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# Wisconsin Legislative Council

## MINUTES

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### STUDY COMMITTEE ON OCCUPATIONAL LICENSES

411 South, State Capitol  
Madison, WI  
November 15, 2022  
10:00 a.m. – 3:45 p.m.

#### CALL TO ORDER AND ROLL CALL

Chair Stafsholt called the meeting to order and determined that a quorum was present.

COMMITTEE MEMBERS PRESENT: Sen. Rob Stafsholt, Chair; Rep. Shae Sortwell, Vice Chair; Sen. Janis Ringhand; Rep. Supreme Moore Omokunde; and Public Members Monica Johnson, Stanley Johnson, Jessica Ollenburg, Albert Walker, and Ann Zenk.

COUNCIL STAFF PRESENT: Margit Kelley, Principal Attorney; and Patrick Ward, Staff Attorney.

APPEARANCES: Greg Winkler, Deputy Director, Rock County Human Services Department, Renee Sororko, Deputy Director, Winnebago County Department of Human Services, and John Tuohy, Executive Director, Wisconsin County Human Service Association (WCHSA); Nicole Boyington, Academic Fieldwork Coordinator, Assistant Professor, Mount Mary University, and President, Wisconsin Occupational Therapy Association and De'Andre Nunn, Assistant Professor, Mount Mary University; Chris Carpenter, Treasurer, Wisconsin Association of Marriage and Family Therapy; Marc Herstand, Executive Director, National Association of Social Workers, Wisconsin Chapter; Sarah Brundidge, Past President, Kris Ostrander, Legislative Co-Chair, and Franz Schuttenhelm, President, Wisconsin Society of Respiratory Care; Sara Wuorinen, Substance Abuse Counselor in Training, Ashland, Wisconsin; and Jennifer Garrett, Assistant Deputy Secretary, and Mike Tierney, Legislative Liaison, Department of Safety and Professional Services (DSPS).

#### APPROVAL OF THE MINUTES OF THE OCTOBER 12, 2022 MEETING

*Senator Ringhand moved to approve the minutes from the October 12, 2022, meeting of the committee. The motion was seconded by Representative Sortwell and approved by unanimous consent.*

**PRESENTATION BY REPRESENTATIVES OF THE WISCONSIN COUNTY HUMAN SERVICE ASSOCIATION**

**Greg Winkler, Deputy Director, Rock County Human Services Department, Renee Sororko, Deputy Director, Winnebago County Department of Human Services, and John Tuohy, Executive Director, WCHSA**

Renee Sororko discussed the impact of current licensing delays on the services delivered by county human service departments. She stated that applicants frequently experience licensing delays and have difficulties making contact with DSPS staff to check an application's status or timeline. Ms. Sororko also explained that because counties are required to provide certain services, licensing delays contribute to counties using unlicensed staff who are unqualified for human service work. Finally, she detailed how licensing delays exacerbate worker shortages and worker turnover. She expressed support for increased staff and better technology to improve DSPS's services.

John Tuohy explained WCHSA's support for additional resources for DSPS as requested in the 2023-25 state budget process. He noted that the root cause of the licensing delays are workload and capacity and that DSPS needs additional positions and budget authority to provide better service. Mr. Tuohy explained that allowing DSPS to use program revenue to expand its operations through increased staff or improved technology would not affect general purpose revenue. He noted that improved processing times would benefit county human services, private employers, consumers, and taxpayers.

Greg Winkler discussed WCHSA's support for increased reciprocity. He encouraged the committee to recommend that Wisconsin participate in interstate compacts, including the compacts for licensed professional counselors and social workers. He also discussed the value of the current reciprocity system and noted how it could be improved, including posting to DSPS's website a list of jurisdictions where credential holders are eligible for reciprocity. He explained that this list would be helpful for county human service departments when recruiting for open positions, especially in border counties and in professions where telehealth is possible.

Committee questions focused on metrics needed to evaluate budget requests, whether processing times have improved over the last year, which states are members of the interstate compacts, the benefit of universal licensure recognition, and how counties expedite licensing delays.

**PRESENTATION BY NICOLE BOYINGTON, ACADEMIC FIELDWORK COORDINATOR, ASSISTANT PROFESSOR, MOUNT MARY UNIVERSITY, AND PRESIDENT, WISCONSIN OCCUPATIONAL THERAPY ASSOCIATION, AND DE'ANDRE NUNN, ASSISTANT PROFESSOR, MOUNT MARY UNIVERSITY**

De'Andre Nunn described his experience obtaining a license in Wisconsin. He stated that the process lasted eight months and required contacting legislators and a lobbyist. He also noted that the licensing delay negatively impacted the accreditation process of his university employer.

Nicole Boyington described the licensing delays experienced by members of the Wisconsin Occupational Therapy Association and detailed the impacts of those delays on worker shortages and clinic staffing. She also recommended that the committee consider moving license processing from DSPS to the association.

Committee questions focused on how many occupational therapists are in Wisconsin, the renewal period and fee, whether other states have public-private partnerships for processing licenses, whether delays have improved, and DSPS's explanation for the delay of Mr. Nunn's license.

**PRESENTATION BY CHRIS CARPENTER, TREASURER, WISCONSIN ASSOCIATION OF MARRIAGE AND FAMILY THERAPY**

Chris Carpenter expressed concern for the backlog at DSPS and noted potential issues with two of the bill drafts. He discussed his experience obtaining his license, including his experience with the online application platform, LicenseE. He stated that LicenseE was user friendly but that it lacked the ability to see the status of his application. He also noted that he was only able to obtain his license after making contact with a more senior DSPS employee who was able to review his application within a day.

With respect to LRB-0367, Mr. Carpenter stated that he did not support the bill if it allowed an individual to obtain a preliminary credential before qualifying for a training credential. With respect to LRB-0466, he asserted that reviewing whether to maintain credentials for mental health professionals would harm the public.

Committee questions focused on the types of clients the profession serves, clarifying the meaning of LRB-0367 and his support with that clarified understanding, whether a sunset program is appropriate for other professions, and the benefits and drawbacks of a preliminary credential.

**PRESENTATION BY MARC HERSTAND, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF SOCIAL WORKERS, WISCONSIN CHAPTER**

Marc Herstand described the licensing backlog at DSPS and the poor customer service received by social work licensure applicants. He noted that applications have increased, but that DSPS has not received all of the positions it has requested. He stated DSPS should be allowed to add staff to meet demand and that DSPS would be using credential holder fee revenue to do so. He also discussed other legislative remedies, including the social work interstate compact, universal licensure recognition, and creating a preliminary credential.

Committee questions focused on shortcomings of universal licensure recognition, the standards of the social work compact, whether processing for social work licenses could be moved out of DSPS, and whether DSPS would fill positions if they were approved.

**PRESENTATION BY SARAH BRUNDIDGE, PAST PRESIDENT, KRIS OSTRANDER, LEGISLATIVE CO-CHAIR, AND FRANZ SCHUTTENHELM, PRESIDENT, WISCONSIN SOCIETY OF RESPIRATORY CARE**

The representatives from the Wisconsin Society of Respiratory Care requested that the statutes and rules exam and the honesty expectation requirement for the exam be removed from the licensing requirements for their profession. They noted that other states do not have a similar exam, the exam questions do not relate to delivering patient services, and that the requirements delay licensure when clinics are currently understaffed. They also stated that patients suffer when licensing delays prevent graduates from starting jobs.

Committee questions focused on how the statutes and rules exam is administered and how long it has been required, whether the exam questions are relevant, other aspects of the licensing process, other burdens to obtaining a license, and whether they would have interest in moving the processing to the association rather than DSPS.

## **PRESENTATION BY SARA WUORINEN, SUBSTANCE ABUSE COUNSELOR IN TRAINING, ASHLAND, WISCONSIN**

Sara Wuorinen detailed her licensing experience with DSPS, including multiple contacts with the department, multiple submissions of documents, and multiple submissions of her application. She stated that she applied 13 months ago for her full license and still has not received it. She noted that she is unable to practice, that she also needs to be fully licensed to receive student loan forgiveness, and that she will likely not be able to remain in Wisconsin because of the licensing delay. She also recommended Minnesota's licensing process.

Committee questions focused on clarifying her licensing timeline and comparing Minnesota and Wisconsin requirements and processes.

## **PRESENTATION BY JENNIFER GARRETT, ASSISTANT DEPUTY SECRETARY, AND MIKE TIERNEY, LEGISLATIVE LIAISON, DSPS**

Jennifer Garrett and Mike Tierney thanked the committee for its work to improve processes and address challenges. Ms. Garrett recognized that occupational licenses are vital to an individual seeking to enter a profession and to the protection of the public. Mr. Tierney described the success the department has had with the new License portal for individuals applying for and renewing health care credentials, and stated that all application processing will utilize that system next year. He also stated that credential processing is a budget priority, and that the department is open to the ideas in the available preliminary bill drafts if staffing is also allocated to implement the bills' requirements. Mr. Tierney noted in particular that the department is open to the flexibility offered in the bill draft relating to review of minor offenses, and to the bill draft that adjusts renewal dates.

Committee questions focused on the License application procedures and data capabilities, the department's 2023-25 biennial budget request for staffing and the data to support the staffing request, and the expected impact on processes and job duties if both automated streamlining of processes and additional staffing occur. Additional questions focused on currently available data sources on processing metrics, comparisons with staffing and workloads in other states, and the lack of transparency in the department's workloads and improvement efforts.

One member commented that the preliminary bill drafts regarding data metrics should perhaps be revised to address median values, rather than average values. Other questions focused on the standards used to determine reciprocity and the availability of information on those determinations, and the requirements to review coursework transcripts and criminal histories. Some members noted that the department is funded solely through application and renewal fees and commented that applicants would expect those funds to be available to hire credential processing staff.

## **DISCUSSION OF COMMITTEE ASSIGNMENT AND PRELIMINARY BILL DRAFTS**

Committee members did not have an opportunity to engage in a discussion of the available preliminary bill drafts. Chair Stafsholt stated that the committee's next meeting will focus on reviewing and considering bill drafts.

## **PLANS FOR FUTURE MEETINGS**

Chair Stafsholt reminded members that handouts and additional materials from the speakers and others are available on the [study committee's website](#), and that the committee has scheduled the next meeting for December 13, 2022, in Room 411 South of the State Capitol building.

**ADJOURNMENT**

The committee adjourned at 3:45 p.m.

MSK:PW:ksm