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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 stops 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 205 – Practice of certain professions by credential holders from other states

Good afternoon,

Thank you for the opportunity to submit this testimony on Assembly Bill 205.

The Department of Safety and Professional Services appreciates the work that members of the Study Committee put into this legislation.

Health care credential applications do tend to have more complexity and components than a business profession credential. Given the need to receive documentation from the applicant, schools, other state licensure boards, supervisors, and other organizations, and compare statute and codes regarding licensure requirements, the timeframe for licensure by endorsement for a health care professional can be longer.

As such, the ability for a person in a health care occupation to attain a 2021 Act 10 credential and work under that credential while their application for a permanent credential is processed is beneficial for all involved.

However, the timeline for issuance of a business profession credential was already very short under the legacy system called ICE. On May 8th we moved these business professions into the highly successful online platform called LicenseE. Given the removal of data entry requirements and process improvements in LicenseE, the timeline for issuance of business professional credentials will be significantly shorter and, very likely, equivalent to the Act 10 processing timeline.

If this legislation were to become law, a person applying for a permanent business credential and an Act 10 concurrently would see little to no benefit. Essentially, staff would be working on temporary applications that will never be issued due to the timeframe for the processing of the permanent application being so short.

Arguably, it is better for the people we serve for an individual staff person to process applications for 50 people in one day rather than processing two applications for 25 people and having half of that time essentially wasted.

Additionally, the bill creates a new definition of remote credential that would allow a person to perform acts in Wisconsin if their credential in another state allows them to perform substantially similar acts. The bill defines a health care provider as someone who holds a valid, unexpired remote credential, but removes current law requirements that an individual hold a credential issued by another state or territory. It creates ambiguity as to who could have issued a credential to the person now wishing to practice in Wisconsin.

Furthermore, the wording of the bill intended to ensure that persons under investigations or with restrictions or limitations would not be eligible appears to agree with the definition of remote credential found in the bill. However, under the bill it is unclear if this provision would apply to a health care provider with a

remote credential due to the bill not requiring that a remote health care credential be granted by another state or territory.

With the implementation of modern software and the work of department staff, Wisconsin is already becoming a national leader in the proper issuance of credentials in as little time as practicable. With the addition of staff requested in the budget bill that is now before the Joint Committee on Finance, we will be able to effectively reduce application timelines and issues for individuals who require a greater level of assistance.



ADVOCATE. ADVANCE. LEAD.

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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.

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.

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.

NASW WI TESTIMONY FOR INFORMATION PURPOSES ON 2023 ASSEMBLY BILL 205

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

Thank you for the opportunity to testify on Assembly Bill 205. I am speaking for information purposes. I greatly appreciate the effort in this bill to ease credentialing processing for license holders from other states. I believe this bill could be of assistance to licensed clinical social workers from other states who are moving to Wisconsin and want to start work right away. More specifically, over the last several years I have spoken with a number of LCSW's from other states who did have job offers and would have greatly benefited from this legislation. This legislation does require that these out of state applicants already have a job lined up so it would not help a "trailing spouse" who is moving here for their partner's job and will look for work upon arrival in Wisconsin. For these type of situations a Social Work Compact or Universal Licensing Recognition bill could fill in the gap.

One cautionary note I want to offer to committee members. I have heard conflicting messages on whether insurance companies will reimburse practitioners with a "preliminary license." Because of these conflicting messages I am thinking that some insurance companies might reimburse for preliminary licenses and others might not. In these cases full staffing of the Department of Safety and Professional Services, and passage of Compact legislation and Universal Licensing Recognition bills would be necessary.

I would be happy to answer any questions at this time.

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
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May 19, 2023

Chairman Sortwell and Members of the Assembly Committee on Regulatory Licensing Reform,

On behalf of the Wisconsin Institute of CPAs (WICPA), we appreciate the opportunity to comment on Assembly Bill 205 which expands existing temporary credentialing provisions from health care providers to persons in business professions. If passed as drafted, the bill could create confusion as it does not contemplate existing credentialing systems which already allow professionals to practice in Wisconsin on a temporary basis.

The WICPA is the premier association for accounting professionals, educators and students in Wisconsin. With more than 7,000 members in public accounting, business and industry, government, nonprofit and education, the WICPA serves the diverse needs of its members; enhances professional competency; promotes the value of members and the profession; advocates on behalf of the profession; and builds community among members.

The WICPA commends the effort to extend the temporary credentialing process to business professionals; however, we ask you to consider those professions that have existing systems in place. Currently, a CPA moving to Wisconsin from another state can apply for a reciprocal credential from the Department of Safety and Professional Services (DPS). During the time in which DPS processes the application, the CPA can still practice in Wisconsin through a process known as mobility so long as they have credential in good standing from another state. By operating under mobility, the CPA is also subject to the oversight of the Wisconsin Accounting Examining Board. Should the term business profession be applied to CPAs, it would create an unnecessary administrative and regulatory burden. It would also further complicate a credentialing system that is working and has been working for decades.

We encourage the Committee on Regulatory Licensing Reform to exempt those credentialing systems that already allow professionals to practice without the need to obtain a temporary credential.

If the WICPA can assist further, please contact me at tammy@wicpa.org.

Sincerely,

Tammy J. Hofstede
President & CEO
Wisconsin Institute of CPAs



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 Wisconsinites 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.



Mike Nichols
President
Badger Institute