

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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1. Type of Estimate and Analysis

Original    Updated    Corrected

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2. Administrative Rule Chapter, Title and Number

Wis. Admin. Code ch. Med 10

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3. Subject

Unprofessional Conduct

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4. Fund Sources Affected

GPR    FED    PRO    PRS    SEG    SEG-S

5. Chapter 20, Stats. Appropriations Affected

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6. Fiscal Effect of Implementing the Rule

No Fiscal Effect       Increase Existing Revenues       Increase Costs  
 Indeterminate       Decrease Existing Revenues       Could Absorb Within Agency's Budget  
 Decrease Cost

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7. The Rule Will Impact the Following (Check All That Apply)

State's Economy       Specific Businesses/Sectors  
 Local Government Units       Public Utility Rate Payers  
 Small Businesses (if checked, complete Attachment A)

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8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes       No

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9. Policy Problem Addressed by the Rule

The policy problem addressed by the proposed rule is removing outdated material from the current Wis. Admin Code s. Med 10. The current rules have not been reviewed in several years. The Board took this opportunity to modernize the rules by making significant changes to the content and form of the rule. Subsections were removed which made reference to outdated terminology. Content was added when it provided greater clarity to a principle that was already reflected in the rule.

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10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.

This proposed rule was posted on the Department of Safety and Professional Services website and on the Wisconsin government website for 14 business days to solicit comments from the public. No businesses, business sectors, associations representing business local governmental units or individuals contacted the department about the proposed rule.

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11. Identify the local governmental units that participated in the development of this EIA.

No local governmental units participated in the development of this EIA

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12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

None

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13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The primary benefit of implementing the rule is it will provide health care practitioners greater guidance on standards of professional conduct within their profession. The changes should also create more effective enforcement of violations of unprofessional conduct.

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14. Long Range Implications of Implementing the Rule

The long range implications of implementing the rule includes impacting the conduct of individual practitioners so as to raise the level of awareness of ethical practice within the medical profession resulting in greater compliance with ethical standards.

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15. Compare With Approaches Being Used by Federal Government

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There are no comparable approaches being used by the Federal Government.

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16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

**Illinois:** The grounds for administering disciplinary actions against physicians in Illinois are set forth in [225 ILCS 60/ 22 \(2012\)](#). The processes for administering the disciplinary proceedings are stated in the Illinois Code of Regulation Title 68: Professions and Occupations Chapter VII: Department of Financial and Professional Regulation Subchapter B: Professions and Occupations [PART 1285.200-1285.275 MEDICAL PRACTICE ACT OF 1987: Sections Listing](#)

**Iowa:** Grounds for disciplining health care professionals in Iowa are codified in Iowa Code § 147.55 and through the Iowa Administrative Code 653-23.1(272C).  
<http://www.legis.state.ia.us/asp/ACODocs/DOCS/4-21-2010.653.23.pdf>

**Michigan:** The grounds for disciplinary action against health care professionals in Michigan are codified in the Public Health Code, Public Act 368 of 1978 (2010 PA 101, MCL 333.16221).

[http://www.legislature.mi.gov/\(S\(j4bg0h454voc1545vs gjncnx\)\)/documents/mcl/pdf/mcl-333-16221.pdf](http://www.legislature.mi.gov/(S(j4bg0h454voc1545vs gjncnx))/documents/mcl/pdf/mcl-333-16221.pdf)

**Minnesota:** The grounds for administering disciplinary action against physicians in Minnesota are stated in Minn. Stat. §147.091. <https://www.revisor.mn.gov/data/revisor/statute/2009/147/2009-147.091.pdf>

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17. Contact Name

18. Contact Phone Number

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)  
 Yes     No

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