



March 30, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
PO Box 7882  
Madison, WI 53707

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
PO Box 8953  
Madison, WI 53708

RE: Biennial Report – Agency Review of Rules and Enactments

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

| Rules   | Description  | Action taken to address or reason for not taking an action |
|---------|--|--|
| SPS 130 | 2021 Act 195 transferred the regulation of Interior Designers to the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers. | Action to address this matter will be taken.               |

**II. Rules for which the authority to promulgate has been restricted:**

There are no promulgated rules for which the authority to promulgate has been restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

| Rules        | Description   | Action taken to address or reason for not taking an action |
|--------------|---|--|
| SPS 6.03 (6) | This provision contains obsolete references to the Bingo Control Board and Auction Board. | A scope statement (SS 003-21) has been published.          |

|                       |  |   |
|-----------------------|--|---|
| SPS 161.05            | After the enactment of 2017 Act 262, the Intermediate Clinical Supervisor credential’s requirements were made the same as the Independent Clinical Supervisor, which has made the Intermediate Clinical Supervisor credential obsolete.  | A scope statement is currently being drafted. |
| SPS 161.06 and 161.07 | 2017 Act 262 changed the requirements for the prevention specialist credential from requiring 2,000 hours of work experience under a prevention specialist in training credential to not needing any supervised practice. This has made the prevention specialist in training credential obsolete. | A scope statement is currently being drafted. |

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| Rules      | Citation or the text of the statute, regulation, or ruling  | Action taken to address or reason for not taking an action  |
|------------|---|---|
| SPS 85.210 | This provision sets out what an applicant for initial licensure as a certified or licensed appraiser must submit with their application. The statute (Wis. Stat. § 458.08(2)(a)) requires that applicants be at least 18 years of age.  | The department is recommending a change to the statute to conform with national standards set by the Appraisal Qualifications Board who is charged by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) to establish the minimum education, experience, and examination requirements for real property appraisers to obtain a state license or certification. (Notice of noncompliance received from Appraisal Subcommittee). |
| SPS 85.230 | This provision states the process for an applicant who is licensed in another state or territory of the United States to apply for Wisconsin licensure. The statute (Wis. Stat. § 458.12) provides for “reciprocal agreements” between the department and other states and territories to enable license holders in other states to obtain Wisconsin licensure. | The department is recommending a change to the statute to conform with national standards set by the Appraisal Qualifications Board who is charged by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) to establish the minimum education, experience, and examination requirements for real property appraisers to obtain a state license or certification. (Notice of noncompliance received from Appraisal Subcommittee). |

| Rules      | Citation or the text of the statute, regulation, or ruling   | Action taken to address or reason for not taking an action  |
|------------|--|---|
| SPS 85.400 | This provision states that a certified residential appraiser may conduct appraisals of commercial real estate having a transaction value of not more than \$500,000. The statute (Wis. Stat. § 458.16(1) only allows the use of the title “Wisconsin certified residential appraiser” on appraisals of commercial real estate having a transaction value of not more than \$250,000, implying a limit. | The department is recommending a change to the statute to conform with national standards set by the Appraisal Qualifications Board who is charged by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) to establish the minimum education, experience, and examination requirements for real property appraisers to obtain a state license or certification. (Notice of noncompliance received from Appraisal Subcommittee). |
| SPS 85.600 | This provision states that the department shall conduct examinations. Wis. Stat. § 458.10(1) states that the department shall conduct examinations “at least semi-annually.”   | The department is recommending a change to the statute to conform with national standards set by the Appraisal Qualifications Board who is charged by Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) to establish the minimum education, experience, and examination requirements for real property appraisers to obtain a state license or certification. (Notice of noncompliance received from Appraisal Subcommittee). |
| SPS 131    | The enactment of 2021 Act 17 requires an update to the entire Home Inspectors’ chapter in order to be compliant with statutory requirements in regard to home inspections, home inspectors’ qualifications for registration and discipline.  | Rule project CR 22-004 is currently under legislative review.   |
| SPS 162.02 | This provision contains specifications on who may supervise persons who are pursuing the supervised practice required for the substance abuse counselor credentials. These specifications might be in conflict with DHS 75.03 and 2017 Act 262.  | A scope statement is currently being drafted.   |

| <b>Rules</b>   | <b>Citation or the text of the statute, regulation, or ruling</b>  | <b>Action taken to address or reason for not taking an action</b>            |
|----------------|--|--|
| SPS 305.31-315 | 2021 Act 237 modified certain requirements for dwelling contractor education and the rules implementing those requirements need to be updated to ensure consistency with the statutes. | A scope statement for this project is under review by the Governor’s Office. |

**V. Rules that are economically burdensome:**

There are no promulgated rules that are economically burdensome.

**VI. Status of rules identified in the Department’s previous report:**

| <b>Rules</b>   | <b>Description of the legislation that eliminated the authority</b>       | <b>Action taken to address or reason for not taking an action</b>                         |
|--|---|---|
| SPS 305.68 and SPS 305.80 to 305.89  | 2013 Act 20.  | Per Act, DATCP/DNR (as appropriate) is responsible for repeal of rules.                   |
| <b>Rules</b>   | <b>Description</b>  | <b>Action taken to address or reason for not taking an action</b>                         |
| SPS 4.08   | This provision contains an obsolete reference to SPS 4.08 (2).            | Action to address this matter will be taken.  |
| SPS 6.03 (1)   | This provision contains an obsolete reference to the Bingo Control Board. | A scope statement (SS 003-21) has been published and a permanent rule is being drafted.   |
| <b>Rules</b>   | <b>Citation or the text of the statute, regulation, or ruling</b>         | <b>Action taken to address or reason for not taking an action</b>                         |
| SPS 9.04 (1)   | s. 440.03 (11m)<br>Invalid reference to s. 440.08 (2g) (b).               | Action to address this matter will be taken.  |
| SPS 9.05   | s. 440.12<br>Invalid reference to s. 440.08 (4) (b).                      | Action to address this matter will be taken.  |
| SPS 34   | s. 941.295 (2g) (c).  | A permanent rule (CR 20-021) has been finalized with an effective date of August 1, 2021. |
| SPS 50.110 (20); SPS 50.212; SPS 50.420; SPS 50.422; SPS 50.424; SPS 65.02 | ss. 454.25 (1), 454.265, 440.03 (4m), and 440.63 (2).                     | A scope statement (SS 047-21) has been published and a permanent rule is being drafted.   |
| SPS 141.04 (1) (b); SPS 141.02 (1) (b)                                     | s. 440.03 (9) (a).  | Action to address this matter will be taken.  |
| SPS 153.10   | s. SPS 4.09 (2).  | A permanent rule (CR 20-029) has been finalized with an effective date of August 1, 2021. |

|   |   |   |
|---|---|---|
| SPS 150 to 154                                    | s. 440.99 to 440.9935.  | A permanent rule (CR 20-029) has been finalized with an effective date of August 1, 2021. |
| SPS 160.015 (2) and 162.02 (1)                    | s. 440.88 (3m).   | Action to address this matter will be taken.  |
| SPS 162.02 (5)                                    | s. 440.88, Stats., and DHS 75.02.   | Action to address this matter will be taken.  |
| SPS 200 to 202                                    | s. 440.032.   | A permanent rule (CR 20-001) is pending review with the legislature.                      |
| SPS 221.04 (4) (a) and (e);<br>SPS 221.08 (1) (a) | SPS 4.03 (1), 1.05 (2), and 1.07.   | Action to address this matter will be taken.  |
| SPS 302.67  | s. 145.19 (5).  | Action to address this matter will be taken.  |
| SPS 316.002 (2)                                   | s. 101.82 (1).  | A permanent rule draft (CR 22-069) is currently under review by the Clearinghouse.        |
| SPS 321.097 (4)                                   | s. 101.49 (2) (a) 3. and 4.   | A permanent rule (CR 21-047) has been finalized with an effective date of June 1, 2021.   |
| SPS 334.002 (3)                                   | s. 101.02 (7r).   | A scope statement (SS 003-21) has been published and a permanent rule is being drafted.   |
| SPS 361 to 366                                    | ss. 101.02 (1), (7), (7m) and (15),<br>101.025, 101.027, 101.053,<br>101.11, 101.12, 101.13, 101.132,<br>101.14 (1), (4) and (4m), 101.145,<br>101.149, 101.19, 101.63, 101.73,<br>101.973. | A permanent rule draft (CR 23-007) is currently under review by the Clearinghouse.        |
| SPS 381 to 387                                    | Various.  | A permanent rule draft (CR 23-006) is currently under review by the Clearinghouse.        |

Sincerely,



Dan Hereth  
Secretary-designee

**Michael E. Friedman**  
Chairperson

**David K. Schlichting**  
Vice Chairperson

**Susan M. Strautmann**  
Secretary

**ACCOUNTING EXAMINING BOARD**



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified CR 20-041 as action taken to address ss. Accy 2.202 (5) and Accy 2.303 (3) , which were obsolete or had been rendered unnecessary due to containing provisions relating to applications filed prior to October 1, 2018, and October 1, 2017, respectively. CR 20-041 became effective on November 1, 2021.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Friedman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael Friedman  
Chairperson  
Accounting Examining Board

**Rosheen Styczinski**  
Chairperson

**James A. Gersich**  
Vice Chairperson

**Dennis Myers**  
Secretary

**EXAMINING BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS, PROFESSIONAL  
ENGINEERS, DESIGNERS, PROFESSIONAL  
LAND SURVEYORS AND REGISTERED  
INTERIOR DESIGNERS**



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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized rules, as defined in s. 227.26 (4) (a), Stats.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.



**VI. Status of rules identified in the Board’s previous report:**

| <b>Rule</b>                         | <b>Citation or the text of the statute, regulation, or ruling</b>   | <b>Status of action taken to address</b>  |
|-------------------------------------|---|---|
| A-E 2.02 (7)                        | This subsection contains obsolete references to subch. II of ch. 137, Stats.  | Obsolete references to subch. II of ch. 137, Stats., have been removed.                         |
| A-E 8.04 (5)                        | The provision will be revised to ensure that it is not interpreted in an unnecessarily economically burdensome way.   | Section A-E 8.04 (5) has been amended. Final rules (CR 21-019) were effective December 1, 2022. |
| A-E 10.03<br>A-E 11.03<br>A-E 12.03 | These sections contain an obsolete reference to the 2012 biennial registration period.  | A final rule (CR 20-064) became effective June 1, 2021.   |
| A-E 13.02                           | The definitions of “college semester hour” and “college quarter hour” in this section are unnecessary, as these terms are not used in ch. A-E 13.                                       | A final rule (CR 20-064) became effective June 1, 2021.   |
| A-E 3.05 (8)<br>A-E 5.04 (8) (a)    | Repeal of s. 443.09 (6), Stats., in 2009 Act 350.<br>Repeal of s. 443.09 (6), Stats., in 2009 Act 350.  | Final rules (CR 19-151) and (CR 20-014) became effective on June 1, 2021.                       |
| A-E 2.05                            | Replacing the term “board” with “section” to be more accurate in rules of general applicability, in accordance with 2011 Act 146.   | A final rule (CR 21-020) became effective on December 1, 2022.                                  |
| A-E 3.05<br>A-E 9.05                | Because the sections have determined that applicants should take a national exam to satisfy statutory requirements, specific provisions related to examination conduct are unnecessary. | Final rules (CR 19-151) and (CR 19-152) became effective on June 1, 2021.                       |

Thank you.

Sincerely,



Rosheen Styczinski  
Chairperson

Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers

**Kurt Fielding**  
Chairperson

**John Johnsen**  
Vice Chairperson

**Stephanie Atkins**  
Secretary

**WISCONSIN ATHLETIC TRAINERS AFFILIATED  
CREDENTIALING BOARD**



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March 20, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rules</b> | <b>Citation or the text of the statute, regulation, or ruling</b>                                 | <b>Action taken to address or reason for not taking an action</b>                                  |
|--------------|---|--|
| AT 1 and 4   | 2021 Wisconsin Act 71 removed the requirement to consult with a physician from Wis. Stat. ch. 448 | CR 23-001 is in progress to amend AT 1 and 4 to align with the statute changes from 2021 WI Act 71 |

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

No administrative rules were identified in the 2021 report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kurt Fielding", is written on a light yellow rectangular background.

Kurt Fielding  
Chairperson  
Athletic Trainers Affiliated Credentialing Board

**E. Glen Porter**  
Chairperson

**Bernard Schredl**  
Vice Chairperson

**Patricia Grathen**  
Secretary

## CEMETERY BOARD



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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

No administrative rules were identified in the 2021 report.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Glen Porter', with a long horizontal flourish extending to the right.

E. Glen Porter  
Chairperson, Cemetery Board

**Amy Heffernan**  
Chairperson

**Kris Erlandson**  
Vice Chairperson

**Daniel Meschefske**  
Secretary

**WISCONSIN CHIROPRACTIC EXAMINING BOARD**



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

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**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified no rules in its previous report.

Thank you.

Sincerely,

A handwritten signature in red ink, appearing to read "Amy Heffernan", is written over a light beige rectangular background.

Amy Heffernan  
Chairperson  
Chiropractic Examining Board

**Megan Jackson**  
Chairperson

**Kayla Cwojdzinski**  
Vice Chairperson

**Ann Hoepfner**  
Secretary

**COSMETOLOGY EXAMINING BOARD**



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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

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**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.



**VI. 2021 Report Follow up**

| <b>Rule</b>                    | <b>Description of the legislation that restricted the Board's authority</b>  | <b>Status of action taken to address</b>  |
|--------------------------------|--|---|
| ss. Cos 2.045 (1) and Cos 3.01 | 2017 Act 82 permits the practice outside of a licensed establishment and requires the Board to promulgate rules in accordance with the statutory change. | Section Rules for Cos 2 and 3 were amended to reflect 2017 Act 82. Final rules (CR 20-025) were effective August 1, 2021. |
| s. Cos 8.02 (1) and (4)        | 2017 Act 81 amended the requirements for reciprocal licensure.   | Section Rules for Cos 8 were amended to reflect 2017 Act 81. Final rules (CR 20-025) were effective August 1, 2021.       |
| Cos 10, Appendix I – Citation  | The Department has relocated to a new office building, and the address needs to be updated.  | Final rules (CR 20-025) were effective August 1, 2021.  |

Sincerely,



Megan Jackson  
Chairperson, Cosmetology Board

**Doug Englebert**  
Chairperson

**Alan Bloom**  
Vice Chairperson

**Yvonne Bellay**  
Secretary

**CONTROLLED SUBSTANCES BOARD**



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March 17, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

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| <b>Rules</b>  | <b>Citation or the text of the statute, regulation, or ruling</b>   | <b>Action taken to address or reason for not taking an action</b>                           |
|---------------|---|---|
| s. 961.20 (4) | 87 FR 78857 removed Fenfluramine from the federal schedules of the Controlled Substances Act as of 12/23/22 | The Board will take action to remove Fenfluramine from control in Wisconsin statute ch. 961 |

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

| <b>Rules</b>     | <b>Citation or the text of the statute, regulation, or ruling</b>                                 | <b>Action taken to address or reason for not taking an action</b>  |
|------------------|---|--|
| CSB 2            | 79 FR 10985   | CR 22-034 adds Alfaxalone to Schedule IV.  |
| CSB 2            | 74 FR 51234   | CR 22-036 adds Fospropofol to Schedule IV  |
| CSB 2            | 71 FR 51115   | CR 22-037 adds Embutramide to Schedule III   |
| CSB 2            | 74 FR23789  | CR 22-039 adds Lacosamide to Schedule V  |
| CSB 2            | 78 FR 72013   | CR 22-038 adds Perampanel to Schedule III  |
| CSB 4.02 (8) (a) | The note attached to CSB 4.02 (8) (a) references Phar 7.095 which has been removed from the code. | The note attached to CSB 4.02 (8) (a) has been revised   |
| s. 961.18 (7)    |   | 38 anabolic steroids have been added via Affirmative Action to schedule III to align s. 961.18 (7) with federal schedules, SS 091-22 is in progress to make this scheduling action permanent |
| s. 961.16(2)(a)  | 85 FR 4215; removed as a controlled substance eff. 1/24/2020                                      | CR 22-035 excludes 6-beta-Naltrexol from schedule II   |

|               |  |   |
|---------------|--|---|
| s. 961.14 (5) |  | CR 22-040 transfers 1-phenylcyclohexamine and 1-piperidinocyclohexanecarbonitrile (PCP precursors) from schedule I to schedule II |
|---------------|--|---|

Sincerely,

*Douglas Englebert*

---

Doug Englebert, Chairperson

**Dr. Matthew Bistan**  
Chairperson

**Dr. Shaheda Govani**  
Vice Chairperson

**Dr. Troy Alton**  
Secretary

**DENTISTRY EXAMINING BOARD**



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March 17, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

- I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**  
After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.
- II. Rules for which the authority to promulgate has been restricted:**  
After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.
- III. Rules that are obsolete or that have been rendered unnecessary:**  
After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.
- IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**  
After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

| <b>Rule</b> | <b>Description</b>  | <b>Action taken to address or reason for not taking an action</b>   |
|-------------|---|---|
| EmR2216     | This rule relates to pre-certification sedation requirements. Based on feedback from the public hearing following publication of this rule, an economic burden on Dentists has been identified due to the amount of time and expense required to complete the new requirements for enteral sedation permit education. | This emergency rule will be allowed to expire on April 26, 2023. The permanent rule that will replace it after that date has been revised to reduce the burden on Dentists who need to obtain enteral sedation permits. |

**VI. 2021 Report Follow up**

No administrative rules were identified in the 2021 report.

Sincerely,



Matthew Bistan, DDS  
Chair

**Tara LaRowe**  
Chairperson

**DIETITIANS AFFILIATED CREDENTIALING BOARD**

4822 Madison Yards Way  
PO Box 8366  
Madison WI 53708-8366

**Jill Hoyt**  
Vice Chairperson



**Rebecca Kerkenbush**  
Secretary

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March 22, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| <b>Rule</b>                | <b>Description of the legislation that restricted the Board's authority</b>           | <b>Status of action taken to address</b>   |
|----------------------------|---|--|
| DI 1.02 (7)<br>DI 2.01 (5) | These subsections contain an obsolete reference to the American Dietetic Association. | The Board is currently working on rule (CR 22-031) to implement 2019 Wisconsin Act 143, which entitles service members, former service members, and their spouses to obtain and renew a reciprocal credential and remove the obsolete reference. |

Sincerely,



Tara LaRowe  
Chairperson  
Dietitians Affiliated Credentialing Board



**Joseph Schinkten**  
Chairperson

**A. Dawn Adams**  
Vice Chairperson

**Mary Hoehne**  
Secretary

**FUNERAL DIRECTORS  
EXAMINING BOARD**



4822 Madison Yards Way  
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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| <b>Rule</b>  | <b>Citation or the text of the statute, regulation, or ruling</b>  | <b>Status of action taken to address</b>                   |
|--|--|--|
| ss. FD 1.02 (3) and (4); 1.04 (title), (intro.), and (1); 1.05; 1.055; and FD 4.03 (1) | These provisions are in conflict with statute as amended by 2019 Wisconsin Act 137. The rules must be updated to reflect that 24 credits of college are required as opposed to 2 years; to reflect that the 16 hour certification course is not required for apprentice applicants who have already completed mortuary school; and to establish topics of appropriate continuing education for newly licensed funeral directors. | A final rule (CR 20-045) became effective on July 1, 2021. |

Sincerely,



Joseph Schinkten  
Chairperson, Funeral Directors Examining Board

**Trevor Nobile**  
Chairperson

**Ann Hirekatur**  
Vice Chairperson

**Stephanie Williams**  
Secretary

## **GHSS EXAMINING BOARD**



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---

March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| <b>Rule</b>                   | <b>Duplicative, superseded, in conflict with a statute, regulation, or ruling.</b>  | <b>Status of action taken to address</b>   |
|-------------------------------|---|--|
| ss. GHSS 2.06; 3.05; and 4.05 | These rule provisions are in conflict with 2013 Act 114 which prohibits credentialing boards from requiring a person to complete postsecondary education before the person is eligible to take an examination for a credential. | Scope statement 104-14 was created to address this issue and expired due to lack of quorum. The board will review these issues at upcoming meetings. |

Sincerely,



Chairperson  
Examining Board of Professional Geologists, Hydrologists and Soil Scientists

**Kathleen Pazak**  
Chairperson

**Justen Willemon**  
Vice Chairperson

**Catherine Kanter**  
Secretary

**HEARING AND SPEECH  
EXAMINING BOARD**



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March 23, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rule</b> | <b>Citation or the text of the statute, regulation, or ruling</b>   | <b>Status of action taken to address</b>  |
|-------------|---|---|
| s. HAS 1    | Licensure of Hearing Instrument Specialists, including definitions of hearing instrument, and practice, which details fitting and dealing in hearing aid instruments. Over-the-counter (OTC) hearing aids are included in this definition. 21 CFR 800 prohibits states from | The Board cannot authorize changes to these rules until corrective state legislation has been passed. |

|  |  |   |
|--|--|---|
|  | requiring a license to sell over-the counter hearing aids.   |   |
| s. HAS 2.01 (2) and (4)                    | Hearing Instrument Specialists Temporary Trainees, which details the conditions and time periods temporary hearing instrument specialist trainees may fit hearing instruments, make ear impressions, and make measurements of human hearing while under direct supervision of a hearing instrument specialist or audiologist. Over-the-counter (OTC) hearing aids are included as hearing instruments under this definition. 21 CFR 800 prohibits states from requiring a license to sell over-the counter hearing aids.   | The Board cannot authorize changes to these rules until corrective state legislation has been passed. |
| s. HAS 4                                   | Hearing Instrument Specialists Measurement of Human Hearing which defines audiometrics, ear molds, and equipment used to measure human hearing. Some over-the-counter (OTC) hearing aids may be included in this definition. 21 CFR 800 prohibits states from requiring a license to sell over-the counter hearing aids.   | The Board cannot authorize changes to these rules until corrective state legislation has been passed. |
| ss. HAS 5.02 (2) (f) and HAS 5.02 (2) (fm) | Violations of professional conduct for failing to maintain proper calibration of audiometric equipment and failing to maintain adequate records of certifications of calibrations of audiometric equipment for a period of 5 years, or failing to provide access to those records when requested by the board or its representative. Over-the-counter (OTC) audiometric equipment may be included in this definition. 21 CFR 800 updates audiometric equipment requirements and prohibits states from requiring a license to sell (OTC) over-the counter hearing aids. | The Board cannot authorize changes to these rules until corrective state legislation has been passed. |
| s. HAS 6.02 (2), (3), (4t), and (6a).      | Definitions governing the licensure of audiologists, including the practice and fitting of hearing aids. Over-the-counter (OTC) hearing aids are included in this definition. 21 CFR 800 prohibits states from requiring a license to sell over-the-counter hearing aids.  | The Board cannot authorize changes to these rules until corrective state legislation has been passed. |

**V. Rules that are economically burdensome:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| <b>Rule</b>             | <b>Description</b>  | <b>Action</b>   |
|-------------------------|---|---|
| s. HAS 3.03 (2) (d)     | The topic listed for the practical examination is obsolete. | The Board's rule project to address this issue, CR 20-036, was effective September 1, 2021. |
| s. HAS 7.03 (3) (b) 2.  | References to s. HAS 3.02, which has been repealed.         | The Board's rule project to address this issue, CR 20-036, was effective September 1, 2021. |
| s. HAS 8.03 (2) and (4) | References to s. HAS 7.05, which has been repealed.         | The Board's rule project to address this issue, CR 20-036, was effective September 1, 2021. |

Sincerely,



Kathleen Pazak  
Chairperson, Hearing and Speech Examining Board

**Sheldon A. Wasserman**  
Chairperson

**Clarence P. Chou**  
Vice Chairperson

**Sumeet K. Goel**  
Secretary

**MEDICAL EXAMINING BOARD**



4822 Madison Yards Way  
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March 17, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rule</b> | <b>Description</b>   | <b>Status of action taken to address</b>   |
|-------------|--|--|
| Med 24      | 2021 Wisconsin Act 121 created a statutory definition for Telehealth that the Board is required to follow. Chapter Med 24 on Telemedicine is currently in conflict with this statute change. | A rule project will be started to amend Med 24 to comply with 2021 Wisconsin Act 121 |



|               |   |  |
|---------------|---|--|
| Med 24.01 (5) | This subsection includes a reference to Med 8.07. Chapter Med 8 was repealed and replaced with the authority of the Physician Assistant Affiliated Credentialing Board to create separate rules pursuant to 2021 Wisconsin Act 23 | A rule project will be started to amend Med 24.01 (5) to correctly reference Physician Assistants under their new rules. |
|---------------|---|--|

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

No administrative rules were identified in the 2021 report.

Sincerely,



Sheldon A. Wasserman, MD  
Chairperson  
Medical Examining Board

**Tammy Scheidegger**  
Chairperson

**Sheng Lee Yang**  
Vice Chairperson

**Lindsey Marsh**  
Secretary

**MARRIAGE AND FAMILY THERAPY,  
PROFESSIONAL COUNSELING, AND  
SOCIAL WORK EXAMINING BOARD**



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

| <b>Rule</b>        | <b>Description of why the rule is duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction</b>          | <b>Action taken to address or reason for not taking an action</b>   |
|--------------------|--|---|
| s. MPSW 20.02 (25) | This section makes conversion therapy unprofessional conduct. JCRAR decided to suspend this subsection on the grounds that the provision is arbitrary and capricious, and fails to comply with legislative intent. | Pursuant to 227.26 (2) (f), JCRAR introduced 2023 AB 3 and SB 4, in support of the suspension. Both bills look to redefine unprofessional conduct for the MPSW Examining Board and to suspend the conversion therapy inclusion in ch. MPSW 20. The matter awaits action by the Legislature. |

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board’s previous report:**

| <b>Rule</b>           | <b>Description of why the rule is obsolete or has been rendered unnecessary</b>  | <b>Action taken to address or reason for not taking an action</b>   |
|-----------------------|--|---|
| s. MPSW 1.02 (2h)     | The entity described in this definition should be IC&RC, not ICRC.   | The board is currently working on SS 064-22, a MPSW 1 to 20 comprehensive review regarding telehealth, which also includes a revision of obsolete provisions. |
| s. MPSW 19.03 (1) (a) | This provision currently does not include several entities that provide continuing education programs that the board would like to add as approved providers, and also contains duplicative entries.   | The board will review and consider a scope statement to correct this issue at upcoming meetings.  |
| s. MPSW 1.04          | The provision refers to only applications for certification. It should refer to both applications for certification and applications for licensure. The board issues both licenses (LCSW, MFT, LPC, ITs) and certificates (APSW, SWTC, CSW, CISW) under state law. | The board is currently working on SS 064-22, a MPSW 1 to 20 comprehensive review regarding telehealth, which also includes a revision of obsolete provisions. |
| s. MPSW 3.07 (3)      | The training requirement for certification as an ISW does not match the statutory requirement in s. 457.08 (3) (c).  | The board will review and consider a scope statement to correct this issue at upcoming meetings.  |

|                   |  |  |
|-------------------|--|--|
| s. MPSW 3.09 (3m) | The requirements enumerated in this provision for an individual to obtain credit for clinical hours completed outside of Wisconsin are inconsistent with the current clinical training hour requirements in MPSW 3.09 (3) for licensure as a clinical social worker. | The board will review and consider a scope statement to correct this issue at upcoming meetings. |
|-------------------|--|--|

Thank you.

Cordially,



Tammy Scheidegger  
Chairperson

Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board

Jaime Ehmer  
Chairperson

Ramona Trudeau  
Vice Chairperson

Charisma Townsend-Davila  
Secretary

**WISCONSIN MASSAGE THERAPY AND BODYWORK  
THERAPY AFFILIATED CREDENTIALING BOARD**



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March 21, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

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**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

No administrative rules were identified in the 2021 report.

Sincerely,

A handwritten signature in black ink that reads "Jaime Ehmer". The signature is written in a cursive style with a large, prominent "J" and "E".

Jaime Ehmer

Chairperson

Massage Therapy and Bodywork Therapy Affiliated Credentialing Board

**Robert Weinman**  
Chairperson

**Emily Zentz**  
Vice Chairperson

**Janice Edelstein**  
Secretary

**BOARD OF NURSING**



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report under Wisconsin Statutes Section 227.29

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

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**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified CR 20-065 as action taken to address ss. N 4.02 (2) and N 4.04 (1), which were obsolete or economically burdensome. CR 20-065 became effective on February 1, 2022.

Sincerely,

Handwritten signature of Robert Weinman TW-CCHP in black ink.

Robert Weinman  
Chairperson  
Board of Nursing



**David Larson**  
Chairperson

**Diane Lynch-  
deCombhs**  
Vice Chairperson

**Echo Bristol**  
Secretary

**WISCONSIN NURSING HOME ADMINISTRATOR  
EXAMINING BOARD**



4822 Madison Yards Way  
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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

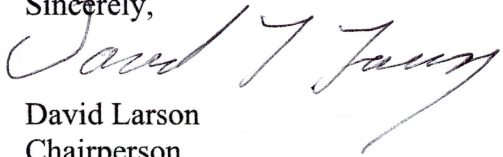
After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified no rules in its previous report.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Larson".

David Larson  
Chairperson  
Nursing Home Administrator Examining Board

**Robert Schulz**  
Chairperson

**Emmylou Wilson**  
Vice Chairperson

**Jeffrey Clark**  
Secretary

**OPTOMETRY EXAMINING BOARD**



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March 23, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| Rule                           | Citation or the text of the statute, regulation, or ruling.  | Action taken to address or reason for not taking an action   |
|--------------------------------|--|--|
| Opt 5 – Unprofessional conduct | Comprehensive review including the quality standards for ophthalmic lenses referenced in Opt 5.11 and the disclosure requirements in Opt 5.14 to ensure the rules reflect the current practice of optometry and adequately protect patients. | The Board has implemented updates to Opt 5 related to unprofessional conduct. Rule effective 7/1/2022 (CR 21-005). |

Sincerely,



Robert Schulz  
Chairperson, Optometry Examining Board

**Laura O'Brien**  
Chairperson

**Teresa Black**  
Vice Chairperson

**Terry Erickson**  
Secretary

**WISCONSIN OCCUPATIONAL THERAPISTS  
AFFILIATED CREDENTIALING BOARD**



4822 Madison Yards Way  
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March 20, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rules</b> | <b>Citation or the text of the statute, regulation, or ruling</b>  | <b>Action taken to address or reason for not taking an action</b>                                    |
|--------------|--|--|
| OT 1 to 5    | 2021 Wisconsin Act 123 made changes to Wis. Stat. ch. 448 relating to the Occupational Therapy Licensure Compact | SS 071-22 has been opened to align OT 1 to 5 with the statutory changes from 2021 Wisconsin Act 123. |

**V. Rules that are economically burdensome:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board’s previous report:**

| <b>Rule</b>     | <b>Description of the legislation that restricted the Board’s authority</b>  | <b>Status of action taken to address</b>   |
|-----------------|--|--|
| OT 3.06 (5)     | The Board’s authority to request verification of compliance with continuing education requirements has been restricted by 2017 Act 59, s. 1929.  | The Board has implemented rule updates to OT 3 related to biennial registration. Rule effective date of 7/26/21 (CR 20-016).   |
| OT 2.02 (1) (b) | This section is in conflict with s. 448.963, Stats., which requires initial certification with the National Board for Certification in Occupational Therapy (NBCOT) for licensure. Currently, section OT 2.02 (1) (b) states that an applicant must be “certified” with NBCOT for licensure. | A final draft rule (CR 22-027) that updates the requirements for licensure has been submitted to the Legislature for approval. |

Thank you.

Sincerely,



Laura O’Brien  
Chairperson  
Occupational Therapists Affiliated Credentialing Board

**John Weitekamp**  
Chairperson

**Tiffany O'Hagan**  
Vice Chairperson

**Susan Kleppin**  
Secretary

**PHARMACY EXAMINING BOARD**



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March 16, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

After careful review of the Board's administrative rules, the Board has determined that no unauthorized rules are promulgated.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

| <b>Rule</b> | <b>Description</b>   | <b>Action taken to address or reason for not taking an action</b> |
|-------------|--|---|
| Phar 15     | Aligning state code with United States Pharmacopeia 2023 General Chapters 795, 797, 800, and 825 | SS 007-23 has been opened to address this concern                 |

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rule</b>                 | <b>Description</b>  | <b>Action taken to address or reason for not taking an action</b>   |
|-----------------------------|---|---|
| Phar 1, 6, 7, 8, 12, and 13 | Aligning state code with federal Drug Supply Chain Security Act (Electronic Track and Trace Pedigree System, Drug Supply Chain Security, Manufacturer and Distributors) | A finalized version of updates to the Drug Supply Chain Security Act is set to be effective in November 2023. The Board will be opening a new scope statement to address these updates. |
| Phar 8                      | Controlled Substances Prescription Requirements   | Chapter Phar 8 was recently repealed and recreated with updated requirements in October 2022. The Board has   |

|  |  |   |
|--|--|---|
|  |  | determined that additional changes will be needed relating to prescription requirements and will be pursuing both an emergency and permanent rule to rectify the situation. |
|--|--|---|

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. 2021 Report Follow up**

| <b>Rule</b>                 | <b>Obsolete rules or rule that have been rendered unnecessary.</b>   | <b>Action taken to address or reason for not taking an action</b>   |
|-----------------------------|--|---|
| Phar 5.02                   | It is no longer necessary for a pharmacist to notify the Board in writing of a name or address change as notification is now electronic.   | CR 21-074 has been submitted to the Legislature for approval.   |
| <b>Rule</b>                 | <b>Duplicative, superseded, in conflict with a statute, regulation, or ruling.</b>   | <b>Action taken to address or reason for not taking an action</b>   |
| Phar 1, 6, 7, 8, 12, and 13 | Aligning state code with federal Drug Supply Chain Security Act (Electronic Track and Trace Pedigree System, Drug Supply Chain Security, Manufacturer and Distributors, Third Party Logistics Providers)   | SS 137-20 was opened to address this concern however, a finalized version of updates to the Drug Supply Chain Security Act is set to be effective in November 2023. As such, the Board has determined that this project will be paused until the new updated federal rules are available. This means a new scope statement will also be needed. |
| Phar 11.01                  | Procedures for disciplinary proceedings before the board are set forth in ch. SPS 2. This provision is duplicative.  | CR 21-074 has been submitted to the Legislature for approval.   |
| Phar 12.04                  | Before a license is granted, an inspection of the establishment shall be conducted by the board or its representative to determine if the location meets the standards in 21 USC 351 and 352 (1984) and 21 CFR 210 and 211 (1985). The referenced federal statute has been superseded. | CR 21-074 has been submitted to the Legislature for approval.   |
| <b>Rule</b>                 | <b>Economically burdensome</b>   | <b>Action taken to address or reason for not taking an action</b>   |
| Phar 6.04                   | Floor design, professional service area, and prescription counter space do not correspond with the evolving types of pharmacies.   | CR 21-074 has been submitted to the Legislature for approval.   |

Sincerely,



John Weitekamp  
Chair



**Jack Hutter**  
Vice Chairperson  
**Randall Kittleson**  
Secretary

**PODIATRY AFFILIATED CREDENTIALING BOARD**

4822 Madison Yards Way  
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March 20, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

| <b>Rule</b> | <b>Description</b>   | <b>Status of action taken to address</b>   |
|-------------|--|--|
| Pod 9       | This subsection includes references to ss. Med 8.01 (2), 8.07, 8.09, 8.10. Chapter Med 8 was repealed and replaced with the authority of the Physician Assistant Affiliated Credentialing Board to create separate rules pursuant to 2021 Wisconsin Act 23 | A rule project will be started to amend Pod 9 to correctly reference Physician Assistants under their new rules. |

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

| <b>Rule</b>   | <b>Description of the legislation that restricted the Board's authority</b>   | <b>Status of action taken</b>  |
|---------------|---|--|
| Pod 3.04      | The Board's authority to request verification of compliance with continuing education requirements has been restricted by 2017 Act 59, s. 1929. | The Board implemented rule updates to Pod 3 and 4, relating to continuing education. Rule effective date was 12/01/21 (CR 20-017).   |
| Pod 1.03 (2)  | This section contains an obsolete reference to the Council on Education of the American Podiatric Association.                                  | A final draft rule (CR 22-018) that reflects that the Council on Education has been renamed the Council on Podiatric Medical Education, and that the American Board of Foot and Ankle Surgery and American Board of Podiatric Medicine are the recognized specialty boards in the podiatric medical profession has been submitted to the Legislature for approval. |
| Pod 2.01 (21) | This section contains an obsolete reference to the Council on Podiatric Medicine of the American Podiatric Medical Association.                 | A final draft rule (CR 22-018) that reflects that the Council on Education has been renamed the Council on Podiatric Medical Education, and that the American Board of Foot and Ankle Surgery and American Board of Podiatric Medicine are the recognized specialty boards in the podiatric medical profession has been submitted to the Legislature for approval. |

Thank you.

Sincerely,



Jack Hutter  
Vice Chairperson  
Podiatry Affiliated Credentialing Board

**Daniel A. Schroeder**  
Chairperson

**Marcus P. Desmond**  
Vice Chairperson

**David W. Thompson**  
Secretary

**PSYCHOLOGY EXAMINING BOARD**



4822 Madison Yards Way  
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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 240 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a):**

| <b>Rules</b>                                     | <b>Description of the legislation that unauthorized the rules</b>   | <b>Action taken to address or reason for not taking an action</b>  |
|--|---|--|
| Psy 2.013 (3)<br>Psy 2.018<br>Psy 3<br>Psy 4.025 | 2021 Wisconsin Act 22 eliminated the licensing to private practice school psychologists as well as the licensure requirements for reciprocal candidates and initial licensure exemption for ABPP diploma holders. | The Board made a petition to JCRAR to do an expedited repeal with CR 21-084. The petition was approved on December 15, 2021, and the repeal became effective on March 1, 2022. |

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified no rules in its previous report.

Thank you.

Cordially,



Daniel A. Schroeder  
Chairperson  
Psychology Examining Board

**John F. Greany**  
Chairperson

**Steven Johnson**  
Vice Chairperson

**Barbara A. Carter**  
Secretary

**PHYSICAL THERAPY EXAMINING BOARD**



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March 14, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have restricted authority.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are obsolete or have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

The Board identified no rules in its previous report.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Green". The signature is written in a cursive style with a large, sweeping initial "D" and a long, horizontal stroke extending to the right.

Chairperson  
Physical Therapy Examining Board

**Donald Borst**  
Chairperson

**Rachael Julson**  
Vice Chairperson

**Tim Szczykutowicz**  
Secretary

## RADIOLOGY EXAMINING BOARD



4822 Madison Yards Way  
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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report:**

| <b>Rule</b>          | <b>Description of the legislation that restricted the Board's authority</b> | <b>Status of action taken to address</b>   |
|----------------------|---|--|
| RAD 2.06<br>RAD 3.06 | The Board conducted a comprehensive review and update of chs. RAD 2 and 3.  | Administrative code chapters RAD 2 and 3 have been amended. Final rules (CR 21-048) were effective July 1, 2022. |

Sincerely,



Donald Borst  
Chairperson, Radiography Examining Board



**Thomas Richie**  
Chairperson

**Elizabeth Lauer**  
Vice Chairperson

**Dennis Pierce**  
Secretary

**REAL ESTATE  
EXAMINING BOARD**



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March 6, 2023

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Adam Neylon, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 204 North, State Capitol  
Madison, WI 53702

RE: Biennial Report Submitted in Compliance with s. 227.29 (1), Wis. Stats.

Dear Senator Nass and Representative Neylon:

This report has been prepared and submitted in compliance with the provisions under s. 227.29 (1), Wis. Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have their authority restricted.

**III. Rules that are obsolete or that have been rendered unnecessary:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules have been rendered unnecessary.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by or in conflict with another rule, state statute, or federal statute/regulation or a court ruling.

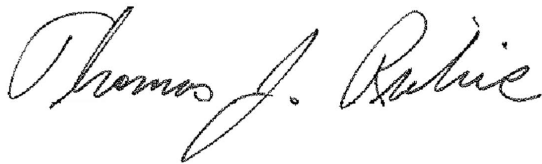
**V. Rules that are economically burdensome:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are economically burdensome.

**VI. Status of rules identified in the Board's previous report**

| <b>Rule</b>       | <b>Description of the legislation that restricted the Board's authority</b> | <b>Status of action taken to address</b>   |
|-------------------|---|--|
| REEB 12.017(3)(a) | Apprenticeships no longer exist.  | A final draft rule (CR 21-018) has been submitted to the Legislature for approval.       |
| REEB 12.011       | Duplicative with s. SPS 4.035   | A final draft rule (CR 21-018) has been submitted to the Legislature for approval.       |
| REEB 24.04        | Duplicative and superseded by s. 452.136, Stats.                            | A permanent rule (CR 21-043) has been finalized with an effective date of April 1, 2022. |

Sincerely,



Thomas Richie  
Chairperson  
Real Estate Examining Board