

CR 93-87

**CERTIFICATE**

**STATE OF WISCONSIN**

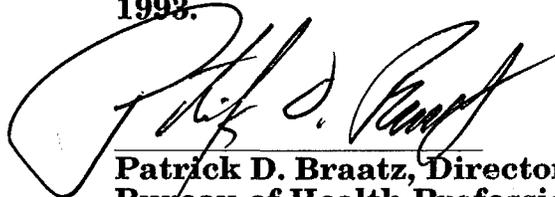
**DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL TO 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 18th day of November, 1993.**

**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 18th day of November, 1993.**



**Patrick D. Braatz, Director  
Bureau of Health Professions  
Department of Regulation and  
Licensing**

**CORRESPONDENCE/MEMORANDUM**

**STATE OF WISCONSIN**

**DATE:** November 18, 1993

**TO:** Gary Poulson  
Assistant Revisor of Statutes

**FROM:** Pamela Haack, Administrative Assistant  
Department of Regulation and Licensing

**SUBJECT:** Final Rulemaking Order

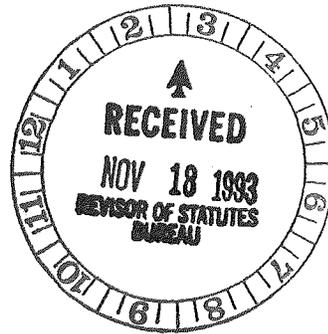
**Agency: MEDICAL EXAMINING BOARD**

**Clearinghouse Rule: 93-87**

Attached is a copy and a certified copy of a final order adopting rules.  
Would you please publish these rules in the code.

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

Thank you.



STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	MEDICAL EXAMINING BOARD
MEDICAL EXAMINING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 93-87)

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ORDER

An order of the Medical Examining Board to amend Med 2.04, 7.07 (1) and (3), 7.08 (1), (4) and (5), 8.06 (2) (a) and 19.06 (3) of the administrative code relating to temporary licenses to practice medicine and surgery, to practice as a physical therapist, as a physician's assistant, an occupational therapist and an occupational therapist assistant.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2), 448.04 (1) (e), (f) and (h), and 448.40, Stats.

Statutes interpreted: ss. 448.02 (1) and 448.04 (1) (b) 1, (e), (f) and (h), Stats.

In this proposed rule-making order the Medical Examining Board is amending ss. Med 2.04, 7.07 (1) and (3), 7.08 (1), (4) and 8.06 (2) (a) and 19.06 (3) to provide for consistency in the expiration of all temporary licenses where the law will allow for such consistency and certificates that are issued by the Medical Examining Board for those applicants who are taking or awaiting results of an examination for regular license.

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TEXT OF RULE

SECTION 1. Med 2.04 is amended to read:

Med 2.04 EXPIRATION. A temporary license prior to regular license to practice medicine and surgery granted under this chapter shall expire by its terms 60 days after the next examination for regular license is given by the board, or on the date following the examination of an applicant ~~therefor~~ on which the board grants or denies such applicant a regular license to practice medicine and surgery, whichever occurs first; ~~but temporary license prior to regular license to practice medicine and surgery or such temporary license prior to regular license to practice medicine and surgery and shall~~ automatically expire on the first day the board begins its examination of applicants for regular license to practice medicine and surgery after issuing such license, unless its holder submits to examination on such date if the applicant fails to appear for the examination. A regular license to practice medicine and surgery is deemed denied by the board on the date the applicant is sent notice from the board that he or she has failed the examination for regular license to practice medicine and surgery.

SECTION 2. Med 7.07 (1) and (3) are amended to read:

Med 7.07 (1) ~~An applicant for license to practice physical therapy who has achieved passing grades on the physical therapy examination given by the board or who is a graduate of a board approved physical therapy school and of whom the board will require no further written examinations under the provisions of s. Med 7.04 (3) (b) may also apply to the board for temporary license prior to regular license. Such application shall be made not less than 30 days prior to the date set by the board as specified in s. 15.08 (3) (b), Stats., for the holding of its next examinations~~ for the granting of a license. The applications and required documents will be reviewed by an officer 2 members of the physical therapy examining council, and upon the finding by such officer 2 members that the applicant is qualified for regular license except for having taken and passed the an oral examinations examination if required under s. Med 7.04, the board, acting through such officer 2 members, may issue a temporary license prior to regular license to practice physical therapy to such applicant.

(3) A temporary license prior to regular license to practice physical therapy granted under this chapter shall expire ~~by its terms 60 days after the next examination for regular license is given by the council, or on the earlier of the following, either on the date following such examination on which the board grants or denies such applicant a regular license to practice physical therapy, or, on the date the applicant is notified that he or she has failed any of the required examinations for regular license to practice physical therapy whichever occurs first; however, a temporary license prior to regular license to practice physical therapy shall automatically expire on the first day the council begins its examination of applicants for regular license to practice physical therapy after such license is issued, unless the holder thereof submits to examination on such date.~~

SECTION 3. Med 7.08 (1), (4) and (5) are amended to read:

Med 7.08 (1) An applicant for regular license to practice physical therapy who is a graduate of an approved school of physical therapy and is scheduled to take the next written physical therapy licensure examination or has taken the written physical therapy licensure examination and is awaiting results, may also apply to the board for a temporary license to practice physical therapy under supervision. ~~The application for such temporary license shall be made not less than 30 days and not more than 150 days prior to the date set by the board for the holding of its next examinations for regular license to practice physical therapy.~~ The applications and required documents for regular license and for such temporary license will be reviewed by ~~an officer 2 members~~ 2 members of the physical therapy examining council, and upon the finding by such ~~officer 2 members~~ 2 members that the applicant is qualified for admission to examination for regular license to practice physical therapy, the board, acting through such ~~officer members~~ members, may issue a temporary license to practice physical therapy under supervision to such applicant.

(4) A temporary license to practice physical therapy under supervision granted under this chapter shall expire ~~by its term 60 days after the next examination for regular license given by the council, or on the date following such examination on which the board grants or denies such applicant a regular license to practice physical therapy, whichever occurs first; however, on the date the applicant is notified that he or she has failed any of the required examinations for regular license to practice physical therapy. However,~~ a temporary license to practice physical therapy under supervision shall automatically expire on the first day the physical therapy

examining council begins its examination of applicants for regular license to practice physical therapy after such license is issued, unless the holder thereof submits to examination on such date.

~~(5) For cause shown to its satisfaction, the board may renew a temporary license to practice physical therapy under supervision. Such temporary license may be renewed once and only once. A holder of such temporary license who fails to achieve passing grades in examination for regular license may apply to the board for such renewal of such temporary license providing such application is made within 60 days after such applicant is notified of such failure, and providing further that such application for renewal is made concurrently with application for re-examination for regular license as provided in s. Med 7.06, and providing further that such re-examination of the applicant is scheduled for the first examination for regular license scheduled by the board subsequent to the examination for regular license in which such applicant failed to achieved passing grades. Such renewal of a temporary license to practice physical therapy under supervision shall expire by its terms 60 days after the re-examination for regular license of the holder thereof, or on the date following such examination on which the board grants or denies such applicant a regular license to practice physical therapy, whichever occurs first; however, such renewal of a temporary license to practice physical therapy under supervision shall automatically expire on the first day the council begins its examination of applicants for regular license to practice physical therapy after such renewal is granted, unless the holder thereof submits to examination on such date. A temporary license to practice physical therapy under supervision may not be renewed.~~

SECTION 4. Med 8.06 (2) (a) is amended to read:

Med 8.06 (2) (a) Except as specified in par. (b), a temporary certificate expires ~~30 days after the completion of the next oral examination for permanent certification or~~ on the date the board grants or denies an applicant permanent certification, ~~whichever is later.~~ Permanent certification to practice as a physician's assistant is deemed denied by the board on the date the applicant is sent notice from the board that he or she has failed the examination required by s. Med 8.05 (1) (c).

SECTION 5. Med 19.06 (3) is amended to read:

Med 19.06 (3) Except as specified in sub. (4), a temporary certificate expires ~~60 days after the completion of the next~~ on the date the applicant is notified that he or she has failed the national certification examination for permanent certification or on the date the board grants or denies an applicant permanent certification, whichever is later.

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(END OF TEXT OF RULE)

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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: 18 Nov 1993

Agency James L. Esswein, M.D.  
Chairperson  
Medical Examining Board