



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0510/P3  
MCP&MED:ahe

DOA:.....Frederick, BB0062 - Give DATCP and DSPS authority to offer  
Professional Assistance Procedures

**FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION**

AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

This bill requires the Veterinary Examining Board to create, by rule, a procedure for addressing allegations that a licensed veterinarian's or veterinary technician's ability to practice is impaired by alcohol or other drugs.

**SAFETY AND PROFESSIONAL SERVICES**

**PROFESSIONAL LICENSURE**

This bill requires DSPS to create, by rule, a procedure for addressing allegations that a credential holder's ability to practice is impaired by alcohol or other drugs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 89.03 (3) of the statutes is created to read:

89.03 (3) The examining board shall promulgate rules specifying a procedure for addressing allegations that a person licensed or certified by the veterinary examining board under this chapter has practiced as a veterinarian or veterinary technician while impaired by alcohol or other drugs or that his or her ability to practice is impaired by alcohol or other drugs, and for assisting a person licensed by the veterinary examining board under this chapter who requests to participate in the procedure or who requests assistance in obtaining mental health services. In promulgating rules under this subsection, the examining board shall seek to facilitate early identification of chemically dependent veterinarians or veterinary technicians and encourage their rehabilitation. The rules promulgated under this subsection may be used in conjunction with the formal disciplinary process under this chapter. The examining board may contract with another entity to administer the procedure specified under the rules promulgated under this subsection.

**SECTION 2.** 440.03 (1c) of the statutes is created to read:

440.03 (1c) The department shall promulgate rules specifying a procedure for addressing allegations that a credential holder has practiced while impaired by alcohol or other drugs or that his or her ability to practice is impaired by alcohol or other drugs, and for assisting a credential holder who requests to participate in the procedure. In promulgating rules under this subsection, the department shall seek to facilitate early identification of chemically dependent credential holders and encourage their rehabilitation. The rules promulgated under this subsection may be used by the department, the real estate appraisers board, and all examining boards and affiliated credentialing boards attached to the department or an examining board in conjunction with the procedures established under sub. (1). The

department may contract with another entity to administer the procedure specified under the rules promulgated under this subsection.

**SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.**

(1) PROFESSIONAL ASSISTANCE PROCEDURES; EMERGENCY RULES. The veterinary examining board may use the procedure under section 227.24 of the statutes to promulgate rules under section 89.03 (3) of the statutes for the period before the effective date of the permanent rule promulgated under section 89.03 (3) of the statutes but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to one extension of 60 days under section 227.24 (2) of the statutes. If the board uses this procedure to promulgate these rules, the board shall promulgate the rules no later than the 60th day after the effective date of this subsection. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the board is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**SECTION 9139. Nonstatutory provisions; Safety and Professional Services.**

(1) PROFESSIONAL ASSISTANCE PROCEDURES; EMERGENCY RULES. The department of safety and professional services may use the procedure under section 227.24 of the statutes to promulgate rules under section 440.03 (1c) of the statutes for the period before the effective date of the permanent rule promulgated under section 440.03 (1c) of the statutes but not to exceed the period authorized under section 227.24 (1) (c) of the statutes, subject to one extension of 60 days under section 227.24 (2) of the

statutes. If the department uses this procedure to promulgate these rules, the department shall promulgate the rules no later than the 60th day after the effective date of this subsection. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**(END)**