

## Chapter SPS 177

### UNPROFESSIONAL CONDUCT

SPS 177.01 Authority and intent.

SPS 177.02 Unprofessional conduct.

**Note:** Chapter RL 177 was renumbered chapter SPS 177 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671.

**SPS 177.01 Authority and intent.** (1) The rules of conduct in this chapter are adopted under authority of ss. 227.11 (2) and 440.98, Stats.

(2) The intent of the department in adopting this chapter is to establish rules of professional conduct for the profession of registered sanitarians. A violation of any standard specified in this chapter may result in disciplinary action under s. 440.98 (9), Stats.

**History:** CR 06-125: cr. Register July 2007 No. 619, eff. 8-1-07.

**SPS 177.02 Unprofessional conduct.** A registered sanitarian shall comply with the standards of practice established by s. 440.98, Stats., and this chapter. The violation of any provision of this chapter, or the aiding or abetting of any of the following constitutes unprofessional conduct and may result in disciplinary action:

(1) Making a materially false, misleading, deceptive, or fraudulent representation in an application for a certificate of registration, including misrepresenting qualifications, education, experience, credentials or professional affiliations.

(2) An administrative or judicial determination that the registered sanitarian has made false, misleading, deceptive, or fraudulent representations in the course of practice as a registered sanitarian.

(3) Any sanction, suspension, or disciplinary action taken against the registered sanitarian in this state or another jurisdiction arising out of any occupational or professional conduct.

(4) Violating any rule adopted by the department relating to the practice of a registered sanitarian, or any term, provision, or condition of any order issued by the department.

(5) Failing to practice as a registered sanitarian within the scope of the registered sanitarian's competence, education, training and experience.

(6) Practicing in a manner that substantially departs from the standard of care ordinarily exercised by a registered sanitarian or any gross professional negligence, incompetence, or misconduct.

(7) Failing to notify the department of any criminal conviction within 30 days after the date of conviction and failing to provide a copy of the judgment of conviction to the department. Conviction of any crime which is substantially related to the practice of a registered sanitarian shall be grounds for discipline against the registered sanitarian.

(8) Subject to ss. 111.321, 111.322 and 111.335, Stats., to have been convicted of a felony in this state or a crime in another state that if committed in this state would be a felony.

(9) Failing to cooperate in a timely manner with the department's investigation of a complaint filed against the registered sanitarian. A registered sanitarian who takes longer than 30 calendar days to respond to a request of the department is subject to a rebuttable presumption of failing to act in a timely manner under this subsection.

**History:** CR 06-125: cr. Register July 2007 No. 619, eff. 8-1-07.