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*Testimony before the Senate Committee on Licensing, Constitution and Federalism
State Senator André Jacque
July 18, 2023*

Colleagues on the Senate Committee on Licensing, Constitution and Federalism,

Shortages of licensed professionals in a number of critical fields have become increasingly acute in recent years. Such workforce scarcities exacerbate stresses on both the remaining professionals in their fields and the public at large. Still others with the skill and desire to practice in Wisconsin are effectively blocked here but welcomed in numerous other states. To help fill those gaps, Senate Bill 135 establishes reciprocal licensing in Wisconsin similar to what has already been implemented successfully in Arizona, and what was recently signed into law in Wisconsin for active duty military spouses and veterans and their spouses (2019 Wisconsin Act 143). Under this bill, licensing boards will recognize out-of-state occupational licenses for people who:

- Have been licensed in their profession for at least one year
- Are in good standing in all states where they are licensed
- Do not have any past or pending investigations, complaints, or license revocations
- Pay applicable fees
- Meet all testing and background check requirements per law

Individuals seeking to work in occupations that require a background check will still need to complete them, and additionally professionals receiving licenses under the new law can only become licensed in practice within areas they have been trained and certified to practice in their original state. Wisconsin licensing boards will be required to verify that an individual is in good standing in all states where they are licensed. Individual boards may have several pathways to licensure already in statute such as interstate compact, licensure by endorsement, reciprocity, that will not be eliminated by this legislation. Ultimately, universal recognition is not meant to replace these pathways to licensure, but represents an important new pathway that expands the options available to those looking to join our workforce.

It's important to note that this law does not automatically recognize other states' occupational licenses. This means that workers licensed in other states will still need to apply for a license through the appropriate Wisconsin State licensing board. With the passage of this reform, Wisconsin's capacity to fill critical existing or impending vacancies in our workforce will be proactively and dramatically strengthened.

Thank you for your consideration of Senate Bill 135.



July 18, 2023

TO: Senate Committee on Licensing, Constitution and Federalism
FROM: Mike Tierney, Legislative Liaison, Department of Safety and Professional Services
RE: Senate Bill 135 – related to reciprocal licensure

Good morning,

Thank you for the opportunity to submit this testimony on Senate Bill 135, the universal licensure bill.

The bill as written, is a universal licensure bill that would enable a person credentialed in another state to be licensed in Wisconsin even if the standards in that state for licensure fall short of the standards Wisconsin has set forth in statute and administrative code.

Under this legislation, Wisconsin residents and others who seek initial licensure in this state would be placed at a disadvantage by being placed in the position of competing for employment with individuals who, likely, did not attain the same education and training as someone initially licensed in Wisconsin.

For example, to effectively combat the opioid epidemic the Wisconsin Legislature enacted into law licensing standards purposefully intended to ensure that persons seeking to work in a substance abuse counselor capacity have the education and training necessary to serve the public. Under this legislation a person who has little more than lived experience and did not amass the same number of supervised hours, pass the NCAC I exam, or obtain the requisite education, could come to Wisconsin, and be licensed as a Substance Abuse Counselor. That is not fair to Wisconsin residents who put the time and effort into first obtaining a Wisconsin credential, and it would also run counter the HOPE Agenda.

From a consumer protection perspective, this legislation is also concerning. If a child is experiencing a mental health crisis, a parent can look at the credentialing requirements for a Wisconsin Licensed Clinical Social Worker and know that person has the education, training, and experience to assist their child. Yet, under this bill, a person who is called a Licensed Clinical Social Worker in another state would be entitled to come here and call themselves a LCSW – even though their training, education and experience may be inadequate to properly address the needs of this child.

From a licensure processing perspective this bill would not result in a licensure time savings for applicants. Based on the requirements of the bill, per the proposed amendment, the department and respective boards would be required to conduct a legal review to determine if the acts allowed under a credentialed issued in another state correspond with the acts that may be performed under the Wisconsin credential. Absent additional legal staff, this would extend review timelines for all applicants. Currently legal review timelines are at the best in the department's history—less than two weeks. Under this bill, the department would be entirely unable to maintain that performance, and all applicants needing legal review and not only the ones seeking reciprocity would experience longer timelines.



To: Members, Senate Committee on Licensing, Constitution and Federalism
From: Mercer May, Teladoc Government Affairs
Re: Support for Senate Bill 135 as amended by Senate Amendment 1
Date: July 18, 2023

On behalf of Teladoc Health, I am here in support of Senate Bill 135 and its introduced amendment, Senate Amendment 1. The bill as amended creates a process for certain individuals who hold a license, certification, registration, or permit granted by another state to apply for and receive a reciprocal credential in Wisconsin. We respectfully request that the Committee vote in favor of this bill as amended.

By way of background, Teladoc Health is the world's largest telehealth company with more than 5,000 employees. We deliver health care in 175 countries and in more than 40 languages. We partner with employers, hospitals, health systems, and more than 50 health insurance plans in all 50 states – including Wisconsin – to transform health care delivery. Teladoc Health provides health care services to more than 40 percent of Fortune 500 employers as well as thousands of small businesses, labor unions and public-sector employers which offer our virtual care services to their employees.

Teladoc Health is offered as a benefit by over 8,000 Wisconsin employers covering over 800 thousand patients in the state. Some of the employers that offer Teladoc Health as a benefit include: Kohler, Nestle, Abbott, Greenheck, Green Bay Area Public Schools, Brown County, and the City of Kenosha. Teladoc also contracts with Aetna, Anthem, Group Health Cooperative (Medicaid), and UnitedHealthcare to provide virtual care services for their health plan beneficiaries.

The Need for More Healthcare Providers

Provider shortages are a considerable problem across the nation, including in Wisconsin. Unfortunately, there simply are not enough providers to meet demand. Earlier this year, the Health Resources and Services Administration (HRSA) found that over 1.6 million Wisconsin residents live within a primary care health care professional shortage area,¹ and over 2.8 million Wisconsin residents live within a mental health care health professional shortage area.² In fact, all but three Wisconsin counties are designated as a primary care provider shortage area,³ and all but six counties are designated a mental health provider shortage area.⁴

Several local Wisconsin organizations have also noted the impact of this workforce shortage. A March 2022 report from the Wisconsin Hospital Association (WHA) found that an "aging workforce combined with a spike in worker departures created unprecedented levels of vacancy rates. A lack of workers, combined with a licensing backlog affecting health care workers,

¹ <https://www.kff.org/other/state-indicator/primary-care-health-professional-shortage-areas-hpsas/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22desc%22%7D>

² <https://www.kff.org/other/state-indicator/mental-health-care-health-professional-shortage-areas-hpsas/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22desc%22%7D>

³ <https://www.ruralhealthinfo.org/data-explorer?id=210&state=WI>

⁴ <https://www.ruralhealthinfo.org/data-explorer?id=209&state=WI>



leaves health care providers struggling to staff their facilities.”⁵ University of Wisconsin School of Medicine and Public Health notes that “Wisconsin faces a deficit of more than 8,000 healthcare positions across the state, with 3,500 of them in the Madison area.”⁶ Unfortunately, without intervention and a way to utilize the national network of providers, the problem may only worsen. The WHA released a study that found that by 2030, Wisconsin will see many people leaving or retiring from the healthcare industry while the number of patients to be served will only increase.⁷

The Solution: Licensure Portability

While the higher education system cannot graduate enough providers to meet this need, and while we rarely see the proverbial “silver bullet” to healthcare challenges, licensure portability comes pretty close.

We commend the Wisconsin Legislature for its leadership in tackling this workforce shortage dilemma by addressing licensure reforms. Teladoc Health supports all commonsense efforts to increase cross-state recognition of health professional licenses. From our own experience, we witnessed Governors and Legislatures across the country remove state licensure barriers to practice during the COVID-19 pandemic. The result was a more efficient, nimble, and effective health care system which allowed providers to quickly serve patients where they were as the disease moved from hotspot to hotspot without having to overcome the various hurdles of traditional licensure. These licensure flexibilities (many of which have subsequently been made permanent) led to faster and more convenient patient care, diverted patients from unnecessary ER/urgent care visits, and was done in a safe and reliable manner.

Making licensure portability simpler and more streamlined will allow providers and patients to fully capitalize on the benefits of telehealth technology and bring more highly qualified providers into the state. This, in turn, will significantly increase patients’ access to care – including by decreasing wait and travel times, offering more convenient appointments for patients, and offering more native language services. All of these factors will ultimately lower cost pressures on the entire health care sector, leading to system-wide cost savings due to effective diversion from the emergency departments and urgent care centers, lower rates of chronic conditions by catching and treating those diseases early, and overall cost savings with telehealth economies of scale and a higher supply of providers.

To date, several states have adopted licensure portability models outside of the various licensure compacts, including: Arizona, Connecticut, Delaware, Florida, Idaho, Kansas, Minnesota, Ohio, South Carolina (for mental health), and West Virginia. Many organizations and associations have also expressed support for licensure reciprocity, including: the American Telemedicine Association, the Uniform Law Commission, the Cicero Institute, the National Federation of Independent Business, the Opportunity Solutions Project, Americans for

⁵ https://captimes.com/news/government/lobbyists-wisconsin-health-care-workers-shortage-could-drive-bipartisan-action/article_c1821744-f89d-502d-a9ce-eb4e998dc13e.html

⁶ <https://www.uwhealth.org/news/wisconsin-medicines-addresses-workforce-shortages>

⁷ https://www.wxow.com/news/healthcare-worker-shortage-to-be-dire-by-2030-report-says/article_1189c240-cdb9-11e9-900f-9bb0dda45308.html



Prosperity, the Reason Foundation, the Pioneer Institute, the Mercatus Center, the Goldwater Institute, the Institute for Justice, and the R Street Institute, among others.

While the pre-pandemic fears that licensure reciprocity would lead to an increase in patient complaints and injuries, a 2023 study found no examples of licensing agencies taking disciplinary action against out-of-state telehealth providers for patient safety issues. Furthermore, on the issue of increasing the health care workforce, the research found that Florida increased their total provider count by 14,000, with thousands of those providers being doctors and mental health providers. To be sure, should the need for enforcement or disciplinary actions arise, the various Wisconsin state agencies, courts, and licensing boards will continue to have jurisdiction over all health care professionals practicing in the State of Wisconsin.

Thank you for the opportunity to provide Teladoc Health's unique insights on this important piece of legislation. It is our hope that the Committee will pass SB 135 with Senate Amendment 1. Please do not hesitate to contact me or our Senior Vice President of Government Affairs and Public Policy, Claudia Duck Tucker, at ctucker@teladochealth.com with any questions or concerns you may have.

What is Teladoc Health?

Teladoc Health Globally

Teladoc Health is the world's leading provider of virtual care, delivering healthcare anytime, anywhere via web, app and phone. From in-hospital to in-home care, Teladoc Health is transforming how people access healthcare. This leads to improved patient outcomes, value for patients and employers and better use of resources in healthcare.

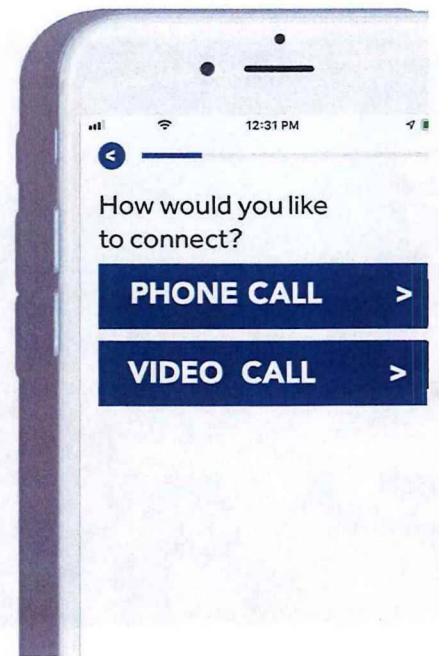
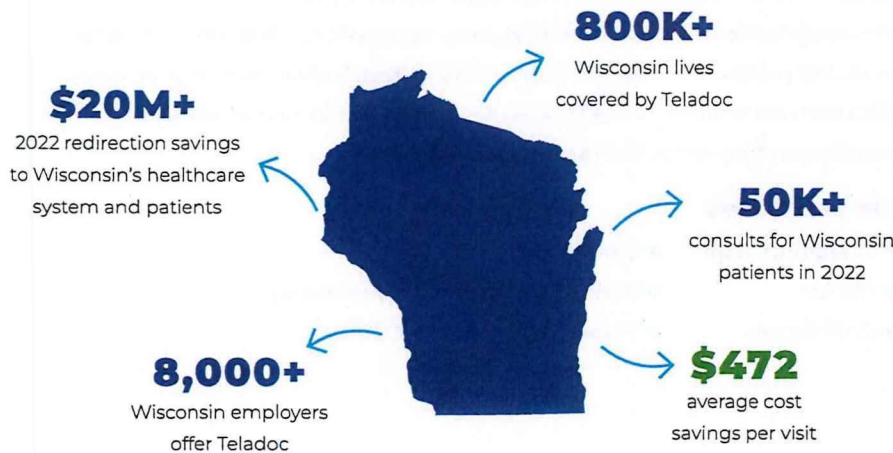


Serving more than 12,000 clients

Organizations across all industry sectors turn to Teladoc Health for virtual care delivery. Maintaining more than a 90% client retention rate, we serve:

- 40% Fortune 500 employers
- 50+ U.S. health plans
- 300+ hospitals and health systems
- 70+ global insurance and financial firms
- 60 of 100 largest U.S. health systems

Wisconsin Footprint



Virtual Care Anywhere

The paradigm for healthcare has shifted to reflect the modern digital era and consumer expectations. Teladoc Health has invested in technology, staffing and operations to deliver high-quality care wherever the patient needs it, including:

- Home
- Pharmacy
- Physician office
- Post-acute
- Emergency Room
- Worksite
- Retail clinic
- Hospital
- Ambulance
- On travel

The Leader in Virtual Care



Telehealth Services

Telehealth is a valuable tool in the practice of medicine and allows physicians to reach more patients. Telehealth is the great social equalizer – regardless of race, gender, socioeconomic status or geography, people globally can have access to the best healthcare available. With virtual care, affordable access to healthcare – at the right time and with the right treatment – becomes the norm. Teladoc Health provides care across numerous clinical specialties, leading to better health outcomes, lower costs and improved consumer experience.

- Primary Care
- Expert Second Opinion
- Complex Care
- Wellness & Prevention
- Mental Health Care
- Specialty Care
- Care Coordination
- Post-Operative Care

Through these respected service brands, Teladoc Health provides consumers with a single access point for care, regardless of clinical situation



In-Facility Telehealth

Teladoc Health connects people, healthcare systems, health information technology systems, devices and third-party applications. Through a licensable virtual care platform, integrated devices and operational support, our InTouch Health services more than 4,000 sites of care. Solutions include software, devices, operating systems and physician services.

100+ Use Cases

- Operating room
- Cardiology
- ICU
- Stroke
- Behavioral health
- Neonatology
- Critical care
- Pediatric EM
- COVID-19

Remote Patient Monitoring

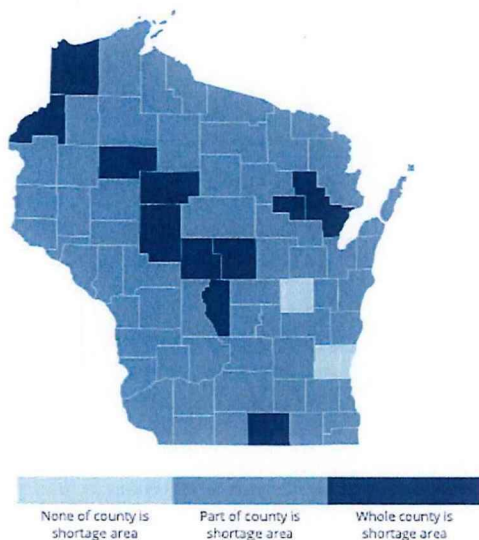
Teladoc Health's Livongo platform uses technology and medical devices to improve life with chronic conditions such as diabetes, hypertension, depression, anxiety, weight management, and much more. Remote monitoring utilizes connected technology and health data to help physicians make better-informed care decisions and empower patients to self-manage their conditions at home. This expert coaching and preventative care improves patient outcomes and yields cost savings across the healthcare system.



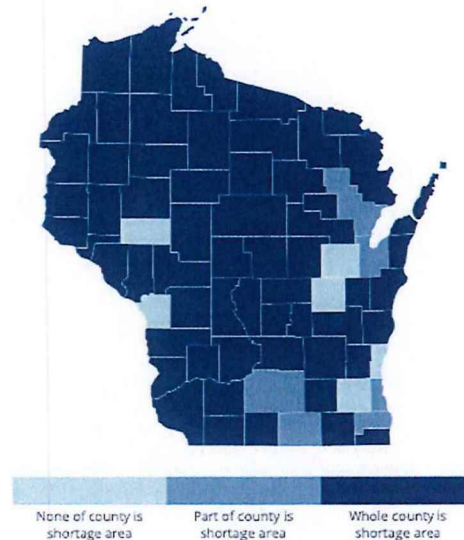
Wisconsin Faces a Health Care Crisis

Across the state, patients lack access to health care services. Currently, there are not enough eligible providers to meet patient demand. According to 2023 data from the Health Resources and Services Administration (HRSA), all but three counties are designated as a shortage area for primary care and all but six for mental health. Expanding telehealth capabilities can augment the provider workforce, improve patient outcomes, and ensure timely access to care.

Health Professional Shortage Areas Primary Care, by County, 2023



Health Professional Shortage Areas Mental Health, by County, 2023



What the data shows

- Over 1.6 million Wisconsin residents live within a primary care health care professional shortage area and over 2.8 million Wisconsin residents live within a mental health care health professional shortage area. ¹
- Wisconsin faces a deficit of more than 8,000 health care positions across the state. ²
- According to a 2020 survey, of the 91,000 registered nurses in Wisconsin, 23% reported they intend to leave nursing within the next five years and 44% within 10 years. ³

Telehealth as the solution

Wisconsin can mitigate existing provider shortages by expediting the credentialing process for out-of-state licensed health care professionals so that they may treat in-state patients via telehealth. The providers who use the Teladoc Health platform to connect with patients have all met the necessary requirements to be licensed in the states in which they practice. Many of the states in which providers are licensed have standards that meet or exceed licensing requirements in Wisconsin. The result is that patients have access to timely, meaningful, and affordable health care.

Case Study

The Cicero Institute, in partnership with Dr. Ateeve Mehrotra at Harvard Medical School, found that there have been very few complaints for across-state line telehealth care, and none have resulted in disciplinary action. Furthermore, in Florida alone there was an influx of over 7,300 providers – of which over 2,700 were MDs and thousands were mental health providers. ⁴

1. Kaiser Family Foundation, "Mental Health Professional Shortage Areas (HPSAs)," September 30, 2022.

2. UW Health, "Wisconsin Medicine Addresses Workforce Shortages with Innovative Programs," October 4, 2022.

3. CBS 58, "Can a Shortage of Health Care Workers Be Addressed? Industry Leaders Weigh in on UWM Panel," February 9, 2023.

4. Cicero Institute, "Few Disciplinary Issues with Out-of-State Telehealth," January 2023.

* HPSA maps developed by the Rural Health Information Hub, May 2023.