
Wisconsin Legislative Council

STUDY COMMITTEE MEMO



Memo No. 1

TO: MEMBERS OF THE STUDY COMMITTEE ON OCCUPATIONAL LICENSES

FROM: Margit Kelley, Principal Attorney, and Patrick Ward, Staff Attorney

RE: Preliminary Options for Discussion Relating to the Workload for Processing Occupational Licensing Applications and Renewals

DATE: September 19, 2022

This memo provides a preliminary list of potential topics of discussion for the September 27, 2022, meeting of the Study Committee on Occupational Licenses. The topics below reflect the workload and application processing issues raised by presenters and committee members during the study committee's August 2, 2022 meeting.

This preliminary list includes items suggested to reduce, address, or monitor the workload of the Department of Safety and Professional Services (DSPS) in processing occupational licensing applications and renewals. The list provides some rudimentary, readily available opportunities for improvement, and is not a comprehensive survey of all measures that could be taken to address the application and renewal workload.

The list is intended to provide a starting point for possible topics the committee may wish to more closely review and consider in preliminary bill drafts.

CONVICTION RECORDS

Specify that DSPS may generally determine that the circumstances of certain minor offenses are not substantially related to the circumstances of an occupation, without performing a review of the circumstances of each individual offense.

FINAL DETERMINATION DEADLINE

Require DSPS and credentialing boards to make a final determination on an application within a certain number of days (such as 30, 45, or 60 days). Aspects could include, for example, that when information is insufficient, DSPS or a credentialing board must request additional information within a certain number of days of receiving a complete application (such as 21, 30, or 45 days), and that if no additional information is received within a certain amount of time (such as 45, 90, or 180 days), DSPS or the board must make a determination based on the information on hand.

PRE-GRADUATION APPLICATION REVIEW

Require DSPS and credentialing boards to begin accepting and reviewing credential applications when an applicant completes a substantial portion of the required education (such as entering the final

session or semester of required courses or half of the required practical education if required following completion of coursework).

PROCESSING METRICS

Require DSPS to include certain metrics in its biennial report to the Legislature. [s. [15.04 \(1\) \(d\)](#), Stats.] Metrics could include, for example:

- The number of initial applications and renewals received, and the number issued.
- The average number of days to issue a final determination on licensure applications in the health, business, and professional fields.
- The average number of days to issue a final determination within each credentialed profession.
- The average number of contacts to or by an individual before a final determination is issued.
- The number of applications submitted for which DSPS requested more information.
- The number of applications that required a legal review of a conviction history.

RENEWALS

Stagger the renewal dates within an occupation. Methods could include, for example: (1) establishing rolling renewal periods within an occupation, such as four renewal cohorts within a year that are assigned based on the first letter of the person's last name; (2) allowing DSPS to schedule rolling renewal periods by rule; or (3) specifying even- or odd-year renewals depending on the initial year licensure was granted or the first letter of the person's last name.

Lengthen the licensure renewal periods. For example, extend one-year renewal periods to two years, and two-year renewal periods to three years. Methods to address the related continuing education requirements could include, for example:

- Adjusting statutory continuing education requirements where needed to either maintain the current total minimum credits over a longer renewal period, or to add a proportionate minimum number of credits to account for a longer renewal period.
 - For example, if a statute currently specifies 20 minimum continuing education credits in a two-year renewal period, and the renewal period is revised to three years, either maintain the 20 minimum continuing education credits within the longer three-year renewal period, or revise the required credits to a total of 30 minimum continuing education credits in the three-year renewal period.
- Maintaining DSPS or a credentialing board's authority to establish minimum continuing education credits by rule, where that authority already exists.

Require submission of a renewal application a certain number of days prior to a license's renewal date (such as 20, 30, or 45 days prior to the renewal date). Adjust the department's notice of renewal from at least 30 days prior to the renewal date of the license to a longer period, if needed. [s. [440.08 \(1\)](#), Stats.]

Specify that DSPS or a credentialing board may issue a provisional renewed license if DSPS or a credentialing board cannot complete its determination on a renewal application prior to the renewal date for the existing license as generally provided under s. [440.08 \(2\) \(a\)](#), Stats.

Specify that if a person has made timely and sufficient application for renewal of a license before its renewal date, the license does not expire and is renewed unless DSPS or a credentialing board takes final action to deny a renewal application. Specify a certain number of days (such as 30, 45, or 60 days) following the renewal date within which DSPS or a credentialing board may deny and terminate the renewal. Revise the definition for “renewal date,” which currently states that a credential “expires” on its renewal date, to reflect this change. [s. [440.01 \(1\) \(dm\)](#), Stats.]

TEMPORARY CREDENTIAL

Expand 2021 Wisconsin Act 10, which created a process for DSPS to issue a temporary credential for a health care provider from out-of-state to begin practicing in Wisconsin, pending an application for a permanent credential. Expansion could include: (1) certain specific or all other occupations, rather than only health care practitioners; or (2) persons who have completed their credentialing requirements within a recent prior period, such as within six months, one year, or two years prior to the application for a temporary credential, rather than only out-of-state license holders.

MSK:PW:ksm