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TO: Assembly Committee on Regulatory Licensing Reform

FROM: Senator Rob Stafsholt

DATE: May 24, 2023

SUBJECT: Testimony in Favor of Assembly Bill 203, 204 and 205

Thank you, Chairman Sortwell and members of the Assembly Committee on Regulatory Licensing Reform, for allowing me to submit testimony in favor of Assembly Bill 203, 204 and 205.

Over the last couple of years, I have heard from many frustrated constituents that are dealing with unnecessary delays, confusion and lack of communication while attempting to get an occupational license from the Department of Safety and Professional Services (DSPS). These unnecessary delays cause individuals to have to postpone starting their careers or stop them from entering the workforce. Wisconsin businesses are struggling to find qualified workers so we need to ensure our licensure process is streamlined and functions efficiently. We cannot afford to fall behind other states in attracting skilled individuals to live and work in our state.

In response, leadership created the Legislative Council Study Committee on Occupational Licenses, and Representative Sortwell and I were appointed as Chair and Vice-Chair. The study committee was created with the goal of finding solutions so current and future license holders can be licensed in a timely manner. In other words, we were tasked with finding long-term solutions that will fix the problems plaguing DSPS.

Through our conversations with licensed professionals, research and policy groups, and the Department of Safety and Professional Services, our study committee focused our bill recommendations on three primary issue areas: data tracking, workload simplification, and reciprocal credentialing.

For the second issue, the study committee looked at ways it could help DSPS and applicants have a simpler process, while maintaining integrity in the review of applications. Bills that fall in this issue area include:

- Assembly Bill 203, which clarifies that it is the applicant's responsibility to submit all renewal materials before the renewal date and also clarifies that if a complete renewal application is submitted by that date a person's license remains active and in effect.
- Assembly Bill 204, which changes the renewal periods from two years to four years.

For the third issue area of reciprocal credentialing, the study committee recommend Assembly Bill 205, which expands 2021 Wisconsin Act 10 to allow people in all business and health professions who are licensed in good standing in another state to work in Wisconsin under a preliminary credential while approval of the permanent credential is pending.

Study committee members broadly supported all of these bills and recommended them for introduction. We felt like these bills would improve processes and oversight. Thank you for your support of these bills and feel free to reach out with any questions.



May 24, 2023

TO: Assembly Committee on Regulatory Licensing Reform

FROM: Mike Tierney, Legislative Liaison, Department of Safety and Professional Services

RE: Assembly Bill 204 - Renewal dates and continuing education requirements for certain credentials issued by the Department of Safety and Professional Services and credentialing boards

Good afternoon,

Thank you for the opportunity to submit this testimony on Assembly Bill 204.

The Department of Safety and Professional Services appreciates the work that members of the Study Committee put into this legislation. A four-year renewal cycle would present opportunities for efficiencies for the department and for credential holders. However, it also could present opportunity for abuse that would threaten public safety. It is possible, though, that some risks could be mitigated with certain measures that would increase compliance and ensure the safety of Wisconsinites.

Under current law, a person who is convicted of a crime is supposed to report that to the department in a couple of days. That does not always occur. Convictions often come to light when the person renews their credential. As part of the renewal process, they are required to complete a legal attestation as to whether they have had convictions. People are motivated to report convictions, even if the underlying conviction might not prevent full renewal, because the filing of a false attestation with the department and board could itself lead to discipline.

Absent an investment in staffing and technology to provide the department with the tools to verify conviction status on a more frequent basis, the concern is that credentialed individuals who have serious issues would continue to work for, quite possibly, years before arrests and convictions were revealed. Timely knowledge of these issues enables the department or respective boards to intervene and put appropriate monitoring or license limitations in place that allow the individual to continue to work while receiving the assistance they need and, most importantly, at the same time significantly reduce or eliminate their ability to cause harm in their professional capacity.

During the renewal process, credential holders in the majority of professions are also required to attest to having completed required continuing education. Continuing education requirements exist to ensure that licensed professionals maintain knowledge of current issues and standards. We have heard anecdotally that many credential holders complete their required continuing education in the last six months prior to renewal. So in a four-year renewal cycle, individuals might be practicing for years without completing critical updates to their skills and knowledge. This could pose safety risks to those who rely on these professionals for services.

To ensure safe practice in an environment with a four-year renewal cycle, it would be especially beneficial for the department to have proactive tools to ensure continuing education compliance. We are



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TO: Assembly Committee on Regulatory Licensing Reform

**FROM: Ann Zenk, SVP Workforce & Clinical Practice
Jon Hoelter, VP Federal & State Relations**

DATE: May 24, 2023

RE: WHA Testimony in Support of AB 204 & AB 205: Lengthening Renewal Dates and Making it Easier for Qualified Professionals from Other States to Practice in Wisconsin

Chair Sortwell and members of the Committee on Regulatory Licensing Reform, thank you for holding a hearing on AB 204, relating to renewal dates and continuing education requirements for certain credentials issued by the Department of Safety and Professional Services and AB 205, relating to: practice of certain professions by credential holders from other states. The Wisconsin Hospital Association represents more than 135 hospitals and integrated health systems across the state, from small, rural, Critical Access Hospitals to large, urban academic medical centers, and everything in between.

While our members may differ greatly in the size of the community they serve, one consistent challenge they all face is how to meet the ever-increasing demand for health care services in an environment where every sector is experiencing a workforce shortage. As a member of the Legislative Council Study Committee on Occupational Licenses, and on behalf of our WHA members, I've had the opportunity to testify before your committee on the great need to streamline licensure processes for a hospital and health care workforce almost 110,000 individuals strong. About 70 percent of the hospital workforce relies on Department of Safety and Professional Services (DSPS) licensure in order to work in Wisconsin, and delays in licensure and renewal create barriers to serving in the health care workforce.

While staffing at hospitals continues to rise, it is not keeping pace with demand as approximately 10,000 positions remain vacant in Wisconsin hospitals across the state. In fact, vacancy rates have increased for all 17 health care positions that we track – and nearly doubled overall from 5.3% in 2020 to 9.9% in 2021.

Even worse, demographics are working against health care, as the highest utilizers of health care are those aged 65 and older who are also retiring from the healthcare workforce. It will be seven years from now when the last baby boomers turn 65, meaning that we have yet to experience the full impact of the baby boom generation on the demand for health care and, thus, our health care workforce. Filling needed health care positions with a shrinking workforce makes attracting workers from other states a key strategy for Wisconsin. Wisconsin's very low unemployment rate compared to neighboring states makes this an even more important strategy.

The Department of Safety and Professional Services (DSPS) has made efforts to alleviate these challenges under the Evers Administration, partly by implementing a new, and long overdue, electronic licensure system. Despite this forward-thinking measure, licensure and renewal backlogs remain – backlogs that could be greatly reduced by implementing commonsense reforms.

WHA was pleased to see the Legislative Council Study Committee on Occupational License unanimously recommend one such reform, AB 204, for introduction. This legislation will safely extend renewal timeframes from 2 to 4 years to ease the renewal burden on providers while also giving DSPS the flexibility to determine when renewals will occur and better

load-level the work of the department. DSPS will be able to look at the number of renewals and the complexity of the profession's renewal process, and divide the work to break down current bottlenecks.

Similarly, the study committee also unanimously supported AB 205. This legislation builds on the bipartisan 2021 Act 10, which allowed health care practitioners licensed and in good standing from another state to begin practicing immediately while DSPS processes their full licensure application. We have seen first-hand in the health care industry how this legislation has been effectively implemented by DSPS and provides an advantage for Wisconsin that other states do not have. Whereas Wisconsin was previously losing out on qualified health care providers from other states due to competing states licensing them in a timelier fashion, we are now a model for other states to emulate. WHA supports the provisions in Assembly Bill 205 that correct the unintended exclusion of radiographers and other health care professions licensed by DSPS from 2021 Act 10.

Thank you again for the opportunity to speak on these two bills. WHA enthusiastically supports these proposals that build on the positive, bipartisan reforms Governor Evers and the Legislature have already begun and help sustain and expand the workforce hospitals and health systems need to meet growing demand for care.



Through our exceptional health care services, we reveal the healing presence of God.

Assembly Committee on Regulatory Licensing Reform

2023 Assembly Bills 204 and 205

Renewal dates for certain credentials issued by DSPS and expansion of 2021 Act 10

May 24th, 2023

Chair Sortwell and members of the Assembly Committee on Regulatory Licensing Reform, my name is Maggie Fuchs and I serve as SSM Health's Interim Director of Medical Staff Services and the Central Verification Office Manager.

On behalf of our organization, I would like to thank the committee for the second time this month for the opportunity to testify, this time in support of two bills on your agenda today: Assembly Bill 204, which would extend renewal timelines for certain professional licenses and credentials to 4-years and allows the Department of Safety and Professional Services (DSPS) to stagger the renewal dates; and Assembly Bill 205 which would add some health-related professions to the flexibilities afforded by 2021 WI Act 10. We want to specify that we are only providing comment on the health-related portions of these bills. SSM Health appreciates these pieces of legislation being brought forward, and the work of the 2022 Legislative Council Study Committee on Occupational Licenses.

SSM Health is a Catholic, not-for-profit health system serving the comprehensive health needs of communities across the Midwest through a robust and fully integrated health care delivery system. The organization's more than 40,000 employees and physicians, including approximately 14,500 in Wisconsin, are committed to providing exceptional health care services and revealing God's healing presence to everyone they serve. Our footprint in the state includes seven hospitals, ten post-acute care facilities, and more than 85 physician offices and other outpatient care sites.

As an employer of credentialed health care providers in the state, we engage with the professional licensing process often and have appreciated the work and communication from the Department of Safety and Professional Services in this space. As we have previously stated, it is our experience that in recent months DSPS leadership has invested in both proactive and reactive communications with stakeholders. An example of this is the "listening sessions" they have hosted with health systems in the state – including our own – and the incorporation of thoughtful feedback directly into their operations.

We have also been encouraged by the progress the Department has made in issuing licenses in a more timely manner. While we are grateful for DSPS's effort, we also think that some of the licensing reforms included in the study committee's package – such as changes to renewal timelines and additional health professions being included in the "2021 Act 10" flexibilities – would benefit the applicants, employers, and industries impacted by delays our organization has encountered in the licensing process.

AB 204 is one such proposal. That bill would revise the current 2-year renewal timeline to a 4-year period. It would also retain important safeguards on continuing education requirements by doubling the corresponding amounts to align with the timeline extension. Moreover, it would also allow the Department to stagger specific renewal dates, which would spread the workload of renewals out as opposed to having them all due at the same time. We believe these sensible changes would make the renewal process more efficient.

(OVER)

In addition to this our organization has seen the benefits that 2021 WI Act 10 created for licensed professionals and their employers. We applaud the Legislature, the Governor, and the Administration for this incredibly useful resource. AB 205 would add certain health-related professions that were either not included in the original bill or have become licensed occupations since then. We are supportive of including those professions but want to be clear that we are only providing comment on that portion of the legislation.

It is also worth mentioning that the Department has requested more resources to help meet the workload from an increasing demand for licensure. We encourage the Legislature and DSPS to work together on understanding and coming to an agreement on any potential changes in processes, department flexibilities, or resources that may be needed to ensure the reforms in this legislation can be accomplished in a sustainable manner.

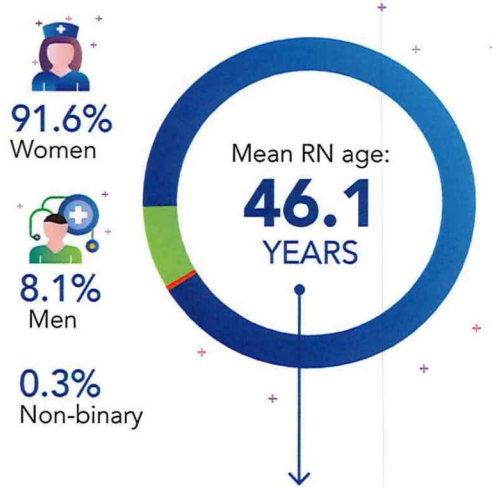
In a time where there are workforce shortages, especially in rural areas of Wisconsin, we want to make it more efficient for high-quality, skilled workers to provide essential frontline care for the communities we serve. We hope this can build off other helpful changes that have been made without compromising important protections and look forward to working with the Legislature and the Department to make Wisconsin a best-in-class state for licensing.

Thank you again for the opportunity to provide comments in support of Assembly Bills 204 and 205. I am happy to take any questions at this time, and if you have any additional follow up after today's hearing, please feel free to reach out to SSM Health's Director of Government Affairs, Ben Van Pelt, at benjamin.vanpelt@ssmhealth.com.

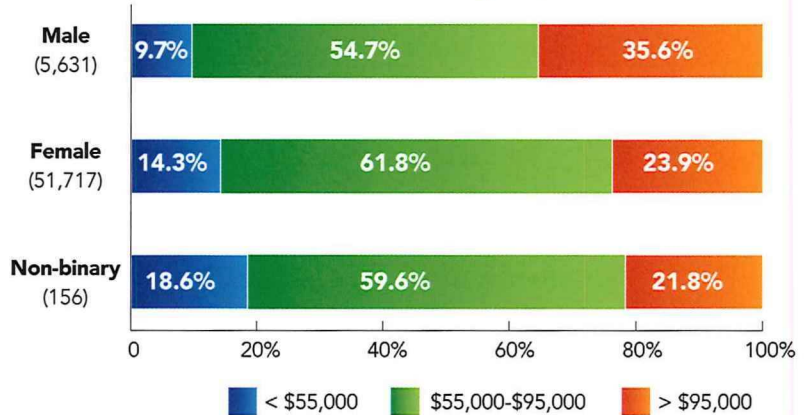
2022 Wisconsin Registered Nurse Capacity and Supply Snapshot*

The 2022 Wisconsin Registered Nurse Workforce survey is mandated by Wisconsin State Statute (106.30) to be completed by all registered nurses (RNs) at the time of their Wisconsin RN license renewal. A total of 97,100 RNs completed the survey in February 2022. Data displayed in this infographic are drawn only from the RNs who completed the online version of the survey, were living or working in Wisconsin at the time of the survey, and were not otherwise excluded due to questionable responses.

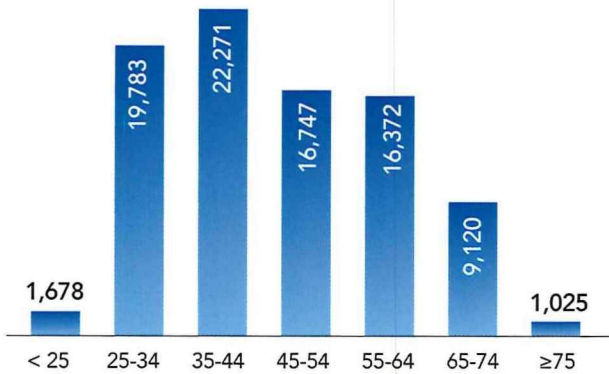
A total of 87,100 valid responses were included in the results displayed below.



Annual Pre-Tax Earnings by Gender



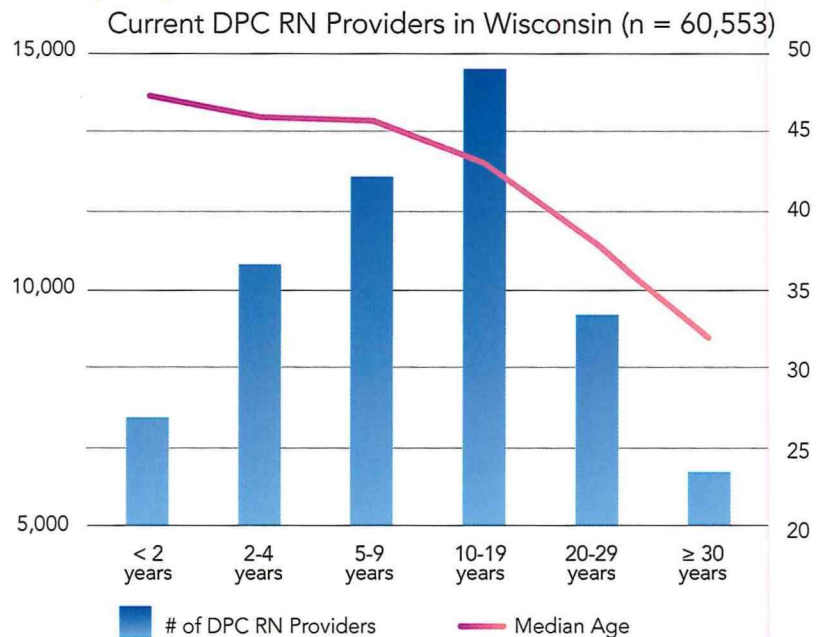
Wisconsin RNs by age



Race/Ethnicity

White	81,378
Black/African American	2,194
Asian	2,228
Native Hawaiian or Other Pacific Islander	141
American Indian or Native Alaskan	587
Other	1,523
Multiracial	890
Hispanic, Latino, or Latinx	2,222

Intent to continue providing direct patient care (DPC) in Wisconsin



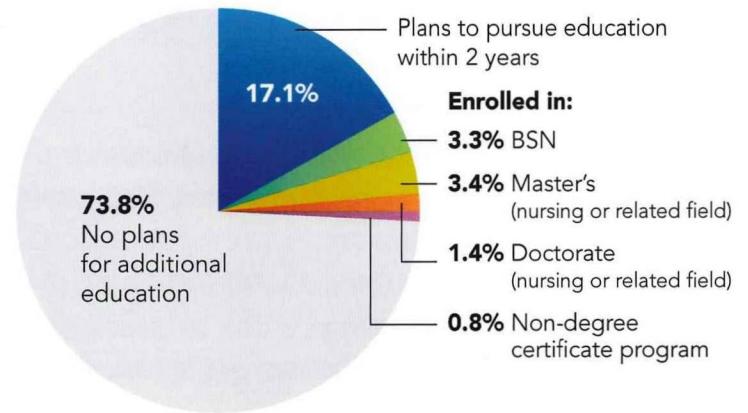
Highest nursing degree earned

(86,858)



Practical/vocational nursing diploma	0.1%
Diploma in nursing	3.1%
ADN	30.9%
BSN	50.9%
MSN	12.9%
DNP	1.7%
DNS/DSN/ND/DN	0.1%
PhD in nursing	0.4%

Plans for further education (87,100)



7,996 APNs work in Wisconsin (NP, CNS, CNM, CRNA, APNP)



7,395 are certified as APN Prescriber

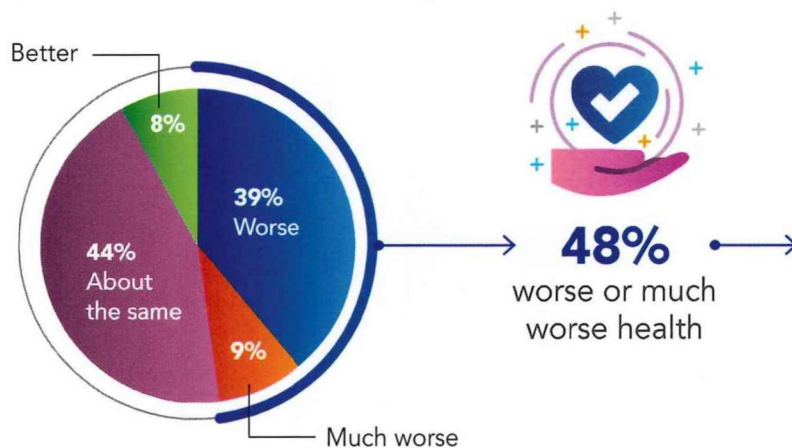
Serves in Leadership Position (29,098)

Work area	24,265
Organizational Level	2,742
Governance board	544
Public official	110
Chair of major committee in organization	1,155
Professional organization	2,426
Other	1,642

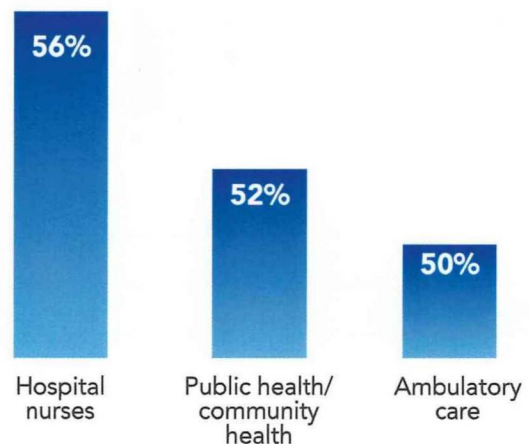
Nurse leaders who identified as BIPOC and/or Latinx increased from 2,854 in 2020 to **2,905 in 2022**.



Change in physical and mental health in 2022 compared to before the Covid pandemic



RNs with "worse or much worse" overall health



2021 Wisconsin Licensed Practical Nurse Capacity and Supply Snapshot

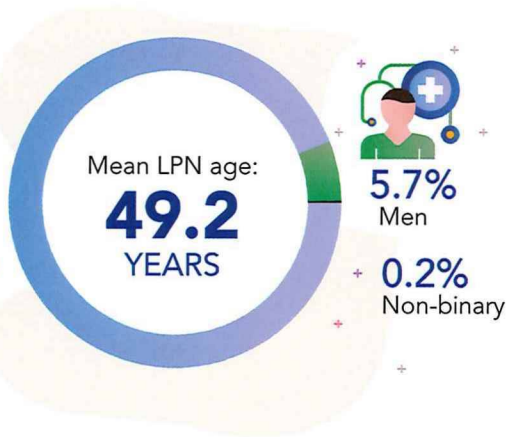
The fifth biennial Wisconsin 2021 LPN Workforce Survey was completed by 10,885 licensed practical nurses (LPNs). After data cleaning, 9,590 valid surveys were included in the analysis. All LPNs renewing their licenses in Wisconsin were included, regardless of where or whether they were working in Wisconsin



The 2021 LPN Survey showed minimal change from 2019 in the Wisconsin LPN workforce (9,568 to 9,590)



94.1%
Women



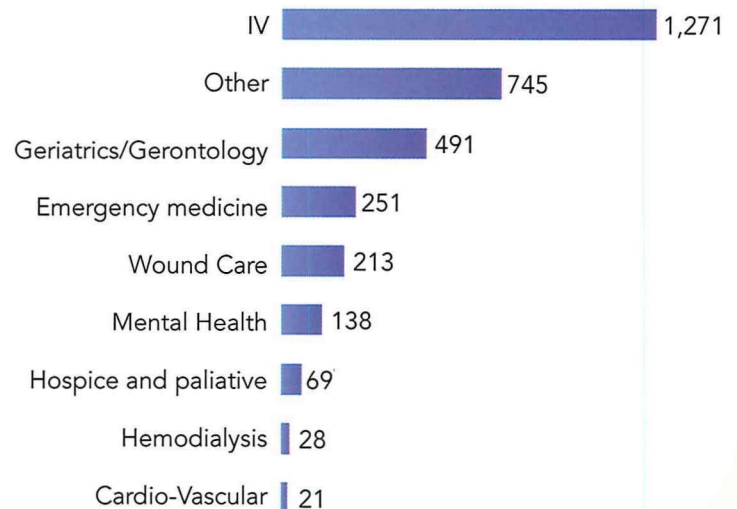
Highest degree earned



Nursing Degree (9,464)	%
Diploma in Nursing	94.5
Associate Degree in Nursing	5.4
Bachelor of Science in Nursing	0.1
Doctorate in Nursing *	
Non-Nursing Degree (554)	%
Associate	44.8
Bachelors	47.5
Masters	7.0
Doctorate	0.7

*Too few to report.

Skill-based certification



Race/Ethnicity (9,580)	2021 LPN Workforce (%)	Wisconsin Population (%)
White	87.7	80.4
Black	7.7	6.4
American Indian or Alaska Native	1.3	1.0
Asian	2.0	3.0
Native Hawaiian or Other Pacific Islander	0.2	0.0*
Other	2.6	3.1
Hispanic, Latino, or Latinx		
Yes	3.5	7.6
No	96.5	92.4

* This number is not zero, but the number is so small that when rounded, it is close to zero.

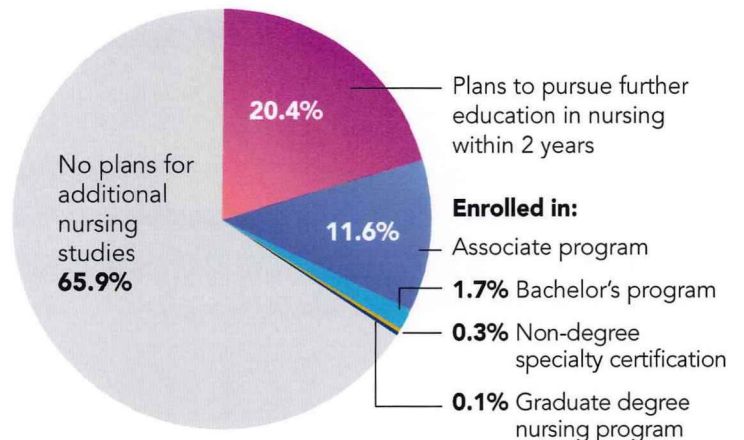
Barriers to further education

Cost of lost work time and benefits	3,240
Cost of tuition, materials, books, etc.	3,123
None	2,839
Family/personal reasons	2,354
Lack of flexibility in work schedule	1,240
Other, not listed	861
Scheduling of educational programs offered	457
Commuting distance to educational program	288
Limited access to online learning or other online resources	252

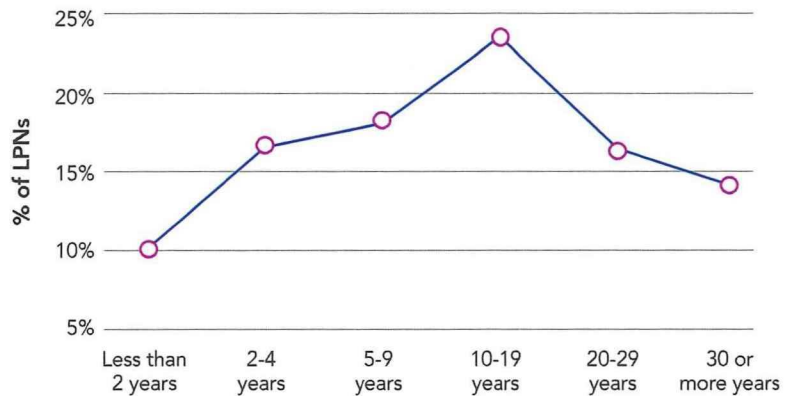
Respondents could choose more than one option.

The most commonly cited barrier was cost of **lost work time and benefits** (33.8%), closely followed by **cost of tuition, materials, books, etc.** (32.6%)

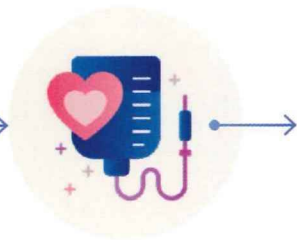
Plans for further education



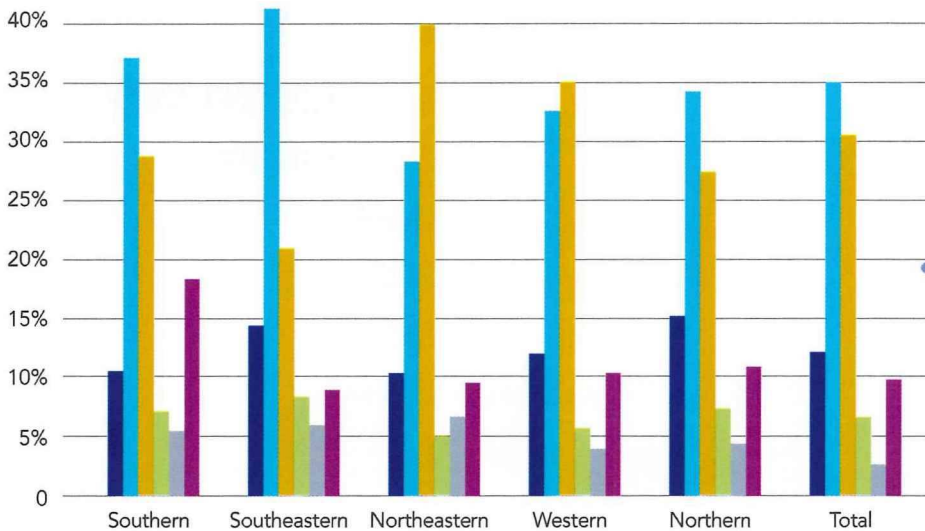
Intent to continue to provide direct patient care



88.1% of Wisconsin LPNs provide direct patient care



Primary work setting by region



Statewide primary work setting

- 12.5%** Hospital
- 34.8%** Extended Care
- 30.3%** Ambulatory Care
- 6.9%** Home Health
- 5.8%** Community/Public Health
- 9.8%** Other

NASW WI TESTIMONY ON 2023 ASSEMBLY BILL 204 BEFORE THE ASSEMBLY COMMITTEE ON REGULATORY LICENSING REFORM ON WEDNESDAY MAY 24, 2023

Representative Sortwell and members of the Assembly Committee on Regulatory Licensing Reform.

I appreciate the opportunity to present testimony on Assembly Bill 204. I am speaking for information purposes today, but we are likely to take a formal position on this bill later this week.

Social workers in Wisconsin have been required to complete 30 hours of continuing education every two years since 2000. It is part of the ethical obligation of social workers and critical to their professional practice to keep up with the latest developments in the field to best serve clients. The two-year requirement for continuing education completion has worked well over the last 23 years. It is also overwhelmingly the standard for states nationwide. Currently out of the 50 states and the District of Columbia, 43 states require renewal every two years, four states require renewal every year, and four states require renewal every three years.

I have the following concerns about a change to a four year renewal cycle. First, in my experience, many social workers procrastinate completing their 30 hours of continuing education. We always have a higher attendance in our continuing education programs at the end of the two-year period. If there was a four-year renewal period, you could have some people who would need to complete 60 hours of continuing education in a very short time, which could be extremely difficult to accomplish. Second, and even more importantly, it would be counter to the need for social workers to keep up with the latest developments in the field if they only had to renew their license and complete continuing education every four years.

Beyond the negative impact on social workers and their professional practice, I don't believe this legislation will do anything to help with licensing processing concerns at DSPS, which have improved greatly over the last year. After the bill came out, I contacted DSPS administrative staff and asked if they had requested the bill and whether they thought it would help them in their workload. The answer to both questions was no.

There are other bills and budgetary issues that can have an impact on improving licensing processing at DSPS. For our profession, the Social Work Compact and some version of a Universal Licensing Recognition bill would be a great help. In addition, as I have stated in a number of different hearings, the State Legislature needs to allow DSPS to hire the staff they need to serve the doubling of initial applications and increase in professions that they have experienced over the last five years. As you know DSPS has a \$47 million dollar surplus but has not been allowed to use this money to hire the staff they need for the greatly increased number of customers. Any other private business that had a doubling of customers would immediately hire the staff they need to serve them. I am hoping that the Joint Finance Committee and the State Legislature will provide DSPS with the position authority for the fiscal year starting July 1, 2023, to hire the staff they need.

I would be happy to answer any questions.

Marc Herstand, MSW CISW

Executive Director

National Association of Social Workers, Wisconsin Chapter



Wisconsin Society of Radiologic Technologists

May 19, 2023

Dear Chairperson Representative Sortwell,, Vice Chair Representative Gustafson, and all members of the Assembly committee on Regulatory Licensing Reform.

Please accept this testimony for the hearing on Assembly Bills 203, 204 and 205 from the Wisconsin Society of Radiologic Technologists. Thank you for this opportunity to offer input on this important legislation.

The Wisconsin Society of Radiologic Technologists (WSRT) is the professional organization of radiologic technologists in the state of Wisconsin, and an affiliate of the American Society of Radiologic Technologists. Radiologic Technologists are the gatekeepers of Standard of Care diagnostic imaging by providing optimum medical image quality for patients, at the lowest possible radiation exposure. The Wisconsin legislature recognized that there is a clear public health and safety benefit to licensing radiologic technologists by passing 2009 Wisconsin Act 106, enacted on February 4, 2010. Radiologic licensure ensures the trusting patient population of Wisconsin that the administration of diagnostic x-ray radiation is performed by qualified personnel in all health care settings.

The WSRT supports AB 203 and 204. Extending the renewal period from two years to four years while doubling the continuing education requirement will reduce the financial impact on license holders. This change is welcomed by many I have spoken with since becoming aware of the bill. The WSRT feels the impact of changing the frequency of renewal will have a positive impact on radiographers and their families, while not fundamentally changing our licensure requirement or negatively affecting patient care.

The WSRT also supports the provisions of AB 205 that address the provisional licensure of radiographers licensed in other states. Demands in the health care market over the past few years have led to health care providers hiring temporary radiographers to fill vacancies in radiology departments. Often radiographers from other licensed states fill these vacancies, and delays in licensing affect the understaffed radiology departments and the timeliness of patient care. Allowing licensed radiographers from other states to work with a provisional license would provide a working solution for delays that might have otherwise caused the temporary radiographers to pass on an assignment in Wisconsin for one in another state.

The WSRT appreciates that AB 203, 204 and 205 all uphold the principles of Chapter 462, created by the licensure law, and ensures that properly vetted personnel are employed in the field. Health care employers in Wisconsin would be very pleased to see the provisions of AB 205 enacted to enable qualified personnel to provide care while waiting for permanent licensure.

We thank this committee and the legislators who introduced and cosponsored this good-sense legislation for the promotion of quality and safe patient care in Wisconsin by credentialed and licensed individuals.

Respectfully submitted,

Daniel Vander Meulen B.A, R.T., (R)
WSRT Legislative Committee Chairperson
5236 Brandenburg Way
Madison, WI 53718
608-445-0263



Badger Institute testimony submitted to Assembly Committee on Regulatory
Licensing Reform in support of AB203, AB204 and AB205

May 22, 2023,

Chairman Sortwell and members of the Committee,

Wisconsin prohibits over 1 million citizens from working unless they have government permission. This is the root of the backlogs plaguing Wisconsin's Department of Safety and Professional Services.

Between 1996 and 2016, the number of fields requiring government certification increased by 84%. The state's population grew just over 10% during that same period. The state currently requires certification for 280 credential types. Government permission is required for anyone seeking to become an auctioneer, animal trainer, dance therapist, landscape architect, butter maker, manicurist, bartender, elevator helper, barber, taxidermist and soil erosion inspector — to name a few.

Our research shows that Wisconsin regulates too many professions in too many ways. We believe universal recognition of credentials in other states with similar standards would be helpful. But we also support multiple other bills, including three being considered by your committee today.

- **Assembly Bill 203**, which clarifies current law so someone renewing a license can continue to practice even if the DSPS is delayed in saying that renewal has been completed.
- **Assembly Bill 204**, which shifts two-year renewal cycles to four years, a move that should reduce the workload of both the DSPS and license holders.
- **Assembly Bill 205**, which extends to out-of-state individuals with business licenses a provision that already applies to out-of-state individuals with health care licenses. This bill would let them apply for a preliminary credential while an application for a permanent credential is pending.

Among the bills not being heard today that Badger Institute also supports are AB90 and AB143, bills that would give the Wisconsin Occupational Therapy Association more latitude to review license applications and limit DSPS's ability to require so-called statutes and rules examinations.

Finally, we also support AB 200 and 201, transparency and accountability bills that would require DSPS to track and report on the agency's progress, an entirely reasonable requirement.

Burdensome licensing requirements hurt Wisconsin workers and make the state a less attractive place to live. Overly onerous licensure regulation does little to promote health or safety and instead costs Wisconsin jobs, income and the ability to care for their families. While just a start, we believe AB 203, 204 and 205 will begin to help address some of these issues.

A handwritten signature in black ink, appearing to read "Mike Nichols", with a long horizontal flourish extending to the right.

Mike Nichols
President
Badger Institute