



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2563/1
MED:cjs&wlj

2023 SENATE BILL 195

April 3, 2023 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Licensing, Constitution and Federalism.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to renumber and amend* 440.09; *to amend* 101.022 and 440.09 (title);
2 and *to create* 440.09 (1m) (title) and 440.09 (2r) of the statutes; **relating to:**
3 requiring the Department of Safety and Professional Services to post certain
4 credential information on its website.

Analysis by the Legislative Reference Bureau

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

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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

Under current law, for health and business credentials administered by the Department of Safety and Professional Services (DSPS) or a credentialing board, a specific reciprocal credential standard is typically specified for each credential, which establishes the eligibility criteria for issuing a reciprocal credential. A reciprocal credential is a credential issued to a person who already possesses a similar credential in another jurisdiction. Also known as licensure by endorsement, the process for granting a reciprocal credential typically allows an applicant who is already credentialed in

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another jurisdiction to receive a credential without having to provide all of the documentation or satisfy all of the criteria that would otherwise be required to be granted a credential. A commonly used standard specifies that a reciprocal credential may be granted if the other state's credentialing requirements are "substantially equivalent" to Wisconsin's credentialing requirements for the profession.

The bill requires the Department of Safety and Professional Services (DSPS) to determine, for each health care provider credential, whether the profession's reciprocity standard requires an examination of the equivalence, comparability, or similarity of a prior issuing state's or territory's credentialing requirements. For each health care provider credential that DSPS determines applies this reciprocity standard, DSPS must review all other states' and territories' health care provider credentialing requirements, in consultation with the appropriate credentialing boards, to determine whether each other state's or territory's laws qualify for purposes of granting a reciprocal health care provider credential under state law.

DSPS must post the results of its review on its website, and must update the review at least every four years.

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

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

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

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

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

14 **440.09 (1m) (a) (intro.)** In this ~~section~~ subsection:

15 1. "Former service member" means a person who was discharged from the U.S.
16 armed forces under conditions other than dishonorable within 4 years of the date on

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1 which the service member or the spouse of the service member applies for a reciprocal
2 credential under this ~~section~~ subsection.

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

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

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

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

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

16 440.09 (1m) (title) RECIPROCAL CREDENTIALS FOR SERVICE MEMBERS, FORMER
17 SERVICE MEMBERS, AND THEIR SPOUSES.

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

19 440.09 (2r) RECIPROCAL CREDENTIALS; HEALTH CARE PROVIDER CREDENTIALS. (a)
20 In this subsection, “health care provider credential” means any credential specified
21 in s. 440.094 (1) (c).

22 (b) 1. The department shall, for each health care provider credential, do all of
23 the following:

24 a. Determine whether there are any provisions under chs. 440 to 480 for
25 granting a reciprocal credential corresponding to that credential that require an

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1 examination of the equivalence, comparability, or similarity of the credentialing
2 requirements in other states or territories in the United States to the laws under chs.
3 440 to 480, or rules promulgated thereunder, for granting that credential.

4 b. For each provision identified under subd. 1. a., review the laws of every other
5 state to determine if and how the laws of each state compare to the laws of this state
6 and whether each state's laws qualify, for purposes of granting a reciprocal credential
7 under that provision. The department shall also, as applicable, similarly review the
8 laws of other territories in the United States.

9 c. Post the results of the department's reviews under subd. 1. b. on the
10 department's website.

11 2. a. The department shall consult with the appropriate credentialing boards
12 in performing the duties specified under subd. 1.

13 b. The department shall perform the duties under subd. 1. and update the
14 results posted under subd. 1. c. at least every 4 years.

15 (END)