

CERTIFICATE

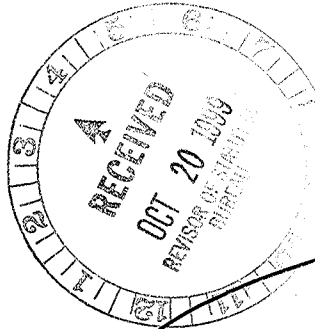
**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Medical Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Medical Examining Board on the 20th day of October, 1999.

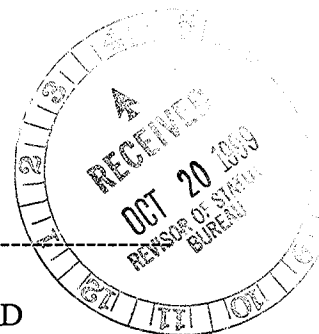
I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

**IN TESTIMONY WHEREOF, I
have hereunto set my hand and
affixed the official seal of the
board at 1400 East Washington
Avenue, Madison, Wisconsin this
20th day of October, 1999.**



[Handwritten Signature]
Patrick D. Braatz, Director, Bureau of
Health Professions, Department of
Regulation and Licensing

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD



IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : MEDICAL EXAMINING BOARD
MEDICAL EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 99-098)

ORDER

An order of the Medical Examining Board to *repeal* chapter Med 6, Med 10.02 (2) (v) and (y), 13.03 (1) (c) and 13.05 (1m), to *amend* Med 10.02 (2) (za), ch. Med 13 (title), 13.01, 13.02, 13.05 (2), 13.06, 17.02 (2), 21.01, 21.02 (2) and 21.03 (1) and (2) (intro.), relating to the repeal of rules relating to the practice of podiatry.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 448.40, Stats.

Statutes interpreted: ss. 448.03 (3) (c), 448.03(4) (title), 448.04 (1) (d), 448.05 (3) and 448.10 (2), Stats.

In this rule-making order the Medical Examining Board is repealing rules relating to podiatrists as a result of 1997 Wisconsin Act 175, which created the Podiatrists Affiliated Credentialing Board. Therefore, ch. Med 6 and ss. Med 10.02 (2) (v) and (y), 13.03 (1) (c) and 13.05 (1m) are repealed because they relate solely to podiatrists. References to podiatrists in ss. Med 10.02 (2) (v) and (y), Med 13.03 (1) (c) and Med 13.05 (1m) are also repealed. Sections Med 10.02 (2) (za), Chapter Med 13 (title), Med 13.01, 13.02, 13.05 (2), 13.06, 17.02 (2), 21.01, 21.02 (2) and 21.03 (1) and (2) (intro.) are amended to remove references to podiatrists.

Clearinghouse Rule 99-038, which created the Podiatrists Affiliated Credentialing Board, was submitted on August 13, 1999 to the President of the Senate and the Speaker of the Assembly and was referred to the Senate Committee on Human Services & Aging on August 17, 1999 and to the Assembly Committee on Health on August 19, 1999.

TEXT OF RULE

SECTION 1. Chapter Med 6 is repealed.

SECTION 2. Med 10.02 (2) (v) and (y) are repealed.

SECTION 3. Med 10.02 (2) (za) is amended to read:

Med 10.02 (2) (za) Failure by a physician, ~~podiatrist~~ or physician assistant to maintain patient health care records consistent with the requirements of ch. Med 21.

SECTION 4. Chapter Med 13 (title) is amended to read:

CONTINUING MEDICAL EDUCATION
FOR PHYSICIANS ~~AND PODIATRISTS~~

SECTION 5. Med 13.01 is amended to read:

Med 13.01 Authority and purpose. The rules in this chapter are adopted by the medical examining board pursuant to the authority delegated by ss. 15.08 (5) (b), 227.11 (2), and 448.13, Stats., and govern the biennial training requirements for physicians ~~and podiatrists~~ as provided under s. 448.13, Stats.

SECTION 6. Med 13.02 is amended to read:

Med 13.02 (1) Each physician ~~or podiatrist~~ required to complete the biennial training requirements provided under s. 448.13, Stats., shall, in each second year at the time of making application for a certificate of registration as required under s. 448.07, Stats., sign a statement on the application for registration certifying that the physician ~~or podiatrist~~ has completed at least 30 hours of acceptable continuing medical educational programs within the 2 calendar years immediately preceding the calendar year for which application for registration is made. ~~The 30 hours of continuing medical education for podiatrists first applies to applications that are submitted to the department to renew a license to practice podiatry that expires on November 1, 1997.~~

(2) A physician ~~or podiatrist~~ may apply to the board for waiver of the requirements of this chapter on grounds of prolonged illness or disability or other similar circumstances, and each ~~such~~ case will be considered individually on its merits by the board.

SECTION 7. Med 13.03 (1) (c) is repealed.

SECTION 8. Med 13.05 (1m) is repealed.

SECTION 9. Med 13.05 (2) is amended to read:

Med 13.05 (2) **RETENTION REQUIREMENT.** Evidence of compliance shall be retained by each physician ~~or podiatrist~~ through the biennium for which 30 hours of credit are required for registration.

SECTION 10. Med 13.06 is amended to read:

Med 13.06 Audit. The board may require any physician ~~or podiatrist~~ to submit his or her evidence of compliance to the board during the biennium for which 30 hours of credit are required for registration to audit compliance.

SECTION 11. Med 17.02 (2) is amended to read:

Med 17.02 (2) "Practitioner" means a person holding a license to practice medicine and surgery ~~or to practice podiatry~~.

SECTION 12. Med 21.01 is amended to read:

Med 21.01 Authority and purpose. The rules in this chapter are adopted by the board under the authority of ss. 15.08 (5) (b), 227.11 (2) and 448.40 (1), Stats., to govern the practice of physicians, ~~podiatrists~~ and physician assistants in the preparation and retention of patient health care records.

SECTION 13. Med 21.02 (2) is amended to read:

Med 21.02 (2) "Patient" means a person who receives health care services from a physician, ~~podiatrist~~ or physician assistant.

SECTION 14. Med 21.03 (1) and (2) (intro.) are amended to read:

Med 21.03 (1) A physician, ~~podiatrist~~ or physician assistant shall maintain patient health care records on every patient administered to for a period of not less than 5 years after the date of the last entry, or for such longer period as may be otherwise required by law.

(2) (intro.) A patient health care record prepared by a physician, ~~podiatrist~~ or physician assistant shall contain the following clinical health care information which applies to the patient's medical condition:

(END OF TEXT OF RULE)

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

Dated

10-28-99

Agency

Glenn Hoberg All.
Chairperson
Medical Examining Board



State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING

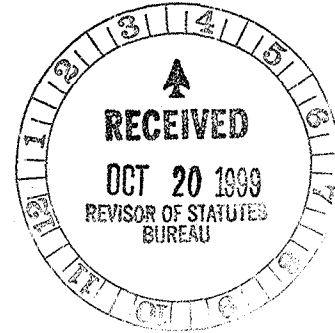
CORRESPONDENCE/MEMORANDUM

DATE: October 20, 1999

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Paralegal
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: MEDICAL EXAMINING BOARD

Clearinghouse Rule 99-098

Attached is a copy and a certified copy of a final order adopting rules.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.