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November 15, 2022

**TO:** Legislative Council Study Committee on Occupational Licenses

**FROM:** Jennifer Garrett, Assistant Deputy Secretary, Department of Safety and Professional Services

Good afternoon, Mr. Chairman, and committee members,

My name is Jennifer Garrett. I am the assistant deputy secretary for the Department of Safety and Professional Services. I am joining our legislative liaison Mike Tierney today in place of Sarah Norberg. Sarah, our current administrator of the Division of Professional Credential Processing and acting attorney supervisor is unable to be here due to a death in the family.

I have been at the agency for more than three years. In that time, I have served at the communications director, director of public affairs, and now, as I mentioned, I am the agency assistant deputy secretary. While I do not hold a Wisconsin occupational license, I have been married to an architect for more than twenty years, and he has been licensed in Wisconsin for nearly all of that time. I am also the daughter of a certified public accountant who maintained an active Indiana license until his death. My mother was a registered nurse and maintained her license for a decade after retirement.

I recognize how vitally important occupational licenses are to the individuals seeking to enter a profession as well as those already working in their fields. Their careers are entirely dependent on an active license. These licenses are equally important to the citizens of Wisconsin who seek services from the licensed workforce and who can trust that licensed professions have met educational requirements and other credentialing standards that ensure safe and ethical practice. Our credentialing process enables us to fulfill our responsibility of protecting the public.

Thank you for your interest in our agency and for your efforts to position our department for continued and improved success in our work. I'll now hand things back to Mike for his testimony.



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November 15, 2022

**TO:** Legislative Council Study Committee on Occupational Licenses

**FROM:** Mike Tierney, Legislative Liaison, Department of Safety and Professional Services

Mr. Chairman and members,

Good afternoon, my name is Mike Tierney, and I am the Legislative Liaison for the department.

Since 2019, the department, licensing boards, occupational organizations and individuals have frequently spoken about how our agency is understaffed and the impact this has had on persons who are applying for credentials. This committee often highlighting the work of our licensing counterpart in Colorado has both validated and underscored the need for more staff. Although Colorado has a smaller population and their agency issues fewer credential types, Colorado's licensure agency has 500 staff people (12.5 times as many as Wisconsin).

Despite the challenges and obstacles of an understaffed agency, we are making strides in tackling long standing licensure issues and issuing more licenses than ever before faster than ever before.

By this time next year, the LicenseE portal will not only serve the needs of individuals seeking and renewing health care credentials, but it will also serve persons seeking, and renewing, business and trades credentials.

The platform has proven to be a tremendous success. Next year, we will put an end to the legacy system called ICE it will go offline and be completely replaced by the LicenseE platform.

I am pleased to report that trades credentials will also be issued and renewed via LicenseE. Contractors, electricians, and others will be in the driver's seat and will easily see information about their own application or credential status. They will also be able to print their own credential on demand.

We have continued to listen to the concerns of persons who seek credentials, credential holders and the members of the Licensing Boards. We put together budget proposals that address these concerns head on and will put the agency in the best position to complete the LicenseE transition, process even more applications in less time, and - unlike the previous administration's budgets - our budget request invests in the future to ensure DSPPS can continue to adapt and best serve license holders and the public.

The Governor has made it clear that in his budget he will continue to make licensure a priority. There is no doubt that without the investments the Governor made with federal funds, we would not have been able to make the amount of progress we have. As the federal dollars wind down, it is imperative that we continue the progress made by extending those investments and building on them with using the fees the department already collects but cannot currently utilize. Since last Tuesday, after first seeing the specific bill drafts this committee will discuss, the department staff have been combing through them. We recognize these drafts, if approved by this committee, will have to be introduced and follow the same path as any other legislation. We appreciate the committee members and Legislative Council Staff's work to put together these drafts to address the longstanding challenges facing the department. We share the same goal to continue our work of processing more licenses faster and to better serve license holders.

We remain open to your proposals, continue to review them, and look forward to future conversations about them. I'd like to provide some initial feedback for members to weigh as you discuss and finalize your recommended legislative proposals:

There are clearly concepts in these bills that the department supports. For example, one bill grants the department flexibility in reviewing minor offenses. As you know, many applicants express frustration regarding the review of minor offenses, which is required by law, but nevertheless might cause credentials that would otherwise be issued to need further legal review. This is a policy we have advocated for previously and we are hopeful that with the backing of this committee we can be succeed in getting the proposal through the legislature.

We are also open to the idea of adjustments in renewal dates. While the specifics of how the bill as drafted might not be consistent with our preferred approach, we believe this is an area about which we can have continued conversation and potentially reach compromise that makes adjustments while giving the department flexibility and ensures that the changes do not negatively impact the ability to issue credentials in a timely manner.

Some of the proposed bills will require closer review and future conversation, such as the bill requiring out-of-state applicants who hold a similar credential in another state be given an immediate preliminary license. Obviously, licensing laws vary from state to state, and we would want to better understand the implications of a change like this given the vast differences in licensing requirements to ensure consumer safety. We need to ensure the public is protected and that our standards—presumably carefully and intentionally crafted by this Legislature—here in Wisconsin are met. We also can eliminate the need for a license like this, if we provide the necessary staffing levels to ensure we can process licenses faster than we can now.

To that end, I want to again emphasize the need for staffing.

First, we recommend the committee look at the budget request the department made to the Governor and recommend the Legislature adopt those requests as it relates to staffing.

Second, for the bills that have been released and where there are additional requirements or demands of the department, it is imperative that the necessary staffing and resources be allocated to ensure the department can accommodate another increased workload. As this committee no doubt recalls, our department's requests for additional staffing have been ongoing for quite some time. Moreover, you well know the challenges that have faced the department with the staffing resources we have available now—as it is presumably the impetus for this committee. Adding additional requirements and responsibilities to our department without providing the necessary staffing support to meaningfully accomplish those tasks with the level of service our department seeks to deliver will only further exacerbate the challenges of which every person in this room is already well aware. As it stands now, not a single bill draft has any additional staffing or funding. Without staff and resources, it leaves the department with the task to decide to prioritize these mandates over the issuance of licenses.

The idea of having a website with all reciprocal license requirements and information for applicants is a noble goal, but in order for that to happen and stay accurate and up to date, we would need the resources and staffing to create it and keep it updated. To ensure that as things change, which they do quite often, all the information on the site is current will require reviewing the laws in 49 other states and the five major territories and track as many as 3,500, or more, provisions for health care credentials alone.

The department doesn't have objections to the concept of reviewing credentials, creating reports, or undergoing the rulemaking process. We would love to provide more to our applicants than we can currently provide now but adding these mandates to an agency that is already utilizing all the staff we have without providing additional staff will mean people who could otherwise be processing applications and assisting in the credentialing process will be diverted to working on these items. Our applicants, industry and the public cannot afford that diversion.

It is my understanding that the Legislative Council Staff will be briefing members on the proposals that were shared with the department after my appearance today. However, at this time, we are happy to answer questions about any of the proposals listed in the November 8th memo prepared by Legislative Council.