

# Wisconsin Department of Safety and Professional Services



*Protecting the Public, Promoting Progress*

**2021–2023 Biennial Report**

# 2021–2023 Biennial Report

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October 16, 2023

The Honorable Tony Evers  
Governor of Wisconsin  
115 East, State Capitol Building  
Madison, WI 53702

Members of the Wisconsin Legislature  
State Capitol Building  
Madison, WI 53702

Dear Governor Evers and Members of the Legislature:

Pursuant to Wisconsin Statute §15.04(1)(d), I am pleased to submit the 2021–2023 Biennial Report for the Department of Safety and Professional Services (DSPS). DSPS is focused on ensuring public safety and fueling economic growth in the state. This work is executed by 256 employees across our five divisions. By statute our agency regulates over 250 different professions and industries. Over the last two years three additional professions were added for regulatory oversight. This included Pharmacy Technicians, Genetic Counselors and Interior Designers.

Our work helps to ensure the safety of all Wisconsinites while providing economic stability. On average, DSPS receives nearly 120,000 new applications and renews over 400,000 credentials each biennium. Additionally, between July 1, 2019, and June 30, 2021, DSPS conducted more than 30,000 plan reviews and over 29,000 inspections. This work with the construction industry and property owners ensures buildings and projects are safe and sanitary. Annually, DSPS investigates over 3,000 complaints.

We also play a part in safeguarding the quality of educational options available to students pursuing higher education through private trade, technical, career, distance learning and degree-granting schools through the Educational Approval Program. It is also within our charge to oversee the Prescription Drug Monitoring Program as a part of Wisconsin's effort to stem prescription drug abuse practices.

Over the past two years, DSPS has achieved several accomplishments, and we are continuing to take steps toward transformational infrastructure changes that will help us realize efficiencies. Our report highlights the department's notable initiatives and success over the last biennial reporting period. These include:

- The Department is issuing an all-time high number of licenses.
- The Department maintained approximately a 4-week peak season plan review timeline.
- The Department modernized two thirds of the license application processes.
- The Department continues operating with one of the lowest fee structures in the country representing a value to the citizens and the regulated communities.

Our report also previews some of the agency's future goals and objectives. With input from our staff, our leadership team is working to meet three priorities:

- Increased protection of the public.
- Continued modernization of our workforce and infrastructure.
- Increased collaboration with the regulatory community to promote compliances and best practices.

Our agency looks forward to continuing the work with our customers and partners to ensure public safety and drive economic growth and job creation throughout the state.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Hereth". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dan Hereth  
Secretary-designee

## Department of Safety and Professional Services Description, Mission and Vision

The Department of Safety and Professional Services (DSPS) is headed by a secretary appointed by the governor with the advice and consent of the Senate. DSPS provides policy coordination and administrative services to boards, committees, and councils. DSPS also oversees the regulation of credential holders, professional and industry standards, and safe construction of public and private buildings. DSPS comprises five divisions:

- **Management Services** provides budget and finance, technology, and facilities management services to DSPS, which includes four field offices.
- **Policy Development** provides administrative support and policy guidance to professional regulatory boards and consultation about continuing education and examination requirements for regulated professions. The Prescription Drug Monitoring Program and the Educational Approval Program are housed in this division.
- **Industry Services** performs inspections of commercial buildings, amusement rides, boilers, elevators, pressurized gas systems, and electrical systems. It also performs plan reviews of elevators, boilers, and private onsite wastewater treatment systems and is responsible for auditing third party and municipal inspection agencies. In addition, it performs commercial building, plumbing, and fire suppression plan review; is responsible for administering the Uniform Dwelling Code program, the federal HUD Manufactured Housing program; and provides consultations and training to local building officials, as well as commercial and residential contractors. Industry Services administers the 2% Fire Dues program and provides consultation, support, and training to over 800 fire departments throughout the state.
- **Professional Credential Processing** is responsible for all credential application processing, including determination of credential eligibility and credential renewal.
- **Legal Services and Compliance** is responsible for the complaint intake process, compliance monitoring and a confidential program for impaired professionals. In addition, the Division conducts business compliance inspections and financial audits.

DSPS and board operations are funded through application, renewal, and examination fees, as well as fees associated with required reviews of building plans and other items regulated under the law. A fee schedule for the application and renewal of professional credentials is set by DSPS with legislative oversight. Examination and other DSPS fees are set by statute and administrative rule.

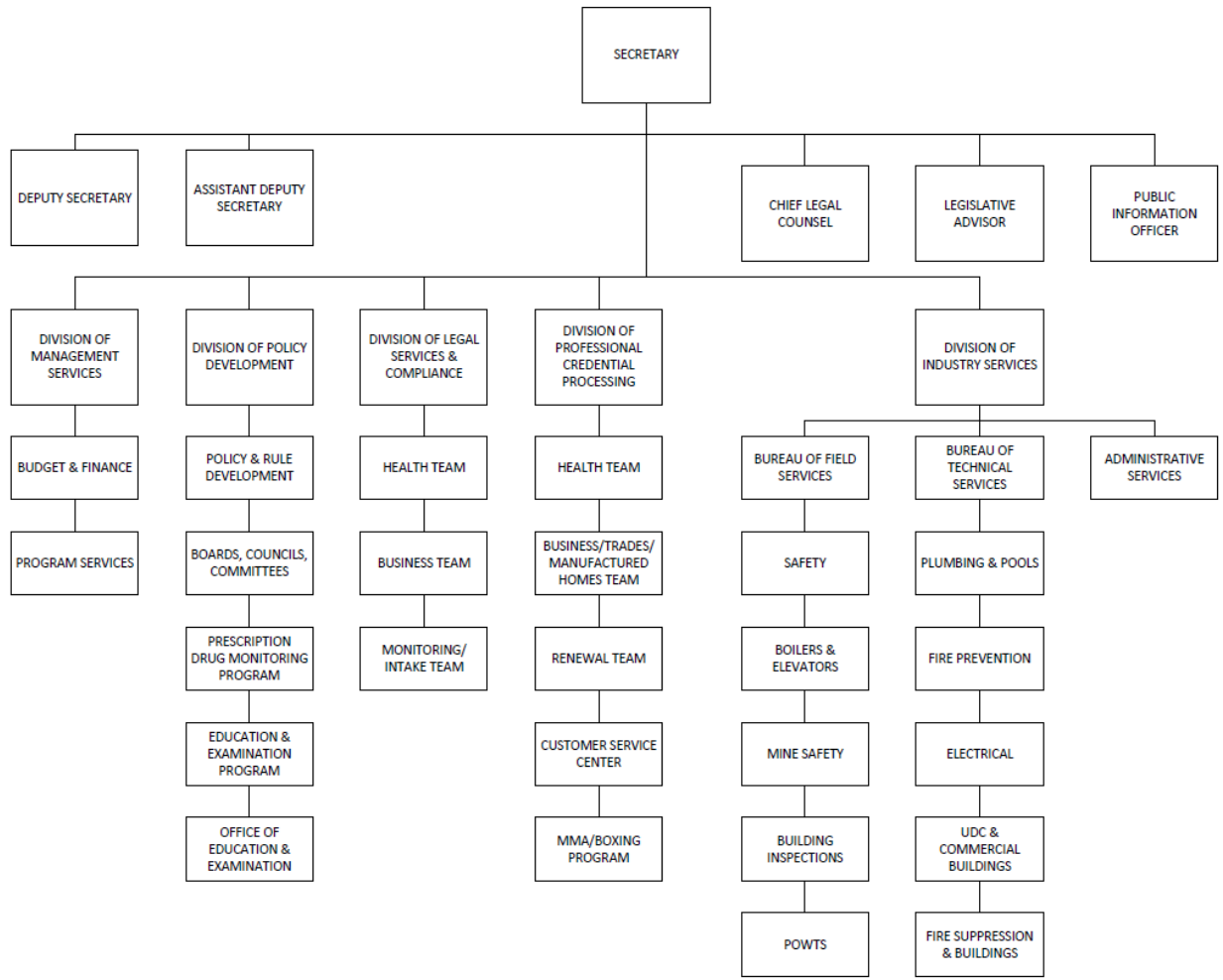
### DSPS Mission

The mission of DSPS is to promote economic growth and stability while protecting the citizens of Wisconsin.

### DSPS Vision

The vision of DSPS is to utilize our expertise to keep the citizens of Wisconsin safe and to move the state forward.

# Department of Safety and Professional Services Organizational Chart



## Division of Industry Services Accomplishments and Initiatives

The Division of Industry Services (DIS) is divided into the Bureau of Field Services, Bureau of Technical Services, and the Administrative Services Section.

The Bureau of Field Services performs inspections of commercial buildings, amusement rides, ski lifts, boilers, elevators, pressurized gas systems, reviews plan submissions for elevators and POWTS and oversees the public sector safety and mine safety programs. The Bureau also administers the Fire Prevention program which is charged with distributing 2% dues and provides consultation, support, and training to over 800 fire departments throughout the state.

The Bureau of Technical Services performs commercial building, plumbing and fire-suppression plan review. It also administers the state's electrical permitting and inspection program. The bureau is also responsible for administering the Uniform Dwelling Code program and the federal HUD Manufactured Housing program. It also provides consultations and training to local building officials, as well as commercial and residential contractors.

The Administrative Services Section has taken on a new role with the deployment of eSLA, that of troubleshooter and program developer. The section has found much of their time over the last 3 years spent improving and refining the eSLA software as well as training external customers on its use.

### Measures of Productivity

#### Commercial Building (Structural-HVAC-FS/FA) Plan Reviews

Year	Plans Reviewed	Revenue Generated
FY 2021	8,415	\$6,071,600
FY 2022	7,853	\$6,761,500
FY 2023	8,038	\$5,829,600

#### Plumbing Plan Reviews

Year	Plans Reviewed	Revenue Generated
FY 2021	2,892	\$2,372,100
FY 2022	2,991	\$2,496,400
FY 2023	2,840	\$2,476,100

#### POWTS Plan Reviews

Year	Plans Reviewed	Revenue Generated
FY 2021	4,155	\$2,429,700
FY 2022	3,825	\$2,024,600
FY 2023	3,483	\$1,895,400

### 2% Fire Dues Distribution

Year	Number of Municipalities	Funds Distributed
2021	1,835 municipalities (807 Fire Departments)	\$23,758,586
2022	1,841 municipalities (804 Fire Departments)	\$24,846,704
2023	1,827 municipalities (801 Fire Departments)	\$28,311,156

### Key Initiatives

#### **Electronic Safety and Licensing Application (eSLA) and Improved Plan Review Times**

eSLA continues to be a work in progress but based on the feedback from the industry we have improved it to a place where it is functional and more efficient than our old system. Our plan review turnaround across program areas has been under department goals of 6 weeks during this biennium. Credit must be given to the administrative services section for many of the improvements. Without its efforts to improve the system and educate industry, these improvements would not have been possible.

#### **Improved Transparency and Outreach**

DIS embarked on two initiatives dedicated to improving our communication with industry. Beginning in March 2023, DIS published its first quarterly newsletter that addresses frequently asked questions, job postings, and recent disciplinary actions taken by DSPS. The newsletter, combined with our quarterly webinar (attended by over 300 people each time), has given DIS a platform to communicate and preemptively answer questions that otherwise might have come in individually as emails and phone calls. Archived newsletters and recorded webinars are available on our website for public consumption (<https://dsps.wi.gov/Pages/Programs/DISCommunications.aspx>). To provide transparency in plan review timelines, DIS posts submission volumes and previous month turnaround times on the agency's website (<https://dsps.wi.gov/Pages/Programs/PlanReview/Default.aspx>). This provides submitters and the public at large a window into current timelines and productivity.

#### **Improved Plan Review Turnaround Times**

Plan review turnaround times have long been a source of contention for the division (particularly in the face of Division staff headcount reductions), for the last year and a half+ we have committed ourselves to refining our procedures and policies to significantly improve turnaround time on a thoroughly reviewed plan. As little as 3 years ago, turnaround times on commercial building plans could take as many as 16 weeks to review. Today, reviews occur in six weeks or less. During this last summer building season reviews occurred in less than 4 weeks.

#### **Delegated Audit Program**

With a headcount that has remained stagnant for more than a decade, DIS has delegated authority to more third-party agents and municipalities to assist with inspections across the state. With these delegations, DIS has a responsibility to ensure a uniform application of code across the state and will be embarking on a thorough auditing process that will provide Divisional oversight of each delegated agent and municipality within a 5-year cycle.



### **Commercial Building and Plumbing Code Councils**

It is the primary mission of DIS to ensure the safety of all Wisconsin citizens. We are also tasked to consider that old or inefficient regulation places an undue burden on those same citizens. It is for this reason we have committed ourselves to an aggressive schedule of code revision that hopefully sets the course for DIS and the industries affected for years to come. This year, we concluded the work of updating two of our largest, most complex codes: SPS 361-366 Commercial Building and SPS 380-387 Plumbing. While the Plumbing code has been adopted, the Commercial Building code received an indefinite objection by the legislature.

Still this year, we plan to work on updating SPS 314 Fire Prevention, SPS 316 Electrical, and SPS 320-325 Uniform Dwelling Code.

## Division of Legal Services and Compliance Accomplishments and Initiatives

The Division of Legal Services and Compliance (DLSC) is the prosecution and enforcement division of the Department of Safety and Professional Services (DSPS). The division provides legal services to professional boards, regulated industries and the department regarding the investigation and prosecution/discipline of licensed credential holders for violations of statutes and administrative rules. DLSC is comprised of complaint intake staff, consumer protection investigators, regulatory specialists, paralegals, and attorneys (prosecutors).

The division is responsible for intake, investigation, and prosecution/discipline of complaints filed against professional licensees in Wisconsin. DLSC is tasked with monitoring compliance of disciplinary orders issued by professional boards and the department. Additionally, DLSC performs initial inspections of certain businesses and provides management and supervision of the Professional Assistance Program (PAP), which is a diversion program for impaired professionals.

### Measures of Productivity

During this biennium, DLSC has managed to maintain complaint intake processing times despite a 13.5% increase in the number of complaints filed over the previous biennium. “Complaint intake” consists of processing cases from the receipt of a complaint (includes requesting/obtaining responses from credential holders to the complaints and obtaining initial records) screening or initial triage. The DLSC Intake Unit consists of four FTE staff responsible for handling all complaints received. Despite the increase in the number of complaints filed, the addition of new boards, and staffing shortages/challenges, the Intake Unit has successfully maintained processing times between 45–60 days.

Period	Complaints Received
7/1/2021 – 6/30/2022	2,974
7/1/2022 – 6/30/2023	3,139
7/1/2021 – 6/30/2023	6,113 (13.5% increase from prior biennium)

DLSC received 6,113 professional complaints which were processed by complaint intake staff for the period July 1, 2021–June 30, 2023.

DLSC attorneys and staff closed 5,650 cases during the two–year period. It is important to note that cases closed from July 1, 2021–June 30, 2023, may have been received in previous years.

The following is a representation of how complaints/cases were closed.

Closed Method	Number of Complaints / Cases Resolved <i>(Closed cases may have been received in previous years.)</i>
Closed at Screening	2,968
Closed Formally	1,059
<b>Total</b>	<b>4,027</b>

During this two-year period, DLSC legal action resulted in the issuance of 1,199 Final Decisions and Orders, Notice of Violations and Orders, Initial Regulated Objects Orders, and 421 Administrative Warnings, an 11% increase from the prior biennium. The division provided monitoring services to ensure compliance with disciplinary orders to an average of 749 licensees during the biennium. An average of 48 professions were monitored through DSPS’s Professional Assistance Program (PAP) for substance abuse issues.

In addition to legal action and monitoring of disciplinary orders, DLSC also resumed in-person inspections (compared to COVID virtual inspections), completing 98 required initial inspections of business establishments including funeral homes, pharmacies, and wholesale drug manufacturers and distributors.

### **Key Initiatives**

During this biennium, DLSC implemented several initiatives to improve the complaint and disciplinary process. These initiatives benefited not only the public but also license holders.

Having moved through and now beyond initial COVID restrictions, DLSC continues transforming to more efficient and effective division operations.

#### **Productivity Improvements and Continuous Improvement Projects Initiated During and Subsequent to COVID**

DLSC successfully launched paperless/electronic case processing for all units, as well as a paperless/electronic case file environment. This included:

1. A paperless/electronic intake process (from receipt of the complaint through closed at screening).
2. A paperless/electronic screening panel process whereby board members and DLSC review documents securely, efficiently, and at a low cost to DSPS to determine, based on information provided, whether violations may have occurred.
3. A paperless complaint/case file process (complaints opened for investigation after screening/initial triage).

The implementation of the paperless/electronic complaint/case file initiative resulted in improved collaboration and service, increased productivity, reduction/reduced costs, document organization, and secure/preserved files and documents. This process has steadily improved during the past two-year cycle and has provided a springboard for further DLSC improvements and cost reductions.

Initial transition to a paperless/electronic manner of operating set the stage for DLSC’s current software platform change that is now underway. DLSC is in the process of transitioning from our legacy complaint intake and tracking system to the new LicenseE platform, which will improve intra- and inter-divisional customer service.

DLSC participated in providing Board Member training to members of the dozens of professional boards we serve.

Additionally, DLSC translated Cosmetology inspection documents into Hmong and Vietnamese to better serve and communicate with diverse populations.

### **DLSC Prosecution Expansion and Further Enhanced Protection of the Public**

The work of the DLSC prosecution team during the past biennium continued to focus on protection of the public and prosecuting violations involving professional and trade rules and regulatory standards. Cases prosecuted of note included: opioid/fentanyl drug diversion, and impairment cases. Additionally, DLSC investigated and prosecuted numerous sexual misconduct and boundary cases, as well as expanded into massage therapy misconduct and rising human trafficking issues. While the team continued investigation and prosecution of various negligence and standard of care issues, the team also handled unique marketplace issues involving private security guard cases, the significant increase in Fannie Mae appraisal complaint referrals, and various building code violations throughout the state.

Notably, DLSC's investigation and prosecution work significantly contributed to Wisconsin being recognized as a leader in protecting its citizens from physicians who injure or endanger patients, according to a recent national study by the Public Citizen's Health Research Group. The group's study ranked Wisconsin 8th among the medical boards of all states and the District of Columbia in connection with the average number of serious disciplinary actions per 1,000 physicians each year from 2019-2021. The work of the division's investigation and prosecution teams significantly contributed to the recognition by this group.

Highlights of some of DLSC's cases this past biennium include:

- Obtained the license surrender of a pain management physician who was the subject of multiple federal and state investigations alleging Medicare fraud, improper Medicaid billing, suspension of their DEA certificate of registration, improper prescribing of controlled substances, and patient care violations.
- Obtained an expedited permanent license surrender from a family practice physician alleged to have violated provisions against sexual gratification related to patients.
- Obtained the license surrender of a dentist who was federally convicted after drilling into healthy teeth, for purposes of committing fraud on a significant number of patients and over several years.
- Partnered with the local district attorney to expose and prosecute the criminal and disciplinary wrongdoing of an unlicensed funeral director.
- Partnered with the Wisconsin Department of Justice to bring enforcement actions in circuit court against a property owner who converted a non-residential building to an apartment building without submitting proper building plans, lack of proper fire suppression/fire alarm systems and numerous other code violations.
- Worked with the plumbing team to develop a plan to address legionella outbreaks throughout the state.

## Division of Management Services Accomplishments and Initiatives

The Division of Management Services (DMS) provides administrative, analytical and support services to the Office of the Secretary, all DSPS divisions and field office locations in the following areas.

- Administration, Fleet & Facilities Management
- Technology Asset Management (in partnership with the Division of Enterprise Technology (DET))
- Website Administration
- Project Management & Consultation
- Budget, Purchasing, Procurement, Fiscal Services, and Accounting

### Measures of Productivity

#### ADMINISTRATIVE SERVICES, FLEET AND FACILITIES MANAGEMENT

##### **Staff Onboarding/Offboarding**

Over the past year, DMS continued to review the processes for onboarding and offboarding staff. Previously, many processes were inconsistent, and many of the major components were omitted when employees transitioned in or out of DSPS. To increase consistency, DMS created and/or fine-tuned processes and policies, which improves the new hire’s understanding of the role of DSPS and overall expectation of them as new team members.

<b>New Employee Orientation DSPS/DMS New Hire Orientation Participation</b>		
<b>Fiscal Year</b>	<b>Employee Participants</b>	<b>Orientations Conducted</b>
<b>2021</b> – July 2020-June 2021	47	21
<b>2022</b> – July 2021-June 2022	77	21
<b>2023</b> – July 2022-June 2023	91	22

New employee orientation sessions are held twice per month. Attendance is mandatory for all incoming new hires. The purpose of these sessions is to share DSPS information with new hires to increase their general knowledge of DSPS, and provide insight into the organization’s culture, all to heighten their comfort level within DSPS. These information sessions are facilitated by a DMS Supervisor, attended by DSPS Secretary, and are conducted in a hybrid in-person/virtual format to ensure that all employees take part. In 2023, a 90-day post Orientation satisfaction survey was developed, and the results will be shared in future Biennial reports.

DSPS/DMS New Hire by Month													
Fiscal Year	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FY2021	3	6	4	8	8	0	2	1	6	3	4	2	47
FY2022	9	10	5	7	8	4	2	5	10	6	8	3	77
FY2023	11	23	5	7	9	3	8	5	5	0	9	6	91

**Facilities Management: Field Offices**

Throughout fiscal years 2021–2023 DSPS/DMS facilities staff continued to manage field office operations in four communities across the state, Waukesha, Green Bay, Onalaska and Hayward. Due to technological advancements and the requirements for electronic plan submissions, walk-in traffic in these satellite locations has decreased tremendously. DSPS continues to work with DOA to evaluate and adjust its footprint to ensure operations meet customer needs.

**TECHNOLOGY AND ASSET MANAGEMENT**

Technology and Asset Management assists all DSPS divisions with information technology programs, information systems development and help desk operations for DSPS.

In June 2023, in consultation with the Division of Enterprise Technology (DET), DMS led the purchase and replacement of 339 technology devices (desktops, laptops, black & white printers, 27” and 43” monitors, and docking stations for DSPS. Of this total order, 80 devices had reached the end of their warranty life cycle, per DET’s recommended schedule.

DSPS Asset Replacement 2023	
Type of Device	Number of Devices Replacing
Black & White Printers	6
27” Monitors	118
43” Monitors	6
Desktops	48
Laptops	80
Docking Stations	81
<b>Total</b>	<b>339</b>

**WEBSITE ADMINISTRATION**

**Update DSPS Website Template**

In January 2023, DMS launched a refreshed website, which provide site visitors with a cleaner view and ability to maneuver through its pages.

To increase accessibility and increase the search functions of the board/council meetings calendar staff redesigned the page to incorporate ADA standards. The new calendar was launched in November 2021.

**PROJECT MANAGEMENT & CONSULTATION**

**Standard Operating Procedure (SOP) Updates**

In February 2023, DMS staff worked collaboratively with DPCP staff to develop processes to continually review and update the division’s standard operating procedures (“SOPs”) focusing

on Health, Renewals and License procedures. This process will ensure consistency in processes which will result in streamlined processing of credential applications. In total, 15 SOPs were created or updated.

## **BUDGET & FINANCIAL SERVICES**

The DMS Budget and Financial Services team participated in gathering and presenting, financial, budget, and staffing materials for the Legislative Audit Bureau (LAB) for their audits of ARPA funds, annual statewide single audit and for the audit of credentialing operations authorized by the legislature in FY 23.

In this biennium the team administered the following grants: Military Pathways and Youth Volunteer Firefighter Training Programs. In addition, they administered over \$1 million in Wisconsin Fund grants to assist people in remediating septic systems in rural areas, and a \$80,000 grant to support repair or recycling of manufactured homes.

### **Spending Management (Supply Order Centralization)**

DMS staff developed and implemented a centralized supply order process. The purpose of this process is to coordinate the ordering process, ensure that all divisions maintain the supplies needed to work effectively and to avoid over-purchasing and to maintain cost controls on supply spending.

## Division of Policy Development Accomplishments and Initiatives

The Division of Policy Development (DPD) is responsible for managing the administrative rule promulgation process for self-regulated professions, as well as professions and technical programs that are directly regulated by DSPS. DPD also provides administrative support and policy guidance to the professional boards by facilitating board meetings. In this role, the division also serves as a liaison between the boards and DSPS. Furthermore, DPD’s Office of Education and Examinations (OEE) is responsible for continuing education, examination requirements and examination administration for regulated professions and skilled trades. It also administers the Educational Approval Program (EAP) and the Wisconsin Enhanced Prescription Drug Monitoring Program (ePDMP).

### Measures of Productivity

#### **Board, Council and Committee Meetings**

During the biennium, DPD provided support to a total of 436 board, council, and committee meetings that were offered with in-person and virtual options. This change, instigated during the pandemic period, reflects increased efficiency achieved through the use of technology. The 2021-2023 biennial period represents a period of time when DSPS and the broader executive branch enterprise welcomed a “new normal” to our work and workforce.

MEETINGS	July 1, 2021- June 30, 2022	July 1, 2022- June 30, 2023
Boards, Councils, Committees	218	218

#### **Administrative Code Projects**

In 2021–2022 there were 36 administrative code projects in progress with 47 of them completed. Many of the code projects completed were initiated during the previous biennium. DPD had 36 administrative code projects and 22 of them were completed in 2022–2023.

PROJECT TYPE	July 1, 2021 – June 30, 2022	July 1, 2022 – June 30, 2023
IN PROGRESS		
Emergency	3	7
Permanent	33	29
COMPLETED		
Emergency	2	7
Permanent	45	15

#### **Skilled Trades Exam Administration**

DPD is also responsible for administering or overseeing the administration of examinations for regulated professions and sixty-two (62) skilled trades.



In February of 2023, DSPS announced a new partnership with CE Broker to offer a cloud-based continuing education management platform to Wisconsin credential holders. Wisconsin joined states including Texas, Wyoming, and New Mexico in offering CE Broker services to individuals in select professions who must satisfy continuing education requirements to maintain their occupational licenses. The Medical Examining Board will adopt the use of CE Broker as its official audit tool at the October 2023 board meeting.

Beginning in early July 2023, forty Wisconsin trades exams administered by DSPS are now offered in Spanish. Making trades exams available in Spanish directly invests in growing Wisconsin's workforce by providing another option for people who are becoming certified in our trades. While many professions use third-party partners to offer tests, DSPS administers most trades exams, such as plumbing and welding. A list of trades professions licensed by DSPS is available on the DSPS website.

Over the course of the biennium the OEE administered 13,505 online exams for business and health professions and 8,047 (multi-page paper) in-person examinations for skilled trades. Additionally, OEE reviewed and approved 2,077 continuing education (CE) courses/programs and audited 705 licenses for continuing education compliance. This number represents a decrease in continuing education audits due to the change in the number of professions DSPS audits, which is now limited to those regulated by the Medical Examining Board and the Real Estate Examining Board.

DSPS is on track to offer online trade examinations through testing company Pearson Vue starting in February 2024. This will offer much more flexibility and testing opportunities to trades professionals as they work toward their credentials.

**TRADES EXAMS ADMINISTERED – APPROVED EDUCATIONAL COURSES &  
LICENSES AUDITED FOR CONTINUING EDUCATION**  
Time Period: July 1, 2021 – June 30, 2022, and July 1, 2022 – June 30, 2023

EXAM MONTH	Trades Exams Administered		Online Exams Administered		Educational Courses Approved		Licenses Audited for CE	
	7/1/21–6/30/22	7/1/22–6/30/23	7/1/21–6/30/22	7/1/22 – 6/30/23	7/1/21–6/30/22	7/1/22 – 6/30/23	7/1/21–6/30/22	7/1/22–6/30/23
Year								
July	330	333	611	446	119	61	112	9
August	312	364	470	510	91	84	86	5
September	338	361	363	551	85	107	130	11
October	336	356	361	546	72	93	15	17
November	312	358	412	492	88	63	37	7
December	187	333	326	544	62	84	17	35
January	325	358	380	637	142	93	7	5
February	335	327	416	662	132	57	5	3
March	331	337	571	657	115	66	130	3
April	347	344	643	669	87	81	45	1
May	356	337	773	754	94	61	11	0
June	365	365	868	843	85	55	14	0
<b>Total</b>	<b>3,874</b>	<b>4,173</b>	<b>6,194</b>	<b>7,311</b>	<b>1,172</b>	<b>905</b>	<b>609</b>	<b>96</b>

## **The Enhanced PDMP**

### **Value Added Enhancements with User Satisfaction**

The ePDMP is a critical component of the state's effort to curb unsafe prescribing, and it has transformed prescriber culture. Since its inception, it has steadily reduced the overall number of opioid prescriptions dispensed in Wisconsin and has driven other practice improvements.

DSPS continued building upon the success of the ePDMP during the biennium. In recognition of the steady expansion of electronic health record (EHR) systems, DSPS added additional functionality to the ePDMP.

### **Quarter 1 2023 User Satisfaction Survey**

DSPS has conducted a survey of Wisconsin ePDMP users on a quarterly basis beginning the second quarter of 2021 to measure user satisfaction and inform current and future system enhancements. The Q1 2023 survey was sent to approximately 1,700 randomly selected users out of nearly 28,700 ePDMP users who were identified as "active," or non-prescribing users who had logged into the ePDMP in the past twelve months and prescribers who had patient queries conducted by themselves or their delegates in the past twelve months. A total of 327 complete responses were collected between March 22 and April 17, 2023.

Eighty-five percent of respondents were Healthcare Professionals, including Prescribers (56%), Pharmacists (3%), Delegates (17%), and Non-Prescribers (9%). The remaining 15% of respondents were Pharmacies, Submitters, Medical Coordinators, Law Enforcement, Government Employees, and Medical Examiner/Coroners.

The survey indicates that most users are satisfied with the Wisconsin ePDMP. Eighty-six percent of respondents reported overall satisfaction with the Wisconsin ePDMP, providing responses of "Satisfied" (47%) or "Very Satisfied" (38%). Satisfaction is 86% for Healthcare Professional respondents who have the option to access the ePDMP via an EHR interface and 83% for those who access directly via the ePDMP website.

Past user satisfaction surveys can be found here:

<https://dsps.wi.gov/Pages/BoardsCouncils/CSB/Reports.aspx>

### **ePDMP Grant Award**

In October 2020, the ePDMP program was awarded a \$1.9 million grant from the Harold Rogers (HRG) Prescription Drug Monitoring Program, which supports state and local governments in detecting and preventing the diversion and abuse of pharmaceutically controlled substances such as opioids and other prescription drugs. This funding was used over the biennium for overall infrastructure enhancements that increased security, user satisfaction, and adoption.

DSPS also received HRG funding for 2021 in the amount of \$1,648,600 and for 2022 in the amount of \$1,400,000. In mid-2022, the Bureau of Justice Assistance (BJA) changed how they interpret the applicable federal code and informed DSPS that the funding could no longer be used for program enhancements and upgrades. The grant narrative focused on an enhancement project to integrate the PDMP database with electronic medical records for all users at no cost to the users. This new guidance put the project temporarily on hold. Working with other impacted states and our BJA contacts, DPD is working to modify our grant narrative to focus solely on maintenance funding, which is allowed. Although these roadblocks caused significant concern, DPD is on a path to fully use the funding during the next biennium.

## **PDMP Budget Highlights**

In 2022, DSPS launched a grant program to enable health care providers who face financial barriers to integrate the ePDMP into their practice. As of Quarter 2 2023, 61 percent of patient queries in the ePDMP flow through electronic health record systems. This represents a ten percent increase from this time last biennium. The integration costs associated with this transition can be initially prohibitive, which is why ePDMP is engaged in an integration project to make it more affordable to invest in necessary upgrades so that ePDMP use is seamless. Many users have already gone through the process of integration, and the project is increasing utilization rates.

## **Key Initiatives & Developments**

### **Creation of the Wisconsin Advisory Council on Building Sustainability**

The Wisconsin Advisory Council on Building Sustainability was created under Wis. Stat. §§ 227.13 and 440.042(1) to review all building and construction codes and provide recommendations to DSPS on changes that would increase safety, resiliency, and sustainability.

This new advisory council will work closely with the Commercial Building Code Council, Uniform Dwelling Code Council, and Plumbing Code Advisory Committee to identify code updates that will expand opportunities for the construction industry to transition toward sustainable materials, systems and practices more quickly and affordably.

The council will lead efforts to identify ways building code updates can help move the commercial and residential construction industries toward clean energy. Incorporating clean energy priorities directly into building codes is an important step toward more resilient communities. Appointments to the council reflect the expertise and experience to create more opportunity for sustainable design and renewable energy and material use in Wisconsin. This effort is reflective of Governor Evers' broader goals found in the state Clean Energy Plan.

Innovations in the construction industry are a key component of the plan that calls for a modernization of buildings for moving Wisconsin toward a clean and reliable energy future. In addition to modernizing building codes, the plan calls for funding and support to move toward electrification and other sustainable energy sources.

Wisconsin's Council on Building Sustainability will review all building and construction codes and provide recommendations on changes to increase safety, resiliency, and sustainability. This will include considerations for expanding allowable use of new building materials (e.g., mass timber), expansion of alternative energy capability, creation of incentives that encourage climate-smart design and construction and other initiatives.

### **New Boards and Councils**

- ***Genetic Counselors Affiliated Credentialing Board***. The Genetic Counselors Affiliated Credentialing Board is created under Wis. Stat. § 15.406(8), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 448, subch. VIII. The members of the Genetic Counselors Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 4 genetic counselors, 2 medicine and surgery representatives, and 1 public member.
- ***Physician Assistant Affiliated Credentialing Board***. On March 27, 2021, 2021 Wisconsin Act 23 was published, creating the Physician Assistant Affiliated Credentialing Board. Pursuant to Section 73 of the Act, this board has replaced the Council on Physician Assistants as of April 1, 2022. The Physician Assistant Affiliated Credentialing Board is created in Wis. Stat. § 15.406(7), is affiliated with the Medical Examining Board, and has authority as outlined in Wis. Stat. ch. 448, Subch. VIII. The members of the Physician

Assistant Affiliated Credentialing Board are appointed by the Governor, and confirmed by the Legislature, to serve 4-year terms. The Board consists of eight physician assistant members licensed under Wis. Stat. ch. 448, Subch. VIII and one public member.

- Architect Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers. The new Architect Section of the A-E Board was created in Wis. Stat. § 15.405(2) and has authority as outlined in Wis. Stat. ch. 443. The members of the Architect Section are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Section consists of 3 architect members and 2 public members.
- Naturopathic Medicine Examining Board. The Naturopathic Medicine Examining Board was created in Wis. Stat. § 15.405(7f) and has authority as outlined in Wis. Stat. ch. 466. The members of the Naturopathic Medicine Examining Board are appointed by the Governor and confirmed by the Legislature to serve staggered 4-year terms. The Board consists of 4 licensed naturopathic doctors, 1 licensed physician, and 2 public members.
- Mass Timber Taskforce. This taskforce was created last biennium and the taskforce's work is expected to wrap up in the fall of 2023. The Mass Timber Task Force was created under Wis. Stat. § 227.13 to advise DSPS and the Commercial Building Code Council on matters relating to the development of mass timber guidelines. DSPS may use informal conferences and consultations to obtain the viewpoint and advise of interested persons with respect to contemplated rule making. DSPS may also appoint a committee of experts, interested persons or representatives of the public to advise it with respect to any contemplated rule making. The committee shall have advisory powers only.
- Ropeways Advisory Council. This council was created at the end of the biennium, and it is tasked with updating ski lift regulations. The council is expected to start meeting in the fall of 2023.
- Unarmed Combat Sports Code Advisory Committee. The Unarmed Combat Sports Code Advisory Committee was created under Wis. Stat. § 227.13 and Wis. Stat. § 440.042(1) to advise DSPS on rule promulgation for unarmed combat sports as a result of 2015 Wisconsin Act 277. DSPS may use informal conferences and consultations to obtain the viewpoint and advice of interested persons with respect to contemplated rule making. DSPS may also appoint a committee of experts, interested persons or representatives of the public to advise it with respect to any contemplated rule making. The committee shall have advisory powers only.

### **Trades Code Update Projects**

DSPS is engaged in multiple projects to update codes associated with trade industry professions. During 2023, the plumbing code was updated for the first time in fourteen years. The new code is effective October 1, 2023, after many months of work led by the Plumbing Code Advisory Committee and DPD. In addition, the Commercial Building Code Council update project culminated in an updated commercial building code being advanced to the legislature for consideration.

Other code projects planned for the next biennium include work from the following councils:

- Uniform Dwelling Code Council
- SPS 316 - Electrical Code Advisory Committee
- SPS 314 - Fire Prevention Code Advisory Committee
- Conveyance Safety Code Council
- Ropeways Advisory Council

## Division of Professional Credential Processing Accomplishments and Initiatives

The Division of Professional Credential Processing (DPCP) is responsible for all credential application processing, including determination of credential eligibility and renewal, for regulated professions. DPCP is responsible for licensure and verification of health, business, trades, manufactured homes and community credentials, operation of DSPS's customer service center and regulation of the state's unarmed combat sports program which includes the mixed martial arts and boxing program.

### Measures of Productivity

Between July 2021 and June 2023, DPCP received approximately 119,997 initial applications for licensure (health, business, and trades). As of June 30, 2023, there were 415,861 active credential holders.

#### **Applications Received**

DPCP's 34-member credentialing team processes and issues licenses for over 250 credential types, ranging from pharmacists, doctors and nurses to private security, real estate appraisers and master electricians. During the second year of the biennium, DPCP received 38% more applications than in the first year.

The continued volume of applications received exceeded the capacity of the department employees. As a result, DSPS augmented its licensing team with limited term, Federal Project, and State interchange employees.

Applications Received			
	Health	Business	Trades
2021–2022 (7/1/2021–6/30/2022)	26,846	13,264	10,207
2022–2023 (7/1/2022–6/30/2023)	44,251	14,155	11,066

#### **COVID-19 Response**

Wisconsin Act 10 was part of the administration and Legislature's efforts to enhance the efficiency of our healthcare workforce during the COVID-19 public health emergency. This simplified the healthcare licensure process and provided an avenue for licensed out-of-state practitioners to practice in Wisconsin without first requiring an in-state credential.

Act 10 Licenses Issued by Biennium	
2019–2021 (7/1/2019–6/30/2021)	295
2022–2023 (7/1/2021–6/30/2023)	1,715

## Renewals

The DPCP Renewals Teams are responsible for renewing all non-trades credential types. During this biennium the following number of credentials were renewed:

Renewals Issued	
2021–2022 (7/1/2021–6/30/2022)	193,231
2022–2023 (7/1/2022–6/30/2023)	162,081

## Call Center

DPCP’s Customer Service Center (CSC) handles DSPS’s incoming calls, sorts and responds to emails, downloads transcripts and routes or returns voicemails received on DSPS’s general line. In December of 2021, DPCP invested in a new management software which more than doubled the number of incoming calls the call center can receive.

Due to the volume of incoming calls, DSPS contracted with a third-party call center, which drove down call response times and increased customer satisfaction and speedier issue resolution.

	Calls Received	Calls Answered/ Voicemails Returned	Weekly Average Calls
2021–2022 (7/1/2021–6/30/2022)	288,985	125,881	5,557
2022–2023 (7/1/2022–6/30/2023)	397,855	341,416	7,651

## Unarmed Combat Sports

In 2021, DPCP added dedicated staff to assist with the Unarmed Combat Sports Program, which enabled the smooth resumption of events upon the implementation of effective public health measures. These staff allowed DSPS to regulate 53 events during this biennium. Additionally, Unarmed Combat Sports staff increased internal training options for officials and initiated an inspector training process to assist tribal officials with conducting events.

## Legal

DPCP legal team reviews all applications involving conviction records, discipline, reciprocity, malpractice, termination, and medical conditions and provides legal support for the division. During this biennium, the legal team received approximately 41 new files per week.

In April 2022, DPCP utilized American Rescue Plan Act funds to hire a project attorney. Later in 2022, two project paralegals were hired. As a result, DPCP was able to reduce legal review times by 67% from a six-week average processing time in 2022 to a two-week average processing time in 2023.

## Key Initiatives

### LicenseE

In May 2022, the division launched LicenseE, the new, online, self-guided occupational license application platform. During the initial launch, most health credential types gained access to DSPS’s first-ever fully electronic licensing platform. By September 2022 all health credentials

were available in LicenseE and in May 2023, business professions were added. Trades credentials are slated to go-live in early 2024.

Individual applicants for health and business credentials can submit documents directly to the agency using the platform. Additionally, third parties including educational institutions, employers, and testing centers can submit verified documents directly to the credentialing teams using the built-in third-party portal.

The launch of LicenseE also enabled key automations to reduce credentialing timelines. In April 2023, the nursing credentialing team added the ability for nursing schools to directly verify students had graduated from their institution.

### **Performance Data Dashboard**

In August 2023, the division launched a new public-facing dashboard designed to help improve transparency around licensing processes and DSPS processing capacity. The dashboard reflects the ongoing work to improve and modernize state services for the 21st century. The dashboard includes data on the number of days the division is taking to review new application submissions, application review times by profession, and licensing trends over the last five years.

## Information Technology Modernization

### Technology Modernization (LicenseE)

In December 2021, DSPS transitioned its technology modernization project's focus from the permitting, plan review and inspection processing to professional credentialing.

LicenseE is a self-guided, online platform that replaced paper-based applications for occupational licenses. This digitized licensing system has increased efficiency and decreased application processing time, which leads to the expedition of licensing.

The first phase, which included 72 health license types went online, May 16, 2022. Health profession renewals functionality was incorporated in the summer of 2022 and business professions went live May 2023.

The trades professions, unarmed combat sports, manufactured homes, and DSPS's complaint, inspections, and enforcement modules will be introduced in the first quarter 2024.



## Flex-Time and Alternative Work Schedule

Wisconsin Statute § 230.215 allows for the development and creation of alternative work schedules (i.e., staggered hours, flextime, deviated workweeks) provided they meet the needs of state service. DSPS has in place an Alternative Work Schedule policy that was issued on February 1, 2016, and revised effective August 2023. The policy applies to all non-shift permanent, project, and probationary employees. It is intended to establish uniform procedures and standards for reviewing and approving alternative work schedules.

With the initial issuance of Governor Evers “Safer-at-Home” orders in March 2020, except for those employees considered “essential” to the continuance of office operations, all state employees were ordered to work 100% remotely. With the continued extension of the order, which lasted approximately 16 months, we found that work could be successfully performed from remote locations for 90% of all positions.

As in-person restrictions were lifted, it became clear that the way we have historically worked can and should include more flexibility. As a result, DSPS adopted the State’s remote work policy by allowing eligible employees to work remotely three days a week and report to their headquartered office for the remaining two days.

## 2023–2025 Biennial Budget (2023 Wisconsin Act 19)

DSPS and board operations are funded through application, renewal and examination fees, and fees associated with required reviews of building plans and other items regulated under the law. A fee schedule for the application and renewal of professional credentials is set by DSPS with legislative oversight. Examination and other DSPS fees are set by statute and administrative rule.

The 2023–2025 budget contains funding for routine operations, ongoing improvements, and several projects that will benefit the people of Wisconsin.

DSPS is self-sustaining through the fees it generates and also directs some of its fee revenue annually to the general fund.

The 2023–2025 budget contains funding for routine operations, ongoing improvements, and several projects that will benefit the people of Wisconsin.

### Highlights

**Information Technology Enhancements:** System software subscription, maintenance, and upgrade costs were funded. In addition, one-time funding for technology programming enhancements, process improvements and deployment of state-wide projects was approved.

**Military Pathways Grant Program:** One-time funding each year of \$50,000 to continue the Military Pathways Grant program.

**Prescription Drug Monitoring Program:** Continued financial support to make technological changes to the prescription drug monitoring program.

**Youth Volunteer Firefighting Training Grants:** Provision of \$75,000 each year in one-time funding for the development and implementation of a youth volunteer firefighter training program, representing an increase of \$25,000 each year from prior biennium funding.

**Manufactured Housing Rehabilitation and Recycling Program:** Provides \$20,000 in each year as one-time funding.

**Private On-site Wastewater Treatment System (POWTS) Grant Program:** Reinstated program and provided \$840,000 in each year.

## **Program Goals and Objectives**

### **Program 1: Professional Regulation and Administrative Services**

**Goal:** The credentialing authorities will set appropriate eligibility, education, examination and experience requirements, and make this information readily available to users of services.

Objective/Activity: Provide ongoing assessment, consultation and assistance to the credentialing authorities to ensure there is transparency, consistency and effectiveness in the eligibility process and continuing education process where applicable.

Objective/Activity: Promote the DSPS website and electronic business services to focus DSPS's resources on priority needs and more direct consumer protection.

Objective/Activity: Represent Wisconsin's interests to national regulatory service agencies by participating in forums and conferences and responding to issue surveys.

Objective/Activity: Create valid and reliable jurisprudence examinations for new professions.

Objective/Activity: Evaluate, administer and manage examination services from outside vendors and conduct on-site performance audits.

**Goal:** The credentialing authorities will set and maintain practice standards essential to providing safe and effective services for consumers while weighing the effectiveness of and need for changes in the profession brought about by new technology.

Objective/Activity: Provide training to credentialing authorities relative to their role.

Objective/Activity: Ensure that regulatory information is accessible through DSPS's website, press releases and other DSPS communications.

Objective/Activity: Keep credentialing authorities informed of current developments, data, trends, legal opinions and issues related to their responsibilities.

**Goal:** The credentialing authorities will appropriately resolve complaints and discipline credential holders who violate professional standards.

Objective/Activity: Provide and manage Professional Assistance Procedure, a confidential program for impaired professionals.

Objective/Activity: Conduct reviews to screen, investigate and take legal action with respect to complaints to ensure compliance with policies of the credentialing authority.

Objective/Activity: Perform inspections and audits of business establishments and entities to ensure compliance with applicable laws and rules.

Objective/Activity: Prepare reports showing the number and nature of disciplinary actions and make that information accessible on the DSPS's website.

### **Program 2: Regulation of Industry, Safety and Buildings**

**Goal:** DSPS will promote safety in amusement venues, ski lifts and swimming pools as well as constructed public and private buildings in Wisconsin.

Objective/Activity: Development implement regulations, and provide services (e.g., plan review and inspection) and education which promote the construction of pools, public and private buildings, and operation of amusement venues according to code.