



DALE KOOYENGA
STATE SENATOR · 5TH DISTRICT

State Capitol · P.O. Box 7882 · Madison, WI 53707-7882 · (608) 266-2512

February 18, 2020

TO: Members of the Senate Committee on Public Benefits, Licensing, and State-Federal Relations

FR: Senator Dale Kooyenga

RE: Support for SB 747 – Allowing the Department of Safety and Professional Services to issue provisional credentials.

Thank you for holding a hearing on Senate Bill 747. This is one of three bills crafted in collaboration with the Department of Safety and Professional Services to address some of the key reasons why applications for work credentials get delayed.

The application process can sometimes take weeks or months. In the meantime, aspiring professionals are left in limbo, unable to perform the jobs for which they've been trained and often because of which they carry student debt. This hurts businesses as new hires can be sidelined, but it also hurts workers—especially lower income workers—who are unable to earn a living in their profession.

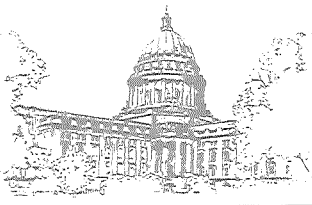
If the state is going to require credentialing for certain occupations, it should also provide a way for professionals to get to work while they wait for their permanent license to be approved. To accomplish that goal, this bill gives DSPS and its credentialing boards the ability to promulgate rules creating a provisional status for professional licenses.

Under this bill, the Department and its credentialing boards could grant provisional licenses that would permit an applicant to work while their application for a permanent credential is considered. The provisional status will then be lifted upon approval or the credential will immediately expire in the rare instance of a denial.

This will mitigate the impact of bureaucratic backlogs on many applicants' ability to quickly get to work in their professional field. The processes for approving credentials for people working in the occupational trades are not affected by this bill.

This bill will make a real difference in the lives of people who are trying to advance in their professional career by allowing people to get to work immediately.

Thank you for hearing SB 747. I respectfully ask for your support.



STATE SENATOR
LaTonya Johnson

WISCONSIN STATE SENATE

6TH DISTRICT

**Senate Committee on Public Benefits, Licensing and State-Federal Relations
Testimony on Senate Bill 747
February 18, 2020**

Good morning members of the committee,

Thank you for the opportunity to testify on behalf of this proposal—Senate Bill 747 (SB 747)—which will allow the Department of Safety and Professional Services (DSPS) to promulgate rules for the issuance of provisional licenses for certain occupations. These rules will allow DSPS and its credentialing boards to grant provisional licenses permitting applicants to work while review of their application for a permanent credential is completed.

DSPS has identified provisional licensure as a valuable tool in preventing backlogs and delays for processing applications at times of high volume, such as the months immediately following spring and winter graduation. Helping new graduates get to work faster and receiving their first paychecks faster will reduce the financial distress that often comes with starting out in a new profession.

Provisional licenses expire upon either the receipt of a permanent license or the rejection of the individual's application by DSPS or their profession's respective credentialing board. Provisional licenseholders will be subject to the same laws and procedures, including professional discipline, that otherwise apply to the credential. SB 747 grants DSPS and individual credentialing boards the ability to determine what necessary elements of an application must be met prior to awarding a provisional credential. This grant of discretion to DSPS will allow them to streamline the process and avoid common bottlenecks when prudent. And, as always, these rules will be subject to legislative review.

Once again, thank you to my co-authors, Senator Kooyenga, Representative Quinn, and Representative Haywood for their work on this bill, and thank you, committee members, for your consideration of this important proposal.



Romaine Quinn

STATE REPRESENTATIVE • 75th ASSEMBLY DISTRICT

February 18, 2020

Chairman Kapenga and Members of the Committee:

Thank you for hearing Senate Bill 747, which would permit the Department of Safety and Professional Services to grant a provisional license to an applicant while it processes the permanent license.

As Wisconsin continues to face a strong economy, we are also struggling with a shortage of workers; a lengthy work credential application process can be a major reason qualified candidates are not taking advantage of the available jobs. Importantly, according to the analysis of this bill by the Legislative Reference Bureau, “The holder of a credential granted with provisional status is subject to the same laws and procedures, including professional discipline, that otherwise apply to the credential, except that the credential is not subject to renewal unless and until the credential is ultimately approved.” In short, the state will continue to have oversight and enforcement on potential bad actors, while helping those who deserve it get into the job market more quickly.

A bureaucratic backlog should never prevent a person from going to work. I hope you will join me in supporting SB 747. Thank you.



N A S W WISCONSIN CHAPTER

National Association of Social Workers

NASW WI TESTIMONY IN SUPPORT OF SENATE BILL 747 PRESENTED BEFORE THE SENATE COMMITTEE ON PUBLIC BENEFITS, LICENSING AND STATE-FEDERAL RELATIONS ON FEBRUARY 18, 2020

Senator Kapenga and members of the Senate Committee on Public Benefits, Licensing and State-Federal Relations. I appreciate this opportunity to speak in support of Senate Bill 747. I want to begin by thanking Senator Kooyenga and Representative Quinn for their work on this bill.

As the Executive Director of the National Association of Social Workers, Wisconsin Chapter since 1992, part of my job has been to help social workers from other states navigate the regulatory process to obtain licensure in Wisconsin.

During this time I have spoken with far too many clinical social workers who have waited for months to become licensed. For some of these social workers, the delay in the processing of licensure is a huge financial hardship. The most recent example was a couple, who I will call Chris and Sally who were both licensed clinical social workers from other states and applied on July 5, 2019 for Wisconsin clinical licensure. As of January 29, 2020 their applications for clinical licensure had still not been processed. Sally was desperate to get her licensure application processed so she would not lose her job and livelihood. After Chris emailed me I contacted the Assistant Deputy Secretary for the Department of Safety and Professional Services who was able to get movement on these applications, which I expect will be approved. While this is an extreme case it is not unusual in my experience for applicants to wait 2-3 months or more for approval.

When I first brought this bill to the attention of NASW WI's Professional Standard Committee and Board of Directors, committee and board members raised concerns about the need for some standards with a provisional license. Specifically committee and board members expressed the importance for such a bill to require a background check, a time limit for the provisional license and to require out-of-state applicants to pass the state jurisprudence exam. I was pleased to learn in speaking with the Department's Assistant Deputy Secretary and a staff member in Senator Kooyenga's office that this bill would allow the professional board to pass rules to accomplish these important minimal standards.

Consequently I am speaking in strong support of SB 747, which will enable clinical social workers moving to Wisconsin to start working right away while they are waiting for the completion of the review of their licensure application.

I appreciate this opportunity to share my views on Senate Bill 747 and will be happy to answer any questions.

Marc Herstand, MSW CISW
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Wisconsin Physical Therapy Association

A CHAPTER OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION

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TO: Chairman Kapenga and members
Senate Committee

FR: Dennis Kaster, President
Wisconsin Physical Therapy Association

DA: February 18, 2020

RE: Submitted comments on SB 747

Thank you Chairman Kapenga and members for the opportunity to provide comment on SB 747. The Wisconsin Physical Therapy Association (WPTA) has some concerns with the bill as currently drafted. We have inquired with the Physical Therapy Examining Board (PTEB) as well, and we share similar concerns that this could unintentionally create another layer of licensing for our profession, as well as more work for the regulatory bodies, causing the opposite of its intended effect.

Currently, we are seeing an average of 2-4 weeks wait from the date of a PT student's graduation to licensure being granted. We have not received member complaints with this timeframe to date. Often the delay, if any, is associated with the applicant's need to submit paperwork. Specifically, the applicant applies for licensure, pays fees, submits paperwork, and completes an online jurisprudence exam. If there are convictions, they have to wait for approval of past convictions (this takes the longest and is held up by the legal department and their work load).

Our understanding of the bill is that application for a provisional license would require the same paperwork, therefore causing us to question the intent of the bill. Considering the process for licenses in Wisconsin varies by profession, it is possible SB 747 would have a positive impact for some occupations, but do not see how it would help improve the process for physical therapists or physical therapist assistants.

Thank you again for the opportunity to provide comment. As mentioned above, we believe SB 747 as drafted would create additional burden for the Department of Safety and Professional Services as well as the PTEB. Should you have any additional questions or concerns, please feel free to contact Annie Early (414-405-1050) or Jeremy Shepherd (605-516-7715).

WISCONSIN PIPE TRADES ASSOCIATION

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To: Chairman Kapenga and the members of the Senate Committee on Public Benefits, Licensing and State-Federal Relations

Fr: Terry Hayden, President, WI Pipe Trades Association

Da: February 18, 2020

Re: Opposing passage of SB-747/AB-815

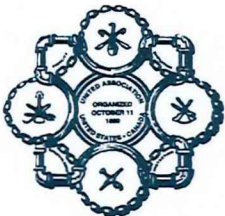
Thank you Chairman Kapenga and members of the Senate Committee on Public Benefits, Licensing and State-Federal Relations for the opportunity to provide our comments on SB-747.

We are concerned and believe that the creation of a provisional license process could have a negative impact on our industry and create unintended consequences. The legislation is overly broad and does not address whether provisional license applicants would be tracked or whether any mechanisms would be in place to prevent the abuse of such a system. Workers in licensed trades oftentimes travel to other states and when qualified, work on projects for a short duration and then return to their home state. A provisional license could enable unqualified individuals to come to Wisconsin from out-of-state to work on major projects by simply obtaining a provisional license without getting the proper training.

They could avoid taking our plumbing exam, or worse, fail our plumbing exam yet still be allowed to practice through such provisional licenses.

We are uncertain whether the legislation might benefit other professions for whom a provisional license process might make sense, but for us it is unnecessary and would only create more questions and concerns.

We oppose SB-747 in its current form but would appreciate the opportunity to work with the authors and other stakeholders going forward to address the concerns attempted to take care of in this bill. Thank you.





February 18, 2020

TO: Senate Committee on Public Benefits, Licensing and State-Federal Relations

FR: Mike Tierney, Legislative Liaison

RE: Testimony in support of SB 746 and SB 760 and for information on SB 747

Mr. Chairman and Committee members,

Thank you for holding this hearing today and providing me with the opportunity to testify on the three proposals related to the Department of Safety and Professional Services and Licensing Boards affiliated with the Department.

Secretary-designee Crim very much appreciates having had the opportunity to work with the authors of these proposals.

The Department, and Licensing Boards affiliated with the Department, administer over 240 different licenses. During calendar year 2019, the Department and affiliated Boards issued 31,301 new credentials and 167,003 renewals. In addition, we processed a total of 51,529 trades credentials.

During the 2019 calendar year, every time we received a contact regarding a licensing issue from a legislator, an interest group, or the Office of the Governor, we would do two things. The first was to make the licensing process go as quickly as allowed by law. The second was to track what had happened and determine which issues were anomalies and which issues crept-up repeatedly and needed to be addressed. There were about 600 contacts of this type during the 2019 calendar year.

There are some people who may look at the cold, hard licensure statistics and note that if there were only 600 licensure inquiries received by the Department from legislators, the Office of the Governor and interest groups in 2019 – out of the total number of applicants and renewals – then there were concerns with fewer than one-half of one-percent of the people who sought licensure by the Department. However, Secretary-designee Crim and the staff of the Department recognize that behind every license application there is a person who needs that license to go to work, get a stable job, and earn a family supporting income. It is not about overall statistics; it is about meeting the needs of individuals and families.

The licensure system, overall, works well for most people. The Department did state steps, under Secretary-designee Crim to lower licensure fees by \$10.5 million and she has taken steps to improve processes internally by enabling the use of source documents drawn from websites, and we are constantly examining ways to improve internal processes and systems. However, the charge from Secretary-designee Crim has not been just to work to get people their licenses, but to learn from every contact we receive about a licensing issues and develop solutions to improve the process. There are two bills we are hoping to see advanced this legislative session and a third that we will need to work

with stakeholder groups with to address their concerns. However, the two bills we would like to see pushed forward do happen to be the two that will have the greatest positive impact on applicants and Department operations.

Senate Bill 747 - Provisional status bill.

As I noted, the Department and affiliated Boards administer over 240 different licenses. Since this legislation was introduced, the Department has received pushback from stakeholders concerned that the broad authority in this bill may create unintended consequences for the specific needs of each profession.

We very much appreciate the introduction of this bill. However due to the overall level of concern if SB 746 and SB 760 can be advanced and implemented successfully first, we believe this will help us to achieve “buy-in” and set the stage for working collaboratively on licensure improvement legislation in the future.

Senate Bill 760 – License issuance

There are some credentials that are issued directly by the Department. However, most credentials are issued by a Board that is affiliated with the Department. The Department staff receives the application for a credential and assembles the requisite documentation, but the Board is the entity with legal authority and jurisdiction over license issuance.

When Department staff have completed their work on an application and we have informed the applicant that their application is in the hands of a Board, it is not uncommon for applicants to then call Department staff every day or even multiple times per day – asking staff when their credential will be issued. As Department staff has no legal authority – we cannot provide the answer the applicant seeks nor can we direct a Board member, or Board, to act on an application.

Under this bill, when an application goes to a Board with a recommendation for approval, the applicant will know they will have the license in 10 working days – unless it is issued sooner or unless the Board notifies the applicant that the Board is going to need more time to act.

Senate Bill 746 – Legal Reviews

When a person applies for a license, they are required to provide information regarding prior law violations. This information is collected by credentialing staff and when the information is complete, it is submitted to paralegals and attorneys for legal review. The purpose of the review is to determine if the issue may serve to disqualify someone from being licensed, if a license can be issued with restrictions or monitoring requirements, or if the person can be fully licensed. The problem is that a person with a single, minor issue could find their application placed in line behind the application of an individual who has multiple, complex issues in need of review.

For example, in the last month alone, we have had three contacts from legislators whose constituents were facing delays in license issuance because their applications needed to be subjected to legal review. What made these three stand apart was that, by all indications, the applicants have been

model citizens as adults. What they had in common was each of them, many years prior, had been ticketed for underage drinking.

This bill grants the Department authority to exercise a greater degree common sense in how certain past criminal or ordinance offenses will be reviewed in the future. Currently, staff attorneys are required to evaluate all prior offenses before recommending whether to issue licenses. This bill would allow the Department to determine when some very old or minor offenses, such as those committed when the applicant was a juvenile or a single first-offense OWIs committed in the distant past, could be exempt from this legal review.

While some states prohibit individuals with criminal histories from holding certain licenses, over the years the Wisconsin legislature has instead created laws and approved codes that allow for consideration of related facts and circumstances. While this process enables individuals to rehabilitate themselves and enter many stable professions with family-sustaining wages, the required legal review can be a time-consuming process for both the applicant and the Department. Time spent on reviews that are not necessary also serves to delay the processing of applications that do require legal reviews.

Passing of this legislation and enabling the Department to work on the development of administrative rules to address these 4 areas (a single OWI committed more than 5 years in the past, underage drinking, a minor, non-violent ordinance violation, or a non-violent juvenile offense) that presently are at the heart of many delays will assist in improving the process for all applicants.

Thank you again for the opportunity to testify on this legislation. I would be happy to address questions regarding this legislation.



February 18, 2020

Senate Committee on Public Benefits, Licensing and State-Federal Relations

Public Hearing: Senate Bills 746, 747 and 760

Senator Kapenga and Members of the Committee:

Thank you for holding this hearing today and for allowing me to testify in support of Senate Bill 746, Senate Bill 747 and Senate Bill 760, all of which would positively impact and streamline the state's licensing process.

I'm a policy analyst at the Badger Institute. As most of you know, we've conducted research and told stories of many people affected by the state's burdensome licensing process and requirements over the years. And too many times, we've heard that Wisconsinites who simply want to work are either turned away or forced to wait – sometimes years on end – before they can enter or return to their desired field.

Licensing impacts nearly a fifth of Wisconsin's workforce. And the state now issues more than one million regulations – including licenses, certifications, registrations or permits – to its workers.

In a moment, I'll introduce Meggan Thompson, who unfortunately, experienced numerous burdensome and pointless hurdles to obtaining her social work license after practicing in California for more than a decade. First, I'd like to briefly address the three bills.

SB 760 would give the Department of Safety and Professional Services (DPS) the authority to recommend granting or denying an application for licensure to the respective licensing board. If DPS recommends approving the application, the board has 10 days to act, or the application is automatically approved.

In our recent report, *Absence and Violation*, we found that most of Wisconsin's licensing boards very rarely meet – sometimes only quarterly or less. When the boards do meet, much of their activity often takes place in private or closed session. Speeding up and opening up this process by requiring a licensing board to act on an application within 10 days after DPS' recommendation would alleviate some of the pressures placed on licensing boards. More importantly, it would allow more Wisconsinites to get to work much sooner.

SB 746 would allow DPS to waive investigations of certain low-level, nonviolent offenses when considering an application for a license. The Badger Institute has done a great deal of research in the area of criminal justice policy and worked with civil society organizations that help ex-offenders find employment. Research and experience both show that when those with a record find work, their likelihood of committing a new crime drops dramatically. At the same time, Wisconsin employers are desperate for workers. This bill would remove obstacles to employment without jeopardizing public safety.

SB 747 would allow DPS to grant a temporary license to certain applicants so that they can practice in their desired field and earn a living while the application is reviewed. These applicants would follow the same laws and procedures as their peers working in the same field. If their application is ultimately approved by DPS, the temporary status is removed, and they're required to simply renew their license depending on the credential's

requirements. If DSPS determines they're not eligible to practice in their field, their temporary license immediately expires.

I'd now like to introduce Meggan Thompson, who I believe, could have benefited from this proposed legislation if it was a law a little over a year ago. Meggan moved to Wisconsin with her family in pursuit of a better quality of life and lower cost of living. She's earned a master's degree in social work from the University of Southern California (USC), practiced in the field, and now teaches online courses at USC.

But she had to wait more than a year to get her license in Wisconsin. No one should have to forgo a year of income or the ability to practice their profession because of hurdles imposed by the state or rules established by those already practicing in the field. We should be making it easier, not harder, for people like Meggan to live and work here in our state. I'd now like to invite Meggan to share with us a bit more of her story.

Following Meggan's testimony, we're both willing to answer any questions. Again, thank you for holding this hearing today and for considering these three important bills that we believe would impact many Wisconsinites, who, like Meggan, simply want to work.

Julie Grace
Policy Analyst, Center for Opportunity
Badger Institute

Handcuffed: State regulations hamper licensing of ex-offenders

By Lauren Anderson | Feb 3, 2020 5:00 am

In late 2014, Trista Pomella was charged with a misdemeanor cannabis possession offense in Tampa, Florida.

Pomella made her court appearance, paid a \$280 fine, and, when she moved several months later with her boyfriend to Wisconsin to be near his family, she assumed the incident was behind her.

“I don’t even have a booking photo,” she said. “I was never handcuffed. There was just a paper, ‘Here’s your court date. Come see us.’ No big deal. At least I thought it wasn’t.”

Pomella had seven years of experience as a licensed hairstylist by the time she arrived in Wisconsin. After taking some time off work, she began the process of getting her credentials to resume her career here.

But when Pomella applied for her cosmetology license through the Wisconsin Department of Safety and Professional Services, her misdemeanor reared its head.

Under state law, anyone with a previous conviction must account for their past infractions on their professional license application.

“Our paramount concern is protection of the public,” said Al Rohmeyer, chief legal counsel for DSPS. “We don’t want to be issuing licenses where the public may be harmed by us doing that. We take that very seriously and that’s obviously why the process takes so long.”



A 2014 misdemeanor offense caused complications for Trista Pomella when she sought her professional cosmetology license. Pomella manages Cost Cutters in Greenfield. Credit: Jake Hill

Pomella was puzzled by the list of documents she was required to submit, including certified copies of the police report, criminal complaint, judgement of conviction and sentencing, sentencing verification, along with a personal statement detailing the circumstances of her conviction. She had difficulty knowing where to find those documents – complicated by the fact that they were housed in an out-of-state clerk of courts office – and how to submit them to DSPS.

“I got the paperwork. I called DSPS. They sent me a bunch of links,” she said. “But a lot of it didn’t make sense.”

In the meantime, she took a \$9/hour retail job at Sally Beauty in Greenfield, earning a little less than half of what she would make as a stylist. After she enlisted the help of a local salon owner to navigate the process, it took six months before she was approved to cut hair.

“I was getting to a point where I was about to give up on my career, which was heartbreaking,” said Pomella, who today manages Cost Cutters in Greenfield. “This is what I was meant to do. I can’t see myself doing anything else.”

Lengthy, complex credential process

Pomella’s story is familiar for those with a conviction on their record who have been in the position of seeking a professional license in Wisconsin.

Several cosmetologists and barbers interviewed for this story recounted similar experiences, describing the process of getting credentialed in the state as convoluted, costly and perplexingly long. After completing the required 1,000 or more hours of training and paying tuition for schooling, some said they nearly abandoned their professional plans because of licensing challenges.

One Milwaukee-area hairstylist said that when she enrolled at Empire Beauty School, she was never warned that an eight-year-old felony conviction from when she was 16 might be a hurdle to her eventually obtaining a license. But when she completed school in 2017, she faced roadblocks trying to obtain court documents to submit to DSPS. Some of her classmates did too, she said.

“I had to get a whole bunch of paperwork from the court, spend money on each copy,” she said. “It’s lengthy and time-consuming. No one was aware of that when they started school. I even know people who gave up trying to get their licenses because it was so challenging.”

Facing \$35,000 in student loans, she couldn’t afford to wait.

“It’s embarrassing and stressful,” she said. “It gave me a lot of anxiety. It was like ripping off a Band-Aid of some old wounds. You already did what you’re supposed to do and all of the sudden you’re told it’s not enough and you possibly can’t get your license. I had a lot of sleepless nights. I cried.”

It took three months for her license application to be approved.

Bipartisan goals

As companies struggle to find talent in a labor market with a 3.3% unemployment rate in Wisconsin, some argue it’s an opportunity for employers to cast a wider net to those with criminal backgrounds.

Whether it's seen as a matter of social justice or a pragmatic solution to pressing workforce shortages, the push to reduce barriers for job-seeking ex-offenders has largely enjoyed bipartisan support.

Former Gov. Scott Walker's administration oversaw the expansion of programs that prepare prison inmates with specific job skills, such as computer numerical control machining and welding, to help them find work upon their release. Gov. Tony Evers' first biennial budget included an expansion of correctional facility-based job centers to ease inmates' search for employment. A new program for inmates to earn a barbering license is also planned.

In recent months, Department of Corrections secretary Kevin Carr and Department of Workforce Development secretary Caleb Frostman have implored employers to consider hiring ex-offenders.

Dave Hagemeyer, owner of nine Milwaukee-area salons, said he wants to, but burdensome state licensing procedures have tied his hands as an employer.

Four years ago, Hagemeyer, who with his wife Carol co-owns Signature Two Company, received a call from a job candidate who was preparing for her release from Milwaukee Women's Correctional Center.

"I had never as an employer engaged with a felon before; it just wasn't something that had occurred to me," he said. "But she was just so determined and compelling. I hired her ... It really clicked for me that some people can put difficulties behind them and move forward strongly and confidently."

Since then, he's committed to hiring ex-offenders, and has worked with about 20 license-seekers as they navigate the state's credentialing process. For the uninitiated, it can be intimidating and discouraging, he said.

"It can take months for a license applicant to track down all of this documentation; it can cost hundreds of dollars," Hagemeyer said. "It can be hard to travel across the state, or in some cases to other states, to convince police departments and court clerks to dig up records that can be 15 years old or more. And then it takes several months more for the DSPS to review and approve."

While screening is necessary to protect the public, Hagemeyer said, the burdensome processes are blocking employment for some while disincentivizing employers from taking a chance on hiring ex-offenders.

"The state is asking us to do our duty, but employers are being punished for it," he said. "In my experience, the State of Wisconsin itself is the single biggest obstacle to licensing for ex-offenders."

State Sen. Dale Kooyenga, R-Brookfield, calls it a case of the "left hand not talking to the right" among state government agencies.

"The objective of the DOC is to get these people trained and reacclimated and reduce recidivism, which comes with job training," he said. "And the objective of DSPS is to protect

the public ... If you're involved with the DOC and in for drug abuse, that doesn't substantially relate to cosmetology, and yet they require all the details of it."

Lengthy approval process

Stephen Dale saw barbering as a way to turn over a new leaf.

The 58-year-old Milwaukee resident has a lengthy criminal record and for years struggled with mental health conditions that made it difficult for him to maintain steady employment. For a time, he found work doing home improvement projects, but the jobs were inconsistent and increasingly wearing on his body.

"I decided to reinvent myself and go to barber school," Dale said.



When he applied for his professional barbering license, Stephen Dale spent months and hundreds of dollars assembling legal documents from offenses he committed as far back as three decades ago. Dale works as a licensed barber with Signature Two Company. Credit: Jake Hill

He's found stability with the help of medication. In 2018, he completed the barbering program through Milwaukee Area Technical College, which was paid for by the Wisconsin Department of Workforce Development's Division of Vocational Rehabilitation, completed 1,000 training hours and passed both state-mandated licensing exams.

DVR connected Dale with Hagemeyer, who hired him on the spot to work full-time as a barber under Dale's six-month temporary license granted to new graduates.

Securing a permanent license was more difficult. The application required Dale to account for his conviction history, tracing back three decades. It cost more than \$200 for him to print the police and court documents from his convictions.

He was also required to produce written statements about each of his offenses, the facts that led to the incidents, who was involved, what happened and why, penalties and verification that he completed all sentencing requirements. Nine of his offenses happened more than 20 years ago and he didn't remember some of the incidents from his 20s.

"Every time I see this stuff, I hate to even look at it," Dale said. "I read it and I'm like, 'dumb, dumb, dumb. What was I thinking? What was I thinking?' I have a lot of anxiety filling out these papers and having to write statements and remember what I did 27 years ago."

While Dale waited on his pending application, his temporary license expired. Hagemeyer kept him on as a receptionist. Legally, Dale couldn't cut hair, but Hagemeyer didn't want to lose him as an employee.

"I paid him to push a broom," Hagemeyer said. "The salon's not that big; we don't have that much sweeping to do."

Dale couldn't earn tips or commission. He looked for part-time work to pay his bills in the meantime.

"I like earning my pay; I don't like sitting around," Dale said. "I don't like not bringing in any revenue."

Dale said he might have given up altogether without Hagemeyer's help.

"The majority of people like me wouldn't even bother to go through all that stuff," he said. "They wouldn't even know where to start, so they're dead in the water. So they won't get their licenses and they'll end up cutting hair illegally."

From the time he submitted his paperwork, it took 14 weeks for Dale's permanent license to be approved.

Application review backlog

With the volume of license applications DSPS receives, ensuring public safety and issuing credentials expediently can be in competition with one another.

DSPS issues about one million professional licenses in Wisconsin annually. Its oversight includes more than 240 professions, ranging from cosmetologists and barbers to doctors to matchmakers to funeral directors – each regulated by different statutes that require fine-tooth-comb reviews of applicants.

With a staff of 250, DSPS has two full-time attorneys and a paralegal, along with several limited-term employees, dedicated to working on credential applications that require legal review.

"It's a lot of responsibility and a lot of information for our attorneys to master, but it's statutorily required of us," said DSPS secretary Dawn Crim. "...We realize it does take a bit of time because our attorneys apply the law to the individual unique factors or circumstances and then they make determinations based on the interest of the public."

The agency had a backlog of pending applications when Crim was appointed in early 2019 to lead the agency, and it continues to wade through the pileup, she said.

Late during Walker's administration, DSPS had one attorney and one paralegal, along with several limited term employees, working in that area. It has since added one additional full-time attorney and has diverted several other attorneys, paralegals and staff to work part-time or overtime to process credentialing legal reviews more quickly. Crim said she requested 20

additional employees during the biennial budgeting process but was approved for just six of those positions, none of which were in the agency's credentialing legal review area.

"We're making some headway, but (the backlogs) do still exist because we're terribly understaffed," Crim said.

Meanwhile, potential changes to state law could offer some relief.

Crim worked with Kooyenga on a bill that would establish "look-back limits" in the agency's licensing processes. Under the proposal, DSPS could choose not to investigate a number of nonviolent and common offenses that don't substantially relate to the profession. Those offenses include a first-offense OWI that occurred more than five years ago, underage drinking-related violations that occurred more than five years ago and nonviolent ordinance violations or other nonviolent offenses that occurred more than five years before the application date.

"We recognize that certain offenses committed long ago and in the absence of any subsequent legal issues are almost never a barrier to licensure, and yet our attorneys are required to review the facts and law at hand in every instance," Crim said. "I believe in second chances. Our agency opens doors to careers in rewarding professions, and this legislation gives us the tools we need to open those doors quickly."

It would eliminate what Kooyenga said are unnecessary barriers for people whose past mistakes have no bearing on their ability do their job. He cited an example of a woman in her 30s who needed to provide documents regarding an underage drinking ticket from her teens in order to get her cosmetology license.

"You don't keep a scrapbook of this stuff," he said.

"(It's) going beyond and above the original letter and intent of the law, saying you're going to (provide) an underage drinking ticket from when you were 16," he added. "I don't see where in the law you need to do that."

Another bill would allow DSPS to issue provisional licenses with the goal of allowing license seekers to begin work right away. Currently, licenses must be approved by a professional credentialing board, some of which meet only quarterly. That waiting period can put people who live paycheck to paycheck in a tough spot, Kooyenga said.

"This is an absolute necessity for many Americans at that (income) level," he said.

A third proposal is aimed at streamlining the professional licensure process by providing passive review, meaning if a credentialing board doesn't take action within 10 days on a license that DSPS has recommended for approval, the license would automatically be approved.

The initial proposals have bipartisan support, Kooyenga said, with Democratic Sen. LaTonya Johnson of Milwaukee, along with Democratic Rep. Kaylan Haywood of Milwaukee and Republican Rep. Warren Petryk of the Town of Washington (near Eau Claire), sponsoring the legislation.

The changes would give some flexibility to her department, Crim said.

“We really are working hard to control what we can,” she said. “We’re looking at people and processes, being responsive and assisting those applicants. The fair and balanced approach is what we’re trying to do.”

In the meantime, Crim said her agency is doing what it can to work with the DWD and DOC’s efforts to find ex-offenders gainful employment. She encourages inmates who are enrolled in apprenticeship programs to get started early on the license application process so they can start their careers as soon as possible.

“When the governor (Evers) took office, he talked about connecting the dots,” she said. “We are constantly talking with one another as secretaries to ask how do we work together to improve efficiencies, to improve processes and do the appropriate handoffs. This is an example of a way for us to work closely together for a smooth transition.”

Dept. of Corrections assistance

Jonelle Todd considers her story a case study in reentry programs working the way they should.

While serving time in Taycheedah Correctional Institution in Fond du Lac County, Todd completed the facility’s cosmetology and barbering program, including the 1,800 required training hours, and set up job interviews with salons in preparation for her release, while DOC largely handled the paperwork associated with getting her license.

“A big concern for me was, as I walk out the doors, what was I going to do?” she said. “How was I going to get my life back and my kids back? ... What they intended to do worked perfectly in this situation. I came out with a skill the day I walked out the door that I never had before. I was able to find an employer that was willing to work with me.”

She was hired as a stylist, and within a year, moved into a manager role with one of Hagemeyer’s salons. Four years after her release, she’s now a senior manager with Signature Two Company, overseeing its Mequon, Germantown and West Bend locations. In that time, she said she’s seen other stylists face challenges getting their credentials, delaying their shot at “remaking their lives,” like she did.

“The whole point of what we do in the (corrections) system is trying to hope we can rehabilitate people and get them back in the community,” she said. “If we don’t give people a chance to be rehabilitated and our goal is to do that, it’s hard to kind of move forward. I can’t think of a single case that making it harder for someone to get a job has ever been beneficial to society or improved people’s lives.”