



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-0465/P3  
MED&JPC:cjs

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to renumber and amend* 440.09; *to amend* 101.022 and 440.09 (title);  
2             and *to create* 440.09 (1m) and 440.09 (2r) (title) of the statutes; **relating to:**  
3             reciprocal credentials and granting rule-making authority.

---

***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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:***

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Occupational Licenses.

Under current law, for health and business credentials administered by the Department of Safety and Professional Services (DSPS) or a credentialing board, a specific reciprocal credential standard is typically specified for each credential, which establishes the eligibility criteria for issuing a reciprocal credential. A reciprocal credential is a credential issued to a person who already possesses a similar credential in another jurisdiction. Also known as licensure by endorsement, the process for granting a reciprocal credential typically allows an applicant who is already credentialed in another jurisdiction to receive a credential without having to provide all of the documentation or satisfy all of the criteria that would otherwise be required to be granted

a credential. The bill replaces the credential-specific standards (to be addressed in the next iteration of the bill) with a universal licensure recognition standard. Under that standard, the bill requires the Department of Safety and Professional Services (DSPS) and credentialing boards to grant a reciprocal credential to an applicant who holds a credential from another state. The other state's credential must qualify the person to perform the acts authorized under the state-issued credential for which the person is applying.

The applicant must be in good standing in the other state, and must pass an examination on state law related to the profession if otherwise required for the credential. In addition, the individual must satisfy one of the following two conditions:

- Has practiced for at least three of the five years prior to submission of the reciprocal credential application under a scope of practice that is substantially equivalent to the scope of practice for the state-issued credential for which the person is applying.
- Was granted the other state's credential based on requirements that are substantially equivalent to the requirements for the state-issued credential.

A reciprocal credential under the universal licensure recognition standard expires on the next applicable renewal date for the credential, unless the renewal date occurs within 180 days after a reciprocal credential is granted. Renewal is subject to any fees and other requirements that apply to renew the credential.

The bill applies to occupational credentials issued to individuals by DSPS or a credentialing board in the health, business, and trades professions; it does not apply to credentials issued by other agencies.

1           **SECTION 1.** 101.022 of the statutes is amended to read:

2           **101.022 Certain laws applicable to occupational licenses.** Sections  
3           440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),  
4           440.075, 440.09 ~~(2)~~ (1m) (b) and (e) and (2r) (a) to (bm), (d), and (e), 440.11, 440.12,  
5           440.121, 440.13, 440.14, 440.15, 440.19, 440.20 (1), (3), (4) (a), and (5) (a), 440.205,  
6           440.21, and 440.22, and the requirements imposed on the department under those  
7           statutes, apply to occupational licenses, as defined in s. 101.02 (1) (a) 2., in the same  
8           manner as those statutes apply to credentials, as defined in s. 440.01 (2) (a).

9           **SECTION 2.** 440.09 (title) of the statutes is amended to read:

10           **440.09 (title) Reciprocal credentials for ~~service members, former~~**  
11           **~~service members, and their spouses.~~**

12           **SECTION 3.** 440.09 of the statutes is renumbered 440.09 (2r), and 440.09 (2r)  
13           (a) (intro.) and 1., (b) 1., (c) 1., (d) and (e), as renumbered, are amended to read:

14           440.09 **(2r)** (a) (intro.) In this section ~~section~~ subsection:

1           1. “Former service member” means a person who was discharged from the U.S.  
2 armed forces under conditions other than dishonorable within 4 years of the date on  
3 which the service member or the spouse of the service member applies for a reciprocal  
4 credential under this ~~section~~ subsection.

5           (b) 1. The individual applies for a reciprocal credential under this ~~section~~  
6 subsection on a form prescribed by the department or credentialing board.

7           (c) 1. A reciprocal credential granted under this ~~section~~ subsection expires on  
8 the applicable renewal date specified in s. 440.08 (2) (a), except that if the first  
9 renewal date specified in s. 440.08 (2) (a) after the date on which the credential is  
10 granted is within 180 days of the date on which the credential is granted, the  
11 credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date  
12 on which the credential is granted.

13           (d) The department or credentialing board, as appropriate, shall expedite the  
14 issuance of a reciprocal credential granted under this ~~section~~ subsection.

15           (e) The department or credentialing board, as appropriate, may promulgate  
16 rules necessary to implement this ~~section~~ subsection.

17           **SECTION 4.** 440.09 (1m) of the statutes is created to read:

18           440.09 (1m) RECIPROCAL CREDENTIALS. (b) The department and each  
19 credentialing board shall grant a reciprocal credential to an individual who the  
20 department or credentialing board determines meets all of the following  
21 requirements:

22           1. The individual applies for a reciprocal credential under this subsection on  
23 a form prescribed by the department or credentialing board.

24           2. The individual holds a license, certification, registration, or permit that was  
25 granted by a governmental authority in another state that qualifies the individual

1 to perform the acts authorized under the appropriate credential granted by the  
2 department or credentialing board.

3 3. Any of the following applies:

4 a. The individual provides evidence of having practiced, for at least 3 of the 5  
5 years preceding the application, in one or more of the states described in subd. 2. in  
6 which the individual holds a license, certification, registration, or permit under a  
7 scope of practice that is substantially equivalent to the scope of practice for the  
8 credential for which the individual is applying.

9 b. The requirements for receiving the license, certification, registration, or  
10 permit that the individual holds are substantially equivalent to the requirements in  
11 this state under chs. 440 to 480 for the credential for which the individual is applying.

12 4. The individual pays the fee specified under s. 440.05 (2).

13 5. The individual is in good standing with the governmental authorities in  
14 every jurisdiction outside this state that have granted the individual a license,  
15 certification, registration, or permit that qualifies the individual to perform acts  
16 authorized under the appropriate credential granted by the department or  
17 credentialing board.

18 6. The individual passes an examination that tests knowledge of the laws of this  
19 state relating to the credential if such a requirement is otherwise imposed for the  
20 credential.

21 (c) 1. A reciprocal credential granted under this subsection expires on the  
22 applicable renewal date specified in s. 440.08 (2) (a), except that if the first renewal  
23 date specified in s. 440.08 (2) (a) after the date on which the credential is granted is  
24 within 180 days of the date on which the credential is granted, the credential expires

1 on the 2nd renewal date specified in s. 440.08 (2) (a) after the date on which the  
2 credential is granted.

3 2. The department or credentialing board, as appropriate, shall grant a  
4 renewed reciprocal credential to an applicant who pays the renewal fee specified  
5 under s. 440.05 (2) and satisfies the requirements that apply for renewing that  
6 credential.

7 (e) The department or credentialing board, as appropriate, may promulgate  
8 rules necessary to implement this subsection.

9 **SECTION 5.** 440.09 (2r) (title) of the statutes is created to read:

10 440.09 **(2r)** (title) **RECIPROCAL CREDENTIALS FOR SERVICE MEMBERS, FORMER**  
11 **SERVICE MEMBERS, AND THEIR SPOUSES.**

12 **(END)**