



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 440.08 (2) (a) (intro.); and *to create* 440.095 of the statutes;
2 **relating to:** preliminary credentials granted to previously unlicensed
3 individuals.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 440.08 (2) (a) (intro.) of the statutes is amended to read:
5 440.08 **(2)** (a) (intro.) Except as provided in par. (b) and in ss. 440.094, 440.095,
6 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18
7 (2) (e), 455.06 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, the renewal
8 dates for credentials are as follows:

1 **SECTION 2.** 440.095 of the statutes is created to read:

2 **440.095 Practice by previously unlicensed individuals. (1) DEFINITIONS.**

3 In this section:

4 (a) “Credential” has the meaning given in s. 440.01 (2) (a).

5 (b) “Services” means actions that are within the scope of practice that is defined
6 for a credential.

7 (c) “Training credential” means a credential that authorizes an individual to
8 provide some or all of the services that may be provided with a permanent credential
9 while the individual works to satisfy further education, training, supervised
10 experience, and similar requirements that must be satisfied in order to be granted
11 a permanent credential.

12 **(2) PRACTICE BY PREVIOUSLY UNLICENSED INDIVIDUALS.** (a) Notwithstanding chs.
13 440 to 480, an individual may provide for an employer services that are within the
14 scope of practice that is defined for the permanent or training credential described
15 in subd. 1. g., and the department shall grant the individual a preliminary credential
16 to practice under this section, if all of the following apply:

17 1. The individual applies to the department for a preliminary credential under
18 this section. The individual shall include in the application an attestation of all of
19 the following:

20 a. The individual does not hold and has never held a license, certificate, permit,
21 or similar form of authorization that allows the individual to perform those services
22 in another jurisdiction.

23 b. The individual, within the 2-year period preceding the application under
24 subd. 1. g., completed all education, training, supervised experience, and similar

1 requirements that must be completed in order to be eligible for the permanent or
2 training credential described in subd. 1. g.

3 c. The individual has passed all examinations required to be taken in order to
4 be eligible for the permanent or training credential described in subd. 1.g., other than
5 any interview or oral examination that may be required for the permanent
6 credential.

7 d. The individual does not have an arrest record or a conviction record, as those
8 terms are defined in s. 111.32, on the basis of which the department or credentialing
9 board, as applicable, would deny the individual's application under subd. 1. g. The
10 department may, in the application for a preliminary credential under this section,
11 provide a space for the individual to indicate if he or she has previously applied for
12 a determination under s. 111.335 (4) (f).

13 e. The individual, to the best of his or her knowledge, meets all of the
14 requirements, other than those specified in subd. 1. b. to d., for the permanent or
15 training credential described in subd. 1. g.

16 f. The individual has never held the credential for which he or she has applied
17 under subd. 1. g.

18 g. The individual has applied for a permanent or training credential granted
19 by the department or a credentialing board, as applicable, under chs. 440 to 480 that
20 corresponds to the preliminary credential for which he or she has applied under this
21 section.

22 h. The individual has been engaged by an employer to provide services for that
23 employer that are within the scope of practice that is defined for the permanent or
24 training credential described in subd. 1. g.

