

Wisconsin Legislative Council

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Joint Legislative Council Study Committee on Occupational Licenses

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What We'll Cover

- ▶ Scope of the committee.
- ▶ Overview of occupational licensing in Wisconsin.
- ▶ Credentials identified for elimination.
- ▶ Systems for review of occupational credentials.
- ▶ Issuance of reciprocal credentials.

Scope of the Committee

- ▶ The committee is directed to study the following three topics:
 - ▶ Whether to recommend elimination of certain credentials identified by DSPS in its 2018 report.
 - ▶ Whether it is necessary to implement systems for review of proposed and existing occupational credentials.
 - ▶ How to expand access to reciprocal credentials for individuals from other states.

Overview of Occupational Licensing in Wisconsin

- ▶ The origins of occupational licensing began in 1882 with the Pharmacy Examining Board.
- ▶ The Wisconsin Supreme Court has stated that occupational licensing is founded in the police power of the state:
 - ▶ To protect the public welfare, and
 - ▶ To safeguard the life, health and property of its citizens.
- ▶ The court stated that the purpose is to assure the public of the competence of that person.

Overview of Occupational Licensing in Wisconsin



Business

Accountants
Barbers
Real Estate Brokers



Health

Chiropractors
Dieticians
Psychologists



Trades

Electricians
Plumbers
Welders

Overview of Occupational Licensing in Wisconsin

- ▶ Credentialing can be under any of these labels:
 - ▶ License.
 - ▶ Certificate.
 - ▶ Permit.
 - ▶ Registration.
- ▶ Informally, the terms are often used interchangeably.
- ▶ The specific credentialing requirements depend on the profession.

Overview of Occupational Licensing in Wisconsin

Centralized Credential Processing in DSPS

Exclusively administered

Jointly administered

Approximately 44 professions

Nearly 100 councils and boards

Including 31 credentialing boards

Credentials Identified for Elimination

- ▶ 2018 DSPS recommendation to eliminate credentials for the following occupations:
 - ▶ Cosmetology temporary permit and training permit.
 - ▶ Designer of engineering systems permit.
 - ▶ Music, art, and dance therapist registrations.
 - ▶ Blaster license classes 2 to 7.
 - ▶ Intermediate clinical supervisor license.
 - ▶ Interior designer registration.

System for Review of Occupational Credentials

- ▶ Sometimes referred to as “sunrise” and “sunset” reviews.
- ▶ Wisconsin currently has general processes:
 - ▶ Enactment of legislation.
 - ▶ Legislator must convince others that the bill is the best approach.
 - ▶ Fiscal estimates, some specialized reports.
 - ▶ Administrative rulemaking.
 - ▶ Requires a scope statement, EIA, public hearing, report.
 - ▶ Legislative Audit Bureau performance evaluations.

System for Review of Occupational Credentials

- ▶ Some states have specialized processes:
 - ▶ Arizona, Arkansas, Colorado, Texas.
- ▶ Common aspects:
 - ▶ Show how credentialing will protect the public health, safety, and welfare.
 - ▶ Consider the least restrictive method of regulation.
 - ▶ Consider other aspects such as federal Medicaid service requirements, maintenance of professional standards.

Reciprocal Credentials

- ▶ Wisconsin currently has a number of methods for recognizing a person's credentials from another state in order to become licensed in Wisconsin.
 - ▶ Some professions recognize “substantially equivalent” standards from other states.
 - ▶ 2021 Act 10 created a provisional credential for a health care practitioner who is hired in Wisconsin while the permanent credential is pending.
 - ▶ Veterans, active service members, and spouses may obtain a reciprocal credential if they reside in Wisconsin.

Reciprocal Credentials

- ▶ Additional methods of portability include:
 - ▶ Interstate compacts that either authorize practice in another state or provide streamlined application processes with data sharing.
 - ▶ Model laws that provide similar, but not necessarily identical, requirements for all aspects of practice in a field.
- ▶ A newer method of reciprocity is called universal license recognition.
 - ▶ Not automatic; still must apply.
 - ▶ Some states require a similar scope of practice or substantially equivalent qualifications.

In Development for Future Meetings

▶ September 27 and October 12.

- ▶ Economists from the University of Minnesota and the Federal Reserve.
- ▶ Representatives from states that have sunrise and sunset reviews or universal license recognition.
- ▶ A representative from the National Center for Interstate Compacts.
- ▶ Representatives from professional associations and policy organizations.

▶ November 15 and December 13.

- ▶ Consideration of legislative options and discussions on preliminary bill drafts.
- ▶ Additional speakers and panels.

Thank you!

- ▶ This was a basic overview; experts will be presenting at this and future meetings.
- ▶ We look forward to working with you!