing the degree of doctor of  
20 podiatric medicine or doctor of surgical chiropody or equivalent degree as determined  
21 by the ~~affiliated credentialing~~ board, and holding a license to practice podiatry or  
22 podiatric medicine and surgery granted by the ~~affiliated credentialing board~~ under  
23 this subchapter.

24 **SECTION 328.** 448.60 (5) of the statutes is amended to read:



**BILL****SECTION 328**

1           448.60 (5) “Unprofessional conduct” means an act or attempted act of  
2 commission or omission, as defined by the ~~affiliated-credentialing~~ board by rule  
3 under s. 448.695 (1), or an act by a podiatrist in violation of ch. 450 or 961.

4           **SECTION 329.** 448.63 (1) (intro.) of the statutes is amended to read:

5           448.63 (1) (intro.) Subject to sub. (4), the ~~affiliated-credentialing~~ board shall  
6 grant a license as a podiatrist to a person who does all of the following:

7           **SECTION 330.** 448.63 (1) (c) of the statutes is amended to read:

8           448.63 (1) (c) Subject to ss. 111.321, 111.322, and 111.335, submits evidence  
9 satisfactory to the ~~affiliated-credentialing~~ board that the applicant does not have an  
10 arrest or conviction record.

11           **SECTION 331.** 448.63 (1) (d) (intro.) of the statutes is amended to read:

12           448.63 (1) (d) (intro.) Submits evidence satisfactory to the ~~affiliated~~  
13 ~~credentialing~~ board of all of the following:

14           **SECTION 332.** 448.63 (1) (d) 1. of the statutes is amended to read:

15           448.63 (1) (d) 1. That the applicant is a graduate of a school of podiatric  
16 medicine and surgery approved by the ~~affiliated-credentialing~~ board and possesses  
17 a diploma from such school conferring the degree of doctor of podiatric medicine, or  
18 equivalent degree as determined by the ~~affiliated-credentialing~~ board, unless the  
19 ~~affiliated-credentialing~~ board waives these requirements under sub. (2).

20           **SECTION 333.** 448.63 (1) (d) 2. of the statutes is amended to read:

21           448.63 (1) (d) 2. That the applicant has completed 2 years of postgraduate  
22 training in a program approved by the ~~affiliated-credentialing~~ board or one year of  
23 postgraduate training in a program approved by the ~~affiliated-credentialing~~ board  
24 if the one-year postgraduate training was completed by June 1, 2010.

25           **SECTION 334.** 448.63 (2) (intro.) of the statutes is amended to read:

**BILL**

1           448.63 (2) (intro.) The ~~affiliated-credentialing~~ board may waive the  
2 requirement under sub. (1) (d) 1. for an applicant who establishes, to the satisfaction  
3 of the ~~affiliated-credentialing~~ board, all of the following:

4           **SECTION 335.** 448.63 (3) of the statutes is amended to read:

5           448.63 (3) The ~~affiliated-credentialing~~ board may promulgate rules providing  
6 for various classes of temporary licenses to practice podiatry.

7           **SECTION 336.** 448.63 (4) of the statutes is amended to read:

8           448.63 (4) The ~~affiliated-credentialing~~ board may grant a limited license to an  
9 applicant for a license under sub. (1) if the ~~affiliated-credentialing~~ board finds that  
10 the applicant has not demonstrated adequate education, training or performance on  
11 any past examination or in any past practice, and that, based upon considerations  
12 of public health and safety, the applicant does not qualify for full licensure under sub.  
13 (1).

14           **SECTION 337.** 448.64 (1) of the statutes is amended to read:

15           448.64 (1) The ~~affiliated-credentialing~~ board shall conduct or arrange for  
16 examinations for podiatrist licensure at least semiannually and at times and places  
17 determined by the ~~affiliated-credentialing~~ board.

18           **SECTION 338.** 448.64 (3) of the statutes is amended to read:

19           448.64 (3) The ~~affiliated-credentialing~~ board may not require an applicant to  
20 take an oral examination or an examination to test proficiency in the English  
21 language for the sole reason that the applicant was educated at a podiatry school that  
22 is not in the United States if the applicant establishes, to the satisfaction of the  
23 ~~affiliated-credentialing~~ board, that he or she satisfies the requirements under s.  
24 448.63 (2).

25           **SECTION 339.** 448.64 (4) of the statutes is amended to read:

**BILL****SECTION 339**

1           448.64 (4) The ~~affiliated credentialing~~ board may require an applicant who  
2 fails to appear for or to complete an examination under this section to reapply for  
3 licensure before being admitted to a subsequent examination.

4           **SECTION 340.** 448.64 (5) of the statutes is amended to read:

5           448.64 (5) An applicant who fails to pass an examination under this section  
6 may request reexamination, and may be reexamined not more than twice at not less  
7 than 4-month intervals, and shall pay a reexamination fee for each reexamination.  
8 An applicant who fails to pass an examination on the 2nd such reexamination may  
9 not be admitted to further examination until the applicant reapplies for licensure  
10 and submits evidence that shows, to the satisfaction of the ~~affiliated credentialing~~  
11 board, that he or she has completed additional education or received additional  
12 professional training.

13           **SECTION 341.** 448.655 (1) (intro.) of the statutes is amended to read:

14           448.655 (1) (intro.) A licensed podiatrist shall annually submit to the ~~affiliated~~  
15 ~~credentialing~~ board evidence satisfactory to the ~~affiliated credentialing~~ board that  
16 the podiatrist satisfies one of the following:

17           **SECTION 342.** 448.655 (1) (b) 3. a. of the statutes is amended to read:

18           448.655 (1) (b) 3. a. At least the minimum amount of malpractice liability  
19 insurance coverage that is required under the laws of the state in which the ~~affiliated~~  
20 ~~credentialing~~ board determines that his or her principal place of practice is located.

21           **SECTION 343.** 448.655 (1) (b) 3. b. of the statutes is amended to read:

22           448.655 (1) (b) 3. b. If the podiatrist is not required under the laws of the state  
23 in which the ~~affiliated credentialing~~ board determines that his or her principal place  
24 of practice is located to have in effect a minimum amount of malpractice liability  
25 insurance coverage, at least the minimum amount of malpractice liability insurance

**BILL**

1 coverage that the ~~affiliated credentialing~~ board determines is necessary to protect  
2 the public.

3 **SECTION 344.** 448.655 (2) (intro.) of the statutes is amended to read:

4 448.655 (2) (intro.) For purposes of sub. (1), a podiatrist's principal place of  
5 practice is not in this state if the ~~affiliated credentialing~~ board determines that,  
6 during the following 12 months, any of the following applies:

7 **SECTION 345.** 448.655 (3) of the statutes is amended to read:

8 448.655 (3) The ~~affiliated credentialing~~ board may suspend, revoke, or refuse  
9 to issue or renew the license of a podiatrist who fails to procure or to submit proof of  
10 the malpractice liability insurance coverage required under sub. (1).

11 **SECTION 346.** 448.665 of the statutes is amended to read:

12 **448.665 Continuing education.** The ~~affiliated credentialing~~ board shall  
13 promulgate rules establishing requirements and procedures for licensees to  
14 complete continuing education programs or courses of study in order to qualify for  
15 renewal of a license granted under this subchapter. The rules shall require a licensee  
16 to complete at least 30 hours of continuing education programs or courses of study  
17 within each 2-year period immediately preceding the renewal date specified under  
18 s. 440.08 (2) (a). The ~~affiliated credentialing~~ board may waive all or part of these  
19 requirements for the completion of continuing education programs or courses of  
20 study if the ~~affiliated credentialing~~ board determines that prolonged illness,  
21 disability or other exceptional circumstances have prevented a licensee from  
22 completing the requirements.

23 **SECTION 347.** 448.675 (1) (a) of the statutes is amended to read:

24 448.675 (1) (a) The ~~affiliated credentialing~~ board shall investigate allegations  
25 of unprofessional conduct and negligence in treatment by a licensee. Information

**BILL****SECTION 347**

1 contained in reports filed with the ~~affiliated credentialing~~ board under s. 49.45 (2)  
2 (a) 12r., 50.36 (3) (b), 609.17, or 632.715, or under 42 CFR 1001.2005, shall be  
3 investigated by the ~~affiliated credentialing~~ board. Information contained in a report  
4 filed with the ~~affiliated credentialing~~ board under s. 50.36.(3) (c) may, within the  
5 discretion of the ~~affiliated credentialing~~ board, be used as the basis of an  
6 investigation of a person named in the report. The ~~affiliated credentialing~~ board may  
7 require a licensee to undergo and may consider the results of a physical, mental, or  
8 professional competency examination if the ~~affiliated credentialing~~ board believes  
9 that the results of the examination may be useful to the ~~affiliated credentialing~~ board  
10 in conducting its investigation.

11 **SECTION 348.** 448.675 (1) (b) of the statutes is amended to read:

12 448.675 (1) (b) After an investigation, if the ~~affiliated credentialing~~ board finds  
13 that there is probable cause to believe that the person is guilty of unprofessional  
14 conduct or negligence in treatment, the ~~affiliated credentialing~~ board shall hold a  
15 hearing on such conduct. The ~~affiliated credentialing~~ board may require a licensee  
16 to undergo and may consider the results of a physical, mental, or professional  
17 competency examination if the ~~affiliated credentialing~~ board believes that the  
18 results of the examination may be useful to the ~~affiliated credentialing~~ board in  
19 conducting its hearing. A finding by a court that a podiatrist has acted negligently  
20 in treating a patient is conclusive evidence that the podiatrist is guilty of negligence  
21 in treatment. A certified copy of the order of a court is presumptive evidence that the  
22 finding of negligence in treatment was made. The ~~affiliated credentialing~~ board  
23 shall render a decision within 90 days after the date on which the hearing is held or,  
24 if subsequent proceedings are conducted under s. 227.46 (2), within 90 days after the  
25 date on which those proceedings are completed.