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Scott Walker, Governor
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COUNCIL ON PHYSICIAN ASSISTANTS
Room 121A, 1400 East Washington Avenue, Madison
Contact: Tom Ryan (608) 266-2112
May 1, 2014

The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Council.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A) Adoption of Agenda

B) Welcome New Members

C) Approval of Minutes of June 6, 2013 (4-8)

D) Appointments/Reappointments/Confirmations

E) Administrative Updates
1) Staff Updates
2) Scheduling Future Meetings
3) DSPS Economic Impact Report **(9-38)**
4) Study on Consolidating the Department of Agriculture, Trade and Consumer Protection with the Department of Safety and Professional Services – Discussion of Findings and Recommendations **(39-167)**
5) Election of Officers
   a) Chair
   b) Vice Chair
   c) Secretary

6) Appointment of Liaisons and Alternates
   a) Representative at Medical Examining Board (MEB) Meetings
   b) Credentialing Liaisons
   c) Legislative Liaisons
   d) Education and Exams Liaison
   e) Examination Panel
   f) Newsletter Coordinator
   g) Practice Question Council Contact
   h) Travel Liaison
   i) Professional Assistance Procedure (PAP) Liaison **(168-172)**
   j) Rules Liaison
   k) Website Liaison
   l) Prescription Drug Monitoring Program (PDMP) Liaison **(173)**
      1) **APPEARANCE –** Chad Zadrazil, Department PDMP Program Director
   m) Other Liaison(s)
7) Delegated Authority Motions **(174)**

F) Credentialing Matters

1) Application Requirements and Process **(175)**

G) Legislative/Administrative Rule Matters:

1) Current and Future Rule Making and Legislative Initiatives
2) Administrative Rules Report
3) Review of Wis. Admin. Code ch. MED 8 **(176-179)**

H) Physician Assistants as Primary Care Providers

I) Discussion of Supervision, Delegation, and Other State Law Changes (180-184)

J) Discuss Increasing Interaction with Other State Boards and Councils

K) Newsletter Matters

L) Speaking Engagement(s), Travel, or Public Relation Request(s)

1) Discuss Procedure for Council Member Participation in Future Speaking Engagements

M) Review of Position Statements (186-188)

N) Items Added After Preparation of Agenda:
1) Introductions, Announcements and Recognition
2) Administrative Updates
3) Education and Examination Matters
4) Credentialing Matters
5) Practice Matters
6) Legislation/Administrative Rule Matters
7) Liaison Report(s)
8) Informational Item(s)
9) Disciplinary Matters
10) Appearances from Requests Received or Renewed
11) Speaking Engagement(s), Travel, or Public Relation Request(s)

O) Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (§ 19.85 (1) (a), Stats.); to consider licensure or certification of individuals (§ 19.85 (1) (b), Stats.); to consider closing disciplinary investigations with administrative warnings (§ 19.85 (1) (b), Stats. and § 440.205, Stats.); to consider individual histories or disciplinary data (§ 19.85 (1) (f), Stats.); and to confer with legal counsel (§ 19.85 (1) (g), Stats.).

P) Education and Examination Matters

1) Update on Changes to the Written Exam
2) Discussion of Physician Assistant Oral Exam Reevaluation/Update **(185)**
   a) **APPEARANCE –** Ryan Zeinert, Department Licensing Examination Specialist

Q) Deliberation of Items Added After Preparation of the Agenda

1) Education and Examination Matters
2) Credentialing Matters
3) Disciplinary Matters
4) Professional Assistance Procedure (PAP) Matters
5) Appearances from Requests Received or Renewed

R) Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

S) Open Session Items Noticed Above not Completed in the Initial Open Session

T) Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

ADJOURNMENT

COUNCIL ON PHYSICIAN ASSISTANTS
JUNE 6, 2013
MINUTES

PRESENT: Jeremiah Barrett, Julie Doyle, Anne Hletko, Mary Pangman Schmitt, Jody Wilkins

STAFF: Dan Williams, Executive Director; Karen Rude-Evans, Bureau Assistant; DSPS staff

CALL TO ORDER

Anne Hletko, Chair, called the meeting to order at 9:00 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

Amendments:

- Item G – Appearance by Clark Collins, WAPA
- Item N7 – Add – Exam Process Discussion and Consideration

MOTION: Jody Wilkins moved, seconded by Jeremiah Barrett, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES FROM JUNE 21, 2012

MOTION: Jody Wilkins moved, seconded by Julie Doyle, to approve the minutes from June 21, 2012 as written. Motion carried unanimously.

ELECTION OF OFFICERS

MOTION: Julie Doyle moved, seconded by Mary Pangman Schmitt, to have DSPS review the terms for Julie Doyle and Jody Wilkins and to reply to the Council as to the length of terms and term expirations. Motion carried unanimously.

MOTION: Anne Hletko moved, seconded by Mary Pangman Schmitt, that the record indicate the election of officers and delegation of liaisons as discussed below. Motion carried unanimously.

NOMINATION: Anne Hletko nominated Julie Doyle for Chair.

Dan Williams called for nominations a total of three times. Hearing no other nominations, a vote was called.

Julie Doyle was elected Chair by unanimous vote.

MOTION: Jeremy Barrett moved, seconded by Mary Pangman Schmitt, to allow Anne Hletko to continue to run the meeting today. Motion carried unanimously.

NOMINATION: Anne Hletko nominated Jody Wilkins for Vice Chair.

Dan Williams called for nominations a total of three times. Hearing no other nominations, a vote was called.

Jody Wilkins was elected Vice Chair by unanimous vote.

NOMINATION: Jody Wilkins nominated Mary Pangman Schmitt for Secretary.

Dan Williams called for nominations a total of three times. Hearing no other nominations, a vote was called.

Mary Pangman Schmitt was elected Secretary by unanimous vote.

2013 ELECTION RESULTS	
Chair	Julie Doyle
Vice Chair	Jody Wilkins
Secretary	Mary Pangman Schmitt

COUNCIL APPOINTMENTS AND ALTERNATES

- Representative at the Medical Examining Board Meetings and Interaction with the MEB – Julie Doyle, Anne Hletko (alternate)
- Credentialing Liaison – Jody Wilkins, Jeremiah Barrett (alternate)
- Legislative Liaison – Julie Doyle, Anne Hletko (alternate)
- Examination Liaison/Panel – Jeremiah Barrett, Anne Hletko, Jody Wilkins (alternate)
- Newsletter Coordinator –Mary Pangman Schmitt
- Practice Question Procedure and Board Contact – Julie Doyle
- Travel Liaison – Jody Wilkins
- Liaison to the office of Education and Examinations – Jeremiah Barrett

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing. matters with the exception of denials during the application process. Motion carried unanimously.

MOTION: Mary Pangman Schmitt moved, seconded by Jody Wilkins, that the Council delegates authority to the Chair or designated Council member to sign documents on behalf of the Council. In order to carry out duties of the Council, the Chair or Council member has the ability to delegate this signature authority to the Executive Director for purposes of facilitating the completion of assignments during or between meetings. The Chair or Council member delegates the authority to the Executive Director, to sign the name of the Chair or Council member on documents as necessary. Motion carried unanimously.

MOTION: Jeremiah Barrett moved, seconded by Jody Wilkins, that, in order to facilitate the completion of assignments between meetings, the Council delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Council, to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Council in accordance with the law. Motion carried unanimously.

MED 8 REVISIONS

Discuss and Review Proposed Changes and Progress

MOTION: Jody Wilkins moved, seconded by Jeremiah Barrett, to recommend that the current definition of supervision remains as is based on its view that PAs are already subject to MED 10. Motion carried unanimously.

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, to recommend that MED 8.05(2)(b) be amended to state " an applicant may be required to complete an oral examination, personal appearance, or both, if the applicant:". Motion carried unanimously.

MOTION: Anne Hletko moved, seconded by Jody Wilkins, to recommend that the appropriate portion of MED 8.07(1) be amended to read "one or more licensed physicians or a physician exempt from licensure requirements pursuant to sec 448.03(2)(b), stats." and amend MED 8.07 (1) to remove the reference to "supervising physician" and replace with "physician providing supervision." Motion carried unanimously.

MOTION: Jeremiah Barrett moved, seconded by Anne Hletko, to recommend that if a provision requiring the identification of a physician providing supervision is required that language is selected that will not trigger additional documentation requirements. The Council suggests language akin to the following: "… that the physician providing supervision be readily identifiable." Motion carried unanimously.

MOTION: **A**nne Hletko moved, seconded by Mary Pangman Schmitt, to recognize the appearance by Clark Collins, WAPA, reviewing proposed changes to MED 8. Motion carried unanimously.

PA COUNCIL PRESENCE AT MEDICAL EXAMINING BOARD MEETINGS

Review and Discuss PA Council Attendance at the Monthly MEB Meetings and Consider Endorsing a Representative to Speak for the Council

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, to continue PA Council representation at the monthly MEB meetings. Motion carried unanimously.

EDUCATION OR WORKFORCE BARRIERS TO PA PRACTICE

MOTION: Anne Hletko moved, seconded by Jody Wilkins, to note no actionable workforce and education barriers to PA practice were identified by the PA Council. Further information will be gained from the state's PA programs. Motion carried unanimously.

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, that the PA Council supports the Department's efforts in streamlining the testing requirements, including the ability to test prior to graduation or program approval. Motion carried unanimously.

MOTION: Anne Hletko moved seconded by Jeremiah Barrett, that the oral examination be reevaluated and updated by the PA Council with the assistance of DSPS staff. Motion carried unanimously.

CONVENE TO CLOSED SESSION

Anne Hletko read the motion to convene to closed session.

MOTION: Jody Wilkins moved, seconded by Mary Pangman Schmitt, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Roll call vote: Jeremiah Barrett-yes; Julie Doyle-yes; Anne Hletko-yes; Mary Pangman Schmitt-yes; Jody Wilkins-yes.

The Council convened to closed session at 12:43 p.m.

RECONVENE TO OPEN SESSION

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, to reconvene to open session. Motion carried unanimously.

Open session reconvened at 2:00 p.m.

REAFFIRM MOTIONS MADE IN CLOSED SESSION

MOTION: Anne Hletko moved, seconded by Mary Pangman Schmitt, to reaffirm all motions made in closed session. Motion carried unanimously.

FULL BOARD ORAL EXAMINATION

MOTION: Anne Hletko moved, seconded by Jody Wilkins, that for the oral examination, the entire Council will be present for the purpose of observation, however the final recommendation of pass or fail of the examinee will be determined by the two appointed panelists. Motion carried unanimously.

MOTION: Anne Hletko moved, seconded by Jeremiah Barrett, to recommend a passing score for the oral examination candidate, D.J.H. Motion carried unanimously.

ADJOURNMENT

MOTION: Mary Pangman Schmitt moved, seconded by Jody Wilkins, to adjourn. Motion carried unanimously.

The meeting adjourned at 2:07 p.m.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Karen Rude-Evans, Bureau Assistant, On Behalf of Executive Director Tom Ryan	2) Date When Request Submitted: 10/4/2013 Items will be considered late if submitted after 4:30 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards ▪ 14 business days before the meeting for all others

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
May 1, 2014	☒ Yes ☐ No	DSPS Economic Impact Report

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

Tom Ryan will review and discuss the DSPS Economic Impact Report with the Board.

11) Authorization

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 8/13

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Recent Accomplishments and Economic Footprint Report

Regulating industries that contribute over $75 billion *annually to the Wisconsin economy*

September 2013

INTRODUCTION

The regulated professions and industries within the Department of Safety and Professional Services (DSPS) have a significant impact on the economy and the health, safety, and welfare of Wisconsin's residents. This report assesses the contribution of DSPS to Wisconsin's economy specifically focusing on the health care, construction, and real estate industries. Without the Department's regulatory oversight, proper functioning of these industries could not be maintained.

MISSION

The mission of the Department of Safety and Professional Services is to promote economic growth and stability while protecting the citizens of Wisconsin as designated by statute.

PURPOSE

- competent practice of licensed professionals
- safety of the construction and use of public and private buildings
- compliance with professional and industry standards

Highlights from this report include:

- Since its creation, DSPS has made great strides to increase responsiveness, drive productivity, and reduce operational costs to meet the increasing demands of its customers while making efficient use of valuable taxpayer dollars.
- Earning $18 billion annually on average, health and business professionals credentialed by DSPS are a vital component to economic growth in Wisconsin.
- In 2009, health care professionals credentialed by DSPS generated $40 billion in economic activity, almost 17% of Wisconsin's gross state product.
- With DSPS regulatory oversight, the construction sector safely and competently contributed approximately $6.9 billion to Wisconsin real gross domestic product (GDP) in 2012.
- With DSPS regulatory oversight, the construction sector provided over 152,000 well-paying jobs to Wisconsin workers in 2011.
- Construction projects regulated by DSPS can be effective economic stimuli that create jobs and increase spending in a wide range of other sectors of the economy.
- With DSPS regulatory oversight, the real estate industry accounted for $28.2 billion or 12.5% of Wisconsin GDP in 2012
- When a real estate professional credentialed by DSPS sells a home in Wisconsin, it generates over $13,000 in income from real estate related industries; over $5,000 in additional expenditures on consumer items such as furniture, appliances, and paint services; and over $3,000 in expenditures on remodeling within two years of the home purchase.

The contribution this Department makes to Wisconsin's economy far exceeds these numbers alone, as every day over 380,000 credential holders go to work in a DSPS regulated industry.[1]

This report contains four parts. The first section provides a general overview of the Department's roles and responsibilities and describes recent process improvements for greater Departmental productivity. The second section assesses the economic contribution of DSPS through the regulation of the health care industry. The third section examines the impact of DSPS on the Wisconsin economy through the regulation of the construction industry. The fourth section evaluates the economic impact of DSPS through the regulation of the real estate industry.

[1] For a complete list of DSPS regulated industries please visit: http://dsps.wi.gov/Licenses-Permits/Credentialing.

GENERAL RESPONSIBILITIES AND RECENT ACCOMPLISHMENTS

DSPS protects the citizens of Wisconsin by ensuring safe and competent practice of licensed professionals and safe and sanitary conditions in public and private buildings. Divisions within DSPS perform a variety of tasks to successfully accomplish this mission.[2]

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DIVISION RESPONSIBILITIES

The Division of Policy Development (DPD) provides administrative support and policy guidance to the professional boards in the state by facilitating board meetings, serving as a liaison between the boards and the Department, and managing the administrative rule promulgation process for self-regulated professions. DPD also manages the administrative rule promulgation process for professions that are directly regulated by the Department. *In 2012, DPD provided administrative services to over 40 boards and councils and facilitated approximately 180 meetings related to board activities.*

The Division of Professional Credential Processing (DPCP) processes all credential applications and oversees credential eligibility, renewal, continuing education requirements, and examination requirements for regulated professions. *Between June of 2011 and June of 2013, DPCP processed roughly 72,000 initial credentials and 212,000 renewals. As of June, 2013, there were over 388,000 active credential holders.*

The Division of Legal Services and Compliance (DLSC) provides legal services to professional boards and the department regarding the investigation and discipline of licensed credential holders for violations of professional regulations. The Division is also responsible for the complaint intake process, monitoring compliance with disciplinary orders, managing a confidential program for impaired professionals, performing audits of trust accounts, and conducting business inspections for pharmacies, drug distributors and manufacturers, funeral establishments, and barber and cosmetology schools and establishments.

The Division of Industry Services (DIS) contains multiple bureaus. The Bureau of Field Services provides services related to construction and operation of buildings, along with ensuring compliance with health and safety codes. The Bureau of Technical Services (BTS) provides services such as plan review, consultation, inspections, and product evaluation. *In 2012, BTS staff completed over 14,000 plan reviews and 100,000 inspections.* The Division also administers the Wisconsin Two-Percent Fire

[2] To achieve greater efficiencies, the DSPS recently recommended the transfer of responsibilities related to petroleum products and storage tank systems. The enactment of 2013 Wisconsin Act 20 transferred these responsibilities to the WI Department of Natural Resources and WI Department of Agriculture, Trade and Consumer Protection.

Dues Payments Program. Funded by fire insurance premiums paid in Wisconsin, DIS distributes payments to municipalities to be used to purchase fire protection equipment, fund fire prevention inspection and public fire education, train fire fighters and fire inspectors, or fund pension or other special funds for disabled or superannuated fire fighters. *In 2013, DIS distributed approximately $15.9 million to Wisconsin municipalities through the Two-Percent Fire Dues Payments Program.*[3]

RECENT ACCOMPLISHMENTS

Since its creation, DSPS has made great strides to increase responsiveness, drive productivity, and reduce operational costs to meet the increasing demands of its customers while making efficient use of valuable taxpayer dollars.

Since its creation, DSPS has made great strides to increase responsiveness, drive productivity, and reduce operational costs in order to meet the increasing demands of its customers while making efficient use of valuable taxpayer dollars.

Reducing Prescription Drug Abuse

DPD recently implemented the Wisconsin Prescription Drug Monitoring Program (PDMP). *As a HIPAA[4]-compliant database, the Wisconsin PDMP stores data about controlled substances and other highly abused substances prescribed to individuals in Wisconsin and lawfully discloses the data to authorized individuals.* Pharmacies and other dispensers of prescription drugs collect and submit data to the PDMP database including information about the prescriber, the dispenser, the drug, and the patient for each prescription. Authorized users may obtain data stored in the PDMP database to verify prescription information. PDMP helps to improve patient care and safety, reduce the abuse and diversion of prescription drugs in Wisconsin, and ensure that patients with a legitimate medical need for the prescription medications are not adversely affected.

Effective June 1, 2010, 2009 Wisconsin Act 362 directed DSPS to manage the operations of PDMP in accordance with the rules and policies developed by the Pharmacy Examining Board. In September of 2011, DSPS received grant funding to manage PDMP. The Pharmacy Examining Board began the administrative rule-writing process on October 1, 2011 and the rules, ch. Phar 18, became effective on January 1, 2013. Since this date, DSPS staff members have travelled the state educating the public through outreach and training events.

[3] The Department also contains a Division of Management Services. The Division of Management Services provides administrative services to the Office of the Secretary and all other Divisions within the Department. These services include human resources, payroll, planning, budget, accounting, and information technology.

[4] Health Insurance Portability and Accountability Act is a Federal legislation designed to improve the portability and continuity of health insurance. Another important objective is to reduce administrative costs for providers and payers while protecting the privacy of health information.

The Wisconsin PDMP became fully operational on June 1, 2013. The Department established memoranda of understanding (MOUs) with sovereign tribes and the Indian Health Services (HIS) to participate in PDMP and participated in several Alcohol and Other Drug Abuse prevention events. PDMP staff continues to strengthen state tribal collaboration through outreach to the Great Lakes Inter-Tribal Council, Inc., tribal leaders, tribal health directors, and tribal law enforcement. *Currently the PDMP database stores approximately 6 million prescription records, 1,800 dispensers submit data, and 3,200 users have query accounts.* DSPS staff seek to further enhance the PDMP database by working to improve processes to allow access to data and exchange data with neighboring states.

The Prescription Drug Monitoring Program will reduce the abuse and diversion of prescription drugs in Wisconsin.

Issuing Licenses More Quickly

DPCP recently developed and piloted the Online License Application System (OLAS) that allows individuals to apply and pay fees for professional credentials online. This system will significantly decrease the turnaround time for applicants to receive their professional credential and begin working in Wisconsin.

OLAS for nursing licenses piloted in spring of 2013 to reduce the processing time of nursing applications and provide schools with an efficient paperless process to approve and submit graduation information to DSPS. A sample of 10 percent showed that DSPS granted OLAS applicants permission to take the required National Council Licensure Examination (NCLEX) one to two business days after the receipt of the OLAS application from the school and *granted OLAS applicants a license one to two business days* after receipt of NCLEX exam results. This processing time is a significant improvement over applications sent by postal mail. Using the paper method it took one to five business days for the application to reach credentialing staff from the mail room and another 17 business days (on average, while waiting for additional paperwork) before DSPS granted permission to take the NCLEX exam. Since the implementation of Nursing OLAS, the processing time between receipt of an application and NCLEX authorization has decreased by 90 percent on average. DPCP is working to expand OLAS to several other professions.

Since the implementation of Nursing OLAS, the processing time between receipt of an application and NCLEX authorization has decreased by 90 percent on average.

DPCP has similarly encouraged applicants to renew their credentials online via the website. *As a result, the percent of online renewals increased from 84% in 2011 to 95% in 2012*. The Division also implemented a live call center that allows customers and the general public to contact the Department via telephone and speak with a live representative to address their immediate concerns.

Creating Efficiencies

In June of 2012, DSPS commenced a paperless office initiative to promote operational effectiveness, a more productive use of space, and simplified processes. DPD began providing electronic board agendas and laptops to board members in place of paper agendas for an *estimated annual savings of $21,000*. Further, this initiative also allowed for the elimination of 214 file cabinets, 18 bookcases, and 144 feet of open shelving giving the Department the ability to add workstations to its flagship location at 1400 East Washington Avenue. Efforts like this allowed for the Madison-based staff of the Division of Industry Services (DIS) to completely vacate its space at the former Department of Commerce building and move to the East Washington location, *saving the Department roughly $65,000* ***each month***.

Industry Services implemented several additional initiatives to increase staff productivity and improve customer satisfaction. First, in the interest of delivering consistent performance and code enforcement, DIS has made great strides at standardizing the inspection process and report format across all division programs. Process improvements include using technology tools to assist field team members in report preparation and submission.

DIS recently implemented electronic plan review saving the Department and its customers valuable time and money. Historically, individuals have submitted paper plans to various locations in the state. Occasionally, specific locations would experience a high volume of plan submittals resulting in increased turnaround time. *Electronic plan review provides for greater organizational flexibility by allowing reviewers all over Wisconsin to share the workload which expedites the plan review process.*

In order to further expedite processes for customers, DIS staff are developing electronic forms for all applications, registrations, and permits that will allow customers to complete the paperwork online. The Division is similarly developing the database management required to electronically process these applications.

Clearing the Red Tape

In compliance with 2012 Executive Order 61, DPD and the professional boards supported by the Division identified and changed administrative rules that hindered job creation and small business growth; such as,

- A less burdensome pathway to licensure for barbers
- A more convenient online open book exam option for funeral directors
- Deletion of a requirement that certain municipalities hire two full-time plumbing inspectors

Boards supported by the division initiated the administrative rule writing process for a number of additional changes as a result of 2012 Executive Order 61, for example:

The Division of Policy Development and the professional boards managed by the Division identified and changed administrative rules that hindered job creation and small business growth including implementing a less burdensome path to licensure for barbers.

- The Optometry Examining Board seeks to allow electronic signatures for prescription eyeglasses, which will allow thousands of optometry patients to enjoy the increased speed and accuracy of electronic prescription eyeglasses.
- The Real Estate Examining Board plans to provide brokers the ability to retain records in electronic format and recognizing the ledger and journaling software widely utilized in the real estate industry.
- The Dentistry Examining Board seeks to reduce unnecessary regulatory burdens on dentistry professionals by eliminating nonessential paperwork associated with the training of unlicensed persons, modernizing rules to allow for electronic authorization of dental laboratory work, and developing guidelines for patient dental record retention removing significant paper storage costs.

DPD has worked to *create predictability* in the enforcement of administrative rules by updating forms to better align with statutory requirements and codifying internal policy procedures; this gives members of the public *clear expectations* of what they can expect when they walk through the doors of our agency. The Division has also greatly *increased transparency* in the rule writing process by using the website to notice public comment periods on all rule projects.

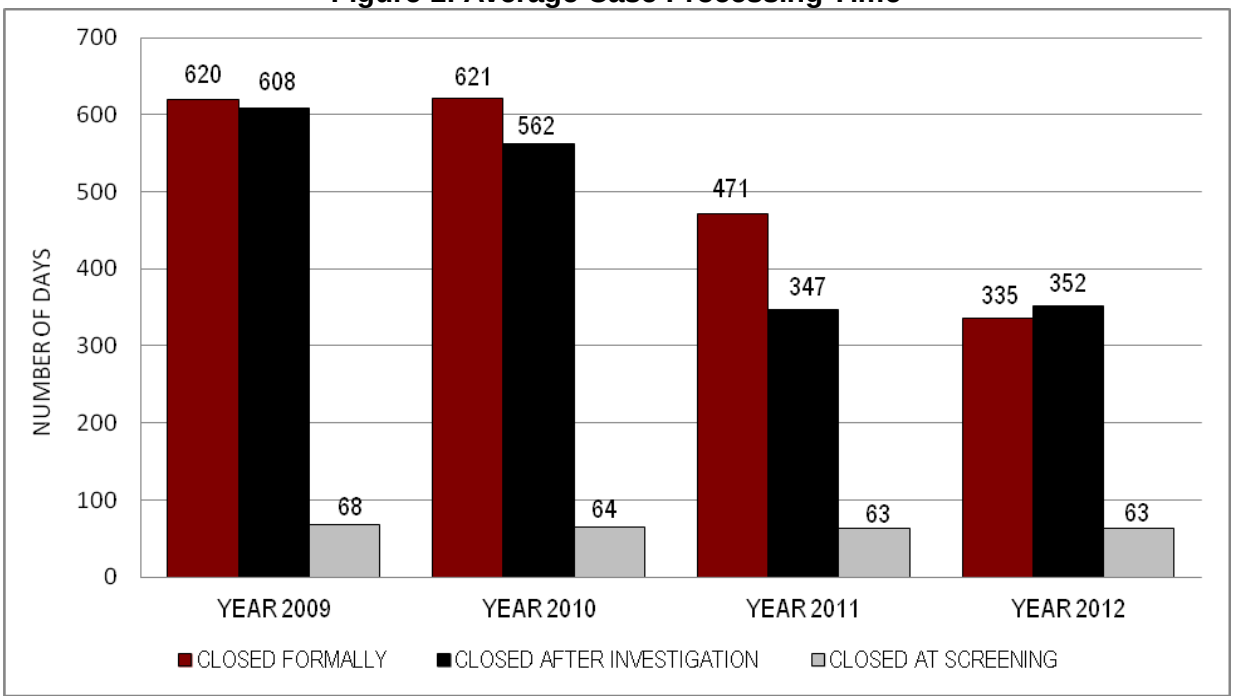
Saving Taxpayer Dollars

Shortly after the establishment of DSPS, Department management and staff analyzed agency expenditures and found several opportunities for cost savings. For example, it was discovered that the agency continued to pay for landlines and voicemail boxes that once belonged to former employees. *As of April 2012, the Department eliminated 152 landlines and 54 voicemail boxes for a combined annual base savings of approximately $22,000.* Several additional disconnections have occurred since that date resulting in even greater cost savings.

Protecting the Public

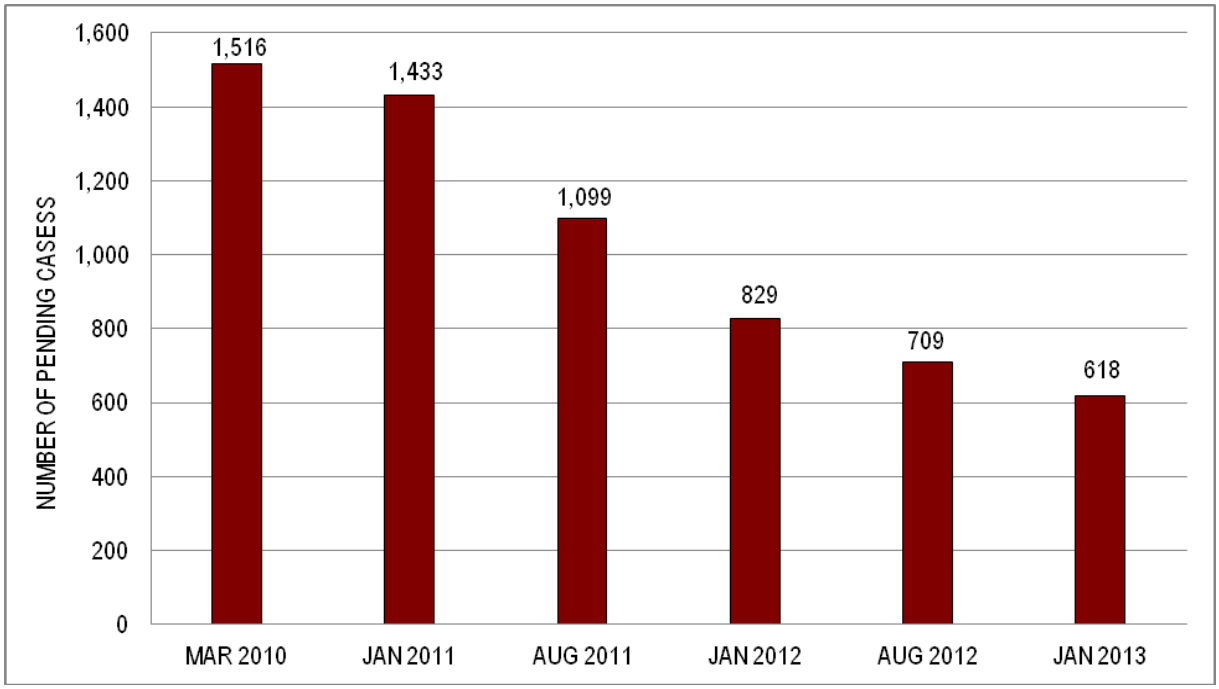
In 2011, under Governor Walker's administration, an increased focus was placed on timely enforcement and resolution of cases. This insured prompt protection of the public without comprising adequacy and appropriateness of enforcement actions. DLSC case processing time has improved significantly from 2009. *The average number of days to process improved as follows: closed formals from 620 days in 2009 down to 335 days in 2012; closed after investigation from 608 days down to 352 days, and closed at screening from 68 days in 2009 down to 63 days in 2012.* (See Figure 1)

Figure 1: Average Case Processing Time



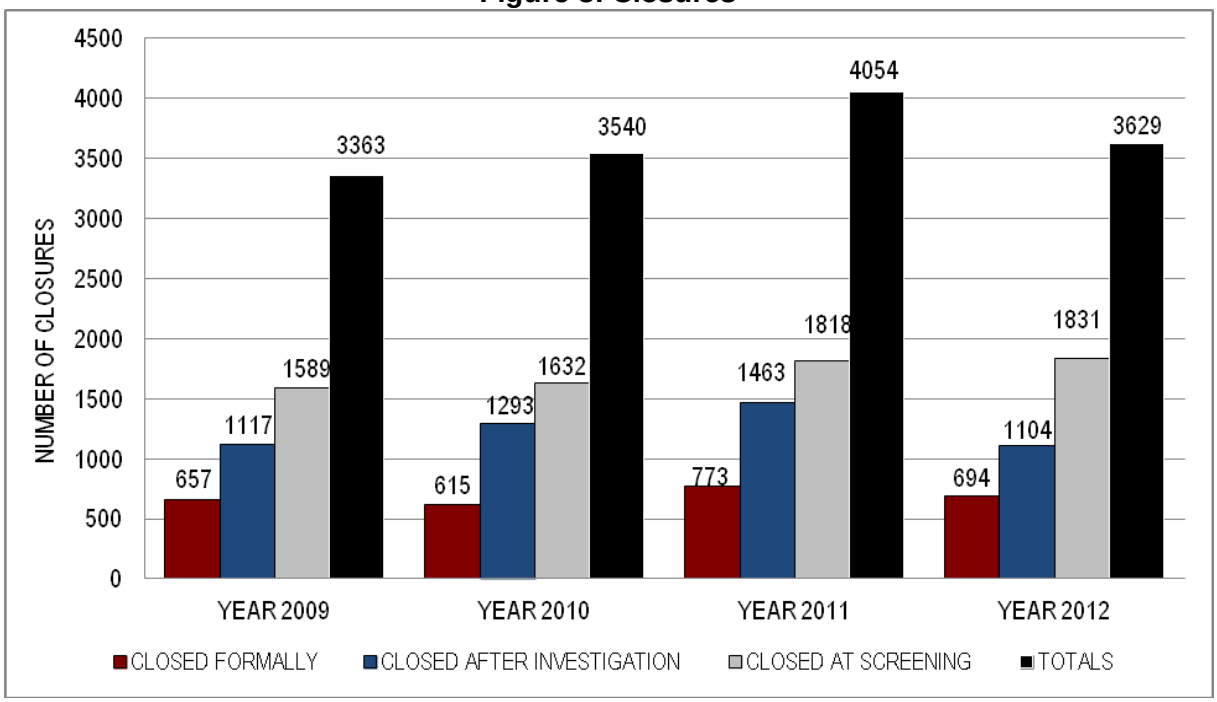
Through effective management and increased operational efficiency, DLSC has reduced its pending caseload from 1,516 to 618 cases (Figure 2).

Figure 2: Pending Cases



As shown in the chart below, protection of the public has been a top priority in DLSC, as the number of enforcement actions has increased in the past 2 years (Figure 3).

Figure 3: Closures



In addition to the case closures mentioned in the charts above, in 2012 DLSC completed 206 audits, 153 inspections, had 69 participants enrolled in a confidential assistance program for chemically impaired professionals, and monitored approximately 1,890 professional credential holders for compliance with disciplinary orders. However, numbers alone don't tell the whole story. The Division continuously looks for ways of ensuring that cases are handled in the best manner possible through precise attention to detail, intense legal scrutiny, and high quality customer service. For example, the division recently created online tutorials to explain the legal process to professional board members who serve as case advisors on disciplinary actions. These tutorials can be accessed by board members from the board room, work, or home 24 hours a day, 7 days a week on any computer. This is just one of the many ways DLSC delivers first rate service to the citizens of Wisconsin.

HEALTH AND BUSINESS REGULATION

Occupational regulation in Wisconsin began in 1882 with the creation of the Pharmacy Examining Board. This board set the credential requirements for pharmacists, granted credentials, promulgated administrative rules applicable to pharmacists, and collected credential fees. Between 1882 and 1965, 16 additional independent examining boards or councils were created that had separate budgets and directly employed staff (Austin 2013).

Earning $18 billion annually on average, health and business professionals credentialed by DSPS are a vital component to economic growth in Wisconsin.

Several extensive reorganizations of Wisconsin state government in the mid-1960s sought to improve operational efficiency and responsiveness to the public. A substantial reorganization of the executive branch resulted from the Kellett Commission, named after its chair, William R. Kellett. Many of the Kellett Commission's proposals impacted occupational licensure in Wisconsin, including the creation of a single Department of Regulation and Licensing (DRL) to provide centralized administrative services to the existing independent examining boards and councils. Under the consolidated administrative structure, each board maintained the independent regulation of its own profession, and the Department took on the direct regulation of specific professions where no examining board existed. These recommendations became law in 1967 (Chapter 75, Laws of 1967; Austin 2013).

Subsequent legislation further consolidated occupational regulation under DRL and shifted most administrative responsibilities from the independent boards to the Department (Austin 2013):

1975	• The regulation of barbering and the regulation of the funeral industry transferred to DRL from the Department of Health and Social Services • DRL authorized to hire staff for all the boards with a few exceptions
1977	• Single appropriation created for the expenditure of all license fee revenue and budgetary authority centralized under DRL
1979	• DRL authorized to reorganize staff along functional lines rather than by the boards they served and to eliminate the last employee positions remaining under the boards' direct authority • Legislation eliminated the Watchmaking Examining Board and Athletic Examining Board
2009	• Second appropriation created to split the budget and staffing of the professions regulated by the Medical Examining Board and affiliated credentialing boards from the remaining DRL professions

In 2011, the Department of Safety and Professional Services was created and assumed all responsibilities performed by the former DRL and certain functions performed by the former Department of Commerce (2011 Wisconsin Act 32; Austin 2013).

In June of 2013, over 300,000 health and business professionals credentialed by DSPS worked in the state of Wisconsin earning *$18 billion dollars annually on average*.[5] These professionals contribute to economic growth in Wisconsin by spending their earnings at Wisconsin businesses, providing in-state capital for business investment and job creation, and supporting state and local governments through the payment of a variety of taxes.

[5] Annual average earnings for professions with many subcategories such as Professional Engineering were calculated by taking an average of the subcategories. Annual average earnings for professionals "in-training" were calculated by dividing the annual average earning for a fully credentialed professional by two. The total annual earnings for all credential holders in each profession were estimated by multiplying the number of active licenses in each profession by the most recent estimates of average annual earnings for professions in Wisconsin as provided in the Occupational and Employment Statistics (Wisconsin Department of Workforce Development 2012*).*

HEALTH CARE INDUSTRY

The Centers for Medicare and Medicaid Services (CMS), a federal agency within the United States Department of Health and Human Services (DHHS), estimates that *roughly $40 billion*[6] *were spent on health care services in Wisconsin in 2009* (Centers for Medicare and Medicaid Services 2011).[7] Professionals credentialed by DSPS account for the vast majority of health spending in Wisconsin. DSPS ensures the safe and competent practice of 62 different health professions. Appendix A provides a complete list of health-related professions and boards under the purview of DSPS.

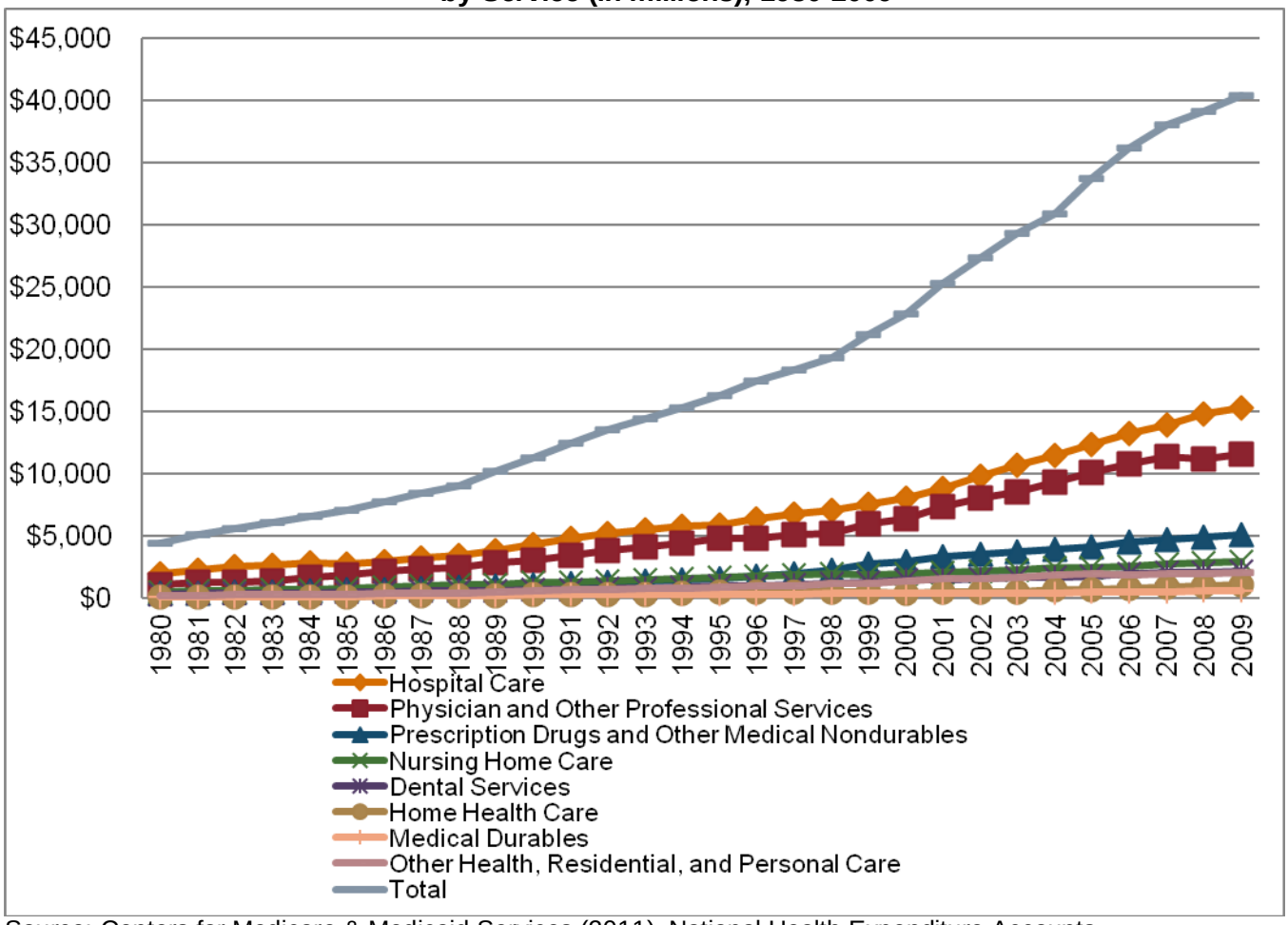
In 2009, health care professionals credentialed by DSPS generated $40 billion in economic activity, almost 17% of state gross domestic product.

Between June of 2011 and June of 2013, the Department processed approximately 34,000 initial credentials and over 57,000 renewals for health care professionals. As of June 2013, there were over 197,000 active Wisconsin credential holders in health care professions. In 2012, DSPS provided administrative services to 27 health-related boards and councils and facilitated approximately 115 meetings for health-related board activities.

[6] The data used in this report are state-of-provider estimates which reflect spending for services delivered in each state to residents and nonresidents. These estimates are useful in measuring the role of health spending in a state's economy.
[7] Health care spending data produced by the National Health Expenditure Accounts (NHEA) of the Department of Health and Human Services Center for Medicare and Medicaid Services are larger than those produced by Bureau of Labor Statistics Consumer Expenditure Survey (CE); however, both are valid and widely utilized estimates of health care expenditures. Differences in definitions, sources, and methods are responsible for differences in the estimates. See http://www.bls.gov/cex/nhe_compare_200710.pdf for more a more detailed explanation.

Figure 4 shows the composition of total health care expenditures by service category in Wisconsin. The economic activity of each service category is either directly or indirectly generated by health care professionals credentialed by DSPS. Appendix C details the service categories and DSPS involvement in each category.

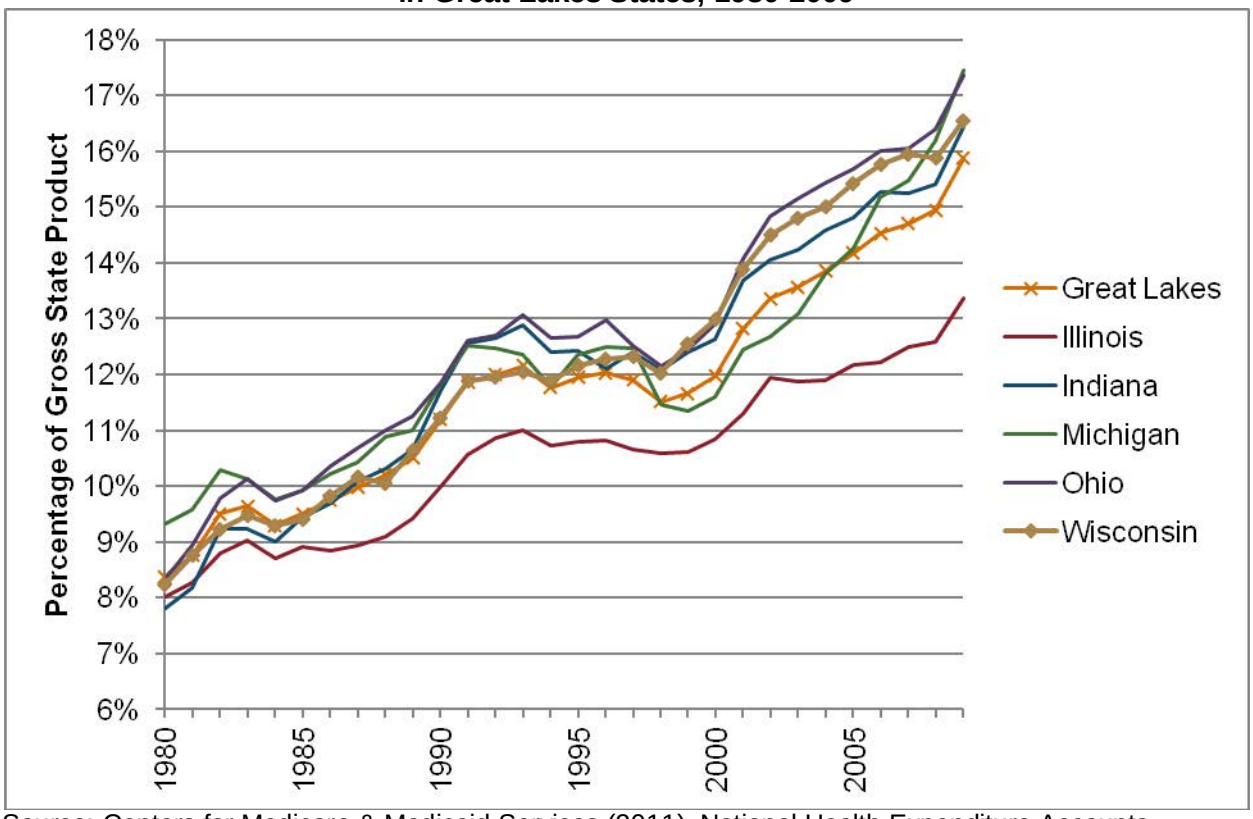
Figure 4: Health Care Spending in Wisconsin by Service (in millions), 1980-2009



Source: Centers for Medicare & Medicaid Services (2011), National Health Expenditure Accounts

Over the past 30 years, the health care industry has comprised a growing share of the state's gross domestic product (GDP). As shown in Figure 5, between 1980 and 1991, expenditures generated by health care professionals grew from 8.2% to 12.1% of the GDP and remained at this level for roughly eight years. Health care expenditures in Wisconsin grew from 12.1% of state GDP in 1999 to 17% in 2009.

Figure 5: Health Care Expenditures as a Percentage of State Gross Domestic Product in Great Lakes States, 1980-2009



Source: Centers for Medicare & Medicaid Services (2011), National Health Expenditure Accounts

Also shown in Figure 5, Wisconsin's neighboring states have experienced similar growth in health care industry expenditures (Centers for Medicare and Medicaid Services 2011). *If these trends continue, DSPS will play even more vital of a role in the state's economy as these health care professionals continue generating considerable economic activity.*

CONSTRUCTION SECTOR

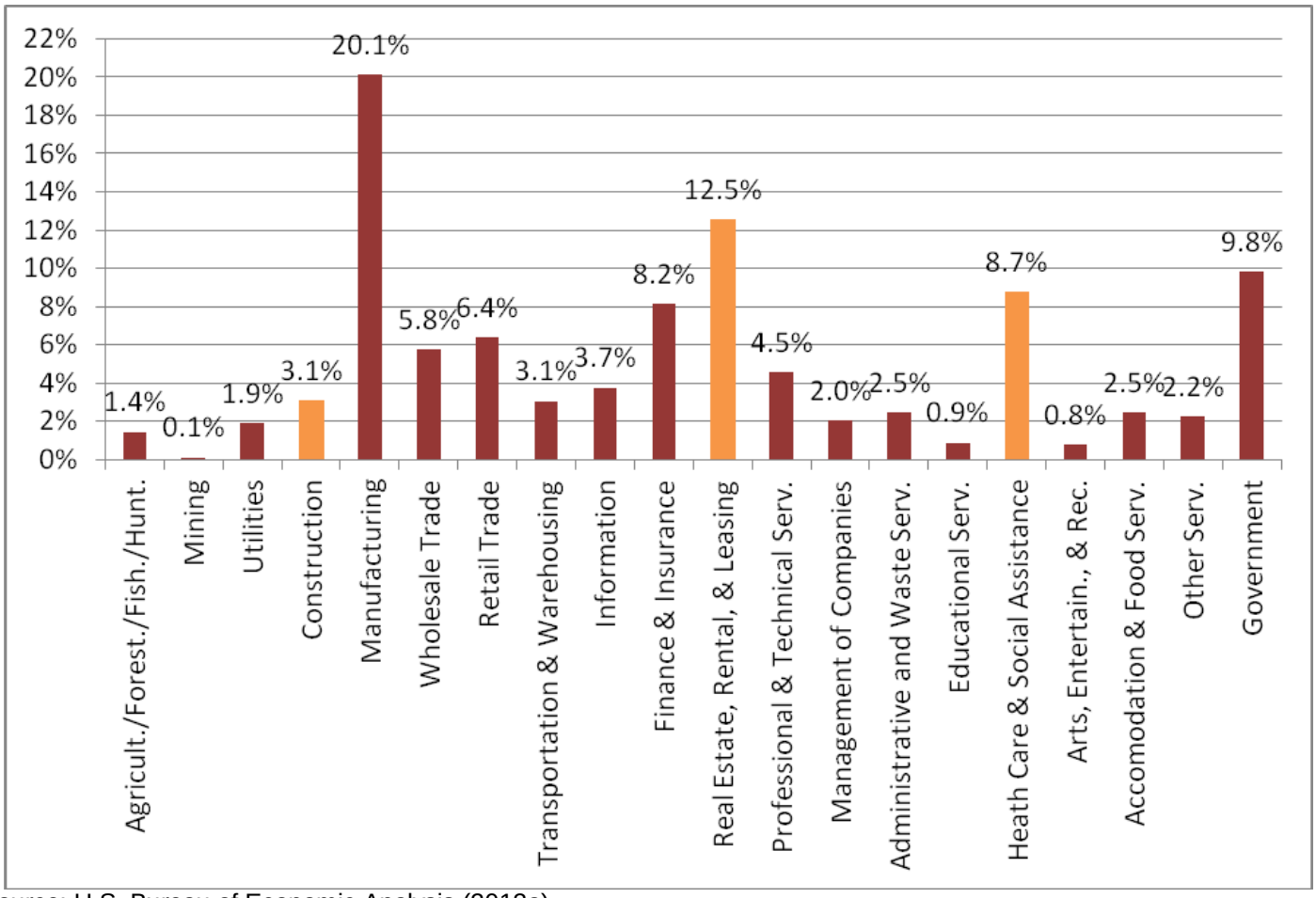
Between June of 2011 and June of 2013, the Department processed approximately 34,000 initial credentials and over 57,000 renewals for construction sector professionals. As of June 2013, there were *over 83,000 active DSPS credential holders in construction sector professions.* In 2012, Bureau of Technical Services staff completed *over 14,000 plan reviews and 100,000 inspections.* With DSPS regulatory oversight, the construction sector safely and competently contributed approximately $6.9 billion to Wisconsin real GDP in 2012 (U.S. Bureau of Economic Analysis 2013a).

With DSPS regulatory oversight, the construction sector safely and competently contributed approximately $6.9 billion to Wisconsin gross state product in 2012.

A handful of mid-sized industrial sectors, including construction, comprise the core of the Wisconsin economy. This is demonstrated using conventional measures of economic activity including output (gross domestic product) and employment. The U.S. Bureau of Economic Analysis (BEA) publishes annual estimates of Real Gross Domestic Product (RGDP) by state and provides estimates of shares of Wisconsin RGDP produced by each major industrial sector.

As shown in Figure 6, compared to the other major industrial sectors, construction is a moderate contributor to Wisconsin GDP. In 2012, the construction sector directly produced approximately $6.9 billion or 3.1% of Wisconsin RGDP (U.S. Bureau of Economic Analysis 2013a).

Figure 6: Sectoral Shares of 2012 Wisconsin Real GDP[8]



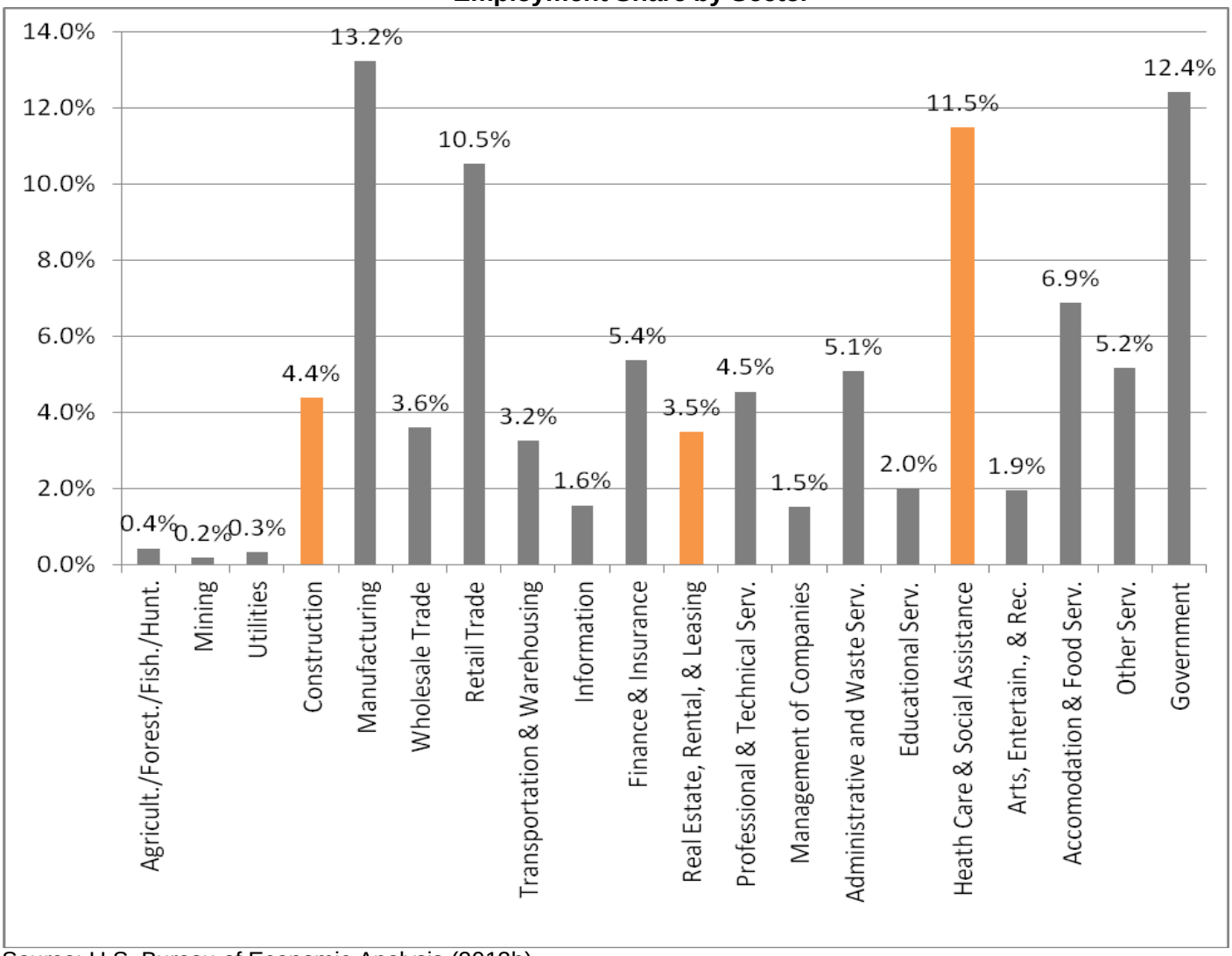
Source: U.S. Bureau of Economic Analysis (2013a)

[8] Health care spending data produced by the National Health Expenditure Accounts (NHEA) of the Department of Health and Human Services Center for Medicare and Medicaid Services (used in the previous section) are larger than those produced by Bureau of Labor Statistics Consumer Expenditure Survey (CE); however, both are valid and widely utilized estimates of health care expenditures. Differences in definitions, sources, and methods are responsible for differences in the estimates. See http://www.bls.gov/cex/nhe_compare_200710.pdf for more a more detailed explanation.

With DSPS regulatory oversight, the construction sector provided over 152,000 well-paying jobs to Wisconsin workers in 2011.

Construction is a mid-sized component of the overall Wisconsin labor market. The sector contained over 152,000 jobs in 2011 and accounted for 4.4% of the overall 2011 state employment as shown in Figure 7.

Figure 7: Wisconsin 2011 Employment Share by Sector



Source: U.S. Bureau of Economic Analysis (2013b)

Construction jobs tend to be relatively high skilled and high paying. Figure 8 provides the wage profile showing the average wage and salary income in Wisconsin for the year 2011 by major NAICS sector.[9] The construction sector had an annual average wage greater than 11 of the major NAICS sectors of roughly $51,000, almost $10,000 above the average.

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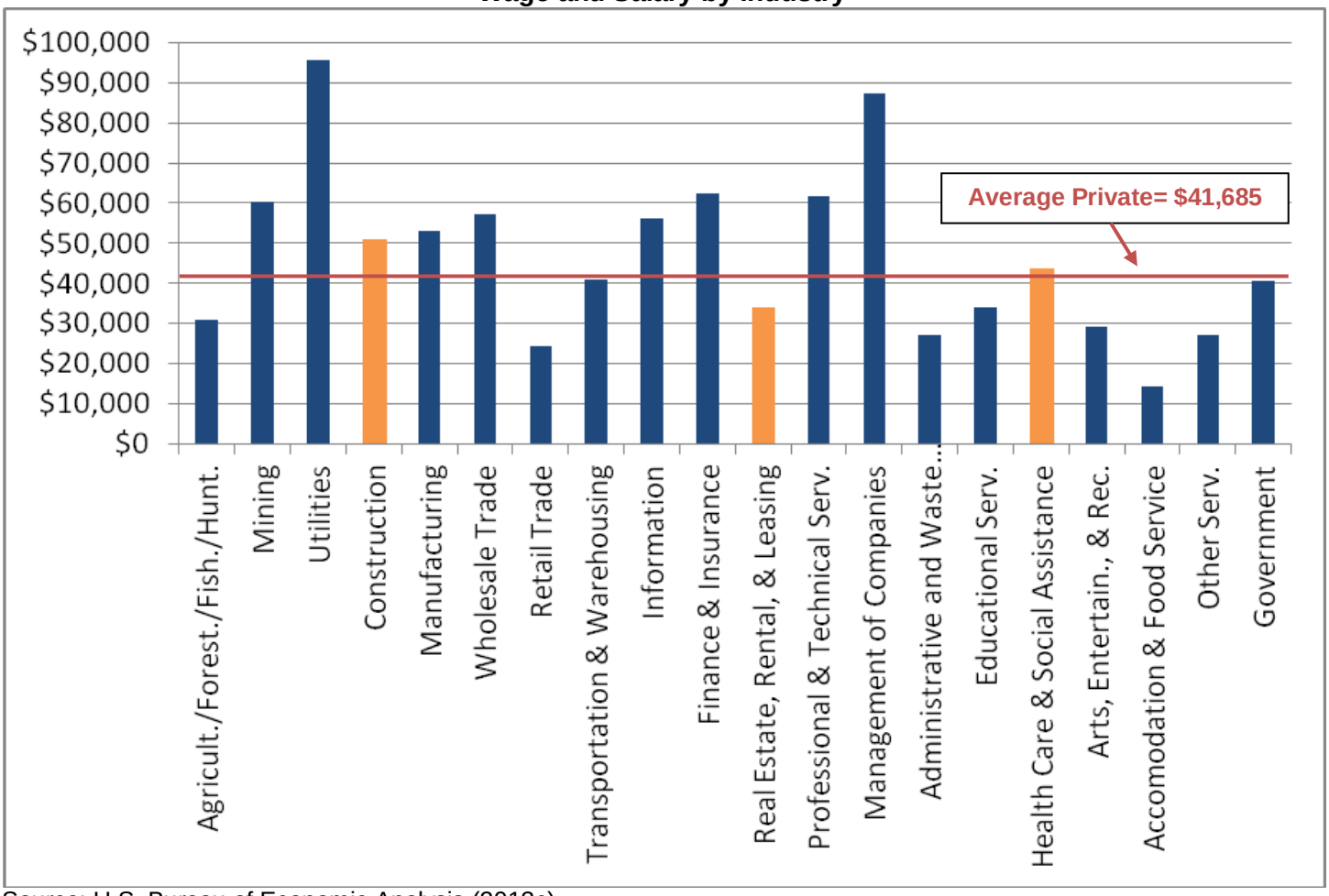
Figure 8: 2011 Wisconsin Average Annual Wage and Salary by Industry



Source: U.S. Bureau of Economic Analysis (2013c)

In addition to being an important component of the Wisconsin economy, the construction sector plays a vital role in stimulating economic growth. Construction projects generate output, income, and employment within the construction sector and create "ripple effects" in a wide range of other sectors of the economy.

[9] The annual wage and salary income is calculated by dividing the Bureau of Economic Analysis total for wage and salary disbursements (Table SA07N) by wage and salary employment (Table SA27N).

In a report prepared for the Skill Integrity Responsibility Council, Inc., researchers estimated the total economic impact of two hypothetical construction projects: (1) A $10 million new building project, and (2) A $1 million remodeling project (Clark and Crane 2011).[10] Table 1 summarizes their findings.

Table 1: Total Economic Impact of Hypothetical Construction Projects

	Case Study 1:			**Case Study 2:**		
	$10 Million New Building Project			**$1 Million Remodeling Project**		
Industry	***Total Economic Impact***	***Total Job Increase***	***Total Tax Revenue Generated***	***Total Economic Impact***	***Total Job Increase***	***Total Tax Revenue Generated***
Construction Sector	$10.1 million	91	x	$1 million	10	x
All Other Sectors	$9.1 million	79	x	$0.92 million	8	x
Total	**$19.2 million**	**170**	**$853 thousand**	**$1.92 million**	**18**	**$91 thousand**

Source: Clark and Crane (2011)

As shown in Table 1, a $10 million new building project translates into $19.2 million in economic impact, 170 jobs (91 jobs in the construction sector and 79 jobs elsewhere in the economy), and $853 thousand in tax revenue. The total value added (after inputs are subtracted) from a $10 million new building project is *$10.3 million, with 75% of that coming from labor income*. Also shown in Table 1, a $1 million remodeling project for a nonresidential building translates into *$1.92 million in total economic impact, 18 jobs* (10 jobs in construction and 8 jobs elsewhere), and *$91 thousand in state and local tax revenues*. The total value added (after inputs are subtracted) from a $1 million dollar remodeling project is $1.1 million, with 73% of that coming from labor income (Clark and Crane 2011).[11] The findings of this report show that construction projects regulated by DSPS can be effective as short run economic stimuli. Furthermore, the resulting infrastructure leads to improved economic productivity in the long run.

Construction projects regulated by DSPS can be effective economic stimuli that create jobs and increase spending in a wide range of other sectors of the economy.

[10] Crane and Clark used the IMPLAN Input-Output or I-O modeling developed by the U.S. Department of Agriculture to measure the "ripple effects" that cause construction projects to have a greater impact on the state economy. This model has been widely tested and used for state and sub-state regional impact analysis.

[11] The model used to estimate these impacts assumes that no capacity constraints will prevent the economy from expanding to the full impact. In reality, very large construction projects can cause bottlenecks that may prevent the full scalable impact from being realized.

REAL ESTATE INDUSTRY

As of June 2013, over 21,000 real estate industry professionals credentialed by DSPS contributed to the Wisconsin economy. The Real Estate Examining Board and Real Estate Appraisers Board attached to DSPS regulate real estate brokers, real estate salespersons, timeshare salespersons, real estate business entities, licensed appraisers, certified residential appraisers, and certified general appraisers in Wisconsin. According to the United States Bureau of Economic Analysis estimates, the real estate industry accounted for *$28.2 billion or 12.5% of Wisconsin GDP in 2012* (as shown above in Figure 6). In 2011, the real estate industry comprised roughly 3.5% of overall 2011 state employment (as shown above in Figure 7).[12]

When a real estate professional credentialed by DSPS sells a home in Wisconsin, it generates over $13,000 in income from real estate related industries; over $5,000 in expenditures on consumer items; and over $3,000 in expenditures on remodeling.

When a real estate professional credentialed by DSPS sells a home in Wisconsin, it generates over $13,000 in income from real estate related industries; over $5,000 in additional expenditures on consumer items such as furniture, appliances, and paint services; and over $3,000 in expenditures on remodeling within two years of the home purchase. Aside from house-related expenditures, a new home sale results in greater spending at restaurants, sporting events, and charity events of approximately $11,000 on average (NAR Research 2013).

Wisconsin home sales jumped an astounding 11.4 percent in the first half of 2013 compared to 2012. Median house prices also increased to $140,000, a 7.7 percent increase from the first half of 2012 (Wisconsin REALTORS® Association). These trends indicate that DSPS will continue to play an essential role in Wisconsin's economy through its regulation of the real estate industry.

[12] Components of the BEA real estate industry estimates are not regulated by DSPS.

Appendix A: Health Care Professions and Boards under purview of DSPS

Health Care Professions

Acupuncturist
Advanced Practice Nurse Prescriber
Anesthesiologist Assistant
Art Therapist
Athletic Trainer
Audiologist
Behavior Analyst
Chiropractic Radiological Technician
Chiropractic Technician
Chiropractor
Clinical Substance Abuse Counselor
Clinical Supervisor In Training
Controlled Substances Special Use Authorization
Dance Therapist
Dental Hygienist
Dentist
Dietitian
Drug or Device Manufacturer
Hearing Instrument Specialist
Independent Clinical Supervisor
Intermediate Clinical Supervisor
Licensed Midwife
Licensed Practical Nurse
Licensed Radiographer
Limited X-Ray Machine Operator Permit
Marriage and Family Therapist
Massage Therapist or Bodywork Therapist
Music Therapist
Nurse-Midwife
Occupational Therapist
Occupational Therapy Assistant
Optometrist
Perfusionist
Pharmacist
Pharmacy (In State)
Pharmacy (Out of State)
Physical Therapist
Physical Therapist Assistant
Physician
Physician Assistant
Podiatrist
Prevention Specialist
Prevention Specialist in Training
Private Practice School Psychologist
Professional Counselor
Psychologist
Registered Nurse
Registered Sanitarian
Respiratory Care Practitioner
Sign Language Interpreter
Sign Language Interpreter (Restricted)
Social Worker
Social Worker- Advanced Practice
Social Worker- Independent
Social Worker- Licensed Clinical
Social Worker- Training Certificate
Speech-Language Pathologist
Substance Abuse Counselor
Substance Abuse Counselor in Training
Veterinarian
Veterinary Technician
Wholesale Distributor of Prescription Drugs

Health Care Boards

Examining Boards

Chiropractic Examining Board
Dentistry Examining Board
Hearing and Speech Examining Board
Marriage and Family Therapy, Professional Counseling and Social Work Examining Board
Medical Examining Board

Board of Nursing
Nursing Home Administrator Examining Board
Optometry Examining Board
Pharmacy Examining Board
Physical Therapy Examining Board
Psychology Examining Board
Radiography Examining Board
Veterinary Examining Board

Boards
Controlled Substance Board

Credentialing Boards Attached to the Medical Examining Board
Athletic Trainers Affiliated Credentialing Board
Dietitians Affiliated Credentialing Board
Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
Occupational Therapists Affiliated Credentialing Board
Podiatry Affiliated Credentialing Board

Councils
Council on Anesthesiologist Assistants
Examining Council on Registered Nurses
Examining Council on Licensed Practical Nurses
Perfusionist Examining Council
Pharmacist Advisory Council
Council on Physician Assistants
Respiratory Care Practitioners Examining Council
Sign Language Interpreter Council

Appendix B: All Boards and Councils under purview of DSPS

Examining Boards

Accounting Examining Board
Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors
Chiropractic Examining Board
Cosmetology Examining Board
Dentistry Examining Board
Funeral Directors Examining Board
Examining Board of Professional Geologists, Hydrologists, and Soil Scientists
Hearing and Speech Examining Board
Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board
Medical Examining Board
Board of Nursing
Nursing Home Administrator Examining Board
Optometry Examining Board
Pharmacy Examining Board
Physical Therapy Examining Board
Psychology Examining Board
Radiography Examining Board
Real Estate Examining Board
Veterinary Examining Board

Boards

Auctioneer Board
Building Inspector Review Board
Cemetery Board
Controlled Substances Board
Real Estate Appraisers Board

Affiliated Credentialing Boards

Athletic Trainers Affiliated Credentialing Board
Dietitians Affiliated Credentialing Board
Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
Occupational Therapists Affiliated Credentialing Board
Podiatry Affiliated Credentialing Board

Councils

Council on Anesthesiologist Assistants
Crematory Authority Council
Automatic Fire Sprinkler System Contractors and Journeymen Council
Contractor Certification Council
Conveyance Safety Code Council
Dwelling Code Council
Manufactured Housing Code Council
Multifamily Dwelling Code Council
Examining Council on Registered Nurses
Examining Council on Licensed Practical Nurses
Perfusionist Examining Council
Pharmacist Advisory Council
Plumbers Council
Council on Physician Assistants
Council on Real Estate Curriculum and Examinations
Respiratory Care Practitioners Examining Council
Sign Language Interpreter Council

Advisory Committees[13]

Alteration and Change of Occupancy Council
Amusement Ride Code Council
Boiler and Pressure Vessel Code Council
Commercial Buildings Code Council
Conveyance Safety Code Council
Electrical Code Council

[13] Under Wisconsin Statute 440.042, the Secretary of DSPS may convene an advisory committee to advise on any matter related to the regulation of credential holders.

Energy Conservation Council
Erosion and Stormwater Council
Fire Department Safety and Health Code Council
Fire Prevention Code Council
Fire Protection Systems Council
Fire Safety Council
Gas Systems Code Council
General Task Group
HVAC Council
Means of Egress Council
Mechanical Refrigeration Code Council
Passenger Ropeways Code Council
Plumbing Code Council
Pool Code Council
POWTS Code Council
POWTS Technical Committee
Public Employee Safety and Health Code Council
Rental Unit Energy Efficiency Code Council
Stormwater Workgroup
Structural Review Council
Wisconsin Fund Code Council

Appendix C: Health Care Service Categories

Health Care Service Category	Relation to DSPS
Hospital Care: Covers all services provided by hospitals to patients. These include room and board, ancillary charges, services of resident physicians, inpatient pharmacy, hospital-based nursing home and home health care, and any other services billed by hospitals in the United States. The value of hospital services is measured by total net revenue, which equals gross patient revenues (charges) less contractual adjustments, bad debts, and charity care. It also includes government tax appropriations as well as non-patient and non-operating revenues.	These services are generated by DSPS credentialed health care professionals.
Physician and Clinical Services: Covers services provided in establishments operated by Doctors of Medicine (M.D.) and Doctors of Osteopathy (D.O.), outpatient care centers, plus the portion of medical laboratories services that are billed independently by the laboratories. This category also includes services rendered by a doctor of medicine (M.D.) or doctor of osteopathy (D.O.) in hospitals, if the physician bills independently for those services. Clinical services provided in freestanding outpatient clinics operated by the U.S. Department of Veterans' Affairs, the U.S. Coast Guard Academy, the U.S. Department of Defense, and the U.S. Indian Health Service are also included.	DSPS credentials Doctors of Medicine and Doctors of Osteopathy.
Other Professional Services: Covers services provided in establishments operated by health practitioners other than physicians and dentists. These professional services include those provided by private-duty nurses, chiropractors, podiatrists, optometrists, and physical, occupational and speech therapists, among others.	DSPS credentials nurses; chiropractors; podiatrists; optometrists; physical, occupational, and speech therapists; among other health professionals. See Appendix A for a complete list.
Prescription Drugs: Covers the "retail" sales of human-use dosage-form drugs, biological drugs, and diagnostic products that are available only by a prescription.	DSPS credentials pharmacists, pharmacies, wholesale distributors of prescription drugs, drug or device manufacturers, and professionals with the authority to prescribe.
Other Non-Durable Medical Products: Covers the "retail" sales of non-prescription drugs and medical sundries.	DSPS credentials pharmacists, drug or device manufacturers, and

	the health professionals advising purchases of non-durable medical products.
Nursing Home Care: Covers nursing and rehabilitative services provided in freestanding nursing home facilities. These services are generally provided for an extended period of time by registered or licensed practical nurses and other staff. Care received in state and local government facilities and nursing facilities operated by the U.S. Department of Veterans Affairs are also included.	DSPS credentials registered nurses, licensed practical nurses, and advanced practice nurse prescribers.
Dental Services: Covers services provided in establishments operated by a Doctor of Dental Medicine (D.M.D.) or Doctor of Dental Surgery (D.D.S.) or a Doctor of Dental Science (D.D.Sc.).	DSPS credentials dentists and dental hygienists.
Home Health Care: Covers medical care provided in the home by freestanding home health agencies (HHAs). Medical equipment sales or rentals not billed through HHAs and non-medical types of home care (e.g., Meals on Wheels, chore-worker services, friendly visits, or other custodial services) are excluded.	DSPS credentials health professionals responsible for providing home health care. See Appendix A for a complete list of health professions regulated by DSPS.
Medical Durables: Covers "retail" sales of items such as contact lenses, eyeglasses and other ophthalmic products, surgical and orthopedic products, hearing aids, wheelchairs, and medical equipment rentals.	Health professionals credentialed by DSPS directly and indirectly induce the consumption of medical durables.
Other Health, Residential, and Personal Care: This category includes spending for Medicaid home and community based waivers, care provided in residential care facilities, ambulance services, school health and worksite health care. Generally these programs provide payments for services in non-traditional settings such as community centers, senior citizens centers, schools, and military field stations. The residential establishments are classified as facilities for the intellectually disabled and mental health and substance abuse facilities. The ambulance establishments are classified as Ambulance services.	DSPS credentials health professionals typically responsible for health, residential, and personal care including professional counselors, substance abuse counselors, psychiatrists, and psychologists. See Appendix A for a complete list of health professions regulated by DSPS.

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State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Daniel Agne, Bureau Assistant **on behalf of Tom Ryan, Executive Director**	**1/8/14** Items will be considered late if submitted after 4:30 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards ▪ 14 business days before the meeting for all others

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☒ Yes ☐ No	**Study on the Potential Consolidation of the Department of Agriculture, Trade and Consumer Protection with the DSPS (DART) Report - Discussion of Findings and Recommendations**

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

Review and discussion of Dept of Administration's study on potentially consolidating DATCP and DSPS into the "Department of Agriculture, Regulation and Trade." Also, review related email from Tom Engels.

11) Authorization

Daniel Agne

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 8/13

From: Engels, Tom - DSPS
Subject: DART Study Report
Date: Monday, December 30, 2013 2:30:10 PM

To: DSPS Staff
From: Tom Engels, DSPS Assistant Deputy Secretary

The Department of Administration has prepared a report on the potential consolidation of the Department of Agriculture, Trade and Consumer Protection with the Department of Safety and Professional Services, in response to requirements of 2013 Wisconsin Act 20, Section 9101(3s). The 2013-15 biennial budget required the Department of Administration to conduct a study to determine the appropriateness of combining the functions currently performed by the Department of Agriculture, Trade and Consumer Protection with services provided by the Department of Safety and Professional Services.
Here is a link to the full report your reference
http://legis.wisconsin.gov/lfb/jfc/reports/Documents/2013_12_26_DART%20Study.pdf

Below are the report's conclusions and recommendations, the first of which recommends against a consolidation of the two departments. I have underlined a sentence in the first bullet point which reflects the tremendous job done by staff here at DSPS.

Should you have any questions regarding the report, please do not hesitate to contact me.

Conclusions and Recommendations

- **Do Not Consolidate Agencies:** Due to limited overlap between agency customers, customer sentiment against a merger, potential administrative difficulties presented by the potential merger and limited potential for savings, the agencies should not be merged. A merger could risk losing the generally high performance ratings of both agencies, most notably the 65.8 percent of respondents that rated their interactions with the Department of Safety and Professional Services as "Good" or "Very Good".

- **Move the Veterinary Examining Board to the Department of Agriculture, Trade and Consumer Protection:** Due to the historical relationship between the Veterinary Board and the department, as well as the close relationship with the veterinary profession, the Veterinary Examining Board should be transferred.

- **Improve Board Staffing and Examine Board Powers:** In response to feedback from impacted stakeholder groups, the study recommends improvements to board staffing, training and document management. The Department of Safety and Professional Services began making changes to improve these areas in 2012, which may have not yet been reflected in stakeholder sentiment. Additionally, the study recommends that the powers and duties of existing examining and advisory boards should be examined, to standardize board practices, meeting schedules, actions on potential licenses and other issues. The study also recommends an examination of the overall practice of state licensure of professions.

- **Licensing Fees Charged by the Department of Safety and Professional Services should be Reexamined:** Most fees charged by the department are set administratively via a fee study, reviewed by the Joint Committee on Finance. These fees should be reexamined through the existing fee study process, with current budget assumptions.

- **Continue Agency Improvements on Document Management, Electronic Licensure and Electronic Communications:** The two departments have projects underway to improve document management, electronic licensing and customer communications. These projects should be continued, in close consultation with each other, other state agencies and the private sector.

- **The Department of Safety and Professional Services is a vital Point of Contact between the state and the public:** Over 380,000 individuals are licensed by the department in order to work in their chosen professions. Additionally, the department reviews the plans of most commercial buildings constructed in the state. This makes the agency one of the primary points of contact for state citizens. Efforts should be made to improve the customer service experience with the agency through additional LEAN Government/Six Sigma initiatives.

Tom Engels | Assistant Deputy Secretary | Wisconsin Dept. of Safety and Professional Services | 608.266.8608

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December 26, 2013

Senator Alberta Darling Co-Chair
Joint Committee on Finance
Room 317 East, State Capitol
Madison, WI 53707

Representative John Nygren, Co-Chair
Joint Committee on Finance
Room 309 East, State Capitol
Madison, WI 53708

Dear Senator Darling and Representative Nygren:

Enclosed please find a study on the consolidation of the Department of Safety and Professional Services and the Department of Agriculture, Trade and Consumer Protection, which was prepared in response to section 9101(3s) of 2013 Wisconsin Act 20.

The study consists of two documents. The first is the narrative of the study with appendices. The second document details the methodology and results of the survey used for stakeholder outreach. As the study does not recommend a merger of the two agencies, no draft legislation has been prepared and recommendations for the structure or makeup of a potential Department of Agriculture, Regulation and Trade are not included.

Please contact Andrew Hitt, Assistant Deputy Secretary, at 608-261-2299 or Andrew.Hitt@wisconsin.gov if you have any questions about this matter.

Sincerely,

Mike Huebsch
Secretary

cc: Members of Joint Committee on Finance

2014

Tyler Byrnes
Nancy Mistele
Joe Knilans

SURVEY METHODOLOGY AND RESULTS - STUDY ON CONSOLIDATION OF THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION WITH THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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Survey Construction

The Legislature requested a study of a potential merger of the Department of Agriculture, Trade and Consumer Protection with the Department of Safety and Professional services but did not specify a method for gathering input.

A decision was made to electronically survey a broad range of stakeholders including individual license and permit holders, stakeholder group representatives and other business organizations in order to reach a broad and diverse audience, gather opinion and comments in a reasonable period of time and use existing technology to tally and analyze results quickly and efficiently.

The survey tool was designed to drive maximum response, gather data and public opinion on the concept of a merger while allowing state license holders and stakeholders to offer comments about existing services with the agencies and their views on potential changes to the service levels should a merger occur.

With overall guidance from the Legislature, questions were constructed with input from Department of Administration staff and policy analysts, reviewed by DSPS and DATCP personnel and finally vetted by others with experience in developing survey tools. The vetting process ensured consistent style and formatting of questions and potential answers in a manner that did not lead respondents to particular answers or conclusions.

Specific questions were crafted to obtain relevant information from customers that would provide justification for a potential merger, or arguments against the merger, depending on respondent answers to the questions. For instance, asking how much interaction customers have with each of the agencies in question would determine whether there was overlap between the two sets of agency responsibilities.

The survey asked up to 24 questions and respondents were able to quickly answer questions or add greater explanation where necessary. If the respondents rated agency performance as poor or very poor, they were provided space to provide additional comments on the survey. The survey included questions related to their experience with services provided by agencies as well as questions directly related to their opinions of a potential merger. At the end of the survey respondents were able to provide general open-ended responses.

Once the questions were constructed, they were placed into an online survey tool developed by staff with the Department of Administration Division of Enterprise Technology. Respondents were asked to rate various aspects of agency performance for agencies with which they interact.

SURVEY DISTRIBUTION

An electronic survey was used to contact the largest number of stakeholders in the most efficient manner. This survey was sent to impacted board members, stakeholder groups and individual license holders and was publicized via media outlets to attract a broad spectrum of public comment. More than 430,000 people were directly contacted with the survey.

The contact lists were generated by using an email list of DSPS license holders, email lists generated from the Office of Business Development interactions with Chambers of Commerce and Economic Development Groups as well as business contacts throughout the state. The survey was also electronically distributed through over 350 DATCP and DSPS identified stakeholder groups with directions to forward the survey to group members.

Links to the on-line survey were sent to email addresses for all the license holders on file with DSPS, which totaled 428,954 emails. In addition to agency contacts, the survey was also distributed to members of the DATCP and DSPS attached boards, members of the Legislature, and via the Department of Administration Office of Business Development at various events and through Chambers of Commerce.

The following is the text of the outreach email sent to potential survey respondents.

Outreach Email sent to Survey Respondents

Good morning,

We are contacting you today as we would appreciate your feedback (including feedback from your organizations board and members) about possibly merging the Department of Safety and Professional Services (DSPS) and the Department of Agriculture, Trade and Consumer Protection (DATCP). Your input about how this consolidation may impact you is very valuable to us.

The 2013-15 state budget calls for a study about consolidating these two agencies. DSPS manages the licensing and regulation of professions in health, business and construction trades. They also oversee state building safety codes and provide services related to plan review, permit issuance, building and component inspection, and safety codes. DATCP is responsible for the promotion and regulation of Wisconsin's agriculture industry, including Agriculture Resource Management and Animal Health, as well as the oversight of food safety and consumer protection.

We ask that you complete the survey and forward this email to your members for their response so we can better understand how a potential consolidation may affect you. Your answers and contact information will be kept confidential and will not be used outside of the scope of this survey. All survey results will be tallied for any reporting purposes.

TAKE THE SURVEY – your answers will be kept confidential

Thank you in advance for your participation and input.
Office of Business Development

Note: throughout the survey, you will see the term 'license' which refers to any license, credential, certification, registration or permit. Please view the term to mean the document a state agency issues as a requirement to do business, perform an occupation or specific work activity in the State of Wisconsin.

Survey Results and Survey Questions

The following tables detail the results of the survey that was distributed to nearly 450,000 people. The following tables show the demographic breakdown of the respondents, responses to questions directly related to opinions about a potential merger of the two agencies, and performance related responses. Over three thousand survey respondents indicated that they would like to receive a copy of the final report.

Table 1: Respondents by Profession

Profession	Respondents	Percent of Total
Health Professions	9,838	39.4%
No Response	7,451	29.9%
Business Professions	5,194	20.8%
Trades Professions	1,920	7.7%
Manufactured Housing	21	0.1%
Mixed Martial Arts/Boxing	14	0.1%
Subtotal	*24,438*	*98.0%*
More than One Response		
Business Professions; Trades Professions	210	0.8%
Health Professions; Business Professions	187	0.7%
Health Professions; Trades Professions	61	0.2%
Health Professions; Business Professions; Trades Professions	28	0.1%
Business Professions; Trades Professions; Manufactured Housing	9	0.0%
Trades Professions; Manufactured Housing	9	0.0%
Business Professions; Manufactured Housing	4	0.0%
Business Professions; Trades Professions; Mixed Martial Arts/Boxing	1	0.0%
Health Professions; Business Professions; Trades Professions; Manufactured Housing; Mixed Martial Arts/Boxing	1	0.0%
Health Professions; Mixed Martial Arts/Boxing	1	0.0%
Subtotal	511	2.1%
Grand Total	***24,949***	***100.0%***

Table 2: Total Respondents by County					
County	**Respondents**	**Percentage**	**County**	**Respondents**	**Percentage**
None Indicated	8,340	33.4%	Marathon	405	1.6%
Adams	54	0.2%	Marinette	105	0.4%
Ashland	48	0.2%	Marquette	38	0.2%
Barron	115	0.5%	Menominee	2	0.0%
Bayfield	57	0.2%	Milwaukee	2,102	8.4%
Brown	687	2.8%	Monroe	108	0.4%
Buffalo	34	0.1%	Oconto	105	0.4%
Burnett	43	0.2%	Oneida	144	0.6%
Calumet	133	0.5%	Outagamie	443	1.8%
Chippewa	209	0.8%	Ozaukee	342	1.4%
Clark	62	0.2%	Pepin	26	0.1%
Columbia	188	0.8%	Pierce	67	0.3%
Crawford	55	0.2%	Polk	93	0.4%
Dane	2,518	10.1%	Portage	186	0.7%
Dodge	225	0.9%	Price	51	0.2%
Door	117	0.5%	Racine	422	1.7%
Douglas	103	0.4%	Richland	64	0.3%
Dunn	119	0.5%	Rock	348	1.4%
Eau Claire	362	1.5%	Rusk	24	0.1%
Florence	10	0.0%	Saint Croix	204	0.8%
Fond du Lac	308	1.2%	Sauk	190	0.8%
Forest	15	0.1%	Sawyer	58	0.2%
Grant	117	0.5%	Shawano	83	0.3%
Green	150	0.6%	Sheboygan	289	1.2%
Green Lake	57	0.2%	Taylor	41	0.2%
Iowa	79	0.3%	Trempealeau	66	0.3%
Iron	23	0.1%	Vernon	73	0.3%
Jackson	46	0.2%	Vilas	86	0.3%
Jefferson	239	1.0%	Walworth	246	1.0%
Juneau	49	0.2%	Washburn	62	0.2%
Kenosha	284	1.1%	Washington	437	1.8%
Kewaunee	61	0.2%	Waukesha	1,468	5.9%
La Crosse	409	1.6%	Waupaca	132	0.5%
Lafayette	50	0.2%	Waushara	58	0.2%
Langlade	59	0.2%	Winnebago	436	1.7%
Lincoln	66	0.3%	Wood	237	0.95%
Manitowoc	217	0.9%			
Counties Represented		**72**			
Total Respondents		**24,949**			

Table 3: Respondents by Reason for Agency Contact		
Reason for Contact	**Respondents**	**Percent of Total**
Obtain or renew an occupational license	16,921	65.5%
None of the Above	2,880	11.1%
Obtain or renew an occupational license; Register my business	1,162	4.5%
Obtain or renew an occupational license; Obtain a permit for a specific activity	611	2.4%
Obtain or renew an occupational license; Register my business; Obtain a permit for a specific activity	503	1.9%
Other with significant Agency contact	462	1.8%
Obtain a permit for a specific activity	384	1.5%
Register my business	355	1.4%
Obtain or renew an occupational license; Other with significant Agency contact	314	1.2%
I am a member of a Board or Council affiliated with an Agency	246	1.0%
I am a Representative of a Trade Association with interests to an Agency	207	0.8%
Multiple Responses - Other	904	3.5%
Grand Total	**24,949**	**100.0%**

Table 4: Respondents by Source of Survey Contact		
Source of Contact	**Respondents**	**Percent of Total**
License Holders	23,438	93.9%
Other via Office of Business Development	497	2.0%
DSPS Stakeholders	336	1.3%
Legislature	173	0.7%
Boards and Councils	147	0.6%
DOA/Wisconsin Website	128	0.5%
Not Available	39	0.2%
Chamber via Office of Business Development	33	0.1%
Bus Development via Office of Business Development	20	0.1%
DATCP Lists	12	0.0%
DSPS Lists	8	0.0%
Lt. Governor Lists	2	0.0%
Cooperative Network	1	0.0%
Grand Total	**24,949**	**100.0%**

Table 5: Categorized responses to the question: How many full time people do you employ?		Categorized responses to the question: How many part time people do you employ?	
Employees	**Respondents**	**Employees**	**Respondents**
Zero	573	Zero	980
Between 1-10 Employees	1,063	Between 1-10 Employees	829
Between 11-50 Employees	224	Between 11-50 Employees	91
Between 51-100 Employees	53	Between 51-100 Employees	10
Between 101-1000 Employees	51	Between 100-1000 Employees	26
Over 1001 Employees	10	Over 1001 Employees	2
Subtotal	*1,974*	*Subtotal*	*1,938*
No response	22,975	No response	23,011
Total	**24,949**	**Total**	**24,949**

Survey Responses – Direct Questions about the Potential Merger

The following tables show the responses to questions directly related to a potential merger of the two agencies. These questions were asked of all respondents. Responses to the question "If consolidation results in lower costs to the agency, how would you want the savings used?" did not provide useful data because too many individuals selected the "other" category. Specific responses are available upon request.

Table 6: Do you believe there should be one agency responsible for all licensing and permitting in Wisconsin?

Response	Respondents	Percentage
No Response	4,247	17.0%
Definitely No	1,408	5.6%
Probably No	1,968	7.9%
Not Sure	2,917	11.7%
Probably Yes	5,861	23.5%
Definitely Yes	8,548	34.3%
Total Respondents	24,949	100.0%

Table 7: Do you believe there should be one agency responsible solely for Agriculture and food safety in Wisconsin?

Response	Respondents	Percentage
No Response	4,248	17.0%
Definitely No	875	3.5%
Probably No	1,177	4.7%
Not Sure	4,377	17.5%
Probably Yes	5,855	23.5%
Definitely Yes	8,417	33.7%
Total Respondents	24,949	100.0%

Table 8: How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?

Response	Respondents	Percentage
No Response	4,430	17.8%
Greatly improve service	192	0.8%
Improve service somewhat	760	3.0%
Not sure	8,308	33.3%
Reduce service somewhat	6,270	25.1%
Greatly reduce service	4,989	20.0%
Total Respondents	24,949	100.0%

Table 9: Do you believe that consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection will result in savings?

Response	Respondents	Percentage
No Response	4,352	17.4%
Definitely No	1,401	5.6%
Probably No	5,319	21.3%
Not Sure	6,245	25.0%
Probably Yes	6,209	24.9%
Definitely Yes	1,423	5.7%
Total Respondents	24,949	100.0%

Table 10: If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation?

Response	Respondents	Percentage
No Response	4,375	17.5%
Definitely No	7,191	28.8%
Probably No	6,614	26.5%
Not Sure	3,532	14.2%
Probably Yes	2,364	9.5%
Definitely Yes	873	3.5%
Total Respondents	24,949	0.0%

Performance Evaluation Questions – DATCP

These tables detail the performance evaluations of DATCP. Respondents were only asked these questions if they listed DATCP as an agency with which they do business.

Table 11: DATCP - How would you rate your overall experience with the agency?		
Very Good	309	19.9%
Good	562	36.2%
Average	436	28.1%
Poor	53	3.4%
Very Poor	24	1.5%
No opinion/unsure	169	10.9%
Total	**1,553**	**100%**
Not Asked/No Response	23,396	

Table 12: DATCP - How would you rate the licensing process?		
Very Good	228	15.0%
Good	510	33.6%
Average	413	27.2%
Poor	65	4.3%
Very Poor	17	1.1%
No opinion/unsure	285	18.8%
Total	**1,518**	**100%**
Not Asked/No Response	23,431	

Table 13: DATCP - After submitting your application, what length of time did you wait for your license?		
3 or less business days	202	16.7%
4 - 7 business days	421	34.9%
8 - 29 business days	468	38.8%
30 days or longer	115	9.5%
Total	**1,206**	**100%**
Not Asked/No Response	23,743	

Table 14: DATCP How satisfied are you with the time it takes to receive your license after you apply?		
Very satisfied	385	28.5%
Somewhat satisfied	364	26.9%
No opinion	449	33.2%
Somewhat dissatisfied	100	7.4%
Very dissatisfied	53	3.9%
Total	**1,351**	**100%**
Not Asked/No Response	23,598	

Table 15: DATCP - How much value do you believe there is relative to fees paid to be a license holder?		
Good Value	253	18.3%
Some Value	373	26.9%
Not Sure	367	26.5%
Minimal Value	305	22.0%
No Value	87	6.3%
Total	**1,385**	**100%**
Not Asked/No Response	23,564	

Table 16: DATCP - How frequently, if at all, should you be required to renew your license?		
Renew more frequently	13	1.0%
Leave as is	805	59.7%
Renew less frequently	427	31.7%
Do not require renewal at all	104	7.7%
Total	**1,349**	**100%**
Not Asked/No Response	23,600	

Table 17: DATCP - What is your opinion of the continuing education requirements, if any, for your license?		
Increase the CE requirement	75	5.5%
Ok as is	710	51.6%
No CE is required now	184	13.4%
No opinion	110	8.0%
Reduce the CE requirement	161	11.7%
Do not require CE	93	6.8%
Other	43	3.1%
Total	**1,376**	**100%**
Not Asked/No Response	23,573	

Performance Evaluation Questions – DSPS

These tables detail the performance evaluations of DSPS. Respondents were only asked these questions if they listed DSPS as an agency with which they do business.

Table 18: DSPS - How would you rate your overall experience with the agency?		
Very Good	3,986	24.2%
Good	6,850	41.6%
Average	4,047	24.6%
Poor	626	3.8%
Very Poor	184	1.1%
No opinion/unsure	772	4.7%
Total	**16,465**	**100%**
Not Asked/No Response	8,484	

Table 20: DSPS - How would you rate the licensing process?		
Very Good	4,320	26.4%
Good	6,699	40.9%
Average	4,007	24.5%
Poor	783	4.8%
Very Poor	188	1.1%
No opinion/unsure	385	2.4%
Total	**16,382**	**100%**
Not Asked/No Response	8,567	

Table 21: DSPS - After submitting your application, what length of time did you wait for your license?		
3 or less business days	3,557	22.8%
4 - 7 business days	4,885	31.3%
8 - 29 business days	5,358	34.3%
30 days or longer	1,830	11.7%
Total	**15,630**	**100%**
Not Asked/No Response	9,319	

Table 22: DSPS - How satisfied are you with the time it takes to receive your license after you apply?		
Very satisfied	6,489	40.5%
Somewhat satisfied	4,154	26.0%
No opinion	3,236	20.2%
Somewhat dissatisfied	1,414	8.8%
Very dissatisfied	713	4.5%
Total	**16,006**	**100%**
Not Asked/No Response	8,943	

Table 24: DSPS - How much value do you believe there is relative to fees paid to be a license holder?		
Good Value	3,790	23.3%
Some Value	4,502	27.7%
Not Sure	3,722	22.9%
Minimal Value	3,516	21.6%
No Value	726	4.5%
Total	**16,256**	**100%**
Not Asked/No Response	8,693	

Table 24: DSPS - How frequently, if at all, should you be required to renew your license?		
Renew more frequently	111	0.7%
Leave as is	9,981	60.9%
Renew less frequently	5,548	33.9%
Do not require renewal at all	737	4.5%
Total	**16,377**	**100%**
Not Asked/No Response	8,572	

Table 25: DSPS - What is your opinion of the continuing education requirements, if any, for your license?		
Increase the CE requirement	864	5.3%
Ok as is	8,844	53.9%
No CE is required now	2,388	14.6%
No opinion	588	3.6%
Reduce the CE requirement	1,780	10.9%
Do not require CE	1,131	6.9%
Other	798	4.9%
Total	**16,393**	**100%**
Not Asked/No Response	8,556	

Survey Questions and Answers as seen by Respondents.

The following are print-screens that were seen by survey respondents when they took the survey. Note that all survey respondents did not answer performance evaluation questions on all agencies.

Page 1

State Agency Involvement

My primary purpose for contact with an agency is: Select at least 1 and no more than 6.

- ☐ Obtain or renew an occupational license
- ☐ Register my business
- ☐ Obtain a permit for a specific activity
- ☐ I am a member of a Board or Council affiliated with an Agency
- ☐ I am a Representative of a Trade Association with interests to an Agency
- ☐ Other with significant Agency contact
- ☐ None of the Above

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Background Information

In which county do you reside?

-- None --

To do business in Wisconsin, I have contact with the following agencies: Select at least 1 and no more than 3.

- ☐ Department of Safety and Professional Services (DSPS)
- ☐ Department of Agriculture, Trade and Consumer Protection (DATCP)
- ☐ Other agencies
- ☐ None

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Additional Agencies

Select additional agencies Select no more than 5.

- ☐ Children and Families, Department of

- ☐ Financial Institutions, Department of
- ☐ Health Services, Department of
- ☐ Insurance, Office of the Commissioner of
- ☐ Natural Resources, Department of
- ☐ Public Instruction, Department of
- ☐ Revenue, Department of
- ☐ Workforce Development, Department of
- ☐ Not on list, please specify

Enter Department Name

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Employee Count

In which county is your business located?

-- None --

How many full time people do you employ?

How many part time people do you employ?

Page 5

Profession or Industry

What best represents your profession or industry sector

- ☐ Health Professions
- ☐ Business Professions
- ☐ Trades Professions
- ☐ Manufactured Housing
- ☐ Mixed Martial Arts/Boxing

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Trade Professions

Select category.

- ☐ Fire Sprinkler
- ☐ Dwellings, Structures, Sites
- ☐ Mechanical
- ☐ Blasting
- ☐ Conveyance
- ☐ Electrical
- ☐ Plumbing
- ☐ Inspection

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Agriculture/Food Industry Professions

Select license

- ☐ No license or permit required
- ☐ Animal Control Facility (eff. 6/1/2011)
- ☐ Animal Dealer License
- ☐ Animal Food Processor License
- ☐ Animal Import Permit (certain animals)
- ☐ Animal Market License
- ☐ Animal Shelter (eff. 6/1/2011)
- ☐ Animal Transport Vehicle (animal dealers, markets and truckers)
- ☐ Animal Trucker License
- ☐ Animals Diseased; Permit to Move
- ☐ Apiary Inspection Certificate; Interstate Movement
- ☐ Bulk Milk Tanker; Grade A Permit
- ☐ Bulk Milk Tanker; License to Operate
- ☐ Bulk Milk Weigher and Sampler License
- ☐ Butter Grader License
- ☐ Buttermaker License
- ☐ Cattle and Bison; Import Permit
- ☐ Cattle/Goats; Johne's Disease Herd Classification
- ☐ Cattle; Burcellosis-Free Herd Certification
- ☐ Cattle; Johne's Disease Vaccination Approval
- ☐ Cattle; Tuberculosis-Free Herd Certificate
- ☐ Cheese Grader License
- ☐ Cheese Logo (Wisconsin); Permit to Use
- ☐ Cheesemaker License

- ☐ Christmas Tree Grower License
- ☐ Dairy Farm; Grade A Permit
- ☐ Dairy Farm; Milk Producer License
- ☐ Dairy Plant - Grade A BMT Cleaning Facility
- ☐ Dairy Plant License
- ☐ Dairy Plant; Grade A Permit
- ☐ Dating Service
- ☐ Dead Animal Collector License
- ☐ Dead Animals; Carcass Dealer Registration
- ☐ Dead Animals; Transport Vehicle Permit
- ☐ Deer and Elk (Farm-Raised); Brucellosis Free Herd
- ☐ Deer and Elk (Farm-Raised); CWD Herd Status Program
- ☐ Deer and Elk (Farm-Raised); Herd Registration
- ☐ Deer and Elk (Farm-Raised); Hunting Preserve Registration Certificate
- ☐ Deer and Elk (Farm-Raised); TB Accredited Free Certification
- ☐ Deer and Elk (Farm-Raised); TB Qualified Herd Certification
- ☐ Deer and Elk; Import Permit
- ☐ Dog Breeder (eff. 6/1/2011)
- ☐ Dog Breeding Facility (eff. 6/1/2011)
- ☐ Dog Dealer (eff. 6/1/2010)
- ☐ Dog Dealer; Out-of-State (eff. 6/1/2011)
- ☐ Equine Quarantine Station; Permit
- ☐ Feed (Commercial); License to Manufacture or Distrubute
- ☐ Feedlot (Approved Import Feedlot); Permit
- ☐ Fertilizer Product <24% NPK; Permit
- ☐ Fertilizer; License to Manufacture or Distribute
- ☐ Fish Farm Registration
- ☐ Fish Import Permit
- ☐ Fitness Center
- ☐ Food Marketing Permit (temporary permit for non-conforming label)
- ☐ Food or Farm Product Grader; License
- ☐ Food Processing Plant License (Wholesale)
- ☐ Food Retail Inspection; Agent County or Municipality
- ☐ Food Retail License
- ☐ Food Warehouse License

- [ ] Fur Farm
- [ ] Future Service Plan (Buyers Club)
- [ ] Ginseng Grower and Dealer Registration
- [ ] Goats; Burcellosis-Free Herd Certificate
- [ ] Goats; Tuberculosis-Free Herd Certificate
- [ ] Grain Dealer License
- [ ] Grain Warehouse Keeper License
- [ ] Grease Processor License
- [ ] Honey Producer - Certified
- [ ] Humane Officer Certification
- [ ] Industry Bulk Milk Truck / Tanker Inspector - Appointed
- [ ] Laboratory Analyst Certification (Dairy, Food and Water Labs)
- [ ] Laboratory Certification (Dairy, Food and Water Labs)
- [ ] Laboratory; Milk Screening Test Approval
- [ ] Landspreading Permit; Soils Containing Spilled Agrichemicals
- [ ] Liming Materials; Approval to Sell by Volume
- [ ] Liming Materials; License to Sell
- [ ] Livestock Premises Registration
- [ ] Livestock; Brand Registration
- [ ] Livestock; Permit to Move from Slaughter
- [ ] Maple Sap Processor Registration
- [ ] Meat Broker or Distributor Registration
- [ ] Meat Establishment License
- [ ] Meat; Mobile Slaughter or Processing; Registration Certificate
- [ ] Milk and Cream Tester License
- [ ] Milk Contractor License
- [ ] Milk Distributor License
- [ ] Mobile Air Conditioners; repair or Service Business; Registration
- [ ] Mobile Air Conditioners; Technician Registration
- [ ] Nursery Dealer License
- [ ] Nursery Grower License
- [ ] Pasteurizer Operator -- not a license or permit
- [ ] Pesticide Applicator Certification; Commercial
- [ ] Pesticide Applicator Certification; Private
- [ ] Pesticide Commercial Application Business License

- [ ] Pesticide Commercial Applicator (Individual) License
- [ ] Pesticide Dealer-Distributor License
- [ ] Pesticide Emergency Use Permit
- [ ] Pesticide Experimental Use Permit
- [ ] Pesticide Manufacturer & Labeler License
- [ ] Pesticide Special Local Need Registration
- [ ] Pesticide Special Use Permit
- [ ] Plant Health (Phyto Sanitary) Certificate
- [ ] Plant Pest (or Biological Control Agent); Permit to Move or Release
- [ ] Poultry; Certified Pullorum Tester (National Poultry Improvement Plan)
- [ ] Poultry; Disease-Free Flock Certification (National Poultry Improvement Plan)
- [ ] Poultry; Wisconsin Associate Flock Certification
- [ ] Poultry; Wisconsin Tested Flock Certification
- [ ] Public Warehouse Keeper License
- [ ] Renderer License
- [ ] Seed Labeler License
- [ ] Sheep; Brucella Ovis-Free Certificate
- [ ] Soil and Plant Additive; License to Sell
- [ ] Soil and Plant Additive; Product Permit
- [ ] Swine; Brucellosis-Free Herd Certificate
- [ ] Swine; Pseudorabies - Monitored Herd Certification
- [ ] Swine; Pseudorabies Qualified Negative Grow-Out Herd Certification
- [ ] Swine; Pseudorabies Vaccination Permit
- [ ] Swing; Pseudorabies Qualified Negative Herd Certification
- [ ] Telephone Solicitors Registration (Wisconsin "No Call" Program)
- [ ] Time-Share Seller; Security Requirement
- [ ] Vegetable Contractor License
- [ ] Veternarian; Certification to Perform Official Disease Control Functions
- [ ] Weather Modification License
- [ ] Weather Modification Project Permit
- [ ] Weight Reduction Center; Security Requirement
- [ ] Weights and Measures; Liquid Fuel Vehicle Tank Meter License
- [ ] Weights and Measures; LP Gas Meter License
- [ ] Weights and Measures; Service Company License
- [ ] Weights and Measures; Service Technician Registration

- [ ] Weights and Measures; Vehicle or Livestock Scale Permit
- [ ] Weights and Meausres; Vehicle Scale Operator License

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Boxing and Mixed Martial Arts

Select license

- [ ] Boxing Contestant
- [ ] Boxing or Mixed Martial Arts Judge
- [ ] Boxing or Mixed Martial Arts Promoter
- [ ] Boxing or Mixed Martial Arts Referee
- [ ] Boxing or Mixed Martial Arts Ringside Physician
- [ ] Boxing or Mixed Martial Arts Timekeeper
- [ ] Mixed Martial Arts Contestant

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Business Professions

Select license

- [ ] Accountant, Certified Public
- [ ] Accounting Corporation or Establishment
- [ ] Aesthetician
- [ ] Aesthetics Establishment
- [ ] Aesthetics Instructor
- [ ] Aesthetics School
- [ ] Appraiser, Certified General
- [ ] Appraiser, Certified Residential
- [ ] Appraiser, Licensed
- [ ] Architect
- [ ] Athlete Agent
- [ ] Auction Company
- [ ] Auctioneer
- [ ] Barber
- [ ] Barbering Apprentice

- ☐ Barbering Establishment
- ☐ Barbering Instructor
- ☐ Barbering Manager
- ☐ Barbering School
- ☐ Cemetery Authority (Licensed)
- ☐ Cemetery Authority (Registered)
- ☐ Cemetery Preneed Seller
- ☐ Cemetery Salesperson
- ☐ Certificate of Authorization: Architectural, Engineering or Designer of Engineering Systems Corp.
- ☐ Certificate of Authorization: Geology, Hydrology or Soil Science Corp.
- ☐ Certified General Appraiser
- ☐ Certified Public Accountant
- ☐ Certified Residential Appraiser
- ☐ Charitable Organizations
- ☐ Cosmetology Apprentice
- ☐ Cosmetology Establishment
- ☐ Cosmetology Instructor
- ☐ Cosmetology Manager
- ☐ Cosmetology Practitioner
- ☐ Cosmetology School
- ☐ Crematory Authority
- ☐ Designer of Engineering Systems
- ☐ Electrologist
- ☐ Electrology Establishment
- ☐ Electrology Instructor
- ☐ Electrology School
- ☐ Engineer, Professional
- ☐ Firearms Certifier
- ☐ Firearms Permit
- ☐ Fund-Raising Counsel
- ☐ Funeral Director
- ☐ Funeral Establishment
- ☐ Geologist
- ☐ Home Inspector
- ☐ Hydrologist

- [ ] Interior Designer
- [ ] Juvenile Martial Arts Instructor
- [ ] Land Surveyor
- [ ] Landscape Architect
- [ ] Licensed Appraiser
- [ ] Manicuring Establishment
- [ ] Manicuring Instructor
- [ ] Manicuring School
- [ ] Manicurist
- [ ] Nursing Home Administrator
- [ ] Peddler
- [ ] Private Detective
- [ ] Private Detective/Security Guard Agency
- [ ] Private Security Permit
- [ ] Professional Employer Group
- [ ] Professional Employer Organization
- [ ] Professional Engineer
- [ ] Professional Fund Raiser
- [ ] Real Estate Broker
- [ ] Real Estate Business Entity
- [ ] Real Estate Salesperson
- [ ] Real Estate Salesperson Apprentice
- [ ] Soil Scientist
- [ ] Timeshare Salesperson
- [ ] Warehouse for Cemetery Merchandise

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Health Professions

Select license

- [ ] Acupuncturist
- [ ] Advanced Practice Nurse Prescriber
- [ ] Anesthesiologist Assistant
- [ ] Art Therapist
- [ ] Athletic Trainer

- ☐ Audiologist
- ☐ Behavior Analyst
- ☐ Chiropractic Radiological Technician
- ☐ Chiropractic Technician
- ☐ Chiropractor
- ☐ Clinical Substance Abuse Counselor
- ☐ Clinical Supervisor In Training
- ☐ Controlled Substances Special Use Authorization
- ☐ Dance Therapist
- ☐ Dental Hygienist
- ☐ Dentist
- ☐ Dietitian
- ☐ Drug or Device Manufacturer
- ☐ Hearing Instrument Specialist
- ☐ Independent Clinical Supervisor
- ☐ Intermediate Clinical Supervisor
- ☐ Licensed Midwives
- ☐ Licensed Practical Nurse
- ☐ Licensed Radiographer
- ☐ Limited X-Ray Machine Operator Permit
- ☐ Marriage and Family Therapist
- ☐ Massage Therapist or Bodywork Therapist
- ☐ Music Therapist
- ☐ Nurse - Midwife
- ☐ Occupational Therapist
- ☐ Occupational Therapy Assistant
- ☐ Optometrist
- ☐ Perfusionist
- ☐ Pharmacist
- ☐ Pharmacy (In State)
- ☐ Pharmacy (Out of State)
- ☐ Physical Therapist
- ☐ Physical Therapist Assistant
- ☐ Physician Assistant
- ☐ Physician

- [ ] Podiatrist
- [ ] Prevention Specialist
- [ ] Prevention Specialist in Training
- [ ] Private Pract. School Psychologist
- [ ] Professional Counselor
- [ ] Psychologist
- [ ] Registered Nurse
- [ ] Registered Sanitarian
- [ ] Respiratory Care Practitioner
- [ ] Sign Language Interpreter
- [ ] Sign Language Interpreter (Restricted)
- [ ] Social Worker
- [ ] Social Worker - Advanced Practice
- [ ] Social Worker - Independent
- [ ] Social Worker - Licensed Clinical
- [ ] Social Worker - Training Certificate
- [ ] Speech-Language Pathologist
- [ ] Substance Abuse Counselor
- [ ] Substance Abuse Counselor in Training
- [ ] Veterinarian
- [ ] Veterinary Technician
- [ ] Wholesale Distributor of Prescription Drugs

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Manufactured Homes

Select license

- [ ] Manufactured Home Dealer
- [ ] Manufactured Home Installer
- [ ] Manufactured Home Manufacturer
- [ ] Manufactured Home Salesperson
- [ ] Manufactured Home Title
- [ ] Manufactured Home Community

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Trades Professions - Fire Sprinkler

Select license

- ☐ Automatic Fire Sprinkler Contractor
- ☐ Automatic Fire Sprinkler Contractor – Maintenance
- ☐ Automatic Fire Sprinkler Fitter – Maintenance
- ☐ Automatic Fire Sprinkler System Apprentice
- ☐ Automatic Fire Sprinkler System Tester
- ☐ Automatic Fire Sprinkler System Tester Learner
- ☐ Journeyman Automatic Fire Sprinkler Fitter

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Trades Professions - Blasting and Fireworks

Select license

- ☐ Blaster Class 1
- ☐ Blaster Class 2
- ☐ Blaster Class 3
- ☐ Blaster Class 4
- ☐ Blaster Class 5
- ☐ Blaster Class 6
- ☐ Blaster Class 7
- ☐ Fireworks Manufacturer

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Trades Professions - Conveyances

Select license

- ☐ Elevator Apprentice
- ☐ Elevator Apprentice – Restricted
- ☐ Elevator Contractor
- ☐ Elevator Helper
- ☐ Elevator Mechanic
- ☐ Elevator Mechanic – Restricted

- ☐ Lift Apprentice
- ☐ Lift Helper
- ☐ Lift Mechanic

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Trades Professions - Dwellings, Structures and Sites

Select license

- ☐ Dwelling Contractor
- ☐ Dwelling Contractor – Restricted
- ☐ Dwelling Contractor Qualifier
- ☐ Manufactured Home Installer
- ☐ Manufactured Home Manufacturer
- ☐ Manufactured Home Salesperson
- ☐ Soil Tester
- ☐ Weld Test Conductor
- ☐ Welder

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Trades Professions - Electrical

Select license

- ☐ Beginner Electrician
- ☐ Electrical Apprentice
- ☐ Electrical Contractor
- ☐ Industrial Electrical Apprentice
- ☐ Industrial Journeyman Electrician License
- ☐ Journeyman Electrician
- ☐ Master Electrician
- ☐ Residential Electrical Apprentice
- ☐ Residential Journeyman Electrician License
- ☐ Residential Master Electrician License

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Trades Professions - Inspection

Select license

- ☐ Boiler/Pressure Vessel Inspector
- ☐ Commercial Building Inspector
- ☐ Commercial Electrical Inspector
- ☐ Commercial Plumbing Inspector
- ☐ Elevator Inspector
- ☐ POWTS Inspector
- ☐ Rental Weatherization Inspector
- ☐ Soil Erosion Inspector
- ☐ Tank System Inspector
- ☐ UDC Construction Inspector
- ☐ UDC Electrical Inspector
- ☐ UDC HVAC Inspector
- ☐ UDC Inspection Agency
- ☐ UDC Plumbing Inspector

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Trades Professions - Mechanical

Select license

- ☐ HVAC Contractor
- ☐ HVAC Qualifier
- ☐ Liquefied Gas Supplier
- ☐ Liquefied Gas Supplier – Restricted
- ☐ Refrigerant Handling Technician

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Trades Professions - Plumbing

Select license

- ☐ Cross Connection Control Tester
- ☐ Journeyman Plumber

- ☐ Journeyman Plumber Restricted Appliance
- ☐ Journeyman Plumber Restricted Service
- ☐ Master Plumber
- ☐ Master Plumber Restricted Appliance
- ☐ Master Plumber Restricted Service
- ☐ Pipelayer
- ☐ Plumbing Apprentice
- ☐ Plumbing Learner Restricted Appliance
- ☐ Plumbing Learner Restricted Service
- ☐ POWTS Maintainer
- ☐ Utility Contractor

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The following questions were asked about each of the following agencies:
Department of Agriculture, Trade and Consumer Protection
Department of Safety and Professional Services
Department of Children and Families
Department of Financial Institutions
Department of Health Services
Office of the Commissioner of Insurance
Department of Natural Resources
Department of Revenue
Department of Workforce Development
Other Agencies

Respondents were only asked these questions about an agency if they identified the agency as one they interacted with to do business.

Answer only those questions that apply to you

How would you rate your overall experience with the agency?

○ Very Poor ○ Poor ○ Average ○ Good ○ Very Good
○ No opinion/unsure

How would you rate the licensing process?

○ Very Poor ○ Poor ○ Average ○ Good ○ Very Good

No opinion/unsure

After submitting your application, what length of time did you wait for your license?Select no more than 1.

- 3 or less business days
- 4 - 7 business days
- 8 - 29 business days
- 30 days or longer

How satisfied are you with the time it takes to receive your license after you apply?

Very dissatisfied | Somewhat dissatisfied | No opinion | Somewhat satisfied | Very satisfied

As a license holder, how do you stay up-to-date on changes in state law as it relates to your industry?Select no more than 1.

- Membership Association
- State Agency
- None of the above
- Other, please specify

How much value do you believe there is relative to fees paid to be a license holder?

Good Value | Some Value | Not Sure | Minimal Value | No Value

How frequently, if at all, should you be required to renew your license?Select no more than 1.

- Leave as is
- Renew more frequently
- Renew less frequently
- Do not require renewal at all

What is your opinion of the continuing education (CE) requirements, if any, for your license?Select no more than 1.

- No CE is required now
- Ok as is
- Reduce the CE requirement

- [ ] Increase the CE requirement
- [ ] Do not require CE
- [ ] Additional comments on CE
- [ ] No opinion

Enter additional comments:

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How would you improve your experience

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How would you improve your experience with the licensing process

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Consolidation Input – All respondents were asked these questions

Do you believe there should be one agency responsible solely for Agriculture and food saftey in Wisconsin?Select at least 1 and no more than 1.

- [ ] Definitely Yes
- [ ] Probably Yes
- [ ] Not Sure
- [ ] Probably No
- [ ] Definitely No

Do you believe there should be one agency responsible for all licensing and permitting in Wisconsin?Select at least 1 and no more than 1.

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

If Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection were consolidated how do you think the focus of the new agency might change the current functions such as agriculture, food safety, consumer protection, building plan review and professional licensing?

- ☐ Reduce focus
- ☐ Stay the same
- ☐ Increase focus
- ☐ Unsure

How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?

- ☐ Greatly reduce service
- ☐ Reduce service somewhat
- ☐ Not sure
- ☐ Improve service somewhat
- ☐ Greatly improve service

Do you believe that consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection will result in savings?

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

If consolidation results in lower costs to the agency, how would you want the savings used?

- ☐ Return savings to taxpayers
- ☐ Use savings to reduce license fees
- ☐ Invest savings to provide better service

☐ Other, please specify

If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation?

☐ Definitely Yes

☐ Probably Yes

☐ Not Sure

☐ Probably No

☐ Definitely No

Please use the space below to provide additional comments

Survey Distribution - Stakeholder Groups Contacted with Electronic Survey

The following is a list of the stakeholder groups contacted and asked to distribute via email to their membership by DATCP

Number	Organization
1.	211 (Badger Bay Management Co.)
2.	ABS Global, Inc.
3.	AgrAbility of Wisconsin
4.	Alta Genetics
5.	Babcock Institute
6.	Bioforward
7.	Bull Studs Emergency Management, Accelerated Genetics
8.	Capitol Consultants, Inc.
9.	Capitol Strategies
10.	Center for Dairy Profitability
11.	Center for Integrated Agricultural Systems (CIAS)
12.	Chippewa County Economic Development Corporation
13.	Concerned Auto Recyclers of WI
14.	Cooperative Network Association
15.	Dairy Business Assn
16.	Dane County Farmers Market
17.	Daybreak Foods
18.	Department of Health
19.	Department of Natural Resources
20.	Department of Public Instruction
21.	DeWitt, Ross & Stevens
22.	Discover Mediaworks
23.	Easter Seals Wisconsin
24.	Equity Cooperative Livestock Sales Association
25.	ExxonMobil Refining and Supply Company
26.	FairShare CSA Coalition
27.	Farley Center for Peace, Justice & Sustainability
28.	Focus on energy
29.	Fondy food Center
30.	Food and Beverage Milwaukee
31.	Food Export Association of the Midwest
32.	Genex
33.	Ginseng Board of Wisconsin
34.	GLCI Steering Committee/NRCS
35.	Gold'n Plump Poultry

36.	Gorst Valley Hops
37.	GrassWorks
38.	Great Lakes Farm to School Network
39.	Green County Beef Producers
40.	Growing Power
41.	Growmark
42.	Health First Wisconsin
43.	Hmong Wisconsin Chamber of Commerce
44.	Indianhead Food Service Distribution
45.	Indianhead Polled Hereford Association
46.	Indianhead Sheep Breeders Association
47.	International Society of Weighing and Measuring
48.	Jennie-O Turkey Store, Inc.
49.	Kettle Moraine Mink Breeders
50.	MacFarlane Pheasants, Inc.
51.	Madison Area Community Supported Agriculture
52.	Madison International Trade Association
53.	Madison Region Economic Development Partnership
54.	Marathon Petroleum
55.	Master Meat Crafter Program
56.	McKay Nursery
57.	Michael Best & Friedrich LLP
58.	Michael Fields Agriculture Institute
59.	Midwest Food Processors Association
60.	Midwest Grocers Association
61.	Midwest Organic and Sustainable Education Service
62.	Midwest Organic Services Association
63.	Midwest Pickle Association
64.	Midwest Pinzgauer Association
65.	Milwaukee International Trade Association
66.	New North, Inc.
67.	NFO - Wisconsin
68.	Organic Advisory Council
69.	Organic Valley
70.	Professional Dairy Producers of WI
71.	REAP Food Group
72.	Reindeer Owners & Breeders Association (R.O.B.A.)
73.	SE Wisconsin Farm and Food Network
74.	Sexing Technologies Inc.
75.	Small Business Development Center - Milwaukee
76.	Southwest Badger Resource Conservation & Development Council

77.	Spring Rose Growers Cooperative
78.	Syngenta
79.	The Welch Group
80.	Transform WI
81.	U.S. Commercial Service Midwest
82.	U.S. Small Business Administration-Madison
83.	USDA Rural Development
84.	UW Cooperative Extension
85.	UW Extension
86.	UW Extension – Emergency Management
87.	UW Madison - CALS
88.	UW Madison - Center for Integrated Agricultural Systems
89.	UW Madison -West Madison Ag. Research Station
90.	UW River Falls
91.	UW Superior
92.	UW-Madison Animal Science Dept.
93.	UW-Madison Food Science
94.	UW-River Falls Animal Science Dept.
95.	WAGA, WATA, WBGA, WFVG
96.	Whitetails of Wisconsin (W.O.W.)
97.	WI/MN Petroleum Council
98.	Wisconsin Agribusiness Council
99.	Wisconsin Agricultural Tourism Association
100.	Wisconsin Agri-Service Assoc.
101.	Wisconsin AgroSecurity Resource Network
102.	Wisconsin Airport Management Association
103.	Wisconsin Angus Association
104.	Wisconsin Apple Growers Association
105.	Wisconsin Aquaculture Association, Inc.
106.	Wisconsin Association of Fairs
107.	Wisconsin Association of FFA
108.	Wisconsin Association of Meat Processors
109.	Wisconsin Association of Professional Agricultural Consultants
110.	Wisconsin Automobile & Truck Dealers Association Inc.
111.	Wisconsin Automotive Aftermarket Association
112.	Wisconsin Bakers Association Inc.
113.	Wisconsin Beef Council
114.	Wisconsin Berry Growers Association
115.	Wisconsin Cattlemen’s Assn
116.	Wisconsin Cattlemen's Association
117.	Wisconsin Center for Dairy Research

118.	Wisconsin Cheese Makers Assn
119.	Wisconsin Cherry Board
120.	Wisconsin Cherry Growers Inc.
121.	Wisconsin Christmas Tree Producers Association
122.	Wisconsin Commercial Deer & Elk Farmers Association
123.	Wisconsin Commercial Flower Growers Association
124.	Wisconsin Corn Growers Assn
125.	Wisconsin Corn Promotion Board
126.	Wisconsin Cranberry Board
127.	Wisconsin Cranberry Growers Association
128.	Wisconsin Dairy Artisan Network
129.	Wisconsin Dairy Products Association
130.	Wisconsin Economic Development Corporation
131.	Wisconsin Emu Association
132.	Wisconsin Farm Bureau Federation
133.	Wisconsin Farm Service Agency
134.	Wisconsin Farmers Union
135.	Wisconsin Fire Chief's Association
136.	Wisconsin Fire Inspectors Association
137.	Wisconsin Food Hub Cooperative
138.	Wisconsin Foodie
139.	Wisconsin Fresh Market Vegetable Growers Association
140.	Wisconsin Grape Growers Association
141.	Wisconsin Grass-fed Beef Cooperative
142.	Wisconsin Green Industry Federation
143.	Wisconsin Grocers Association
144.	Wisconsin Hereford Association
145.	Wisconsin Holstein Association
146.	Wisconsin Honey Producers Association
147.	Wisconsin Horse Council
148.	Wisconsin Innovation Kitchen
149.	Wisconsin Insurance Alliance
150.	Wisconsin Jersey Breeders Association
151.	Wisconsin Jewelers Association
152.	Wisconsin Livestock and Meat Council
153.	Wisconsin Livestock Breeders Association
154.	Wisconsin Local Food Network
155.	Wisconsin Manufacturing Extension Partnership
156.	Wisconsin Maple Syrup Producers Association
157.	Wisconsin Marina Association
158.	Wisconsin Milk Marketing Board, Inc.

159.	Wisconsin Mint Board
160.	Wisconsin Nursery Growers Association
161.	Wisconsin Obesity Prevention Network
162.	Wisconsin Office of Rural Health
163.	Wisconsin Paper Council
164.	Wisconsin Petroleum Council (WPC)
165.	Wisconsin Petroleum Equipment Association
166.	Wisconsin Petroleum Equipment Contractors Association (WisPEC)
167.	Wisconsin Petroleum Marketers and Convenience Store Association
168.	Wisconsin Pork Association
169.	Wisconsin Potato and Vegetable Growers Association
170.	Wisconsin Potato Board
171.	Wisconsin Potato Industry Board
172.	Wisconsin Poultry & Egg Improvement Assn
173.	Wisconsin Propane Gas Association
174.	Wisconsin Red and White Cattle Association
175.	Wisconsin Restaurant Association
176.	Wisconsin Rural Partners
177.	Wisconsin Rural Women's Initiative
178.	Wisconsin Self-Service Laundry Association
179.	Wisconsin Sheep Breeders Cooperative
180.	Wisconsin Sheep Dairy Cooperative
181.	Wisconsin Shorthorn Association
182.	Wisconsin Show Pig Association
183.	Wisconsin Simmental Association
184.	Wisconsin Sod Producers Association
185.	Wisconsin Soybean Association
186.	Wisconsin Soybean Board
187.	Wisconsin Specialty Cheese Institute
187.	Wisconsin Specialty Cheese Institute
188.	Wisconsin State Cranberry Growers Association
189.	Wisconsin Transportation Builders Association
190.	Wisconsin Utilities Association
191.	Wisconsin Veterinary Medical Assoc.
192.	Wisconsin Veterinary Medical Association
193.	Wisconsin Winery Association
194.	World Beef Expo
195.	World Trade Center Wisconsin
196.	WTCS Ag Education

DSPS Groups

The following is a list of the stakeholder groups contacted and asked to distribute via email to their membership by DSPS.

Number	Organization
1.	American Massage Therapy Association, WI Chapter
2.	Chiropractic Society of Wisconsin
3.	Funeral Service and Cremation Alliance of Wisconsin
4.	International Union of Operating Engineers Local #139
5.	Iron Workers District Council of the North Central States
6.	Lake State Lumber Association
7.	Leading Age Wisconsin
8.	League of Wisconsin Municipalities
9.	Madison Area Builders Association
10.	Mechanical Contractors Association of Wisconsin
11.	Medical College of Wisconsin
12.	Mental Health America of Wisconsin
13.	Miron Construction
14.	National Association of Chain Drug Stores
15.	National Association of Social Workers – WI Chapter
16.	National Electrical Manufacturers Association
17.	Novartis Pharmaceuticals Corporation
18.	Otsuka America Pharmaceutical, Inc.
19.	Pharmaceutical Research and Manufacturers of America (PhRMA)
20.	Pharmacy Society of Wisconsin
21.	Reckitt Benckiser Pharmaceuticals Inc
22.	Southeast Dental Associates
23.	Sunovion Pharmaceuticals, Inc
24.	Takeda Pharmaceuticals America
25.	VJS Construction Services
26.	Wal-Mart
27.	Wisconsin Academy of Ophthalmology
28.	Wisconsin Academy of Physician Assistants
29.	Wisconsin Alliance of Hearing Professionals
30.	Wisconsin Amusement and Music Operators
31.	Wisconsin Association for Marriage and Family Therapy
32.	Wisconsin Association of Nurse Anesthetists
33.	Wisconsin Association of School Nurses
34.	Wisconsin Athletic Trainers Association, Inc.
35.	Wisconsin Builders Association

36.	Wisconsin Business Alliance
37.	Wisconsin Chapter of the American Academy of Pediatrics
38.	Wisconsin Chapter of the American College of Emergency Physicians, Inc.
39.	Wisconsin Chiropractic Association
40.	Wisconsin Dental Association
41.	Wisconsin Dental Hygienists Association

2014

State of Wisconsin,
Department of
Administration

Tyler Byrnes
Nancy Mistele
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STUDY ON CONSOLIDATION OF THE DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION WITH THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Study presented to the Legislature to meet requirements of 2013 Wisconsin Act 20, Section 9101(3s).

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Executive Summary

The Department of Administration has prepared a report on the potential consolidation of the Department of Agriculture, Trade and Consumer Protection with the Department of Safety and Professional Services, in response to requirements of 2013 Wisconsin Act 20, Section 9101(3s). The 2013-15 biennial budget required the Department of Administration to conduct a study to determine the appropriateness of combining the functions currently performed by the Department of Agriculture, Trade and Consumer Protection with services provided by the Department of Safety and Professional Services. The legislation required the study to consult with the impacted agencies, the boards and councils attached to or under those agencies, and members of the public who may be affected by the consolidation of the two agencies

Outreach

- The study was completed in consultation with affected customers via an electronic survey, with more than 24,000 responses. See the Survey Methodology and Results document for complete results and methodology, as well as Appendices 3, 4 and 5 for survey questions, results and demographics.

- Impacted agencies were consulted directly via meetings with agency leadership and administrative staff.

- Stakeholder group representatives were engaged via direct meetings and direct contacts in the form of letters sent to leadership at the Department of Administration.

Conclusions and Recommendations

- **Do Not Consolidate Agencies:** Due to limited overlap between agency customers, customer sentiment against a merger, potential administrative difficulties presented by the potential merger and limited potential for savings, the agencies should not be merged. A merger could risk losing the generally high performance ratings of both agencies, most notably the 65.8 percent of respondents that rated their interactions with the Department of Safety and Professional Services as "Good" or "Very Good".

- **Move the Veterinary Examining Board to the Department of Agriculture, Trade and Consumer Protection:** Due to the historical relationship between the Veterinary Board and the department, as well as the close relationship with the veterinary profession, the Veterinary Examining Board should be transferred.

- **Improve Board Staffing and Examine Board Powers:** In response to feedback from impacted stakeholder groups, the study recommends improvements to board staffing, training and document management. The Department of Safety and Professional Services began making changes to improve these areas in 2012, which may have not yet been reflected in stakeholder sentiment. Additionally, the study recommends that the powers and duties of existing examining and advisory boards should be examined, to standardize board

practices, meeting schedules, actions on potential licenses and other issues. The study also recommends an examination of the overall practice of state licensure of professions.

- **Licensing Fees Charged by the Department of Safety and Professional Services should be Reexamined:** Most fees charged by the department are set administratively via a fee study, reviewed by the Joint Committee on Finance. These fees should be reexamined through the existing fee study process, with current budget assumptions.

- **Continue Agency Improvements on Document Management, Electronic Licensure and Electronic Communications:** The two departments have projects underway to improve document management, electronic licensing and customer communications. These projects should be continued, in close consultation with each other, other state agencies and the private sector.

- **The Department of Safety and Professional Services is a vital Point of Contact between the state and the public:** Over 380,000 individuals are licensed by the department in order to work in their chosen professions. Additionally, the department reviews the plans of most commercial buildings constructed in the state. This makes the agency one of the primary points of contact for state citizens. Efforts should be made to improve the customer service experience with the agency through additional LEAN Government/Six Sigma initiatives.

Part I: Background Information

Department of Safety and Professional Services

The Department of Safety and Professional Services (DSPS) serves as the state's primary entity for licensure of professionals, with over 388,000 active credential holders. Licenses issued by the agency are generally issued to individual professionals in a specific occupation. Professions are either regulated and licensed through an examining board or directly by the department, depending on the applicable governing statute for a specific license. In addition to the examining boards, there are also a large number of advisory boards attached to the agency. Advisory boards have less authority over the licensing requirements and regulation of various professions. These boards must be consulted when changes to regulations are made, but do not have final authority over changes.

The agency is also responsible for ensuring competent practice of licensed professionals, the safety of the construction and use of public and private buildings, and compliance with professional and industry standards.

Division of Policy Development

The Division of Policy Development provides administrative support and policy guidance to the professional boards by facilitating board meetings and serving as a liaison between the boards and the department. The division manages the administrative rule promulgation process for both professions regulated by examining boards and professions directly regulated by the agency. In addition, the division is responsible for managing continuing education and examination requirements for regulated professions.

Division of Legal Services and Compliance

The Division of Legal Services and Compliance provides legal services to professional boards regarding the investigation and discipline of licensed credential holders for violations of professional regulations. The division is also responsible for the complaint intake process, compliance monitoring, and a confidential program for impaired professionals. In addition, the division conducts business compliance inspections and financial audits.

Division of Industry Services

Within the Division of Industry Services, the Bureau of Field Services provides services related to the inspections, construction and operation of buildings, along with ensuring compliance with health and safety codes. The Bureau of Technical Services provides services such as plan review, consultation and product evaluation. The Bureau of Administrative Services provides administrative support to the division.

Division of Management Services

The Division of Management Services provides administrative services to the Office of the Secretary and all other divisions within the department. These services include human resources, payroll, planning, budget, accounting and information technology.

Division of Professional Credential Processing

The Division of Professional Credential Processing is responsible for all credential application processing, including determination of credential eligibility and credential renewal.

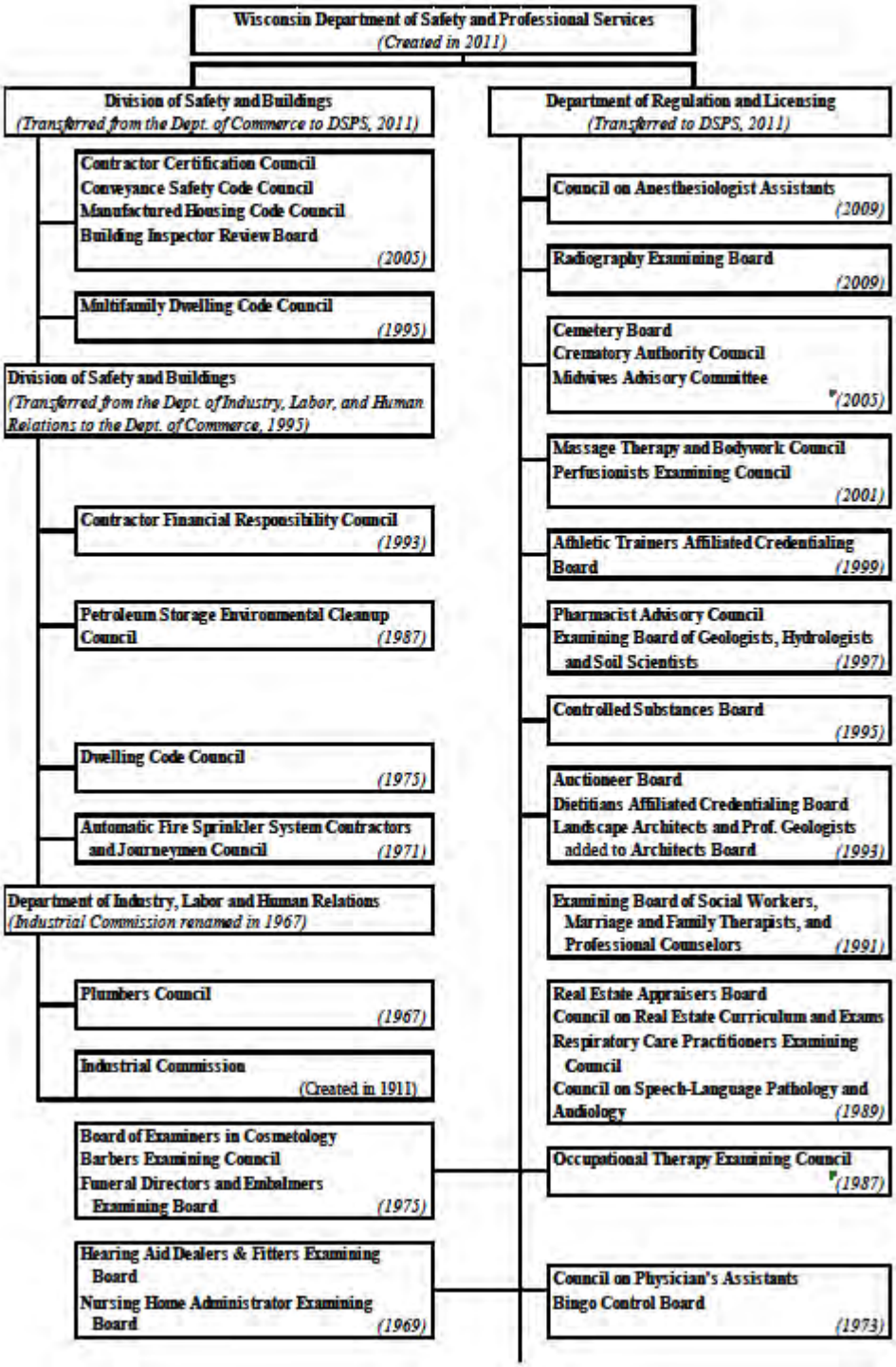
Agency History

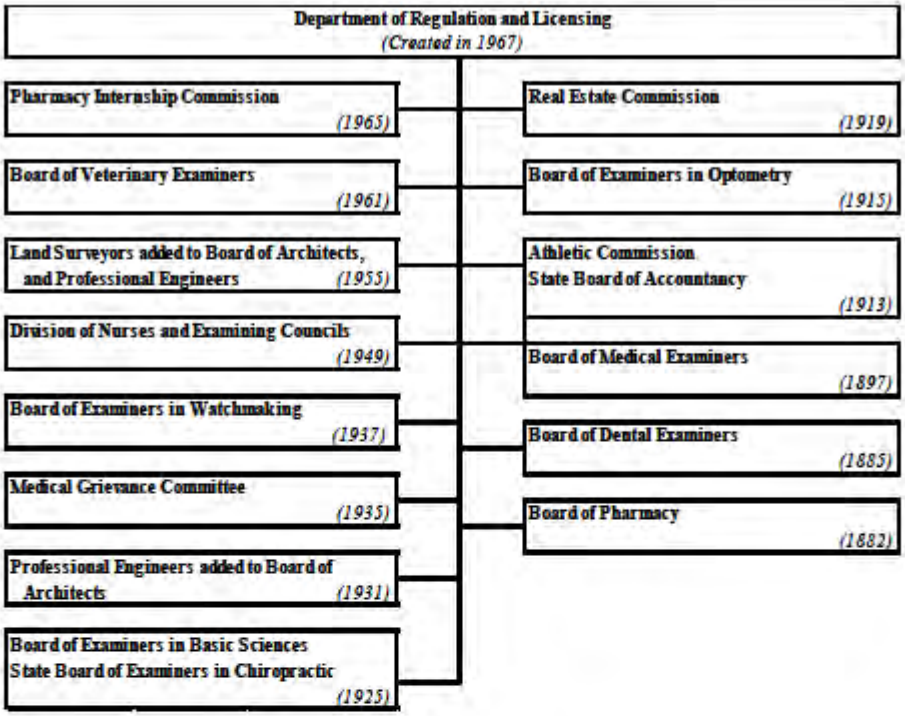
Occupational licensing had previously been the responsibility of the Department of Regulation and Licensing (DRL), which is now DSPS. DSPS was created by combining several existing regulatory boards and commissions under one agency as a part of the broad reorganization of state government in the mid-1960s. Prior to the creation of DRL, professional occupations were regulated by independent examining boards that had the authority to regulate the professions, grant credentials and collect fees. Each of these independent boards had a separate budget and directly employed staff. The first such board was the Pharmacy Examining Board, created in 1882 with 16 additional independent examining boards or councils created through 1965. DRL existed, with additional responsibilities added over time, until 2011.

The 2011-13 biennial budget, 2011 Wisconsin Act 32, created the Department of Safety and Professional Services. DSPS was responsible for all the functions of DRL, as well as additional responsibilities related to environmental regulatory services, and safety and buildings, which were transferred from the Department of Commerce. As part of the 2013-15 biennial budget, the majority of functions related to environmental regulatory services were transferred to the Department of Natural Resources (DNR) and to DATCP, as noted below.

DSPS is almost entirely funded by licensing fees and plan review fees. Most of these fees are set administratively via a fee study, subject to review by the Joint Committee on Finance. The fees are intended to be set at rates that allow the department to function. In past fiscal years, due to statewide tax revenue constraints, state agencies, including DSPS, have been required to lapse a portion of their funding to the general fund in order for the fund to maintain a positive fund balance. Item 1 shows the history of the department:

Item 1: DSPS History





Relevant Budget Changes

The 2013-15 biennial budget act made significant changes to DSPS responsibilities, by transferring functions to DNR and DATCP. This section details those changes.

The department had shared responsibility with DNR for administration of the Petroleum Environmental Cleanup Fund Award (PECFA) program and the abandoned tank removal program. PECFA reimburses owners for a portion of the costs incurred for remediation of contamination from leaking petroleum product storage tank systems and home heating oil systems.

DSPS was responsible for the financial reimbursement portion of the program, including review and payment of claims, and for administration of cleanup at low- and medium-risk petroleum sites. These responsibilities, along with associated funding and staff were transferred to DNR. Management of the petroleum inspection segregated fund, which is funded through a 2 cent per gallon tax on motor fuel, was also transferred to DNR. The functions were transferred to DNR because these functions were already partially covered by that agency and combining the split functions provided operational efficiencies. A net total of 3.0 FTE positions and $485,700 was eliminated as a result of the transfer of responsibilities.

The department was also responsible for inspection and regulation of petroleum, and underground petroleum storage tanks. This includes private heating oil tanks as well

as tanks at retail gas stations. Responsibilities, funding, rule-making authority and staff were transferred from DSPS to DATCP. This change also created efficiencies because DATCP already performed inspections at retail gas stations, as part of its regulation of weights and measures. Before the transfer, both agencies conducted inspections at gas stations. By combining the two functions, time was saved on the part of both the state and the regulated gas stations. A net total of 6.5 FTE positions and $405,700 was saved due to this transfer.

The following table shows the department's budget and total full-time equivalent positions (FTE) for the current and previous biennium.

Table 1: DSPS Budget

Budget Fiscal Year						
	2011-13 Biennium			2013-15 Biennium		
Fund Source	***2012***	***2013***	***FTE***	***2014***	***2015***	***FTE***
Program Revenue	$66,004,400	$66,254,400	302.3	$48,506,300	$48,774,400	261.6
GPR	2,413,200	2,413,200	1.0	2,412,300	2,412,300	1.0
Segregated Revenue	13,467,900	13,467,900	66.3	-	-	-
Total	**$81,885,500**	**$82,135,500**	**369.6**	**$50,918,600**	**$51,186,700**	**262.6**

Department of Agriculture, Trade and Consumer Protection

The Department of Agriculture, Trade and Consumer Protection (DATCP) works to assure a safe and secure food supply, healthy animals and plants; provide consumer protection; and ensure fair business practices. The department also works with partners in agriculture and business to ensure a vibrant agricultural sector and a clean environment.

The DATCP is a regulatory agency with jurisdiction over nearly all types of business, via consumer protection laws. The department has authority to adopt administrative rules that have the force of law. As a regulatory agency, the department seeks voluntary solutions, but it can use its enforcement authority when necessary. Statutes and administrative rules give DATCP the authority to conduct hearings and investigations, adopt rules, perform inspections, issue subpoenas, collect and analyze samples, issue compliance orders, and suspend or revoke licenses. In cooperation with a district attorney or the Department of Justice, DATCP may also prosecute law violations in court.

In addition to regulatory action, the department also provides services to consumers and businesses, and licenses over 100,000 individuals and businesses. Generally, DATCP licenses businesses more frequently than individuals.

Division of Food Safety

The Food Safety Division works to assure a safe, wholesome and secure food supply. The division enforces Wisconsin's food safety and labeling laws, licenses and inspects over 30,000 food establishments, and supervises local government inspection of others. Supermarkets fall under the jurisdiction of DATCP, while restaurants are inspected by the Department of Health Services. Both are inspected under the same regulatory regime.

The Food Safety Division regulates the entire food chain, from the agricultural producer to the consumer. That permits a comprehensive approach to food safety issues affecting producers, processors, distributors, retailers and consumers

Division of Trade and Consumer Protection

The Trade and Consumer Protection Division enforces consumer protection laws and rules, including jurisdiction over false sales or advertising claims and unfair business practices.

The division also enforces state weights and measures laws to ensure that consumers receive the advertised amount of the product they are purchasing. In doing so, the division tests commercial scales, gasoline pumps, price scanners and measuring devices, and enforces fair packaging and labeling requirements. According to national estimates, weights and measures enforcement saves the average family $600 per year.

Division of Animal Health

The Division of Animal Health is responsible for ensuring all livestock in the state meet state and federal health standards. This ensures human safety, as well as animal

safety, because serious animal diseases may impact humans. Additionally, the division licenses various livestock businesses such as animal markets, animal dealers, animal trucker's licenses, and dog shelters and breeders.

Division of Agricultural Resource Management

The Agricultural Resource Management Division works to ensure good stewardship and responsible use of Wisconsin's land, water and plant resources. The division is responsible for safeguarding the resources that support the food chain, in part by regulating pesticides and other agrichemicals to protect public health and the environment. When spills occur, the division works to clean up agrichemical spills. The division also provides the following services:

- Helps landowners and local governments conserve Wisconsin's productive land and water resources;
- Establishes standards for facility siting ordinances and helps preserve farmland threatened by unplanned development and sprawl;
- Helps prevent pollution of surface water; and
- Works to control serious pests that threaten Wisconsin crops, forests and plant communities.

Division of Agricultural Development

The Agricultural Development Division is responsible for fostering a vibrant Wisconsin agricultural economy, by supporting farmers and agricultural businesses in the state. This division is responsible for promoting value-added development and diversification of the agricultural sector, promoting local sale and consumption of Wisconsin products, and connecting Wisconsin products with export opportunities.

Relevant Budget Changes

The 2013-15 biennial budget transferred the Tank and Petroleum Testing Program from DSPS to DATCP. This included the transfer of 36.0 FTE positions as well as associated funding, rule-making and enforcement authority. The budget made other less significant changes to the agency as well, but this item is the largest change in agency responsibilities and staffing.

The following table shows the department's budget and total FTE positions for the current and previous biennium.

Table 2: DATCP Budget

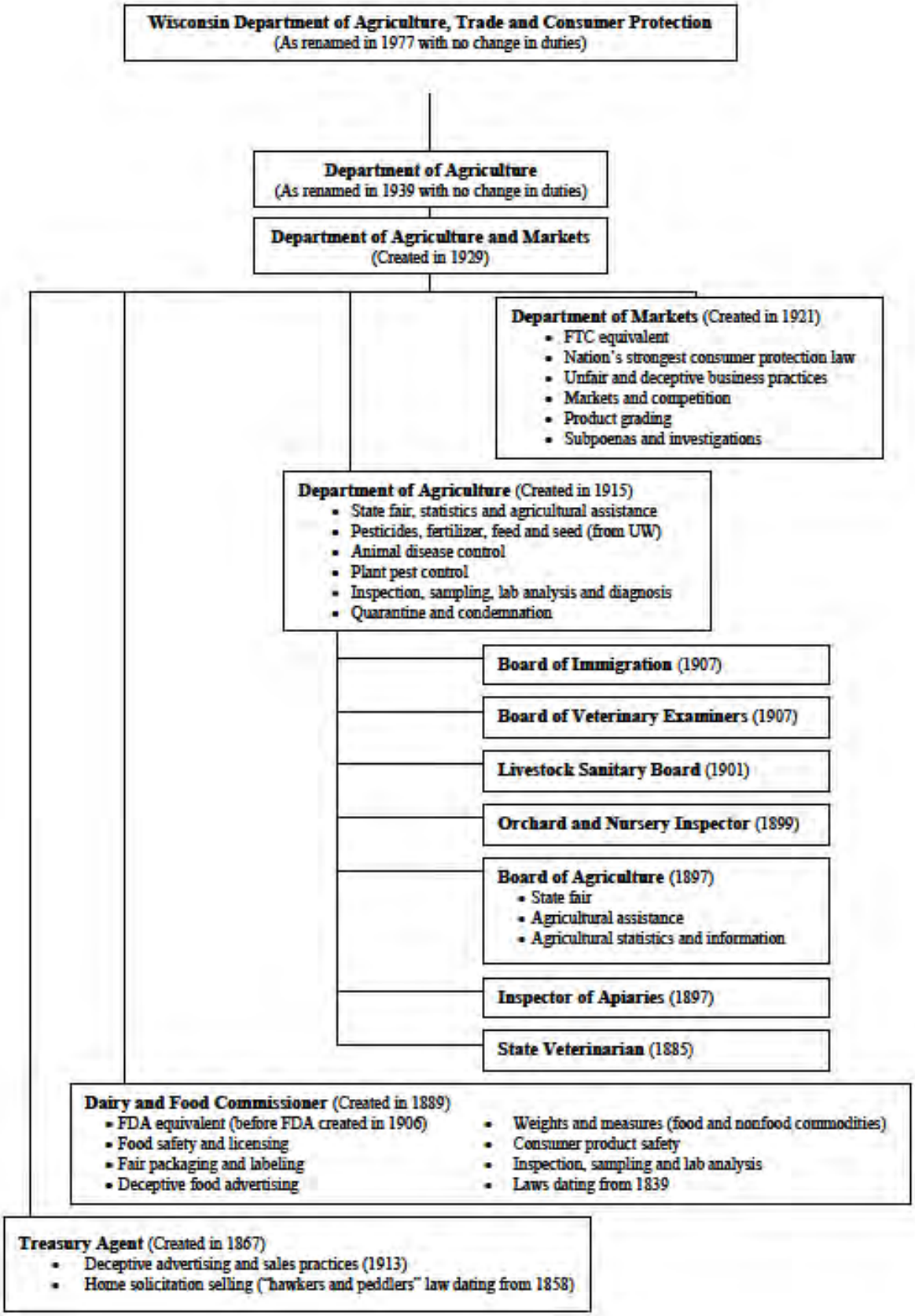
Budget Fiscal Year						
	2011-13 Biennium			2013-15 Biennium		
Fund Source	***2012***	***2013***	***FTE***	***2014***	***2015***	***FTE***
Program Revenue	$44,213,800	$44,389,200	283.6	$37,103,100	$37,048,700	283.6
GPR	26,612,300	28,375,900	210.0	26,878,900	26,488,800	211.0
Segregated Revenue	29,922,000	30,352,700	97.3	33,385,500	32,527,700	131.3
Total	**$100,748,100**	**$103,117,800**	**590.6**	**$97,367,500**	**$96,065,200**	**625.9**

Department History

The department formed in 1929 the direct descendent of the Department of Agriculture and Markets, formed in 1929 by combining the Department of Markets, the Department of Agriculture, the Treasury Agent and the Dairy and Food Commissioner. The agency has changed names twice since its inception, once to the Department of Agriculture in 1939 and again in 1977 to the current Department of Agriculture, Trade and Consumer Protection. However, the primary functions of the agency have not been modified with the name changes.

The agency has roots in laws that date before Wisconsin statehood and have strong ties to the state's agricultural history. The oldest of the laws were the initial consumer protection laws designed to ensure that agricultural products were of the advertised quality and quantity. These laws were enforced by the Treasury Agency. Food safety was also an early addition to the state's responsibilities, as the public demanded assurance that food was safe to eat. Early food safety laws were under the purview of the Dairy and Food Commissioner, created in 1889. The original Department of Agriculture was formed in 1915 from a combination of various boards with jurisdiction over agricultural products, animals and immigration. The following item shows the lineage of the agency:

Item 2: DATCP History



Part II: Public Involvement, Stakeholder Outreach and Agency Consultation

Survey Distribution and Methods

As a portion of the study, the Legislature required consultation with board members, stakeholders and the general public on issues related to consolidating the two departments. In an effort to efficiently and cost-effectively contact the largest number of stakeholders, an electronic survey was used. This survey was sent to impacted board members, stakeholder groups and individual license holders and was publicized via media outlets to attract a broad spectrum of public comment. More than 430,000 people were directly contacted with the survey.

The contact lists were generated by using an email list of DSPS license holders, email lists generated from the Office of Business Development interactions with Chambers of Commerce and economic development groups as well as business contacts throughout the state. The survey was also electronically distributed through over 350 DATCP- and DSPS- identified stakeholder groups with directions to forward the survey to group members.

Links to the on-line survey were sent to email addresses for all the license holders on file with DSPS, which totaled 428,954 emails. In addition to agency contacts, the survey was also distributed to members of the DATCP and DSPS attached boards, members of the Legislature, and via the Department of Administration Office of Business Development at various events and through Chambers of Commerce. The survey was also available to the general public via a Web site and was publicized through media outlets. Please see Appendix 2 for a copy of the email sent with the survey.

The survey itself was crafted by Department of Administration Staff, in consultation with policy analysts and reviewed by DSPS and DATCP. These questions and potential answers were then reviewed by survey experts within state government to ensure that the questions did not lead the respondents to a preferred response. Please see Appendix 3 for a copy of all survey questions as they were presented to survey respondents.

Survey respondents were asked basic demographic questions, and then asked about which state agencies they interacted with. The structure of the survey varied based on which agencies were listed. Respondents were then asked to rate various aspects of agency performance for the agencies they selected. If the respondents rated agency performance as poor or very poor, they were provided space to provide additional comments on the survey. After completing this section, all respondents were asked questions directly related to their opinions of a potential merger. At the end of the survey respondents were able to provide general open-ended responses.

Respondent Characteristics and Survey Highlights

The next section provides highlights and analysis of the survey results. For full results please see the Survey Methodology and Results document. The following table shows the total response by type of survey contact.

Table 3: Respondents by Source of Contact

Respondents by Source of Survey Contact		
Source of Contact	**Respondents**	**Percent of Total**
License Holders	23,438	93.9%
Office of Business Development Contacts	550	2.0%
DSPS Stakeholders	336	1.3%
Legislature	173	0.7%
Board and Councils	147	0.6%
DOA/Wisconsin Web site	128	0.5%
Other	177	0.2%
Grand Total	**24,949**	**100.0%**

As the table demonstrates, most of the respondents were professional license holders, although as seen below, DSPS stakeholders had the highest response rate. There were also significant responses from individuals that were directly contacted by the Office of Business Development and stakeholder groups contacted by DATCP. The following table shows respondents by the means of contact. See Appendix 6 for a complete list of stakeholder groups contacted.

Table 4: Respondents by Source of Contact

Respondents by Source of Survey Contact			
Source of Contact	**Surveys Distributed**	**Respondents**	**Response Rate**
License Holders	429,305	23,438	5.5%
Office of Business Development Contacts	1,596	550	34.5%
Other – Known Number Surveys Sent	3,214	463	14.4%
Other – Unknown Number of Possible Respondents	N/A	498	N/A

The following table shows the breakdown of respondents by their professions based on DSPS licensee categories, as self-identified by the respondents. Health professions are the best represented group and include doctors, nurses, pharmacists, dentists, dental hygienists, as well as social workers and other therapists. The next largest group did not identify a profession; however the majority of these respondents were also license holders. Some respondents identified combinations of multiple professions.

Table 5: Respondents by Profession

Respondents by Profession		
Profession	**Respondents**	**Percent of Total**
Health Professions	9,838	39.4%
No Response	7,451	29.9%
Business Professions	5,194	20.8%
Trades Professions	1,920	7.7%
Manufactured Housing	21	0.1%
Mixed Martial Arts/Boxing	14	0.1%
Subtotal	*24,438*	*98.0%*
Multiple Professions Identified/Multiple License Holder		
Business Professions; Trades Professions	210	0.8%
Health Professions; Business Professions	187	0.7%
Health Professions; Trades Professions	61	0.2%
Health Professions; Business Professions; Trades	28	0.1%
Subtotal	511	2.1%
Grand Total	***24,949***	***100.0%***

Please see Appendix 4 for full demographic information of the respondents.

Responses to the survey provided insight into three primary questions related to the appropriateness of the potential merger of the two agencies:

- How often are individuals customers of the Department of Safety and Professional Services, and the Department of Agriculture, Trade and Consumer Protection?
- Do agency customers see a need for a merger?
- Can a merger be recommended on the basis of poor performance on the part of either agency?

The following sections provide detail on how these questions are answered, based on responses to the survey.

Agency Contact Overlap

If large numbers of agency customers deal with both agencies, there would be a significant reason to combine the two. A merger would reduce the number of agencies contacted by an individual or business owner, potentially saving time and effort spent contacting multiple agencies.

Frequent contact with both agencies by customers would also indicate that the potential for agency operational efficiencies by combining the two agencies exists, by allowing the same staff to perform more than one function. For example, prior to the 2013-15 biennial budget request, the agencies determined that both DSPS and DATCP were sending inspectors to gas stations to inspect fuel quality and to ensure the

accuracy of fuel pumps. Combining these functions at DATCP allowed inspections to occupy less of a business's time and allowed for efficiencies for the state. The following table shows the number of respondents that listed both DSPS and DATCP as agencies they contact in the course of doing business.

Table 6: Agency Overlap

To do business in Wisconsin, I have contact with the following agencies:	**Respondents**	**Percent of Respondents**
Contact both DSPS and DATCP to do business	830	3.3%
Contacts with DSPS, DATCP and other agencies to do business	613	2.5%
Total	*1,443*	*5.8%*
Total Respondents	24,949	100.0%

Only 5.8 percent of respondents indicated that they did business with both DSPS and DATCP, with 2.5 percent of those respondents listing at least one additional agency. This indicates that there is limited overlap between customer bases for the two agencies. Additionally, there was limited overlap between either agency or any other agencies in state government. The most frequently mentioned additional agency, linked with DSPS was the Department of Health Services, followed by the Department of Natural Resources. The most frequently mentioned combination of agencies with DATCP was the Department of Natural Resources. See Appendix 5 for tables detailing full results.

Other agencies were frequently mentioned, but in unique combinations or combinations that corresponded with few other respondents. The most frequently mentioned agency was the Department of Health Services, followed by the Department of Revenue and the Department of Natural Resources. The following table shows how frequently other departments were mentioned by survey respondents.

Table 7: Departments Listed – Other than DATCP or DSPS

Department	**Responses**
Health Services	1,344
Revenue	1,236
Natural Resources	1,115
Workforce Development	1,015
Financial Institutions	770
Other	548
Children and Families	432
Office of the Commissioner of Insurance	390
Public Instruction	331

Given the limited overlap between customers of both agencies, it is unlikely that there would be significant savings of time and effort on the part of the public if the agencies were combined. Additionally, these results indicate that there are likely limited operational efficiencies to be gained from combining the two agencies. These conclusions are corroborated by consultation with department staff, which indicated limited overlap among agency functions.

Respondent Views on a Potential Merger

The second question addressed by the survey relates to how directly impacted stakeholders viewed the possibility of merging the two agencies. Though licensees and board members may not have a strong sense of internal agency operations, they are among the best gauges of the amount of focus they receive from an agency. By asking them directly their opinions of a merger, the respondents indicate whether a new, combined agency would serve their interests.

Generally, survey respondents were opposed to a potential merger. Of those that provided a response to the question "If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation?" only 15.7% of respondents responded "Probably Yes" or "Definitely Yes." The following table shows the responses to the question, excluding 4,375 blank responses.

Table 8: Consolidation Responses

If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation? **Excludes respondents that did not respond to the question**		
Definitely Yes	873	4.2%
Probably Yes	2,364	11.5%
Not Sure	3,532	17.2%
Probably No	6,614	32.2%
Definitely No	7,191	35.0%
Total Respondents	**20,574**	**100.00%**

By stating that the respondents should decide if the agencies should be combined, absent of savings, the survey question gives a sense of whether agency customers feel they would see better service or have an easier time receiving the services they need from an agency if DSPS and DATCP were combined. Another question looked directly at service expectations in the event of a merger. The following table shows responses to the question "How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?" This table excludes 4,430 blank responses.

Table 9: Evaluation of Services

How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?		
Excludes respondents that did not respond to the question		
Greatly improve service	192	0.9%
Improve service somewhat	760	3.7%
Not sure	8,308	40.5%
Reduce service somewhat	6,270	30.6%
Greatly reduce service	4,989	24.3%
Total Respondents	**20,519**	**100.0%**

Only 4.6 percent of respondents felt that merging the two agencies would improve services. This again indicates that the most directly impacted customers of the agencies do not see a potential for improved services between the two agencies.

The following table shows respondent concern that a combined agency would lose focus on the individual functions of the two predecessor agencies. This concern was echoed in stakeholder contacts and discussions with agency staff. Specifically, the agricultural industry expressed concern that a merger would move focus from agriculture issues.

Table 10: Agency Focus

If Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection were consolidated how do you think the focus of the new agency might change the current functions such as agriculture, food safety, consumer protection, building plan review and professional licensing?		
Excludes surveys that did not respond to the question		
Increase focus	749	3.6%
Stay the same	2,981	14.5%
Reduce focus	12,487	60.7%
Unsure	4,364	21.2%
Total Respondents	**20,581**	**100%**

Respondents were also given the opportunity to make additional comments at the end of the survey. These open-ended responses tended to relate to opinions about the potential for a merger, given the order in which the questions were asked. There were a total of 3,886 comments given in this space. These comments were categorized into seven categories.

Table 11: Comment Categories

Type of Comment	Respondents	Percentage
Pro-consolidation	332	8.5%
Anti-consolidation	1,877	48.3%
Increase Resources for Agency Functions	69	1.8%
Comments related to board responsiveness or operations	64	1.6%
Continuing Education Related Comments	109	2.8%
General Agency Complaints	271	7.0%
Other Comments	1,164	30.0%
Total	3,886	100.0%

The comments generally mirrored the sentiment of the general survey response, with the majority opposing the merger, with some supporting it. The arguments put forward in the comments provide insight into what respondents considered important.

Comments suggesting the agencies remain separate were primarily concerned with the two agencies having disparate functions, with the potential for a loss of agency focus on one function or the other. Some examples of comments opposing a merger:

> *"The two departments have totally different focuses. I do not believe the public's safety and concerns would be properly protected if these departments were combined!"*
>
> *"The idea of consolidating too much causes more conflict and the chance of things backing up because [there] is too much of a work load and/or mixing things up. These departments do not seem to even correlate."*

Generally, those in favor of a merger cited potential cost and efficiency improvements as reasons for the combination of the two agencies. Some examples of comments supporting a merger:

> *"Any consolidations should save tax dollars and we should EXPECT services to be [consistent] regardless of the structure. It should not be an either or. Expect results from all agencies."*
>
> *"Consolidation should help to save on [personnel] and building overhead. Many businesses in WI have consolidated various [departments] to accommodate for lower income levels, the services provided to the state can do the same if there is a cost saving to be appreciate[d.]"*

The arguments made by commenters against a merger were also common when talking to stakeholder groups and agency staff, detailed later. Comments in favor of the merger assume savings, but given the limited overlap in agency responsibilities, these savings are limited, as examined in a later section of the study.

To summarize the public response to questions about a potential merger, respondents were generally opposed to merging the two agencies for two primary reasons. First, they did not expect improvement in the service provided to them in the event of a

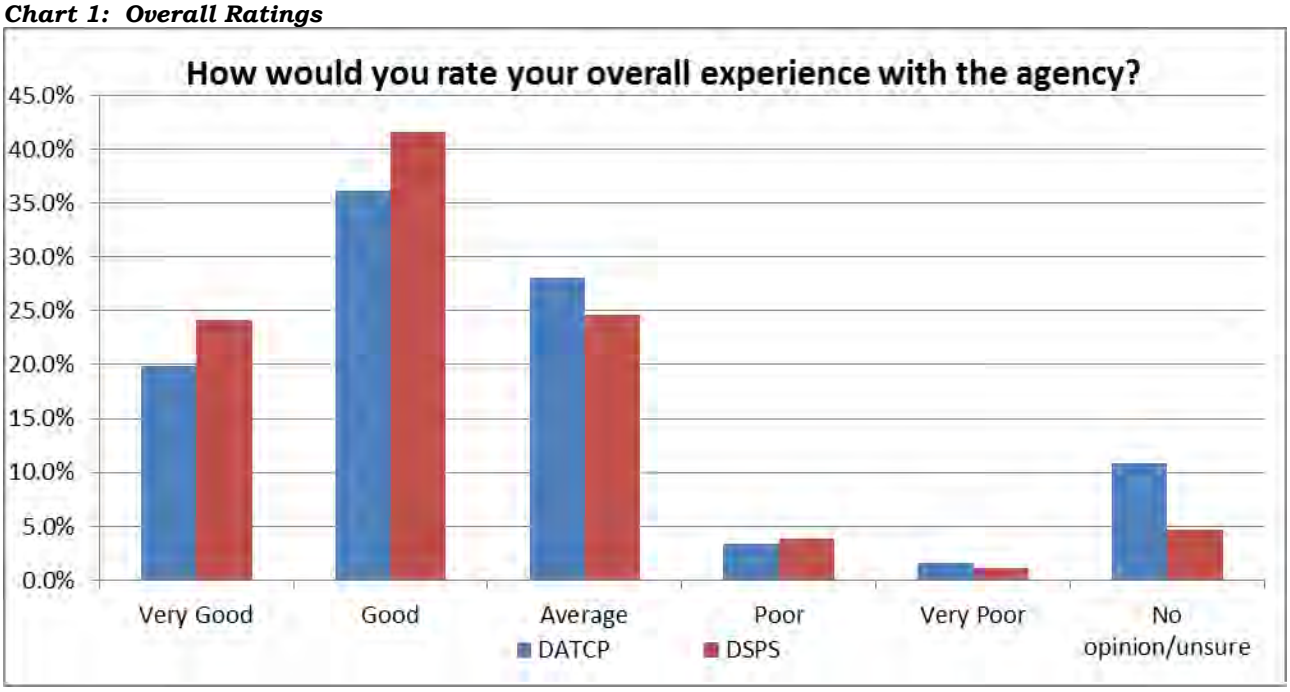
merger. Second, there is an expectation that the newly created agency would lose focus on the individual functions currently assigned to DSPS and DATCP.

Overall Performance Evaluation

Surveying agency customers about the overall performance of the agency gives insight into overall customer service quality. This provides an answer to the third question: Can a merger be recommended on the basis of poor performance on the part of either agency?

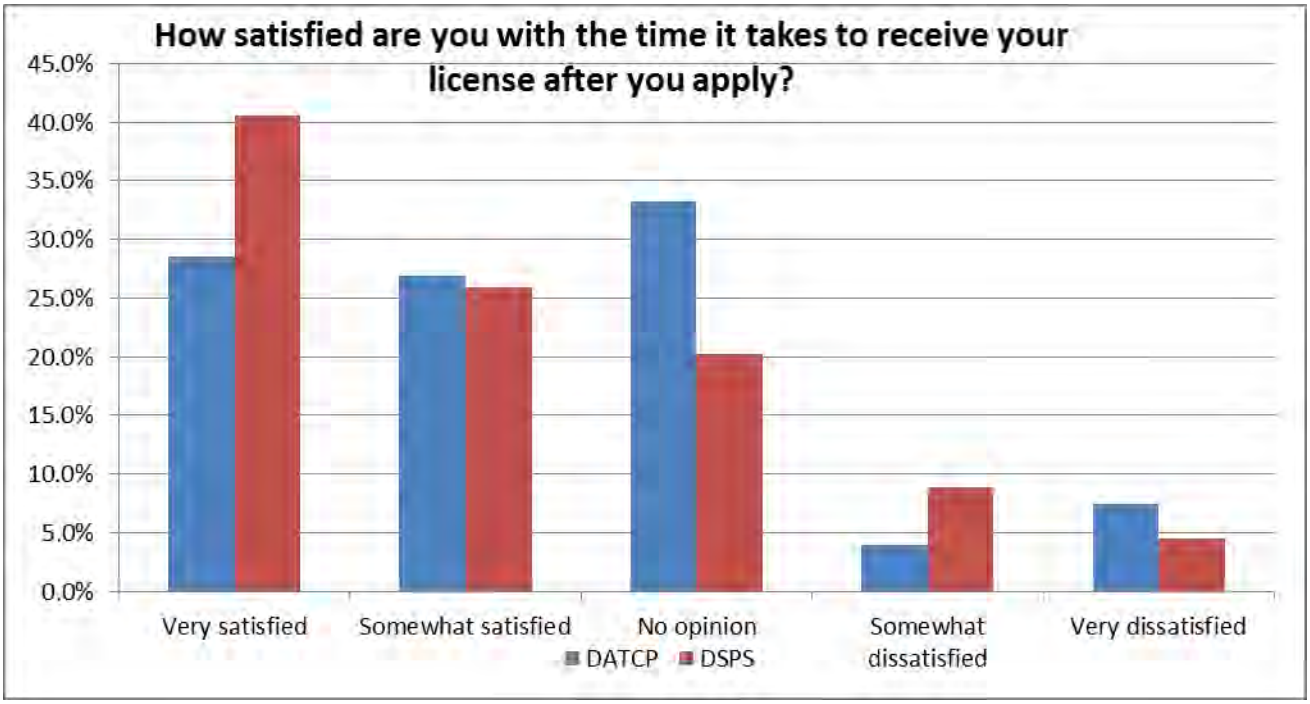
The following charts show the overall performance evaluation of two agencies: DSPS, DATCP. The following chart shows the responses to the question "How would you rate your overall experience with the agency?"

Chart 1: Overall Ratings



A total of 16,465 respondents expressed an opinion about DSPS's overall performance, with 1,555 respondents rating DATCP. Respondents expressed a relatively high overall rating of DATCP and DSPS. Respondents even had a relatively positive view of specific agency services such as the time that licenses are delivered after application. The following chart shows the responses to the question "How satisfied are you with the time it takes to receive your license after you apply?"

Chart 2: Response Time Satisfaction



In response to this question, 16,006 respondents expressed an opinion about DSPS's license response time, with 1,351 respondents rating DATCP. Generally, respondents were relatively satisfied with the service provided by the agencies. However, one area where there was less satisfaction was with the value provided by the licenses offered by DSPS. The following table shows that more than a quarter of respondents felt that they receive either minimal value or no value from the license provided by DSPS.

Table 12: License Value - DSPS

How much value do you believe there is relative to fees paid to be a DSPS license holder?		
Good Value	3,790	23.3%
Some Value	4,502	27.7%
Not Sure	3,722	22.9%
Minimal Value	3,516	21.6%
No Value	726	4.5%
Total Respondents	**16,256**	**100%**

Because of the general level of satisfaction of the two agencies' customers, making drastic changes to operations is inappropriate at this time. Organizational changes may disrupt service and confuse customers, reducing a relatively high level of service. However, an examination of the practice of licensing professionals may be appropriate, given perceived value of the license.

Agency and Stakeholder Group Contact

The Legislature required that the study consult with both impacted stakeholders and agency staff. The survey provided a broad base of contact with stakeholders. However, some stakeholder groups chose to respond directly. One such contact was a

letter from a large number of representative groups from the agriculture industry. This letter expressed concerns with the potential for a merger, based around the potential for one combined agency to lose focus on agricultural issues in the face of the increased agency responsibilities. Another stakeholder contact, with a representative for the Veterinary Medical Association, indicated that its primary concerns with DSPS were related to ensuring that board meetings were consistently staffed and run smoothly. This group also formally requested that the Veterinary Board be moved from DSPS to DATCP. However, generally impacted groups were not strongly in favor of a merger of the two agencies. Please see appendices 7,8 and 9 for direct contact letters from stakeholder groups.

When meeting with agency leadership and staff, the recurring theme was the limited overlap between the two agencies' customers. Very rarely did either DSPS or DATCP indicate that they worked closely with the other agency, or referred customers to the other agency. Given the limited overlap, those consulted at the two agencies did not think that bolting one agency onto the other made sense, in terms of either creating internal efficiencies or improving customer service.

Part III: Fiscal Impact and Operational Issues of a Merger

After examining the operations of the two agencies included in the study, the fiscal savings from a potential merger would be limited. Each agency has significant field staff performing very different missions. Because of the varied nature of functions contained both within each agency and between the two agencies, most savings would be generated by eliminating executive unclassified positions and administrative positions.

There is no expected savings from combining the two agencies in terms of space costs, and no expected moving costs, since neither agency could be accommodated within the existing spaces available to either agency. If it was determined that all agency staff should be housed at one location, significant and costly expansion would be required of either the existing DSPS or DATCP facilities. Detailed cost estimates would need to be prepared at the time of the potential merger.

The largest portion of the savings would come from eliminating one set of executive unclassified staff for one of the agencies, including a secretary, deputy secretary, communications officer, assistant deputy secretary, chief legal counsel and a division administrator. The following table shows the expected savings from eliminating unclassified positions.

Table 13: Executive Staffing Savings

Position	FTE	Salary	Fringe Benefits	Total
Secretary	1.0	$110,000	$50,000	$160,000
Deputy Secretary	1.0	100,000	40,000	140,000
Assistant Deputy Secretary	1.0	100,000	40,000	140,000
Subtotal	*6.0*	*$310,000*	*$130,000*	*$440,000*

Three additional statutory positions, a Communications Director, Chief Legal Counsel and Division administrator positions could be eliminated. However, the duties performed by these positions would still be required. Completing these duties would create the need for additional management or operational staff, mitigating the savings created by elimination of executive staff.

Additional appropriation reductions could be realized by eliminating administrative positions in each agency, specifically in the agencies' human resources and budget areas. Though the new agency would warrant larger staffing in these areas, the positions identified for elimination are positions that have been vacant for an extended period. The following table shows potential savings from the elimination of the administrative staff positions.

Table 14: Administrative Staffing Savings – Vacant Positions

Position	FTE	Salary	Fringe	Total
Human Resources Manager	1.0	$100,000	$40,000	$140,000
Budget and Policy Analyst	1.0	50,000	20,000	70,000
Subtotal		*$150,000*	*$60,000*	*$210,000*

Since these positions are vacant, expenditure savings are currently occurring and as a result eliminating them would not generate new savings. Additionally, these positions may be eliminated in response to 2013-15 biennial budget provision requiring the elimination of 450.0 FTE positions across state government, before a merger could take place. Therefore, while eliminating the positions would reduce budgeted appropriations, it may not result in a net reduction in expenditures.

Together, expected staff savings would equal $610,000 annually, which is the equivalent of 0.2 percent of the combined agency budgets. However, a portion of these savings would be offset by costs related to merging the two agencies. Given the limited operational overlap between the agencies, the primary cost would be related to design of the new agency's Web site to incorporate the two different functions. This is estimated at $40,000, which reduces potential savings generated from the merger.

A merger would also generate additional costs related to updating administrative code of the existing agencies, in order to ensure statutory and agency references were up-to-date. All agency forms and licenses would also need to be updated. While agency costs to make these updates may be limited, the cost to comply with state regulations would increase for the public.

Administrative and Policy Concerns

In addition to the limited savings generated from the merger, there are significant administrative and policy concerns about a potential merger. A combined agency would only have one set of executive officers. A review of the two secretaries' schedules indicates that accommodating all meetings with agency customers and industry representatives would be very difficult. This could potentially be alleviated by creating an additional deputy secretary position, which would further limit the savings generated by a merger.

Another major issue would be determining the authority that the existing DATCP board would have over the examining and advisory boards attached to DSPS. Currently, the DATCP board has the ability to review and approve or alter any administrative rules that come out of DATCP. If this structure was retained, the DATCP board would have jurisdiction to review any rules made by the Medical Examining Board or any other board attached to DSPS. The DATCP board does not have representation or expertise in most of the areas regulated by the DSPS boards. The DATCP board could be increased in size to accommodate representation for each of the new industry areas. However, determining representation on this board would be difficult, and accommodating representation from each DSPS board would make the DATCP board difficult to manage and potentially ineffective. This could be

resolved by eliminating DATCP board oversight over portions of the new agency, which would undermine the case for a combined agency.

Part IV: Conclusions and Recommendations

After consulting with the public via the survey, stakeholders, administrative and executive staff in both agencies and analyzing the potential for savings in both agencies as the result of a merger, this study recommends against combining the two agencies. The potential savings generated and unknown costs do not justify the potential disruption in service and confusion among stakeholders. Furthermore, given the limited overlap between the two agencies, it is unlikely that bolting one agency to the other will provide for enhanced efficiency and customer service for any of the agencies' customers. However, examining each agency did show ongoing attempts to improve customer service and operations at both agencies, as well as potential new initiatives.

In response to the request from the Wisconsin Veterinary Medical Association, the Veterinary Examining Board should be moved to DATCP. Additionally, all enforcement functions related to enforcement of the practice of veterinary medicine should be moved to DATCP. This change is feasible because historical relationship between the Veterinary Board and DATCP, as well as the close relationship between the veterinary profession and the agency. The department has significant expertise in the veterinary field, and the DATCP board has members that are familiar with animal health issues.

One area of emphasis related to DSPS service was an improvement of board meeting staffing functions. After examining the agency operations and stakeholder opinions, it appears that some boards function well, while others may be improved or potentially eliminated. The department should institute a system of training on board powers, functions and the rule-making process for both board members and board staff, which would improve the effectiveness of the staff. As part of this process, DSPS should work with other agencies, including the Department of Natural Resources, that have attached boards to determine best practices for board staffing.

Due to reduced lapse assumptions, DSPS should reexamine the fee structure via a fee study that is reviewed by the Joint Committee on Finance, with current lapse assumptions. The new review of fees should take into account all options to potentially reduce the cost of compliance for businesses, including reducing fees and lengthening the period for which a license is valid.

The study recommends that a comprehensive examination of existing examining and advisory boards should occur, in consultation with the impacted licensees, board members and professional organizations to standardize board practices, meeting schedules and actions on potential licenses. Further, given the differences in opinion among license holders about the value of their license, it may be reasonable to conduct a review of professional licensing generally to determine how to best ensure continued excellence in professional services in the state.

Both DATCP and DSPS are in the process of creating an electronic document and contact management system. At DATCP, this system will allow businesses that must hold multiple permits, for example separate permits to operate a dairy, haul milk and sell cattle, to have one record on file for all of the permits, instead of a separate, paper record for each permit. This will save permit holders time and effort in renewing and acquiring new permits. Additionally, this will allow DATCP staff to focus less on paper

processing and more on direct customer service. Given the difficulty of distributing the survey tool used in this study, and the poor response rate from DATCP licensees, there is clearly room for improvement in terms of electronic communications at the department.

A similar data management project is underway at DSPS, which will aid in further automating the licensing process. The process for licensing at DSPS is already Internet-based, but this project will work to streamline the licensing process and improve document management. Improved document management will allow for easier access to board materials and other important department communications by the public. The two agencies should continue on the path of automation and should consult with each other, other state agencies and the private sector to determine best practices in establishing a new content management software suite.

Over 380,000 individuals are licensed by DSPS in order to work in their chosen profession. Additionally, DSPS reviews the plans of most commercial buildings constructed in the state. This makes the agency one of the primary points of contact for these citizens and others that choose to do business in the state, on par with an organization like the Division of Motor Vehicles in the Department of Transportation. Contact with such agencies is often where individuals form their overall opinion of government effectiveness and efficiency.

Working to improve the customer experience with DSPS should be a top priority. This can be achieved by instituting a strategic planning program at DSPS and developing performance measures for the agency, with input from staff and stakeholders to significantly improve agency function and customer service. In addition, the State Controller's Office is conducting a fiscal audit of DSPS. Any recommendations from this report about financial policies and procedures should be examined to improve internal financial processes.

Finally, the agency presents opportunities for process streamlining through the creation of a Six Sigma/LEAN Government program. DATCP has instituted a Six Sigma program and has made significant process improvements. Customer service and agency efficiency may also benefit from an outside review of operational and leadership practices from an operational consultant. The following table outlines some of the existing LEAN Government initiatives currently underway at the two agencies.

Table 15: Current LEAN Government Initiatives

Agency	Project	Goals, Results and Recommendations
DATCP	Out of State Travel Authorization	• Redesign process flow to move finance notification to end of process. • Provide documentation of the process, and instructions for appeal of denied requests. • Enhance electronic submittal process, currently in use in one division, to provide departmentwide service.
DATCP	Division of Food Safety Dissemination of Lab Results/ Agricultural Resource Management Dissemination of Lab Results	• Scan lab analysis report upon printing and email a .pdf version of the report to appropriate field staff. • Set up a system through GovDelivery to generate automated messages for field inspectors. • Encourage greater use of electronic database containing lab results. • Print lab reports for archival purposes, but also stored as image in special drive as a pdf file.
DATCP	Feed Sampling in the Bureau of Agrichemical Management	• Determine the appropriate number of surveillance feed samples to collect each year. • Develop standard procedures and guidance to ensure the appropriate number of surveillance feed samples are collected each year. • Increase, by a minimum of 200%, the number of surveillance feed samples collected in 2013 over those collected in 2012.
DATCP	SWRM cost-share transfers: Simplifying routine approvals	• Identify more efficient ways to process this routine transaction. • Reduce reliance on paper documentation. • Reduce workload for frontline staff.
DATCP	Division of Ag Resource Management - The Staff Trackers	• Information is collected in a timely and efficient manner. • Eliminate redundancy where it is found. • Reduce collection of inaccurate information.

DATCP	Bureau of Labs - Records Storage and Retrieval	• Determine the deficiencies of the current system and propose resolutions. • Define a systematic, efficient and applicable method for categorizing the records and documents. • Design a uniform and systematic nomenclature to be used for storage and retrieval of the records. • Provide sufficient directions to the BLS staff to organize, label their documents to be delivered for storage including the delivery location.
DATCP	Bulk Milk Weigher and Sampler Program	• Revise the Bulk Milk Weigher and Sampler (BMWS) licensing process to reduce cost for BMWS exam proctoring and field evaluations. • Ensure all BMWS license applicants receive an exam and licensing inspection before issuance of a temporary BMWS license. • Streamline the licensing process to increase external and internal customer satisfaction. • Improve Grade A dairy plant survey results by reducing the number of temporary BMWS licensees, licensed BMWS, and Appendix N samplers who are not inspected within the required period.
DATCP	Establish a consistent renewal process for registrations, certifications and licenses	• Standardize the process followed by program staff when reviewing applications for renewal of registrations, certifications and licenses. • Establish and measure baseline expectations for processing applications. • Reduce the amount of time required to renew a registration, certification or license. • Reduce the number of mistakes when verifying required information.
DSPS	Employee Training	• Improve process for training and approvals.

DSPS	Complaint Intake/Screening and Monitoring PAP Processes	• To increase staff productivity and capacity through the improvement of the intake/screening, monitoring/PAP and records process. • Processes have been streamlined and workloads appear to be balancing. A review/audit will be done by May 31, 2013 to assess the success of the project.
DSPS	Paperless Office - Phase 1	• Promote operational effectiveness, a productive use of space, simplified processes and maximize staff resources. • Eliminated 214 file cabinets, 18 bookcases, 144 feet of open shelving.
DSPS	Practice Question Procedure	• Clarify the department's role as a regulatory agency and ensure that all documents interpreting statutes are identified. • A new process for receiving and responding to professional practice questions was put in place.
DSPS	Electronic Plan Review - Phase 2	• Improve the electronic plan review process through an analysis of current processes, procedures and tools.
DSPS	Case Resolution	• Increase stakeholder satisfaction through the improvement of the case resolution process within the Division of Legal Services and Compliance. • Achieved by target date and maintained consistency (52% reduction in pending caseload).
DSPS	Complaint Intake and Screening Process	• Improve operational efficiency and stakeholder satisfaction through the centralization of complaint processing into the Division of Legal Services and Compliance.
DSPS	Document Consistency	• Increase staff productivity, reduce errors, and create consistency in the production of documents by creating quality review processes and forms. • Resulted in a much more comprehensive, review of legal work product along with a reduction in errors. • Reduction in rejected proposed resolutions by professional boards.

Appendix 1: Statutory Charge

2013 Wisconsin Act 20, Section 9101(3s): Study concerning consolidation of the departments of safety and professional services and agriculture, trade and consumer protection.

(a) The department of administration shall conduct a study concerning the consolidation of the functions currently being performed by the departments of safety and professional services and agriculture, trade and consumer protection under a single new agency in the executive branch of state government, to be named the department of agriculture, regulation, and trade.

(b) In conducting the study under paragraph (a), the department of administration shall consult with the departments of safety and professional services and agriculture, trade and consumer protection and with the boards and councils attached to or under those agencies.

(c) In conducting the study under paragraph (a), the department of administration shall consult members of the public who may be affected by the consolidation of the departments of safety and professional services and agriculture, trade and consumer protection and the creation of the department of agriculture, regulation, and trade.

(d) No later than January 1, 2014, the department of administration shall submit a report of its findings from the study conducted under paragraph (a) to the joint committee on finance and, in the manner provided under section 13.172 (3) of the statutes, to the appropriate standing committees of the legislature. That report shall set forth the department of administration's recommendations concerning the proposed consolidation described under paragraph (a). If the department recommends consolidation, the report shall include the department's recommendations concerning all of the following:

1. The organizational structure, programmatic functions, and performance objectives of the department of agriculture, regulation, and trade.

2. Any reduction in staff that may be accomplished as a result of the consolidation of the departments of safety and professional services and agriculture, trade and consumer protection.

3. Any board or council that may be eliminated as a result of the consolidation of the departments of safety and professional services and agriculture, trade and consumer protection.

4. Any adjustment to credentialing fees that may be appropriate and the capability of revenue from credentialing fees to support the operations of the department of agriculture, regulation, and trade.

5. Any function of or program under the departments of safety and professional services and agriculture, trade and consumer protection that should be transferred to an agency other than the newly created department of agriculture, regulation, and trade.

6. Any way to improve the services to be provided by the department of agriculture, regulation, and trade.

(e) If the department of administration recommends consolidation in its report under paragraph (d), the department shall also submit with that report draft legislation that implements, effective July 1, 2015, the department's recommendations made in the report.

Appendix 2: Copy of Generic Outreach Email sent to Survey Respondents

Good morning,

We are contacting you today as we would appreciate your feedback (including feedback from your organizations board and members) about possibly merging the Department of Safety and Professional Services (DSPS) and the Department of Agriculture, Trade and Consumer Protection (DATCP). Your input about how this consolidation may impact you is very valuable to us.

The 2013-15 state budget calls for a study about consolidating these two agencies. DSPS manages the licensing and regulation of professions in health, business and construction trades. They also oversee state building safety codes and provide services related to plan review, permit issuance, building and component inspection, and safety codes. DATCP is responsible for the promotion and regulation of Wisconsin's agriculture industry, including Agriculture Resource Management and Animal Health, as well as the oversight of food safety and consumer protection.

We ask that you complete the survey and forward this email to your members for their response so we can better understand how a potential consolidation may affect you. Your answers and contact information will be kept confidential and will not be used outside of the scope of this survey. All survey results will be tallied for any reporting purposes.

TAKE THE SURVEY – your answers will be kept confidential

Thank you in advance for your participation and input.
Office of Business Development

Note: throughout the survey, you will see the term 'license' which refers to any license, credential, certification, registration or permit. Please view the term to mean the document a state agency issues as a requirement to do business, perform an occupation or specific work activity in the State of Wisconsin.

Appendix 3: Survey Questions

Page 1

State Agency Involvement

My primary purpose for contact with an agency is: Select at least 1 and no more than 6.

- ☐ Obtain or renew an occupational license
- ☐ Register my business
- ☐ Obtain a permit for a specific activity
- ☐ I am a member of a Board or Council affiliated with an Agency
- ☐ I am a Representative of a Trade Association with interests to an Agency
- ☐ Other with significant Agency contact
- ☐ None of the Above

Page 2

Background Information

In which county do you reside?

-- None --

To do business in Wisconsin, I have contact with the following agencies: Select at least 1 and no more than 3.

- ☐ Department of Safety and Professional Services (DSPS)
- ☐ Department of Agriculture, Trade and Consumer Protection (DATCP)
- ☐ Other agencies
- ☐ None

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Additional Agencies

Select additional agencies Select no more than 5.

- ☐ Children and Families, Department of
- ☐ Financial Institutions, Department of
- ☐ Health Services, Department of
- ☐ Insurance, Office of the Commissioner of
- ☐ Natural Resources, Department of

- [ ] Public Instruction, Department of
- [ ] Revenue, Department of
- [ ] Workforce Development, Department of
- [ ] Not on list, please specify

Enter Department Name

Page 4

Employee Count

In which county is your business located?

-- None --

How many full time people do you employ?

How many part time people do you employ?

Page 5

Profession or Industry

What best represents your profession or industry sector

- [ ] Health Professions
- [ ] Business Professions
- [ ] Trades Professions
- [ ] Manufactured Housing
- [ ] Mixed Martial Arts/Boxing

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Trade Professions

Select category.

- [ ] Fire Sprinkler
- [ ] Blasting
- [ ] Dwellings, Structures, Sites
- [ ] Conveyance
- [ ] Mechanical
- [ ] Electrical

☐ Plumbing ☐ Inspection

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Agriculture/Food Industry Professions

Select license

- ☐ No license or permit required
- ☐ Animal Control Facility (eff. 6/1/2011)
- ☐ Animal Dealer License
- ☐ Animal Food Processor License
- ☐ Animal Import Permit (certain animals)
- ☐ Animal Market License
- ☐ Animal Shelter (eff. 6/1/2011)
- ☐ Animal Transport Vehicle (animal dealers, markets and truckers)
- ☐ Animal Trucker License
- ☐ Animals Diseased; Permit to Move
- ☐ Apiary Inspection Certificate; Interstate Movement
- ☐ Bulk Milk Tanker; Grade A Permit
- ☐ Bulk Milk Tanker; License to Operate
- ☐ Bulk Milk Weigher and Sampler License
- ☐ Butter Grader License
- ☐ Buttermaker License
- ☐ Cattle and Bison; Import Permit
- ☐ Cattle/Goats; Johne's Disease Herd Classification
- ☐ Cattle; Burcellosis-Free Herd Certification
- ☐ Cattle; Johne's Disease Vaccination Approval
- ☐ Cattle; Tuberculosis-Free Herd Certificate
- ☐ Cheese Grader License
- ☐ Cheese Logo (Wisconsin); Permit to Use
- ☐ Cheesemaker License
- ☐ Christmas Tree Grower License
- ☐ Dairy Farm; Grade A Permit
- ☐ Dairy Farm; Milk Producer License
- ☐ Dairy Plant - Grade A BMT Cleaning Facility
- ☐ Dairy Plant License

- [ ] Dairy Plant; Grade A Permit
- [ ] Dating Service
- [ ] Dead Animal Collector License
- [ ] Dead Animals; Carcass Dealer Registration
- [ ] Dead Animals; Transport Vehicle Permit
- [ ] Deer and Elk (Farm-Raised); Brucellosis Free Herd
- [ ] Deer and Elk (Farm-Raised); CWD Herd Status Program
- [ ] Deer and Elk (Farm-Raised); Herd Registration
- [ ] Deer and Elk (Farm-Raised); Hunting Preserve Registration Certificate
- [ ] Deer and Elk (Farm-Raised); TB Accredited Free Certification
- [ ] Deer and Elk (Farm-Raised); TB Qualified Herd Certification
- [ ] Deer and Elk; Import Permit
- [ ] Dog Breeder (eff. 6/1/2011)
- [ ] Dog Breeding Facility (eff. 6/1/2011)
- [ ] Dog Dealer (eff. 6/1/2010)
- [ ] Dog Dealer; Out-of-State (eff. 6/1/2011)
- [ ] Equine Quarantine Station; Permit
- [ ] Feed (Commercial); License to Manufacture or Distrubute
- [ ] Feedlot (Approved Import Feedlot); Permit
- [ ] Fertilizer Product <24% NPK; Permit
- [ ] Fertilizer; License to Manufacture or Distribute
- [ ] Fish Farm Registration
- [ ] Fish Import Permit
- [ ] Fitness Center
- [ ] Food Marketing Permit (temporary permit for non-conforming label)
- [ ] Food or Farm Product Grader; License
- [ ] Food Processing Plant License (Wholesale)
- [ ] Food Retail Inspection; Agent County or Municipality
- [ ] Food Retail License
- [ ] Food Warehouse License
- [ ] Fur Farm
- [ ] Future Service Plan (Buyers Club)
- [ ] Ginseng Grower and Dealer Registration
- [ ] Goats; Burcellosis-Free Herd Certificate
- [ ] Goats; Tuberculosis-Free Herd Certificate
- [ ] Grain Dealer License

- [ ] Grain Warehouse Keeper License
- [ ] Grease Processor License
- [ ] Honey Producer - Certified
- [ ] Humane Officer Certification
- [ ] Industry Bulk Milk Truck / Tanker Inspector - Appointed
- [ ] Laboratory Analyst Certification (Dairy, Food and Water Labs)
- [ ] Laboratory Certification (Dairy, Food and Water Labs)
- [ ] Laboratory; Milk Screening Test Approval
- [ ] Landspreading Permit; Soils Containing Spilled Agrichemicals
- [ ] Liming Materials; Approval to Sell by Volume
- [ ] Liming Materials; License to Sell
- [ ] Livestock Premises Registration
- [ ] Livestock; Brand Registration
- [ ] Livestock; Permit to Move from Slaughter
- [ ] Maple Sap Processor Registration
- [ ] Meat Broker or Distributor Registration
- [ ] Meat Establishment License
- [ ] Meat; Mobile Slaughter or Processing; Registration Certificate
- [ ] Milk and Cream Tester License
- [ ] Milk Contractor License
- [ ] Milk Distributor License
- [ ] Mobile Air Conditioners; repair or Service Business; Registration
- [ ] Mobile Air Conditioners; Technician Registration
- [ ] Nursery Dealer License
- [ ] Nursery Grower License
- [ ] Pasteurizer Operator -- not a license or permit
- [ ] Pesticide Applicator Certification; Commercial
- [ ] Pesticide Applicator Certification; Private
- [ ] Pesticide Commercial Application Business License
- [ ] Pesticide Commercial Applicator (Individual) License
- [ ] Pesticide Dealer-Distributor License
- [ ] Pesticide Emergency Use Permit
- [ ] Pesticide Experimental Use Permit
- [ ] Pesticide Manufacturer & Labeler License
- [ ] Pesticide Special Local Need Registration
- [ ] Pesticide Special Use Permit

- [ ] Plant Health (Phyto Sanitary) Certificate
- [ ] Plant Pest (or Biological Control Agent); Permit to Move or Release
- [ ] Poultry; Certified Pullorum Tester (National Poultry Improvement Plan)
- [ ] Poultry; Disease-Free Flock Certification (National Poultry Improvement Plan)
- [ ] Poultry; Wisconsin Associate Flock Certification
- [ ] Poultry; Wisconsin Tested Flock Certification
- [ ] Public Warehouse Keeper License
- [ ] Renderer License
- [ ] Seed Labeler License
- [ ] Sheep; Brucella Ovis-Free Certificate
- [ ] Soil and Plant Additive; License to Sell
- [ ] Soil and Plant Additive; Product Permit
- [ ] Swine; Brucellosis-Free Herd Certificate
- [ ] Swine; Pseudorabies - Monitored Herd Certification
- [ ] Swine; Pseudorabies Qualified Negative Grow-Out Herd Certification
- [ ] Swine; Pseudorabies Vaccination Permit
- [ ] Swing; Pseudorabies Qualified Negative Herd Certification
- [ ] Telephone Solicitors Registration (Wisconsin "No Call" Program)
- [ ] Time-Share Seller; Security Requirement
- [ ] Vegetable Contractor License
- [ ] Veternarian; Certification to Perform Official Disease Control Functions
- [ ] Weather Modification License
- [ ] Weather Modification Project Permit
- [ ] Weight Reduction Center; Security Requirement
- [ ] Weights and Measures; Liquid Fuel Vehicle Tank Meter License
- [ ] Weights and Measures; LP Gas Meter License
- [ ] Weights and Measures; Service Company License
- [ ] Weights and Measures; Service Technician Registration
- [ ] Weights and Measures; Vehicle or Livestock Scale Permit
- [ ] Weights and Meausres; Vehicle Scale Operator License

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Boxing and Mixed Martial Arts

Select license

- [ ] Boxing Contestant
- [ ] Boxing or Mixed Martial Arts Judge
- [ ] Boxing or Mixed Martial Arts Promoter
- [ ] Boxing or Mixed Martial Arts Referee
- [ ] Boxing or Mixed Martial Arts Ringside Physician
- [ ] Boxing or Mixed Martial Arts Timekeeper
- [ ] Mixed Martial Arts Contestant

Business Professions

Select license

- [ ] Accountant, Certified Public
- [ ] Accounting Corporation or Establishment
- [ ] Aesthetician
- [ ] Aesthetics Establishment
- [ ] Aesthetics Instructor
- [ ] Aesthetics School
- [ ] Appraiser, Certified General
- [ ] Appraiser, Certified Residential
- [ ] Appraiser, Licensed
- [ ] Architect
- [ ] Athlete Agent
- [ ] Auction Company
- [ ] Auctioneer
- [ ] Barber
- [ ] Barbering Apprentice
- [ ] Barbering Establishment
- [ ] Barbering Instructor
- [ ] Barbering Manager
- [ ] Barbering School
- [ ] Cemetery Authority (Licensed)
- [ ] Cemetery Authority (Registered)
- [ ] Cemetery Preneed Seller
- [ ] Cemetery Salesperson

- ☐ Certificate of Authorization: Architectural, Engineering or Designer of Engineering Systems Corp.
- ☐ Certificate of Authorization: Geology, Hydrology or Soil Science Corp.
- ☐ Certified General Appraiser
- ☐ Certified Public Accountant
- ☐ Certified Residential Appraiser
- ☐ Charitable Organizations
- ☐ Cosmetology Apprentice
- ☐ Cosmetology Establishment
- ☐ Cosmetology Instructor
- ☐ Cosmetology Manager
- ☐ Cosmetology Practitioner
- ☐ Cosmetology School
- ☐ Crematory Authority
- ☐ Designer of Engineering Systems
- ☐ Electrologist
- ☐ Electrology Establishment
- ☐ Electrology Instructor
- ☐ Electrology School
- ☐ Engineer, Professional
- ☐ Firearms Certifier
- ☐ Firearms Permit
- ☐ Fund-Raising Counsel
- ☐ Funeral Director
- ☐ Funeral Establishment
- ☐ Geologist
- ☐ Home Inspector
- ☐ Hydrologist
- ☐ Interior Designer
- ☐ Juvenile Martial Arts Instructor
- ☐ Land Surveyor
- ☐ Landscape Architect
- ☐ Licensed Appraiser
- ☐ Manicuring Establishment
- ☐ Manicuring Instructor
- ☐ Manicuring School
- ☐ Manicurist

- [ ] Nursing Home Administrator
- [ ] Peddler
- [ ] Private Detective
- [ ] Private Detective/Security Guard Agency
- [ ] Private Security Permit
- [ ] Professional Employer Group
- [ ] Professional Employer Organization
- [ ] Professional Engineer
- [ ] Professional Fund Raiser
- [ ] Real Estate Broker
- [ ] Real Estate Business Entity
- [ ] Real Estate Salesperson
- [ ] Real Estate Salesperson Apprentice
- [ ] Soil Scientist
- [ ] Timeshare Salesperson
- [ ] Warehouse for Cemetery Merchandise

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Health Professions

Select license

- [ ] Acupuncturist
- [ ] Advanced Practice Nurse Prescriber
- [ ] Anesthesiologist Assistant
- [ ] Art Therapist
- [ ] Athletic Trainer
- [ ] Audiologist
- [ ] Behavior Analyst
- [ ] Chiropractic Radiological Technician
- [ ] Chiropractic Technician
- [ ] Chiropractor
- [ ] Clinical Substance Abuse Counselor
- [ ] Clinical Supervisor In Training
- [ ] Controlled Substances Special Use Authorization
- [ ] Dance Therapist

- ☐ Dental Hygienist
- ☐ Dentist
- ☐ Dietitian
- ☐ Drug or Device Manufacturer
- ☐ Hearing Instrument Specialist
- ☐ Independent Clinical Supervisor
- ☐ Intermediate Clinical Supervisor
- ☐ Licensed Midwives
- ☐ Licensed Practical Nurse
- ☐ Licensed Radiographer
- ☐ Limited X-Ray Machine Operator Permit
- ☐ Marriage and Family Therapist
- ☐ Massage Therapist or Bodywork Therapist
- ☐ Music Therapist
- ☐ Nurse - Midwife
- ☐ Occupational Therapist
- ☐ Occupational Therapy Assistant
- ☐ Optometrist
- ☐ Perfusionist
- ☐ Pharmacist
- ☐ Pharmacy (In State)
- ☐ Pharmacy (Out of State)
- ☐ Physical Therapist
- ☐ Physical Therapist Assistant
- ☐ Physician Assistant
- ☐ Physician
- ☐ Podiatrist
- ☐ Prevention Specialist
- ☐ Prevention Specialist in Training
- ☐ Private Pract. School Psychologist
- ☐ Professional Counselor
- ☐ Psychologist
- ☐ Registered Nurse
- ☐ Registered Sanitarian
- ☐ Respiratory Care Practitioner
- ☐ Sign Language Interpreter

- [ ] Sign Language Interpreter (Restricted)
- [ ] Social Worker
- [ ] Social Worker - Advanced Practice
- [ ] Social Worker - Independent
- [ ] Social Worker - Licensed Clinical
- [ ] Social Worker - Training Certificate
- [ ] Speech-Language Pathologist
- [ ] Substance Abuse Counselor
- [ ] Substance Abuse Counselor in Training
- [ ] Veterinarian
- [ ] Veterinary Technician
- [ ] Wholesale Distributor of Prescription Drugs

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Manufactured Homes

Select license

- [ ] Manufactured Home Dealer
- [ ] Manufactured Home Installer
- [ ] Manufactured Home Manufacturer
- [ ] Manufactured Home Salesperson
- [ ] Manufactured Home Title
- [ ] Manufactured Home Community

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Trades Professions - Fire Sprinkler

Select license

- [ ] Automatic Fire Sprinkler Contractor
- [ ] Automatic Fire Sprinkler Contractor – Maintenance
- [ ] Automatic Fire Sprinkler Fitter – Maintenance
- [ ] Automatic Fire Sprinkler System Apprentice
- [ ] Automatic Fire Sprinkler System Tester
- [ ] Automatic Fire Sprinkler System Tester Learner
- [ ] Journeyman Automatic Fire Sprinkler Fitter

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Trades Professions - Blasting and Fireworks

Select license

- ☐ Blaster Class 1
- ☐ Blaster Class 2
- ☐ Blaster Class 3
- ☐ Blaster Class 4
- ☐ Blaster Class 5
- ☐ Blaster Class 6
- ☐ Blaster Class 7
- ☐ Fireworks Manufacturer

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Trades Professions - Conveyances

Select license

- ☐ Elevator Apprentice
- ☐ Elevator Apprentice – Restricted
- ☐ Elevator Contractor
- ☐ Elevator Helper
- ☐ Elevator Mechanic
- ☐ Elevator Mechanic – Restricted
- ☐ Lift Apprentice
- ☐ Lift Helper
- ☐ Lift Mechanic

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Trades Professions - Dwellings, Structures and Sites

Select license

- ☐ Dwelling Contractor
- ☐ Dwelling Contractor – Restricted
- ☐ Dwelling Contractor Qualifier

- ☐ Manufactured Home Installer
- ☐ Manufactured Home Manufacturer
- ☐ Manufactured Home Salesperson
- ☐ Soil Tester
- ☐ Weld Test Conductor
- ☐ Welder

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Trades Professions - Electrical

Select license

- ☐ Beginner Electrician
- ☐ Electrical Apprentice
- ☐ Electrical Contractor
- ☐ Industrial Electrical Apprentice
- ☐ Industrial Journeyman Electrician License
- ☐ Journeyman Electrician
- ☐ Master Electrician
- ☐ Residential Electrical Apprentice
- ☐ Residential Journeyman Electrician License
- ☐ Residential Master Electrician License

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Trades Professions - Inspection

Select license

- ☐ Boiler/Pressure Vessel Inspector
- ☐ Commercial Building Inspector
- ☐ Commercial Electrical Inspector
- ☐ Commercial Plumbing Inspector
- ☐ Elevator Inspector
- ☐ POWTS Inspector
- ☐ Rental Weatherization Inspector
- ☐ Soil Erosion Inspector
- ☐ Tank System Inspector

- ☐ UDC Construction Inspector
- ☐ UDC Electrical Inspector
- ☐ UDC HVAC Inspector
- ☐ UDC Inspection Agency
- ☐ UDC Plumbing Inspector

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Trades Professions - Mechanical

Select license

- ☐ HVAC Contractor
- ☐ HVAC Qualifier
- ☐ Liquefied Gas Supplier
- ☐ Liquefied Gas Supplier – Restricted
- ☐ Refrigerant Handling Technician

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Trades Professions - Plumbing

Select license

- ☐ Cross Connection Control Tester
- ☐ Journeyman Plumber
- ☐ Journeyman Plumber Restricted Appliance
- ☐ Journeyman Plumber Restricted Service
- ☐ Master Plumber
- ☐ Master Plumber Restricted Appliance
- ☐ Master Plumber Restricted Service
- ☐ Pipelayer
- ☐ Plumbing Apprentice
- ☐ Plumbing Learner Restricted Appliance
- ☐ Plumbing Learner Restricted Service
- ☐ POWTS Maintainer
- ☐ Utility Contractor

The following questions were asked about each of the following agencies:
Department of Agriculture, Trade and Consumer Protection
Department of Safety and Professional Services
Department of Children and Families
Department of Financial Institutions
Department of Health Services
Office of the Commissioner of Insurance
Department of Natural Resources
Department of Revenue
Department of Workforce Development
Other Agencies

Respondents were only asked these questions about an agency if they identified the agency as one they interacted with to do business.

Answer only those questions that apply to you

How would you rate your overall experience with the agency?

- ○ Very Poor
- ○ Poor
- ○ Average
- ○ Good
- ○ Very Good
- ○ No opinion/unsure

How would you rate the licensing process?

- ○ Very Poor
- ○ Poor
- ○ Average
- ○ Good
- ○ Very Good
- ○ No opinion/unsure

After submitting your application, what length of time did you wait for your license? Select no more than 1.

- ☐ 3 or less business days
- ☐ 4 - 7 business days
- ☐ 8 - 29 business days
- ☐ 30 days or longer

How satisfied are you with the time it takes to receive your license after you apply?

- ○ Very dissatisfied
- ○ Somewhat dissatisfied
- ○ No opinion
- ○ Somewhat satisfied
- ○ Very satisfied

As a license holder, how do you stay up-to-date on changes in state law as it relates to your industry? Select no more than 1.

- [ ] Membership Association
- [ ] State Agency
- [ ] None of the above
- [ ] Other, please specify

How much value do you believe there is relative to fees paid to be a license holder?

- ○ Good Value
- ○ Some Value
- ○ Not Sure
- ○ Minimal Value
- ○ No Value

How frequently, if at all, should you be required to renew your license?Select no more than 1.

- [ ] Leave as is
- [ ] Renew more frequently
- [ ] Renew less frequently
- [ ] Do not require renewal at all

What is your opinion of the continuing education (CE) requirements, if any, for your license?Select no more than 1.

- [ ] No CE is required now
- [ ] Ok as is
- [ ] Reduce the CE requirement
- [ ] Increase the CE requirement
- [ ] Do not require CE
- [ ] Additional comments on CE
- [ ] No opinion

Enter additional comments:

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How would you improve your experience

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How would you improve your experience with the licensing process

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Consolidation Input

Do you believe there should be one agency responsible solely for Agriculture and food saftey in Wisconsin?Select at least 1 and no more than 1.

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

Do you believe there should be one agency responsible for all licensing and permitting in Wisconsin?Select at least 1 and no more than 1.

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

If Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection were consolidated how do you think the focus of the new agency might change the current functions such as agriculture, food safety, consumer protection, building plan review and professional licensing?

- ☐ Reduce focus
- ☐ Stay the same
- ☐ Increase focus
- ☐ Unsure

How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?

- ☐ Greatly reduce service
- ☐ Reduce service somewhat
- ☐ Not sure
- ☐ Improve service somewhat
- ☐ Greatly improve service

Do you believe that consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection will result in savings?

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

If consolidation results in lower costs to the agency, how would you want the savings used?

- ☐ Return savings to taxpayers
- ☐ Use savings to reduce license fees
- ☐ Invest savings to provide better service
- ☐ Other, please specify

If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation?

- ☐ Definitely Yes
- ☐ Probably Yes
- ☐ Not Sure
- ☐ Probably No
- ☐ Definitely No

Please use the space below to provide additional comments

Appendix 4: Respondent Demographics

Table 1: Total Respondents by County

County	Respondents	Percentage	County	Respondents	Percentage
None Indicated	8,340	33.4%	Marathon	405	1.6%
Adams	54	0.2%	Marinette	105	0.4%
Ashland	48	0.2%	Marquette	38	0.2%
Barron	115	0.5%	Menominee	2	0.0%
Bayfield	57	0.2%	Milwaukee	2,102	8.4%
Brown	687	2.8%	Monroe	108	0.4%
Buffalo	34	0.1%	Oconto	105	0.4%
Burnett	43	0.2%	Oneida	144	0.6%
Calumet	133	0.5%	Outagamie	443	1.8%
Chippewa	209	0.8%	Ozaukee	342	1.4%
Clark	62	0.2%	Pepin	26	0.1%
Columbia	188	0.8%	Pierce	67	0.3%
Crawford	55	0.2%	Polk	93	0.4%
Dane	2,518	10.1%	Portage	186	0.7%
Dodge	225	0.9%	Price	51	0.2%
Door	117	0.5%	Racine	422	1.7%
Douglas	103	0.4%	Richland	64	0.3%
Dunn	119	0.5%	Rock	348	1.4%
Eau Claire	362	1.5%	Rusk	24	0.1%
Florence	10	0.0%	Saint Croix	204	0.8%
Fond du Lac	308	1.2%	Sauk	190	0.8%
Forest	15	0.1%	Sawyer	58	0.2%
Grant	117	0.5%	Shawano	83	0.3%
Green	150	0.6%	Sheboygan	289	1.2%
Green Lake	57	0.2%	Taylor	41	0.2%
Iowa	79	0.3%	Trempealeau	66	0.3%
Iron	23	0.1%	Vernon	73	0.3%
Jackson	46	0.2%	Vilas	86	0.3%
Jefferson	239	1.0%	Walworth	246	1.0%
Juneau	49	0.2%	Washburn	62	0.2%
Kenosha	284	1.1%	Washington	437	1.8%
Kewaunee	61	0.2%	Waukesha	1,468	5.9%
La Crosse	409	1.6%	Waupaca	132	0.5%
Lafayette	50	0.2%	Waushara	58	0.2%
Langlade	59	0.2%	Winnebago	436	1.7%
Lincoln	66	0.3%	Wood	237	0.95%
Manitowoc	217	0.9%			
Counties Represented		**72**			
Total Respondents		**24,949**			

Table 2: Respondents by Profession		
Profession	**Respondents**	**Percent of Total**
Health Professions	9,838	39.4%
No Response	7,451	29.9%
Business Professions	5,194	20.8%
Trades Professions	1,920	7.7%
Manufactured Housing	21	0.1%
Mixed Martial Arts/Boxing	14	0.1%
Subtotal	*24,438*	*98.0%*
More than One Response		
Business Professions; Trades Professions	210	0.8%
Health Professions; Business Professions	187	0.7%
Health Professions; Trades Professions	61	0.2%
Health Professions; Business Professions; Trades Professions	28	0.1%
Business Professions; Trades Professions; Manufactured Housing	9	0.0%
Trades Professions; Manufactured Housing	9	0.0%
Business Professions; Manufactured Housing	4	0.0%
Business Professions; Trades Professions; Mixed Martial Arts/Boxing	1	0.0%
Health Professions; Business Professions; Trades Professions; Manufactured Housing; Mixed Martial Arts/Boxing	1	0.0%
Health Professions; Mixed Martial Arts/Boxing	1	0.0%
Subtotal	511	2.1%
Grand Total	***24,949***	***100.0%***

Table 3: Respondents by Reason for Agency Contact

Reason for Contact	Respondents	Percent of Total
Obtain or renew an occupational license	16,921	65.5%
None of the Above	2,880	11.1%
Obtain or renew an occupational license; Register my business	1,162	4.5%
Obtain or renew an occupational license; Obtain a permit for a specific activity	611	2.4%
Obtain or renew an occupational license; Register my business; Obtain a permit for a specific activity	503	1.9%
Other with significant Agency contact	462	1.8%
Obtain a permit for a specific activity	384	1.5%
Register my business	355	1.4%
Obtain or renew an occupational license; Other with significant Agency contact	314	1.2%
I am a member of a Board or Council affiliated with an Agency	246	1.0%
I am a Representative of a Trade Association with interests to an Agency	207	0.8%
Multiple Responses - Other	904	3.5%
Grand Total	**24,949**	**100.0%**

Table 4: Respondents by Source of Survey Contact

Source of Contact	Respondents	Percent of Total
License Holders	23,438	93.9%
Other via Office of Business Development	497	2.0%
DSPS Stakeholders	336	1.3%
Legislature	173	0.7%
Boards and Councils	147	0.6%
DOA/Wisconsin Website	128	0.5%
Not Available	39	0.2%
Chamber via Office of Business Development	33	0.1%
Bus Development via Office of Business Development	20	0.1%
DATCP Lists	12	0.0%
DSPS Lists	8	0.0%
Lt Governor Lists	2	0.0%
Cooperative Network	1	0.0%
Grand Total	**24,949**	**100.0%**

Table 5: Categorized responses to the question: How many full time people do you employ?		**Categorized responses to the question: How many part time people do you employ?**	
Employees	**Respondents**	**Employees**	**Respondents**
Zero	573	Zero	980
Between 1-10 Employees	1,063	Between 1-10 Employees	829
Between 11-50 Employees	224	Between 11-50 Employees	91
Between 51-100 Employees	53	Between 51-100 Employees	10
Between 101-1000 Employees	51	Between 100-1000 Employees	26
Over 1001 Employees	10	Over 1001 Employees	2
Subtotal	*1,974*	*Subtotal*	*1,938*
No response	22,975	No response	23,011
Total	**24,949**	**Total**	**24,949**

Appendix 5: Complete Survey Responses - DATCP and DSPS

Table 1: Do you believe there should be one agency responsible for all licensing and permitting in Wisconsin?		
Response	**Respondents**	**Percentage**
No Response	4,247	17.0%
Definitely No	1,408	5.6%
Probably No	1,968	7.9%
Not Sure	2,917	11.7%
Probably Yes	5,861	23.5%
Definitely Yes	8,548	34.3%
Total Respondents	24,949	100.0%

Table 2: Do you believe there should be one agency responsible solely for Agriculture and food safety in Wisconsin?		
Response	**Respondents**	**Percentage**
No Response	4,248	17.0%
Definitely No	875	3.5%
Probably No	1,177	4.7%
Not Sure	4,377	17.5%
Probably Yes	5,855	23.5%
Definitely Yes	8,417	33.7%
Total Respondents	24,949	100.0%

Table 3: How do you believe a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would affect the services to you as a license holder?		
Response	**Respondents**	**Percentage**
No Response	4,430	17.8%
Greatly improve service	192	0.8%
Improve service somewhat	760	3.0%
Not sure	8,308	33.3%
Reduce service somewhat	6,270	25.1%
Greatly reduce service	4,989	20.0%
Total Respondents	24,949	100.0%

Table 4: Do you believe that consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection will result in savings?		
Response	**Respondents**	**Percentage**
No Response	4,352	17.4%
Definitely No	1,401	5.6%
Probably No	5,319	21.3%
Not Sure	6,245	25.0%
Probably Yes	6,209	24.9%
Definitely Yes	1,423	5.7%
Total Respondents	24,949	100.0%

Table 5: If no savings were found from a consolidation of Department of Safety and Professional Services and Department of Agriculture, Trade and Consumer Protection would you support the general concept of consolidation?		
Response	**Respondents**	**Percentage**
No Response	4,375	17.5%
Definitely No	7,191	28.8%
Probably No	6,614	26.5%
Not Sure	3,532	14.2%
Probably Yes	2,364	9.5%
Definitely Yes	873	3.5%
Total Respondents	24,949	0.0%

Performance Evaluation Questions – DATCP

DATCP - How would you rate your overall experience with the agency?		
Very Good	309	19.9%
Good	562	36.2%
Average	436	28.1%
Poor	53	3.4%
Very Poor	24	1.5%
No opinion/unsure	169	10.9%
Total	**1,553**	**100%**
Not Asked/No Response	23,396	

DATCP - How would you rate the licensing process?		
Very Good	228	15.0%
Good	510	33.6%
Average	413	27.2%
Poor	65	4.3%
Very Poor	17	1.1%
No opinion/unsure	285	18.8%
Total	**1,518**	**100%**
Not Asked/No Response	23,431	

DATCP - After submitting your application, what length of time did you wait for your license?		
3 or less business days	202	16.7%
4 - 7 business days	421	34.9%
8 - 29 business days	468	38.8%
30 days or longer	115	9.5%
Total	**1,206**	**100%**
Not Asked/No Response	23,743	

DATCP How satisfied are you with the time it takes to receive your license after you apply?		
Very satisfied	385	28.5%
Somewhat satisfied	364	26.9%
No opinion	449	33.2%
Somewhat dissatisfied	100	7.4%
Very dissatisfied	53	3.9%
Total	**1,351**	**100%**
Not Asked/No Response	23,598	

DATCP - How much value do you believe there is relative to fees paid to be a license holder?		
Good Value	253	18.3%
Some Value	373	26.9%
Not Sure	367	26.5%
Minimal Value	305	22.0%
No Value	87	6.3%
Total	**1,385**	**100%**
Not Asked/No Response	23,564	

DATCP - How frequently, if at all, should you be required to renew your license?		
Renew more frequently	13	1.0%
Leave as is	805	59.7%
Renew less frequently	427	31.7%
Do not require renewal at all	104	7.7%
Total	**1,349**	**100%**
Not Asked/No Response	23,600	

DATCP - What is your opinion of the continuing education requirements, if any, for your license?		
Increase the CE requirement	75	5.5%
Ok as is	710	51.6%
No CE is required now	184	13.4%
No opinion	110	8.0%
Reduce the CE requirement	161	11.7%
Do not require CE	93	6.8%
Other	43	3.1%
Total	**1,376**	**100%**
Not Asked/No Response	23,573	

Performance Evaluation Questions – DSPS

DSPS - How would you rate your overall experience with the agency?		
Very Good	3,986	24.2%
Good	6,850	41.6%
Average	4,047	24.6%
Poor	626	3.8%
Very Poor	184	1.1%
No opinion/unsure	772	4.7%
Total	**16,465**	**100%**
Not Asked/No Response	8,484	

DSPS - How would you rate the licensing process?		
Very Good	4,320	26.4%
Good	6,699	40.9%
Average	4,007	24.5%
Poor	783	4.8%
Very Poor	188	1.1%
No opinion/unsure	385	2.4%
Total	**16,382**	**100%**
Not Asked/No Response	8,567	

DSPS - After submitting your application, what length of time did you wait for your license?		
3 or less business days	3,557	22.8%
4 - 7 business days	4,885	31.3%
8 - 29 business days	5,358	34.3%
30 days or longer	1,830	11.7%
Total	**15,630**	**100%**
Not Asked/No Response	9,319	

DSPS - How satisfied are you with the time it takes to receive your license after you apply?		
Very satisfied	6,489	40.5%
Somewhat satisfied	4,154	26.0%
No opinion	3,236	20.2%
Somewhat dissatisfied	1,414	8.8%
Very dissatisfied	713	4.5%
Total	**16,006**	**100%**
Not Asked/No Response	8,943	

DSPS - How much value do you believe there is relative to fees paid to be a license holder?		
Good Value	3,790	23.3%
Some Value	4,502	27.7%
Not Sure	3,722	22.9%
Minimal Value	3,516	21.6%
No Value	726	4.5%
Total	**16,256**	**100%**
Not Asked/No Response	8,693	

DSPS - How frequently, if at all, should you be required to renew your license?		
Renew more frequently	111	0.7%
Leave as is	9,981	60.9%
Renew less frequently	5,548	33.9%
Do not require renewal at all	737	4.5%
Total	**16,377**	**100%**
Not Asked/No Response	8,572	

DSPS - What is your opinion of the continuing education requirements, if any, for your license?		
Increase the CE requirement	864	5.3%
Ok as is	8,844	53.9%
No CE is required now	2,388	14.6%
No opinion	588	3.6%
Reduce the CE requirement	1,780	10.9%
Do not require CE	1,131	6.9%
Other	798	4.9%
Total	**16,393**	**100%**
Not Asked/No Response	8,556	

Appendix 6: List of Stakeholder Groups Contacted

DATCP Groups

Number	Organization
1.	211 (Badger Bay Management Co.)
2.	ABS Global, Inc.
3.	AgrAbility of Wisconsin
4.	Alta Genetics
5.	Babcock Institute
6.	Bioforward
7.	Bull Studs Emergency Management, Accelerated Genetics
8.	Capitol Consultants, Inc.
9.	Capitol Strategies
10.	Center for Dairy Profitability
11.	Center for Integrated Agricultural Systems (CIAS)
12.	Chippewa County Economic Development Corporation
13.	Concerned Auto Recyclers of WI
14.	Cooperative Network Association
15.	Dairy Business Assn
16.	Dane County Farmers Market
17.	Daybreak Foods
18.	Department of Health
19.	Department of Natural Resources
20.	Department of Public Instruction
21.	DeWitt, Ross & Stevens
22.	Discover Mediaworks
23.	Easter Seals Wisconsin
24.	Equity Cooperative Livestock Sales Association
25.	ExxonMobil Refining and Supply Company
26.	FairShare CSA Coalition
27.	Farley Center for Peace, Justice & Sustainability
28.	Focus on energy
29.	Fondy food Center
30.	Food and Beverage Milwaukee
31.	Food Export Association of the Midwest
32.	Genex
33.	Ginseng Board of Wisconsin
34.	GLCI Steering Committee/NRCS
35.	Gold'n Plump Poultry
36.	Gorst Valley Hops
37.	GrassWorks
38.	Great Lakes Farm to School Network
39.	Green County Beef Producers

40.	Growing Power
41.	Growmark
42.	Health First Wisconsin
43.	Hmong Wisconsin Chamber of Commerce
44.	Indianhead Food Service Distribution
45.	Indianhead Polled Hereford Association
46.	Indianhead Sheep Breeders Association
47.	International Society of Weighing and Measuring
48.	Jennie-O Turkey Store, Inc.
49.	Kettle Moraine Mink Breeders
50.	MacFarlane Pheasants, Inc.
51.	Madison Area Community Supported Agriculture
52.	Madison International Trade Association
53.	Madison Region Economic Development Partnership
54.	Marathon Petroleum
55.	Master Meat Crafter Program
56.	McKay Nursery
57.	Michael Best & Friedrich LLP
58.	Michael Fields Agriculture Institute
59.	Midwest Food Processors Association
60.	Midwest Grocers Association
61.	Midwest Organic and Sustainable Education Service
62.	Midwest Organic Services Association
63.	Midwest Pickle Association
64.	Midwest Pinzgauer Association
65.	Milwaukee International Trade Association
66.	New North, Inc.
67.	NFO - Wisconsin
68.	Organic Advisory Council
69.	Organic Valley
70.	Professional Dairy Producers of WI
71.	REAP Food Group
72.	Reindeer Owners & Breeders Association (R.O.B.A.)
73.	SE Wisconsin Farm and Food Network
74.	Sexing Technologies Inc.
75.	Small Business Development Center - Milwaukee
76.	Southwest Badger Resource Conservation & Development Council
77.	Spring Rose Growers Cooperative
78.	Syngenta
79.	The Welch Group
80.	Transform WI
81.	U.S. Commercial Service Midwest

82.	U.S. Small Business Administration-Madison
83.	USDA Rural Development
84.	UW Cooperative Extension
85.	UW Extension
86.	UW Extension – Emergency Management
87.	UW Madison - CALS
88.	UW Madison - Center for Integrated Agricultural Systems
89.	UW Madison -West Madison Ag. Research Station
90.	UW River Falls
91.	UW Superior
92.	UW-Madison Animal Science Dept.
93.	UW-Madison Food Science
94.	UW-River Falls Animal Science Dept.
95.	WAGA, WATA, WBGA, WFVG
96.	Whitetails of Wisconsin (W.O.W.)
97.	WI/MN Petroleum Council
98.	Wisconsin Agribusiness Council
99.	Wisconsin Agricultural Tourism Association
100.	Wisconsin Agri-Service Assoc.
101.	Wisconsin AgroSecurity Resource Network
102.	Wisconsin Airport Management Association
103.	Wisconsin Angus Association
104.	Wisconsin Apple Growers Association
105.	Wisconsin Aquaculture Association, Inc.
106.	Wisconsin Association of Fairs
107.	Wisconsin Association of FFA
108.	Wisconsin Association of Meat Processors
109.	Wisconsin Association of Professional Agricultural Consultants
110.	Wisconsin Automobile & Truck Dealers Association Inc.
111.	Wisconsin Automotive Aftermarket Association
112.	Wisconsin Bakers Association Inc.
113.	Wisconsin Beef Council
114.	Wisconsin Berry Growers Association
115.	Wisconsin Cattlemen's Assn
116.	Wisconsin Cattlemen's Association
117.	Wisconsin Center for Dairy Research
118.	Wisconsin Cheese Makers Assn
119.	Wisconsin Cherry Board
120.	Wisconsin Cherry Growers Inc.
121.	Wisconsin Christmas Tree Producers Association
122.	Wisconsin Commercial Deer & Elk Farmers Association
123.	Wisconsin Commercial Flower Growers Association

124.	Wisconsin Corn Growers Assn
125.	Wisconsin Corn Promotion Board
126.	Wisconsin Cranberry Board
127.	Wisconsin Cranberry Growers Association
128.	Wisconsin Dairy Artisan Network
129.	Wisconsin Dairy Products Association
130.	Wisconsin Economic Development Corporation
131.	Wisconsin Emu Association
132.	Wisconsin Farm Bureau Federation
133.	Wisconsin Farm Service Agency
134.	Wisconsin Farmers Union
135.	Wisconsin Fire Chief's Association
136.	Wisconsin Fire Inspectors Association
137.	Wisconsin Food Hub Cooperative
138.	Wisconsin Foodie
139.	Wisconsin Fresh Market Vegetable Growers Association
140.	Wisconsin Grape Growers Association
141.	Wisconsin Grass-fed Beef Cooperative
142.	Wisconsin Green Industry Federation
143.	Wisconsin Grocers Association
144.	Wisconsin Hereford Association
145.	Wisconsin Holstein Association
146.	Wisconsin Honey Producers Association
147.	Wisconsin Horse Council
148.	Wisconsin Innovation Kitchen
149.	Wisconsin Insurance Alliance
150.	Wisconsin Jersey Breeders Association
151.	Wisconsin Jewelers Association
152.	Wisconsin Livestock and Meat Council
153.	Wisconsin Livestock Breeders Association
154.	Wisconsin Local Food Network
155.	Wisconsin Manufacturing Extension Partnership
156.	Wisconsin Maple Syrup Producers Association
157.	Wisconsin Marina Association
158.	Wisconsin Milk Marketing Board, Inc.
159.	Wisconsin Mint Board
160.	Wisconsin Nursery Growers Association
161.	Wisconsin Obesity Prevention Network
162.	Wisconsin Office of Rural Health
163.	Wisconsin Paper Council
164.	Wisconsin Petroleum Council (WPC)
165.	Wisconsin Petroleum Equipment Association

166.	Wisconsin Petroleum Equipment Contractors Association (WisPEC)
167.	Wisconsin Petroleum Marketers and Convenience Store Association
168.	Wisconsin Pork Association
169.	Wisconsin Potato and Vegetable Growers Association
170.	Wisconsin Potato Board
171.	Wisconsin Potato Industry Board
172.	Wisconsin Poultry & Egg Improvement Assn
173.	Wisconsin Propane Gas Association
174.	Wisconsin Red and White Cattle Association
175.	Wisconsin Restaurant Association
176.	Wisconsin Rural Partners
177.	Wisconsin Rural Women's Initiative
178.	Wisconsin Self-Service Laundry Association
179.	Wisconsin Sheep Breeders Cooperative
180.	Wisconsin Sheep Dairy Cooperative
181.	Wisconsin Shorthorn Association
182.	Wisconsin Show Pig Association
183.	Wisconsin Simmental Association
184.	Wisconsin Sod Producers Association
185.	Wisconsin Soybean Association
186.	Wisconsin Soybean Board
187.	Wisconsin Specialty Cheese Institute
187.	Wisconsin Specialty Cheese Institute
188.	Wisconsin State Cranberry Growers Association
189.	Wisconsin Transportation Builders Association
190.	Wisconsin Utilities Association
191.	Wisconsin Veterinary Medical Assoc.
192.	Wisconsin Veterinary Medical Association
193.	Wisconsin Winery Association
194.	World Beef Expo
195.	World Trade Center Wisconsin
196.	WTCS Ag Education

DSPS Groups

Number	Organization
1.	American Massage Therapy Association, WI Chapter
2.	Chiropractic Society of Wisconsin
3.	Funeral Service and Cremation Alliance of Wisconsin
4.	International Union of Operating Engineers Local #139
5.	Iron Workers District Council of the North Central States
6.	Lake State Lumber Association

7.	Leading Age Wisconsin
8.	League of Wisconsin Municipalities
9.	Madison Area Builders Association
10.	Mechanical Contractors Association of Wisconsin
11.	Medical College of Wisconsin
12.	Mental Health America of Wisconsin
13.	Miron Construction
14.	National Association of Chain Drug Stores
15.	National Association of Social Workers – WI Chapter
16.	National Electrical Manufacturers Association
17.	Novartis Pharmaceuticals Corporation
18.	Otsuka America Pharmaceutical, Inc.
19.	Pharmaceutical Research and Manufacturers of America (PhRMA)
20.	Pharmacy Society of Wisconsin
21.	Reckitt Benckiser Pharmaceuticals Inc
22.	Southeast Dental Associates
23.	Sunovion Pharmaceuticals, Inc
24.	Takeda Pharmaceuticals America
25.	VJS Construction Services
26.	Wal-Mart
27.	Wisconsin Academy of Ophthalmology
28.	Wisconsin Academy of Physician Assistants
29.	Wisconsin Alliance of Hearing Professionals
30.	Wisconsin Amusement and Music Operators
31.	Wisconsin Association for Marriage and Family Therapy
32.	Wisconsin Association of Nurse Anesthetists
33.	Wisconsin Association of School Nurses
34.	Wisconsin Athletic Trainers Association, Inc.
35.	Wisconsin Builders Association
36.	Wisconsin Business Alliance
37.	Wisconsin Chapter of the American Academy of Pediatrics
38.	Wisconsin Chapter of the American College of Emergency Physicians, Inc.
39.	Wisconsin Chiropractic Association
40.	Wisconsin Dental Association
41.	Wisconsin Dental Hygienists Association

Appendix 7: Stakeholder Contact – Agriculture Sector

October 30, 2013

Mr. Andrew Hitt
Assistant Deputy Secretary
Department of Administration
P.O. Box 7864
Madison, WI. 53707-7864

We are writing to you, as representatives of farm, cooperative, commodity and agri-business organizations, to express our deep concern with certain language in the 2013-15 biennial budget Act 20 inserted by the Joint Finance Committee. As you know, this language directs the Department of Administration to study the possible consolidation of the functions performed by the Department of Agriculture, Trade and Consumer Protection (DATCP) and the Department of Safety and Professional Services (DSPS), into a new agency to be named the Department of Agriculture, Regulation, and Trade (DART). As you are aware, the study seeks to evaluate the consolidation of agency programs, reform licensing, and potentially eliminate advisory boards and councils.

First, we believe any potential benefits from a consolidation of the two agencies are offset by substantial concerns we have about the future integrity of DATCP and its vital role as the state's major agricultural and consumer protection advocate. Many of the functions at DSPS **do not** fit DATCP's core responsibilities in such critical areas as animal health, food safety, consumer protection, agricultural resource management, and agricultural industry partnerships. We fear consolidation could cause DATCP to drift from its agricultural advocacy and consumer protection mission because DSPS is focused on the review of nearly 50 diverse boards and councils, including the Cemetery Board, Controlled Substances Board, Crematory Authority Council, Hearing and Speech Examining Board, Perfusionists Examining Council, Midwives Advisory Committee and the Sign Language Interpreter Council, among many others. DSPS is also responsible for ensuring the safe and competent practice of licensed professionals in Wisconsin. This is a very different mission than DATCP's current agricultural and consumer protection mission.

Second, an expected purpose of the potential consolidation is to save taxpayer dollars. We are very concerned that, should a consolidation occur, the only "savings" would be from the reduction or elimination of important DATCP programs because many of its programs are still funded by state taxpayer dollars rather than by fees because they benefit the general public. By contrast, DSPS typically collects fees to run its professional licensing and oversight boards. In other words, we fear that over time, DATCP would look much more like DSPS rather than like DATCP due to expected budget cuts should consolidation occur. Please note that DATCP has already been greatly -- and disproportionally -- impacted by the loss of federal "earmarked" appropriations and state budget cuts that have resulted in the elimination or at least temporary defunding of some worthy programs.

If the study determines that the elimination of DSPS as a self-standing agency is important from a government efficiency standpoint, we are not opposed to that outcome. We realize that in DSPS's brief history, a number of functions have been transferred out of the agency, including

those initiated through 2013 Act 20. However, we believe transfers of specific regulatory programs should be strategic and logical in terms of what agencies are impacted. For example, the Auctioneer Board, Veterinary Examining Board and oversight of anhydrous ammonia tank systems may logically be attached to DATCP. However, if specific transfers such as those are recommended, we request that it not affect the function of the DATCP Board. Wisconsin agriculture and agribusiness strongly supports the continuation of the Board of Agriculture, Trade and Consumer Protection, which is populated with seven members with an agricultural background and two as consumer representatives.

We enjoy a beneficial partnership with DATCP and strongly support the agency's focus on agriculture and consumer protection. Wisconsin's $59 billion agricultural industry is diverse and has thrived in part due to public policy initiatives that have assisted in our ability to produce food and fiber for citizens of our nation and the world. Please be advised that we would strongly oppose any recommendation that would diminish DATCP's continued ability to be our strong partner. Thank you for taking our perspective into consideration as you proceed with the study that the Legislature directed you to undertake.

Sincerely,

Cooperative Network – Bill Oemichen
1 S. Pinckney St., Suite 810, Madison, WI 53703

Dairy Business Association – Laurie Fischer
PO Box 13505, Green Bay, WI 54307-3505

GROWMARK, Inc. – Chuck Spencer
P.O. Box 2500, Bloomington, IL 61720-2500

Midwest Food Processors Association – Nick George
4600 American Pkwy., Suite 210, Madison, WI 53701-1297

Wisconsin Agri-Business Association – Tom Bressner
2801 International Lane, Suite 105, Madison, WI 53704

Wisconsin Agribusiness Council – Ferron Havens
PO Box 46100, Madison, WI 53744-6100

Wisconsin Association of Professional Agricultural Consultants – Eric Birschbach
2276 Dahlk Circle, Verona, WI 53593

Wisconsin Cattlemen's Association – Terry Quam
N706 Hwy 113, Lodi, WI 53555

Wisconsin Cheese Makers Association – John Umhoefer
8030 Excelsior Dr., Suite 305, Madison, WI 53717-1950

Wisconsin Corn Growers Association – Bob Oleson

W1360 Hwy. 106, Palmyra, WI 53156

Wisconsin Dairy Products Association – Brad Legreid
8383 Greenway Blvd., Middleton, WI 53562

Wisconsin Farm Bureau Federation – Paul Zimmerman
PO Box 5550, Madison, WI 53705

Wisconsin Farmers Union – Darin Von Ruden
117 West Spring Street, Chippewa Falls, WI 54729

Wisconsin Green Industry Federation – Brian Swingle
12342 W. Layton Ave., Greenfield, WI 53228

Wisconsin National Farmers Association – Don Hamm
955 17th St., Prairie du Sac, WI 53578

Wisconsin Pork Association – Mike Wehler
P.O. Box 327, Lancaster, WI 53813

Wisconsin Potato and Vegetable Growers Association – Duane Maatz
P.O. Box 327, Antigo, WI 54409

Wisconsin Poultry and Egg Association – Pat Stonger
533 E. Tyranena Park Rd., Lake Mills, WI 53551

Wisconsin Soybean Association – Bob Karls
2976 Triverton Pike Dr., Madison, WI 53711-5898

Wisconsin State Cranberry Growers Association – Tom Lochner
132 E. Grand Ave., Suite 202, Wisconsin Rapids, WI 54495-0365

Wisconsin Veterinary Medical Association – Kim Pokorny
2801 Crossroads Drive, Suite 1200, Madison, WI 53704

Cc: Secretary Mike Huebsch
Secretary Ben Brancel

Appendix 8: Letter from Wisconsin Veterinary Medical Association Representatives

2801 Crossroads Drive
Suite 1200
Madison, WI 53718
(608) 257-3565
Fax: (608) 257-8989
wvma@wvma.org

www.wvma.org

December 3, 2013

Mr. Joe Knilans and Ms. Nancy Mistele
Wisconsin Department of Administration
Office of Business Development
101 East Wilson Street, 10th Floor
P.O. Box 7864
Madison, WI 53707-7864

VIA EMAIL and U.S. MAIL

RE: Request from the Wisconsin Veterinary Medical Association to Move the Veterinary Examining Board from DSPS to DATCP

Dear Mr. Knilans and Ms. Mistele:

On behalf of the Board of Directors of the Wisconsin Veterinary Medical Association (WVMA), I am writing to formally request that you consider the merits of the following changes as a part of your study of the Wisconsin Department of Safety and Professional Services (DSPS):

(1) Move the Veterinary Examining Board (VEB) from DSPS to the Department of Agriculture, Trade and Consumer Protection (DATCP);

(2) Move the enforcement authority for unauthorized practice of veterinary medicine to DATCP (currently with the DSPS Division of Enforcement); and

(3) The VEB to remain an independent board.

In our opinion, moving the VEB to DATCP would increase the efficiency and quality of the services available to the VEB, the public and licensed veterinarians in Wisconsin for the following reasons:

- DATCP houses the Wisconsin State Veterinarian;
- DATCP houses the state Division of Animal Health, which works to protect animal and human health, and to control serious animal diseases (many of which also threaten humans);
- DATCP houses the state Division of Food Safety, which works to ensure the production and delivery of safe food to consumers (veterinarians play a vital role in animal food production); and
- DATCP's attorneys are familiar with both animal health and consumer protection issues and will be well-suited to handling VEB support, as well as unauthorized practice enforcement issues.

We do not recommend the transfer of any staff from DSPS to DATCP. Rather, we recommend transferring the funding for staff positions and allowing the Secretary of DATCP to use that funding to compensate existing or new staff members to handle VEB support and unauthorized practice issues.

Thank you for your consideration.

Sincerely,

Chris Booth, DVM
President, WVMA Board of Directors

cc Kim Pokorny, Executive Director, WVMA
Jordan Lamb, DeWitt Ross & Stevens

Appendix 9: Letter from Professional Association of Wisconsin Licensed Investigators

Joe Knilans – Director
Office of Business Development
P.O. Box 7864
Madison, WI 53705-7854

Re: Private Investigator Licensing and Restructuring

Mr. Knilans:

I appreciate this opportunity to work with you on the restructuring. For the last 7 years, I have been working on the need for improvement of the professionalism for investigators in Wisconsin.

There are a surprisingly large number per capita of investigators licensed. Four times that of Minnesota, and double that of Illinois. (See the report on the surrounding states also sent to you).

The last 5 years, I have been president of the association in Wisconsin and the main focus has been on education. If a person has chosen a profession and wishes make a living with that profession, it would seem logical that they would want to be good at the job. Failing to keep up on the regulations, laws and techniques would make them less likely to make their client happy.

Our association, Professional Association Of Wisconsin Licensed Investigators, has a Professional Review Committee. This might be considered as Internal Affairs. A few times a year we receive complaints from clients about the way an investigator handled a case. This might be anything from lack of professional service to in appropriate conduct. Whatever the complaint, whether or not the accused is a member, every dissatisfied client affects the reputation of all investigators.

For those that are not members, all we can do is to refer the plaintiff to the state. If a member, we do have a certain amount of pressure we can apply to help satisfy the problem.

Out of the almost 800 licenses issued, (I believe that is the number given to me by your office), we have only 150 members. So we know that 150 of them care enough about being better that they sought out sources of knowledge, or at least thinking that being able to claim membership makes them look better in an advertisement. So that puts them ahead of the 650 who don't even do that.

During the year we have regional and one day seminars in addition to the Annual Conference lasting 2 1/2 days and covering 12 – 15 hours of training; law changes, tactics, techniques, equipment are just some of the topics presented.

We have a survey permanently active on the website for the membership to let us know what they want to learn. We have an email group handling 10 – 20 emails a day exchanging ideas and answering questions about an aspect of a case.

So, from the 800 we are down to 150 who find advantages in joining PAWLI. Now, the next step is the number who actually attend conferences. That reduces it to a little less than 100. So we have 100 licensed investigators in the state who actively care about being good at their job. That means that 700 don't think they need to learn anything, or just don't care

Just one example of the problems we face. And the answer is reducing the number of persons gaining a license with little to no desire to do the job well

.

So the first question is, “how easy is it to get a license?”

There are no requirements. Pass a test and buy insurance. Think of professional investigators being the same as police. We handle all the same cases, criminal defense, family law, insurance fraud, corporate white collar and the security agent handles the equivalent of the patrol officer. It takes an associate degree in Criminal Justice to be eligible to be hired by the police department.

Minnesota and Illinois require thousands of hours of training in the job before they can get their own license. They also require continuing education credits.

So what can be done to help fix the problem?

In the past, my conversations with the state have boiled down to one obstacle in mandatory CEUs. The state cannot dedicate the funds required to monitor training. Funds are hard to come by, I get that. So I have spent the last three years creating the answer.

The PAWLI website has been designed to keep track of CEUs. Every person who attends a class, no matter from where or who, if pertinent and accredited, they get the units documented. For right now, it is working for all members in the database. And the database does not have a limit of how many can be recorded. The programming keeps track of the topic the date and number of credits received. One year from the date received, the credit automatically drops. (this can be changed to any interval future regulation might require). And when needed, the individual logs in and prints out a certificate as needed for proof of attendance.

This is good for members, but what about everyone else?

The site was designed for handling members and non-members. The only difference is the rest of the benefits of being a member are not available to non-members but they would still have the credits documented and certificates available.

So how do we keep track of who attends what?

A couple years ago, I presented the state with a proposition on a credential for investigators that would be more formal and professional than the coupon issued by the state. To review the conversations, the barber or tattoo artist would rarely have to pull the license out of the wallet to get the job done. But an investigator does this daily. It is the proof on the street that they are a professional doing their job and the piece of paper just does not even look real.

The result is a design for an ID that officially is a PAWLI membership card. A picture ID that is laminated plastic with hologram security, listing the name, license number and agency. More to the point at this time, it also has a RFID chip in the card. PAWLI is in the process of implementing another design feature of the website. Keeping track of who attended what.

Let’s say that 750 people are attending the annual conference. The schedule is programmed in so the computer knows what is being presented at what time. As the person walks in, they are scanned and documented for being present without even removing their wallet. If they turn around and leave, it documents that also. At the end of the day, a person could log into the database and see the credits accumulated on that day already credited.

So, you see, PAWLI has provided the answer to keeping track. It is not a proposal for something that can be done. It is up and working. PAWLI can provide IDs for the non-members as well so they will be able to take advantage of the technology, but it is also a better answer that the state issue similar ID cards as credentials to all investigators and security agents so the additional card is not necessary.

All of this helps the professionalism in two ways:

1. If a licensee is required to keep up with the changes in the profession like a considerable number of other Wisconsin professions with far less impact on the security of the citizen, then those who do not wish to participate will not be allowed to have a license.
2. Those who feel that being good at their job is worth the effort in training will then have raised the level of professionalism. Which was the goal in the first place.

The additional topic of concern was the transfer of regulation from DSPS to Agriculture. Not sure why Agriculture other than maybe there is some correlation of process.

I suggested in our short phone conversation that I would like to see the Investigators and Security under the Attorney General. As mentioned above, the job is very similar to the law enforcement. We work the same jobs, we testify in court, process and present evidence and many other points of similarity.

I am not suggesting that the requirements for obtaining an investigators license be the same as law enforcement. That high of standard is nice but not practical. But positioning this profession under the division that understands the requirements of the job, allows for future developments to be more easily implemented. Much like Minnesota's PIs under the Bureau of Criminal Apprehension.

Again, I appreciate the opportunity to present my ideas. I am anxious to work with you, finding a way to make changes that improve the professionalism. I am available for any committee. As the president of PAWLI it is my proud job to represent the profession in this state and I look forward to future discussions.

James Greenwold
President – PAWLI

715-726-1400

Illinois Requirements

Illinois Requirements Licensing of Private Investigators And Proprietary Security Force

Illinois has a different license for Security and Investigator
As of October of 2013 , there are 1091 investigators and 560 security personnel. There is also an agency license for each of those.

Applicant is the Licensee in charge. Structured under Sole Proprietor, Partnership or Corporation..

Additionally, there is a Permanent Employee Registration Card (PERC) that can be held by employees of an agency for which there has to be at least one full license holder.

Investigators can carry fire arms after 40 hours of training. There are no restrictions as to where you can carry. Every 2 years the investigator has to re-qualify with a formal test.

An examination is necessarily passed by 70% or greater to qualify. The passing score is valid for 6 years at which time it becomes void. Then the applicant needs to reapply with the full process.

In January, IL will be enacting their citizen carry permit. It is still not decided if this permit will replace the current or if it will have restrictions that the current one does not.

The license is for 3 years. There is a $500 initial fee and then $450 for each renewal. The Agency license is approximately the same price and duration.

The PERC card is $55 and a $45 renewal fee every year.

All holders have the same renewal date, May 31st.

Liability insurance is mandatory. There is no bond required.

Some one with a PERC card has to acquire 3 years experience out of the last 5 years before applying for a PI license.

Illinois PI Requirements Private Detective Licensure Exam Information

Experience / Education Documentation

Fees are charged for the process of applying.
Firearms control card $75 and a renewal fee of $45.
Proprietary Security Force fee is $300 and the renewal is $200.
Firearm instructor application fee is $75 with a renewal of $45.
A 40 hour Firearm Training Course has a $100 application fee.

Fingerprints from vendor licensed by Illinois for background

Regulations for Investigators and Security are listed in the Public Acts

If you want to download the Public Act in its entirety there is a PDF available.

All applicants should review the changes to the Public Act.

Lincensure by endorsement is no longer available. Everyone has to take and pass exam.

Illinois Requirements

SUBPART A: PRIVATE DETECTIVE

Section 1240.10 Application for Examination and Licensure – Private Detective
Section 1240.20 Application for Licensure – Private Detective Agency

SUBPART B: PRIVATE ALARM

Section 1240.100 Application for Examination and Licensure – Private Alarm Contractor
Section 1240.110 Application for Licensure – Private Alarm Contractor Agency

SUBPART C: PRIVATE SECURITY

Section 1240.200 Application for Examination and Licensure – Private Security Contractor
Section 1240.210 Application for Licensure – Private Security Contractor Agency

SUBPART D: LOCKSMITH

Section 1240.300 Application for Examination and Licensure – Locksmith
Section 1240.310 20 Hour Basic Training Course – Locksmith
Section 1240.320 Record keeping Requirements – Locksmith (Repealed)
Section 1240.330 Application for Licensure – Locksmith Agency

SUBPART E: PROPRIETARY SECURITY FORCE

Section 1240.400 Registration of Proprietary Security Force

SUBPART F: GENERAL

Section 1240.500 Definitions
Section 1240.501 Licensee-in-charge
Section 1240.502 Application for Branch Office License
Section 1240.505 20-Hour Basic Training Course – Private Detective, Alarm Contractor, Security
Section 1240.510 Firearm Training Course
Section 1240.515 Approval of Firearm Training Programs and Firearm Instructors
Section 1240.520 Permanent Employee Registration Card
Section 1240.525 Refusal to Issue Registration Card or FCC Due to Criminal Record Information
Section 1240.530 Firearm Control Cards
Section 1240.535 Record-keeper Requirements
Section 1240.540 Reporting Requirements
Section 1240.550 Renewals
Section 1240.555 Endorsement
Section 1240.560 Restoration
Section 1240.561 Inactive Status
Section 1240.565 Requests for Duplicate Certificates
Section 1240.570 Fees
Section 1240.575 Conduct of Hearings
Section 1240.580 Investigation by the Division
Section 1240.585 Granting Variances

SUBPART G: FINGERPRINT VENDOR

Section 1240.600 Application for Licensure – Fingerprint Vendor
Section 1240.610 Licensure - Fingerprint Vendor Agency
Section 1240.620 Fingerprint Vendor – Standards, Unethical, Unauthorized, Conduct
Section 1240.630 Fingerprint Vendor – Training

SUBPART H: CANINE HANDLER

Section 1240.700 Canine Handler Training Course Requirements
Section 1240.710 Canine Handler Authorization Card
Section 1240.720 Canine Handler Training Program
Section 1240.730 Canine Trainer Authorization Card
Section 1240.740 Canine Handler and Canine Training Instructor – Unprofessional Conduct

Minnesota Requirements

Minnesota Investigator and Protective Agents Application Procedures

The division of "types" of license holders are divided into:

Individual - which is listed as a sole proprietor
- A person with a corporation related to the business can not claim sole proprietorship.

Partnership or Corporation.
- A "Qualified Representative managing the day to day business is the license holder.
- A Minnesota Manager is the holder if the business is based out side of MN.

Insurance policy for applicant alone @ $10,000 to 51 employees @ $100,000.
A Surety Bond of $10,000 at the time of application.

Mandatory employment experience.
Document 6,000 hrs of investigative experience in 1 or more of:
Private Investigator
- As an investigator with a licensed agency
- U.S. Government
- Police department
- Other experience that the board would deem relevant.

A protective agent has the same requirements just replace investigator with PA. Additionally, PA requires experience in security systems, audits, and supervisor of other security personnel.

There are 211 private investigators and 100 security agents licensed in the state.

Fees for investigators:
- Individual $1000
- Partnership LLP $1700
- Corporation LLC $1900

Director is trying to change 0-1 person $540 PI license

- Fees for Protective Agents:
- Individual $1,000
- Partnership LLP $1,700
- Corporation LLC $1,900

No test is taken
Experience package is submitted to board and, upon successful evaluation, board grants license.

Preliminary training of 12 hours before field operations
Mandatory CEUs 12 hr / 2 years
12 additional hours / 2 yr for firearm training if applicable.

Director Greg Cook is working on a statute to make unlicensed activity a felony. Now just the now $35 fine.

No ID for carry is issued by state, however the individual is allowed to purchase an ID from an outside vendor.

Minnesota Requirements

Minnesota Department of Safety

General Licensing Information

Application and Requirements

To request an application packet, send a $25 check or money order.

License Holders

Private Detective License Holders Protective Agent License Holders

Fees

Fee Schedule

Minnesota Administrative Rules

General

7506.0100 Definitions.
7506.0110 Internal procedures.
7506.0120 [Repealed, 22 sr 711]
7506.0130 Licensing and qualification.
7506.0140 Fees.
7506.0150 Conduct and ethics.
7506.0160 Complaint procedures.
7506.0170 Penalties.
7506.0180 License reinstatement.

Certified training programs

7506.2200 Board certification of training programs.
7506.2300 Minimum req for board-certified training programs.
7506.2500 Revocation or suspension of certification status.
7506.2600 Preassignment or on-the-job training requirements.
7506.2700 Continuing education requirements.
7506.2900 Failure to satisfy training requirements.

Minnesota Requirements

Statutes For
Private Detective and Protective Agent Services

Definitions MNS§326.32

Employees of license holders MNS§326.336
- Background check
- ID card
- Failure to return property
- Confidentiality

Training MNS§326.3361
- Rules
- Required content
- Use of weapons
- Full-time peace officers

Persons as Private Detectives or Protective Agents MNS§326.338
- Private Detective
- Protective Agent

Exemptions MNS§326.3341

Licenses MNS§326.3381
- Prohibition
- Application procedures
- Disqualification
- Business entry applicant
- Nonresident applicant

Application for license MNS§326.3382
- Application form
- Documents accompanying application
- Proof of insurance (Bond and proof of financial responsibility)
- License disqualification
- Special protective agent classification

License Re issuance MNS§326.3383
- Requirements
- Appearance
- Bond and proof of financial responsibility

Prohibited Acts MNS§326.3384
- Prohibition
- Penalty

Conditions of Licensing MNS§326.3385
- Notice of address change
- Notice of successor
- Surrender of license
- Penalty

Fees MNS§326.3386

Disciplinary Action MNS§326.3387

Administrative Penalties MNS§326.3388

Licenses Nontransferable MNS§326.3389

Violations; Penalty MNS§326.339

Iowa Regulations

Iowa Requirements
Private Investigators and Security Agents

Iowa requires a license to operate in the state. The license packets are available for $15 by mail or $10 at the door.

Employees of an agency are to obtain an employee ID card and must meet the same standards as the license holder.

Iowa does have mandatory CEUs of 12 hours accumulated during a 2 year period or the license will not be renewed. Credits gained from other states are transferrable. 50 minutes minimum equal 1 hour. 100 minutes equal 2 hours. 99 minutes equal 1 hour.
A program qualifies if:

- Outline is prepared in advance
- Lasts at least 50 minutes
- Is presented by a qualified instructor, background and experience documented.
- A record of attendance is maintained.

There is no examination process to obtain a license.

Most current count is 255 investigators and 120 security.

A 2 year license is issued at a cost of $100 and an ID card cost is $10. Fingerprinting and background check is $30.

The ID card is issued with the name of an agency. So working for more than one agency, (which is permitted), would require more than one ID card. You have to carry the ID all the time you are working. Failure can result in suspension. The card belongs to the state. For what ever reason you are no longer in business, the card is to be surrendered.

Renewal of the license has to be applied for with 2 new fingerprint cards., 30 days before the expiration. If received after expiration of the license, apparently the state wants you to start over again.

Iowa offers reciprocity with other states that have similar requirements. A temporary permit is issued for a period of 90 days. But to note, the cost of the 90 day permit is the same as a 2 year license.

Iowa does require insurance in the name of the agency on the application.

Iowa does require a bond of $5000 issues by a bond company licensed to work in Iowa. If more than one service, i.e.: Detective and Security, the bond is bumped up to $10,000.

Uniforms, badges hats, and patches are not permitted without written approval from the commissioner.

Written reports have to be submitted to every client unless a signed waiver is possessed. Reports are to kept for at least 3 years.

Carrying a weapon while working must meet Iowa Admin code 661 chapter 4.

Application Packet Check List

Iowa Code 80A

Administrative Rules

Indiana Regulations

Indiana Requirements
Private Investigators and Security Agents

Indiana has a few things in common with states listed above and a couple things that are unique. The requirements are mostly historical:

- Requires at least 4,000 hours of experience. (2 years full time employ.)
- Background check back 7 years, state, local and fed.
- Errors and Omission liability insurance of $100,000
- Academic transcripts for those who have a cert in criminal justice
- DD 214 from military service
- Corporate filing paper work for those who are not sole proprietors.

Application fee is $300. $150 if the expiration date is less than one year from application. Renewal is the same $300. Late fee of $50 and an additional $10 for a wall or packet card.

Unless you spend the $10 for the certificate, there is no personal carry license unless you make your own. The same rules apply as others, no seals or words that imply state agency affiliation.

Application

License expires every 4 years on October 1st. (Next is 2015.)

The license holder in an agency is licensed but the employees are not. It is the responsibility of the agency to regulate the activities of the employees.

There is 488 agencies licensed as investigators and 381 as security.

The state requires no test nor CEUs.

An out of state agency no longer needs to keep an office within the boarders.

A licensee shall maintain a record, relative to the licensee's employees, containing the following information:

- A picture taken within thirty (30) days of the date that the employee commences employment with the licensee.
- A full set of fingerprints of both hands of the employee.
- A licensed private investigator firm shall, at the board's request, provide the board with a roster of all unlicensed individuals employed by the private investigator firm.

The link below will give you the long version if you want all the details.

Licensure Law and Regulations

Michigan Requirements

Michigan Regulations
Private Investigators and Security Agents.

In Michigan the age of licensure is 25, must have a GED or better. As with all, no felonies but then carries it further than most by adding no misdemeanors involving dishonesty, fraud, (which is redundant), controlled substances, 2 or more alcohol related offenses, or carrying a firearm, impersonating a LEO or divulge information or evidence.

If currently law enforcement, must have written permission from their boss.

Must have 3 years experience to get a license.

There is no exam for the license nor CEUs required.

A new twist is 5 notarized Personal Reference Forms from individuals that can attest to you being a good and honest person.

The application fee is $150 and an initial fee of $600.
A bond is required for $10,000 or
Insurance is required for, (a little more detailed):

- $10,000 Property Damage
- $100,000 Injury or death
- $200,000 If more than one person involved

Fees are $750 for everyone, no matter what business status. But the paperwork for the corporate and partnership is a little more work than the sole proprietor.

The license is valid for 3 years. Beyond the “hang on the wall” certificate, Michigan does issue a picture ID that must be carried by each licensed individual. The license is issued to the sole proprietor, partners or corporate members.

Other investigators on staff would not have an ID issued by the state but can have one from a vendor that meets the criteria of, no state seals or wording that sounds like state issue.

The recent count is 580 PIs and 277 Security Agents.

The Director of the State Department has to report the count of licenses accepted or denied by December 1st.

Application forms

Michigan Requirements

Michigan Requirements
Professional Investigator Licensure Act

Section 338.821	Section Short title.
Section 338.822	Section Definitions.
Section 338.823	Section License required; investigation of prohibited activities; civil or criminal action; violation; penalty.
Section 338.824	Section Exemptions from act.
Section 338.825	Section License; issuance, duration.
Section 338.826	Section License; qualifications; reciprocal agreements.
Section 338.827	Section Application for license; notarized statement as to qualifications investigation of applicant.
Section 338.828	Section Application for license by corporation; contents; copy of incorporation certificate.
Section 338.829	Section License; conditions of issuance; fee; duration; suspension or revocation; bonds; filing completed application; issuance of license within certain time period; report; “completed application” defined.
Section 338.830	Section License; suspension or revocation; grounds; surrendering license and identification card; noncompliance as misdemeanor.
Section 338.831	Section License fee; refund; conditions.
Section 338.832	Section License; posting.
Section 338.833	Section Reporting name or location change in agency; new license.
Section 338.834	Section Identification card; issuance; form and contents; maintenance, custody, and control; duplicates.
Section 338.835	Section Non assignability of license.
Section 338.836	Section Display of unauthorized badge, shield, identification card, or license; violation; penalties.
Section 338.837	Section Licensees; employment of assistants; records; false state ments; fingerprints.
Section 338.838	Section Hiring of person convicted of certain felonies or misdemeanors prohibited; refusal to surrender license or identification card.
Section 338.839	Section Carrying deadly weapon; license required.
Section 338.840	Section Divulging of information; willful sale of or furnishing false infor mation; penalty; privileged communications; notice and hearing.
Section 338.841	Section Violation of act; report of conviction by prosecuting attorney.
Section 338.842	Section Advertising; contents; misleading advertising; notice.
Section 338.843	Section Trade names; approval by department.
Section 338.844	Section Record of business transaction and reports; retention.
Section 338.845	Section Investigation of applicants; complaints; subpoenas; fees; fail ure to obey; penalty; testimony under oath.
Section 338.846	Section License; renewal; fee; bond.
Section 338.847	Section Death of licensee; carrying on business; notice to department; sale of business.
Section 338.848	Section Employment of agents; rules.
Section 338.849	Section Application of act as to license applications and renewals.
Section 338.850	Section Repeals.
Section 338.851	Section Violation; penalty.

Wisconsin Requirements

Wisconsin Requirements
Professional Investigators and Security Agents

Last but not least is our state. Most will have known enough to get you through the test in the first place. And some will have learned a little more along the way. Wisconsin does not have continuing education, so it is possible that picking up things along the way might take longer than desired.

Of course PAWLI has come to the rescue for those who want to know more than the minimum: Check out the info on the upcoming conference.

Most of the following, everyone who is reading this, knows because you have already done it. But there are those searching the information so I have to fill in the blanks.

Now, the part that takes all the information from the other states and compares that data to what Wisconsin requires.

As with the other states, if you are going to advertise and do the work of an investigator, you need a license. The exceptions are:

- If you work for one law firm only
- An off duty LEO with written permission from the boss.

Can't have "no stinking badges".
Unlike most of the others, "Don't need no experience."
Pass a fingerprint background and a written test.

The test is 100 questions covering Wis Statutes and administrative codes relevant to PIs. The Statutes are linked below and the codes link given came up with a "no page". Went to the page with all the professional codes and the PIs were not listed. So the best I can find are search results covering some interesting things.

No felonies without a pardon
Can have misdemeanor under departments discretion.

Unlike most that require an agency and then a few hours to get to work, Wisconsin requires you to get a license personally. Then work for a licensed agency.

The full 118 pages of statutes are in a PDF.
But what pertains is found at 440.26 Subchapter II

For those of you working on or helping others, I'll toss in the forms.

And the instructions for the packet.

Renewal Fee is $115 both PIs and Security and $107 for agencies.
Last is insurance, requiring general liability or, (get this) a $2000 bond.
No exacting numbers are known for the licensee count, but it is some where around 750.

Epilog
It is no secret that I have continued the effort of presidential predecessors by lobbying for CEUs. If you have made it through this article you have read about how some states have higher requirements in some things and less in others. I, for one, and I know that all the investigators who show up for the conference agree, that Wisconsin Professional Investigators should want to be the best they can be in their profession, not just get by on the minimum or the average. And those who are just doing what they are required to do, really do harm the reputation of the rest of us. Please go to your "profile" on the PAWLI site and fill out the survey. It has a few more questions just for this occasion. A couple minutes to advance our profession.

James Greenwold
President PAWLI

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Ashley Horton Department Monitor Division of Legal Services and Compliance	December 20, 2013 **Items will be considered late if submitted after 4:30 p.m. and less than:** ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☒ Yes ☐ No	Appointment of Professional Assistance Procedure (PAP) Liaison

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

Appointment of 2014 PAP Liaison - *see Wis. Admin. Code SPS ch. 7, attached, for Liaison duties*

11) Authorization

Ashley Horton — December 20, 2013

Signature of person making this request — **Date**

Supervisor (if required) — **Date**

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — **Date**

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 10/12

Chapter SPS 7

PROFESSIONAL ASSISTANCE PROCEDURE

SPS 7.01	Authority and intent.
SPS 7.02	Definitions.
SPS 7.03	Referral to and eligibility for the procedure.
SPS 7.04	Requirements for participation.
SPS 7.05	Agreement for participation.
SPS 7.06	Standards for approval of treatment facilities or individual therapists.
SPS 7.07	Intradepartmental referral.
SPS 7.08	Records.
SPS 7.09	Report.
SPS 7.10	Applicability of procedures to direct licensing by the department.
SPS 7.11	Approval of drug testing programs.

Note: Chapter RL 7 was renumbered chapter SPS 7 under s. 13.92 (4) (b) 1., Stats., Register November 2011 No. 671

SPS 7.01 Authority and intent. (1) The rules in this chapter are adopted pursuant to authority in ss. 15.08 (5) (b), 51.30, 146.82, 227.11 and 440.03, Stats.

(2) The intent of the department in adopting rules in this chapter is to protect the public from credential holders who are impaired by reason of their abuse of alcohol or other drugs by promoting early identification of chemically dependent professionals and encouraging rehabilitation. This goal will be advanced by providing an option that may be used in conjunction with the formal disciplinary process for qualified credential holders committed to their own recovery. This procedure is intended to apply when allegations are made that a credential holder has practiced a profession while impaired by alcohol or other drugs or whose ability to practice is impaired by alcohol or other drugs or when a credential holder contacts the department and requests to participate in the procedure. It may be used in conjunction with the formal disciplinary process in situations where allegations exist that a credential holder has committed misconduct, negligence or violations of law, other than practice while impaired by alcohol or other drugs. The procedure may then be utilized to promote early identification of chemically dependent professionals and encourage their rehabilitation. Finally, the department's procedure does not seek to diminish the prosecution of serious violations but rather it attempts to address the problem of alcohol and other drug abuse within the enforcement jurisdiction of the department.

(3) In administering this program, the department intends to encourage board members to share professional expertise so that all boards in the department have access to a range of professional expertise to handle problems involving impaired professionals.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (2), Register, July, 1996, No. 487, eff. 8−1−96; CR 10−081: am. (2) Register December 2010 No. 660, eff. 1−1−11.

SPS 7.02 Definitions. In this chapter:

(1) "Board" means any board, examining board or affiliated credentialing board attached to the department.

(2) "Board liaison" means the board member designated by the board or the secretary or the secretary's designee as responsible for approving credential holders for the professional assistance procedure under s. SPS 7.03, for monitoring compliance with the requirements for participation under s. SPS 7.04, and for performing other responsibilities delegated to the board liaison under these rules.

(2a) "Coordinator" means a department employee who coordinates the professional assistance procedure.

(2b) "Credential holder" means a person holding any license, permit, certificate or registration granted by the department or any board. For purposes of this chapter, "credential holder" includes a person with a pending application for a credential for a period not to exceed one year from the date the application for the credential was submitted to the department.

(3) "Department" means the department of safety and professional services.

(4) "Division" means the division of enforcement in the department.

(5) "Informal complaint" means any written information submitted by any person to the division, department or any board which requests that a disciplinary proceeding be commenced against a credential holder or which alleges facts, which if true, warrant discipline. "Informal complaint" includes requests for disciplinary proceedings under s. 440.20, Stats.

(6) "Medical review officer" means a medical doctor or doctor of osteopathy who is a licensed physician and who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with an individual's medical history and any other relevant biomedical information.

(7) "Procedure" means the professional assistance procedure.

(8) "Program" means any entity approved by the department to provide the full scope of drug testing services for the department.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (1), (2), (5), cr. (2a), (2b), r. (6), Register, July, 1996, No. 487, eff. 8−1−96; cr. (6) and (8), Register, January, 2001, No. 541, eff. 2−1−01; CR 10−081: am. (1) to (2b), (7) Register December 2010 No. 660, eff. 1−1−11; **correction in (2), (3) made under s. 13.92 (4) (b) 6., 7., Register November 2011 No. 671.**

SPS 7.03 Referral to and eligibility for the procedure. (1) A credential holder who contacts the department and requests to participate in the procedure shall be referred to the board liaison and the coordinator for determination of acceptance into the procedure.

(2) A credential holder who has been referred to the procedure and considered for eligibility shall be provided with an application for participation.

(3) All informal complaints involving allegations of impairment due to alcohol or chemical dependency shall be screened and investigated pursuant to s. SPS 2.035. After investigation, informal complaints involving impairment may be referred to the procedure along with a summary of the investigative results in the form of a draft statement of conduct to be used as a basis for the statement of conduct under s. SPS 7.05 (1) (a) and considered for eligibility for the procedure or for formal disciplinary proceedings under ch. SPS 2. The credential holder shall be provided with a written explanation of the credential holder's options for resolution of the matter through participation in the procedure and of the formal disciplinary process pursuant to ch. SPS 2.

(4) Eligibility for the procedure shall be determined by the board liaison and coordinator who shall review all relevant materials including investigative results and the credential holder's application for participation. Eligibility shall be determined upon criteria developed by the coordinator in consultation with the disciplinary authority. The decision on eligibility shall be consistent with the purposes of these procedures as described in s. SPS 7.01 (2). Credential holders who have committed violations of law may be eligible for the procedure. The board liaison shall have

responsibility to make the determination of eligibility for the procedure.

(5) The credential holder shall obtain a comprehensive assessment for chemical dependency from a treatment facility or individual therapist approved under s. SPS 7.06. The credential holder shall arrange for the treatment facility or individual therapist to file a copy of its assessment with the board liaison or coordinator. The board liaison and the credential holder may agree to waive this requirement. The obtaining of the assessment shall not delay admission into the procedure.

(6) If a credential holder is determined to be ineligible for the procedure, the credential holder may be referred to the division for prosecution.

(7) A credential holder determined to be ineligible for the procedure by the board liaison or the department may, within 10 days of notice of the determination, request the credentialing authority to review the adverse determination.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (2) to (6), Register, July, 1996, No. 487, eff. 8−1−96; CR 10−081: renum. (1) and (3) to (6) to be (3) to (7) and am. (3) to (6), cr. (1), am. (2) Register December 2010 No. 660, eff. 1−1−11; **correction in (3), (4), (5) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 7.04 Requirements for participation. (1) A credential holder who participates in the procedure shall:

(a) Sign an agreement for participation under s. SPS 7.05.

(b) Remain free of alcohol, controlled substances, and prescription drugs, unless prescribed for a valid medical purpose.

(c) Timely enroll and participate in a program for the treatment of chemical dependency conducted by a facility or individual therapist approved pursuant to s. SPS 7.06.

(d) Comply with any treatment recommendations and work restrictions or conditions deemed necessary by the board liaison or department.

(e) Submit random monitored physiological specimens for the purpose of screening for alcohol or controlled substances provided by a drug testing program approved by the department under s. SPS 7.11, as required.

(f) Execute releases valid under state and federal law to allow access to the credential holder's counseling, treatment and monitoring records.

(g) Have the credential holder's supervising therapist and work supervisors file quarterly reports with the coordinator.

(h) Notify the coordinator of any changes in the credential holder's employer within 5 days.

(i) File quarterly reports documenting the credential holder's attendance at meetings of self−help groups such as alcoholics anonymous or narcotics anonymous.

(2) If the board liaison or department determines, based on consultation with the person authorized to provide treatment to the credential holder or monitor the credential holder's enrollment or participation in the procedure, or monitor any drug screening requirements or restrictions on employment under sub. (1), that a credential holder participating in the procedure has failed to meet any of the requirements set under sub. (1), the board liaison may refer the credential holder to the division. A failure to maintain abstinence is considered a relapse and shall be reviewed by the board liaison to determine whether the credential holder should be referred to the division. The board liaison may review the complete record in making this determination.

(3) If a credential holder violates the agreement and no referral to the division occurs, then a new admission under s. SPS 7.05 (1) (a) shall be obtained for relapses and for misconduct, negligence or violations of law which are substantial. If a new admission is not obtained, then a referral to the division by the coordinator shall occur.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. Register, July, 1996, No. 487, eff. 8−1−96; am. (1) (e), Register, January, 2001, No. 541, eff. 2−1−01; CR 10−081: am. (1) (e), (f), (2), (3) Register December 2010 No. 660, eff. 1−1−11; **correction in (1) (a), (c), (e), (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 7.05 Agreement for participation. (1) The agreement for participation in the procedure shall at a minimum include:

(a) A statement describing conduct the credential holder agrees occurred relating to participation in the procedure and an agreement that the statement may be used as evidence in any disciplinary proceeding under ch. SPS 2.

(b) An acknowledgement by the credential holder of the need for treatment for chemical dependency;

(c) An agreement to participate at the credential holder's expense in an approved treatment regimen.

(d) An agreement to submit to random monitored drug screens provided by a drug testing program approved by the department under s. SPS 7.11 at the credential holder's expense, if deemed necessary by the board liaison.

(e) An agreement to submit to practice restrictions at any time during the treatment regimen as deemed necessary by the board liaison.

(f) An agreement to furnish the coordinator with signed consents for release of information from treatment providers and employers authorizing the release of information to the coordinator and board liaison for the purpose of monitoring the credential holder's participation in the procedure.

(g) An agreement to authorize the board liaison or coordinator to release information described in pars. (a), (c) and (e), the fact that a credential holder has been dismissed under s. SPS 7.07 (3) (a) or violated terms of the agreement in s. SPS 7.04 (1) (b) to (e) and (h) concerning the credential holder's participation in the procedure to the employer, therapist or treatment facility identified by the credential holder and an agreement to authorize the coordinator to release the results of random monitored drug screens under par. (d) to the therapist identified by the credential holder.

(h) An agreement to participate in the procedure for a period of time as established by the board.

(2) The board liaison may include additional requirements for an individual credential holder, if the circumstances of the informal complaint or the credential holder's condition warrant additional safeguards.

(3) The board or board liaison may include a promise of confidentiality that all or certain records shall remain closed and not available for public inspection and copying. Any promise is subject to s. SPS 7.08 and ends upon a referral to the division. Information and records may be made available to staff within the department on an as−needed basis, to be determined by the coordinator.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (1) (a) to (g) and (2), Register, July, 1996, No. 487, eff. 8−1−96; am. (1) (d), Register, January, 2001, No. 541, eff. 2−1−011; CR 10−081: am. (3) Register December 2010 No. 660, eff. 1−1−11; **correction in (1) (a), (d), (g), (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.**

SPS 7.06 Standards for approval of treatment facilities or individual therapists. (1) The board or board liaison shall approve a treatment facility designated by a credential holder for the purpose of participation in the procedure if:

(a) The facility is certified by appropriate national or state certification agencies.

(b) The treatment program focus at the facility is on the individual with drug and alcohol abuse problems.

(c) Facility treatment plans and protocols are available to the board liaison and coordinator.

(d) The facility, through the credential holder's supervising therapist, agrees to file reports as required, including quarterly progress reports and immediate reports if a credential holder withdraws from therapy, relapses, or is believed to be in an unsafe condition to practice.

(2) As an alternative to participation by means of a treatment facility, a credential holder may designate an individual therapist for the purpose of participation in the procedure. The board liaison shall approve an individual therapist who:

(a) Has credentials and experience determined by the board liaison to be in the credential holder's area of need.

(b) Agrees to perform an appropriate assessment of the credential holder's therapeutic needs and to establish and implement a comprehensive treatment regimen for the credential holder.

(c) Forwards copies of the therapist's treatment regimen and office protocols to the coordinator.

(d) Agrees to file reports as required to the coordinator, including quarterly progress reports and immediate reports if a credential holder withdraws from therapy, relapses, or is believed to be in an unsafe condition to practice.

(3) If a board liaison does not approve a treatment facility or therapist as requested by the credential holder, the credential holder may, within 10 days of notice of the determination, request the board to review the board liaison's adverse determination.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. Register, July, 1996, No. 487, eff. 8−1−96; r. (1) (d) and (2) (d), renum. (1) (e) and (2) (e) to be (1) (d) and (2) (d) and am., Register, January, 2001, No. 541, eff. 2−1−01.

SPS 7.07 Intradepartmental referral. (2) The division may refer individuals named in informal complaints to the board liaison for acceptance into the procedure.

(3) The board liaison may refer cases involving the following to the division for investigation or prosecution:

(a) Credential holders participating in the procedure who fail to meet the requirements of their rehabilitation program.

(b) Credential holders who apply and who are determined to be ineligible for the procedure where the board liaison is in possession of information indicating misconduct, negligence or a violation of law.

(c) Credential holders who do not complete an agreement for participation where the board liaison is in possession of information indicating misconduct, negligence or a violation of law.

(d) Credential holders initially referred by the division to the board liaison who fail to complete an agreement for participation.

(e) Credential holders who request early termination of an agreement for participation. In making the decision if a referral should occur, the board liaison shall consider whether the credential holder's therapist approves the early termination and whether this opinion is supported by a second therapist selected by the department who shall always be consulted and shall concur.

(4) The board liaison shall refer credential holders who relapse in the context of the work setting to the division for investigation and prosecution. A credential holder referred under this subsection who has not been dismissed from the procedure may continue to participate in the procedure.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (1), (3) (a) to (d), Register, July, 1996, No. 487, eff. 8−1−96; CR 10−081: r. (1), am. (3) (a), (b), (c), cr. (3) (e), (4) Register December 2010 No. 660, eff. 1−1−11.

SPS 7.08 Records. (1) CUSTODIAN. All records relating to the procedure including applications for participation, agreements for participation and reports of participation shall be maintained in the custody of the department secretary or the secretary's designee.

(2) AVAILABILITY OF PROCEDURE RECORDS FOR PUBLIC INSPECTION. Any requests to inspect procedure records shall be made to the custodian. The custodian shall evaluate each request on a case by case basis using the applicable law relating to open records and giving appropriate weight to relevant factors in order to determine whether public interest in nondisclosure outweighs the public interest in access to the records, including the reputational interests of the credential holder, the importance of confidentiality to the functional integrity of the procedure, the existence of any promise of confidentiality, statutory or common law rules which accord a status of confidentiality to the records and the likelihood that release of the records will impede an investigation. The fact of a credential holder's participation in the procedure and the status of that participation may be disclosed to credentialing authorities of other jurisdictions.

(3) TREATMENT RECORDS. Treatment records concerning individuals who are receiving or who at any time have received services for mental illness, developmental disabilities, alcoholism, or drug dependence which are maintained by the department, by county departments under s. 51.42 or 51.437, Stats., and their staffs and by treatment facilities are confidential under s. 51.30, Stats., and shall not be made available for public inspection.

(4) PATIENT HEALTH CARE RECORDS. Patient health care records are confidential under s. 146.82, Stats., and shall not be made available to the public without the informed consent of the patient or of a person authorized by the patient or as provided under s. 146.82 (2), Stats.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. (2), Register, July, 1996, No. 487, eff. 8−1−96; CR 10−081: am. (2) Register December 2010 No. 660, eff. 1−1−11.

SPS 7.09 Report. The board liaison or coordinator shall report on the procedure to the board at least twice a year and if requested to do so by a board.

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. Register, July, 1996, No. 487, eff. 8−1−96.

SPS 7.10 Applicability of procedures to direct licensing by the department. This procedure may be used by the department in resolving complaints against persons licensed directly by the department if the department has authority to discipline the credential holder. In such cases, the department secretary shall have the authority and responsibility of the "board" as the term is used in the procedure and shall designate an employee to perform the responsibilities of the "board liaison."

History: Cr. Register, January, 1991, No. 421, eff. 2−1−91; am. Register, July, 1996, No. 487, eff. 8−1−96.

SPS 7.11 Approval of drug testing programs. The department shall approve drug testing programs for use by credential holders who participate in drug and alcohol monitoring programs pursuant to agreements between the department or boards and credential holders, or pursuant to disciplinary orders. To be approved as a drug testing program for the department, programs shall satisfactorily meet all of the following standards in the areas of program administration, collection site administration, laboratory requirements and reporting requirements:

(1) Program administration requirements are:

(a) The program shall enroll participants by setting up an account, establishing a method of payment and supplying preprinted chain−of−custody forms.

(b) The program shall provide the participant with the address and phone number of the nearest collection sites and shall assist in locating a qualified collection site when traveling outside the local area.

(c) Random selection of days when participants shall provide specimens shall begin upon enrollment and the program shall notify designated department staff that selection has begun.

(d) The program shall maintain a nationwide toll−free access or an internet website that is operational 24 hours per day, 7 days per week to inform participants of when to provide specimens and is able to document the date and time of contacts by credential holders.

(e) The program shall maintain and make available to the department and treatment providers through an internet website data that are updated on a daily basis verifying the date and time each participant was notified after random selection to provide a specimen, the date, time and location each specimen was collected, the results of drug screen and whether or not the participant complied as directed.

(f) The program shall maintain internal and external quality of test results and other services.

(g) The program shall maintain the confidentiality of participants in accordance with s. 146.82, Stats.

(h) The program shall inform participants of the total cost for each drug screen including the cost for program administration, collection, transportation, analysis, reporting and confirmation. Total cost shall not include the services of a medical review officer.

(i) The program shall immediately report to the department if the program, laboratory or any collection site fails to comply with this section. The department may remove a program from the approved list if the program fails to comply with this section.

(j) The program shall make available to the department experts to support a test result for 5 years after the test results are released to the department.

(k) The program shall not sell or otherwise transfer or transmit names and other personal identification information of the participants to other persons or entities without permission from the department. The program shall not solicit from participants presently or formerly in the monitoring program or otherwise contact participants except for purposes consistent with administering the program and only with permission from the department.

(L) The program and laboratory shall not disclose to the participant or the public the specific drugs tested.

(2) Collection site administration requirements are:

(a) The program shall locate, train and monitor collection sites for compliance with the U.S. department of transportation collection protocol under 49 CFR 40.

(b) The program shall require delivery of specimens to the laboratory within 24 hours of collection.

(3) Laboratory requirements are:

(a) The program shall utilize a laboratory that is certified by the U.S. department of health and human services, substance abuse and mental health services administration under 49 CFR 40. If the laboratory has had adverse or corrective action, the department shall evaluate the laboratory's compliance on a case by case basis.

(b) The program shall utilize a laboratory capable of analyzing specimens for drugs specified by the department.

(c) Testing of specimens shall be initiated within 48 hours of pickup by courier.

(d) All positive drug screens shall be confirmed utilizing gas chromatography in combination with mass spectrometry, mass spectrometry, or another approved method.

(e) The laboratory shall allow department personnel to tour facilities where participant specimens are tested.

(4) The requirements for reporting of results are:

(a) The program shall provide results of each specimen to designated department personnel within 24 hours of processing.

(b) The program shall inform designated department personnel of confirmed positive test results on the same day the test results are confirmed or by the next business day if the results are confirmed after hours, on the weekend or on a state or federal holiday.

(c) The program shall fax, e−mail or electronically transmit laboratory copies of drug test results at the request of the department.

(d) The program shall provide a medical review officer upon request and at the expense of the participant, to review disputed positive test results.

(e) The program shall provide chain−of−custody transfer of disputed specimens to an approved independent laboratory for retesting at the request of the participant or the department.

History: Cr. Register, January, 2001, No. 541, eff. 2−1−01; CR 10−081: am. (1)(d), (e) Register December 2010 No. 660, eff. 1−1−11.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: **Chad Zadrazil, PDMP Program Director**	2) Date When Request Submitted: **Mar. 26, 2014** Items will be considered late if submitted after 4:30 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others

3) Name of Board, Committee, Council, Sections:
Council on Physicians Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
May 1, 2014	☒ Yes ☐ No	**PDMP Liaison – Discussion and Consideration**

7) Place Item in:	8) Is an appearance before the Board being scheduled? If yes, who is appearing?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☒ Yes by **PDMP Staff** (name) ☐ No	**N/A**

10) Describe the issue and action that should be addressed:

I will give the Council an update about the operations of the Wisconsin Prescription Drug Monitoring Program (PDMP). For the Council's consideration, I will describe the anticipated role of PDMP liaisons from prescriber boards and request the Council consider delegating a liaison to the PDMP.

11) Authorization

Signature of person making this request Date

Supervisor (if required) Date

Bureau Director signature (indicates approval to add post agenda deadline item to agenda) Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Board Services Bureau Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Daniel Agne, Bureau Assistant **on behalf of** **Tom Ryan, Executive Director**	**3/27/14** Items will be considered late if submitted after 4:30 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards ▪ 14 business days before the meeting for all others

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☐ Yes ☒ No	**Delegated Authority Motions**

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

The **Board** will be asked to consider the following **3** motions:

MOTION: ...that the Council delegates authority to the Chair (or order of succession) to sign documents on behalf of the Council. In order to carry out duties of the Council, the Chair has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair delegates the authority to a Department representative to sign the name of the Chair (or order of succession), or any and all Council members, on documents as necessary.

MOTION: ...that, in order to facilitate the completion of assignments between meetings, the Council delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Council, to appoint liaisons to the Department to act in urgent matters and to act when knowledge or experience in the profession is required to carry out the duties of the Council in accordance with the law**.**

MOTION: ...to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters with the exception of denials during the application process.

11) Authorization

Daniel Agne

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 8/13

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Daniel Agne, Bureau Assistant On behalf of Tom Ryan, Executive Director	4/23/14 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☐ Yes ☒ No	Application Requirements and Process

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

From Jody Wilkins:

There is something I would like for us to look at in the license application process. During the application process the state only looks if the PA is certified. I have been asked to review some applications that had some red flags mainly malpractice issues or DWI stuff. When I have reviewing the applications I have found some that had a lapse in their NCCPA certification or took 3-4 years to pass the PANCE. I am on the Bylaws and credentialing committee at my hospital and I have had some that 6 years to pass the PANCE, but they had a license issued. It was not until I was asked to review the appilcation for my Bylaws/credentialing committee was it noticed it took this indiviual 6 years to pass the PANCE when I asked the contact person at DRL that sends me the applications I was told the state just looks to see if the PA is certified by the NCCPA. I am not sure if the PA council has any input on the application process or where to start with it, if we have input

11) Authorization

Daniel Agne

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Revised 8/13

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AGENDA REQUEST FORM

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3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☒ Yes ☐ No	Review of MED 8

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

Review of Wis. Admin. Code ch. MED 8.

See following pages.

11) Authorization

Daniel Agne

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

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Revised 8/13

Chapter Med 8

PHYSICIAN ASSISTANTS

Med 8.01	Authority and purpose.
Med 8.02	Definitions.
Med 8.03	Council.
Med 8.04	Educational program approval.
Med 8.05	Panel review of applications; examinations required.
Med 8.053	Examination review by applicant.
Med 8.056	Board review of examination error claim.
Med 8.06	Temporary license.
Med 8.07	Practice.
Med 8.09	Employee status.
Med 8.10	Physician to physician assistant ratio.

Note: Chapter Med 8 as it existed on October 31, 1976 was repealed and a new chapter Med 8 was created effective November 1, 1976. Sections Med 8.03 to 8.10 as they existed on July 31, 1984 were repealed and recreated effective August 1, 1984.

Med 8.01 Authority and purpose. (1) The rules in this chapter are adopted by the medical examining board pursuant to authority in ss. 15.08 (5), 227.11, 448.04 (1) (f) and 448.40, Stats., and govern the licensure and regulation of physician assistants.

(2) Physician assistants provide health care services as part of physician−led teams, the objectives of which include safe, efficient, and economical health care. The realities of the modern practice of medicine and surgery require supervising physicians and physician assistants to use discretion in delivering health care services, typically at the level of general supervision. The constant physical presence of a supervising physician is often unnecessary. The supervising physician and the physician assistant are jointly responsible for employing more intensive supervision when circumstances require direct observation or hands−on assistance from the supervising physician.

History: Cr. Register, October, 1976, No. 250, eff. 11−1−76; am. Register, April, 1981, No. 304, eff. 5−1−81; am. Register, July, 1984, No. 343, eff. 8−1−84; correction made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1989, No. 401**;** am. Register, October, 1996, No. 490, eff. 11−1−96; am. Register, December, 1999, No. 528, eff. 1−1−00; **CR 12−005: renum. to (1), cr. (2) Register February 2014 No. 698, eff. 3−1−14.**

Med 8.02 Definitions. (1) "Board" means the medical examining board.

(2) "Council" means the council on physician assistants.

(3m) "DEA" means the United States drug enforcement administration.

(4) "Educational program" means a program for educating and preparing physician assistants which is approved by the board.

(5) "Individual" means a natural person, and does not include the terms firm, corporation, association, partnership, institution, public body, joint stock association, or any other group of individuals.

(5m) "License" means documentary evidence issued by the board to applicants for licensure as a physician assistant who meet all of the requirements of the board.

(6) "Supervision" means to coordinate, direct, and inspect the accomplishments of another, or to oversee with powers of direction and decision the implementation of one's own or another's intentions.

History: Cr. Register, October, 1976, No. 250, eff. 11−1−76; am. (6) and (7) (b) to (e), Register, June, 1980, No. 294, eff. 7−1−80; r. (7), Register, July, 1984, No. 343, eff. 8−1−84**;** am. (2), (3) and (4) and cr. (3m), Register, October, 1996, No. 490, eff. 11−1−96; renum. (3) to be (5m) and am., am. (6), Register, December, 1999, No. 528, eff. 1−1−00.

Med 8.03 Council. As specified in s. 15.407 (2), Stats., the council shall advise the board on the formulation of rules on the education, examination, licensure and practice of a physician assistant.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. Register, October, 1996, No. 490, eff. 11−1−96; am. Register, December, 1999, No. 528, eff. 1−1−00; correction made under s. 13.92 (4) (b) 7., Stats., Register August 2009 No. 644.

Med 8.04 Educational program approval. The board shall approve only educational programs accredited and approved by the committee on allied health education and accreditation of the American medical association, the commission for accreditation of allied health education programs, or its successor agency.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. Register, October, 1994, No. 466, eff. 11−1−94; am. Register, December, 1999, No. 528, eff. 1−1−00.

Med 8.05 Panel review of applications; examinations required. The board may use a written examination prepared, administered and scored by the national commission on certification of physician assistants or its successor agency, or a written examination from other professional testing services as approved by the board.

(1) APPLICATION. An applicant for examination for licensure as a physician assistant shall submit to the board:

(a) An application on a form prescribed by the board.

Note: An application form may be obtained upon request to the Department of Safety and Professional Services office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(b) After July 1, 1993, proof of successful completion of an educational program, as defined in ss. Med 8.02 (4) and 8.04.

(c) Proof of successful completion of the national certifying examination.

(cm) Proof that the applicant is currently certified by the national commission on certification of physician assistants or its successor agency.

(d) The fee specified in s. 440.05 (1), Stats.

(e) An unmounted photograph, approximately 8 by 12 cm., of the applicant taken no more than 60 days prior to the date of application which has on the reverse side a statement of a notary public that the photograph is a true likeness of the applicant.

(2) EXAMINATIONS, PANEL REVIEW OF APPLICATIONS. (a) All applicants shall complete the written examination under this section, and an open book examination on statutes and rules governing the practice of physician assistants in Wisconsin.

(b) An applicant may be required to complete an oral examination if the applicant:

1. Has a medical condition which in any way impairs or limits the applicant's ability to practice as a physician assistant with reasonable skill and safety.

2. Uses chemical substances so as to impair in any way the applicant's ability to practice as a physician assistant with reasonable skill and safety.

3. Has been disciplined or had certification denied by a licensing or regulatory authority in Wisconsin or another jurisdiction.

4. Has been convicted of a crime, the circumstances of which substantially relate to the practice of physician assistants.

5. Has not practiced as a physician assistant for a period of 3 years prior to application, unless the applicant has been graduated from an approved educational program for physician assistants within that period.

6. Has been found to have been negligent in the practice as a physician assistant or has been a party in a lawsuit in which it was

alleged that the applicant has been negligent in the practice of medicine.

7. Has been diagnosed with any condition that may create a risk of harm to a patient or the public.

8. Has within the past 2 years engaged in the illegal use of controlled substances.

9. Has been subject to adverse formal action during the course of physician assistant education, postgraduate training, hospital practice, or other physician assistant employment.

(c) An application filed under this chapter shall be reviewed by an application review panel of at least 2 council members designated by the chairperson of the board to determine whether an applicant is required to complete an oral examination or a personal appearance or both under par. (b). If the application review panel is not able to reach unanimous agreement on whether an applicant is eligible for licensure without completing an oral examination or a personal appearance or both, the application shall be referred to the board for a final determination.

(d) Where both written and oral examinations are required they shall be scored separately and the applicant shall achieve a passing grade on both examinations to qualify for a license.

(e) The board may require an applicant to complete a personal appearance for purposes of interview or review of credentials or both. An applicant's performance at a personal appearance is satisfactory if the applicant establishes to the board's satisfaction that the applicant has met requirements for licensure and is minimally competent to practice as a physician assistant.

(3) EXAMINATION FAILURE. An applicant who fails to receive a passing score on an examination may reapply by payment of the fee specified in sub. (1) (d). An applicant may reapply twice at not less than 4−month intervals. If an applicant fails the examination 3 times, he or she may not be admitted to an examination unless the applicant submits proof of having completed further professional training or education as the board may prescribe.

Note: There is no provision for waiver of examination nor reciprocity under rules in s. Med 8.05.

(4) LICENSURE; RENEWAL. At the time of licensure and each biennial registration of licensure thereafter, a physician assistant shall list with the board the name and address of the supervising physician and shall notify the board within 20 days of any change of a supervising physician.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. (intro.), r. and recr. (2), Register, October, 1989, No. 406, eff. 11−1−89; am. (1) (b), cr. (1) (cm), Register, July, 1993, No. 451, eff. 8−1−93; am. (intro.), (1) (intro), (cm), (2) (b) 4., 5., 6., (c) and (4), Register, October, 1996, No. 490, eff. 11−1−96; am. (2) (a), (b) (intro.) and 3. to 5., r. and recr. (2) (b) 1. and 2., cr. (2) (b) 7. to 11., Register, February, 1997, No. 494, eff. 3−1−97; am. (intro.), (1) (intro.) and (cm), (2) (b) 5., (c), (d) and (4), r. (2) (b) 10. and 11., Register, December, 1999, No. 528, eff. 1−1−00; **CR 12−005: am. (2) (b) 7., (c), cr. (2) (e) Register February 2014 No. 698, eff. 3−1−14.**

Med 8.053 Examination review by applicant. (1) An applicant who fails the oral or statutes and rules examination may request a review of that examination by filing a written request and required fee with the board within 30 days of the date on which examination results were mailed.

(2) Examination reviews are by appointment only.

(3) An applicant may review the statutes and rules examination for not more than one hour.

(4) An applicant may review the oral examination for not more than 2 hours.

(5) The applicant may not be accompanied during the review by any person other than the proctor.

(6) At the beginning of the review, the applicant shall be provided with a copy of the questions, a copy of the applicant's answer sheer or oral tape and a copy of the master answer sheet.

(7) The applicant may review the examination in the presence of a proctor. The applicant shall be provided with a form on which to write comments, questions or claims of error regarding any items in the examination. Bound reference books shall be permitted. Applicants shall not remove any notes from the area. Notes shall be retained by the proctor and made available to the applicant for use at a hearing, if desired. The proctor shall not defend the examination nor attempt to refute claims of error during the review.

(8) An applicant may not review the examination more than once.

History: Cr. Register, February, 1997, No. 494, eff. 3−1−97.

Med 8.056 Board review of examination error claim. (1) An applicant claiming examination error shall file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include all of the following:

(a) The applicant's name and address.

(b) The type of license for which the applicant applied.

(c) A description of the mistakes the applicant believes were made in the examination content, procedures, or scoring, including the specific questions or procedures claimed to be in error.

(d) The facts which the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

(2) The board shall review the claim, make a determination of the validity of the objections and notify the applicant in writing of the board's decision and any resulting grade changes.

(3) If the decision does not result in the applicant passing the examination, a notice of denial of license shall be issued. If the board issues a notice of denial following its review, the applicant may request a hearing under s. SPS 1.05.

Note: The board office is located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

History: Cr. Register, February, 1997, No. 494, eff. 3−1−97; correction in (3) made under s. 13.92 (4) (b) 7., Stats., Register November 2011 No. 671.

Med 8.06 Temporary license. (1) An applicant for licensure may apply to the board for a temporary license to practice as a physician assistant if the applicant:

(a) Remits the fee specified in s. 440.05 (6), Stats.

(b) Is a graduate of an approved school and is scheduled to take the examination for physician assistants required by s. Med 8.05 (1) or has taken the examination and is awaiting the results; or

(c) Submits proof of successful completion of the examination required by s. Med 8.05 (1) and applies for a temporary license no later than 30 days prior to the date scheduled for the next oral examination.

(2) (a) Except as specified in par. (b), a temporary license expires on the date the board grants or denies an applicant permanent licensure. Permanent licensure to practice as a physician assistant is deemed denied by the board on the date the applicant is sent notice from the board that he or she has failed the examination required by s. Med 8.05 (1) (c).

(b) A temporary license expires on the first day of the next regularly scheduled oral examination for permanent licensure if the applicant is required to take, but failed to apply for, the examination.

(3) A temporary license may not be renewed.

(4) An applicant holding a temporary license may apply for one transfer of supervising physician and location during the term of the temporary license.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. (1) (b) and (c), Register, October, 1989, No. 406, eff. 11−1−89; am. (2) (a), Register, January, 1994, No. 457, eff. 2−1−94; am. (1) (intro.) and (2) (a), Register, October, 1996, No. 490, eff. 11−1−96; am. (1) (intro.) and (b) to (3), cr. (4), Register, December, 1999, No. 528, eff. 1−1−00.

Med 8.07 Practice. (1) SCOPE AND LIMITATIONS. In providing medical care, the entire practice of any physician assistant shall be under the supervision of one or more licensed physicians or physicians exempt from licensure requirements pursuant to s. 448.03 (2) (b), Stats. The scope of practice is limited to providing

medical care as specified in sub. (2). A physician assistant's practice may not exceed his or her educational training or experience and may not exceed the scope of practice of the physician providing supervision. A medical care task assigned by the supervising physician to a physician assistant may not be delegated by the physician assistant to another person.

(2) MEDICAL CARE. Medical care a physician assistant may provide include:

(a) Attending initially a patient of any age in any setting to obtain a personal medical history, perform an appropriate physical examination, and record and present pertinent data concerning the patient.

(b) Performing, or assisting in performing, routine diagnostic studies as appropriate for a specific practice setting.

(c) Performing routine therapeutic procedures, including, but not limited to, injections, immunizations, and the suturing and care of wounds.

(d) Instructing and counseling a patient on physical and mental health, including diet, disease, treatment, and normal growth and development.

(e) Assisting the supervising physician in a hospital or facility, as defined in s. 50.01 (1m), Stats., by assisting in surgery, making patient rounds, recording patient progress notes, compiling and recording detailed narrative case summaries, and accurately writing or executing orders.

(f) Assisting in the delivery of medical care to a patient by reviewing and monitoring treatment and therapy plans.

(g) Performing independently evaluative and treatment procedures necessary to provide an appropriate response to life−threatening emergency situations.

(h) Facilitating referral of patients to other appropriate community health−care facilities, agencies and resources.

(i) Issuing written prescription orders for drugs provided the physician assistant has had an initial and at least annual thereafter, review of the physician assistant's prescriptive practices by a physician providing supervision. Such reviews shall be documented in writing, signed by the reviewing physician and physician assistant, and made available to the Board for inspection upon reasonable request.

(3) IDENTIFYING SUPERVISING PHYSICIAN. The physician providing supervision must be readily identifiable by the physician assistant through procedures commonly employed in the physician assistant's practice.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. (2) (i), Register, July, 1994, No. 463, eff. 8−1−94; am. (1) and (2) (intro.), Register, October, 1996, No. 490, eff. 11−1−96; am. (1), (2) (intro.), (c), (e), (f) and (i), Register, December, 1999, No. 528, eff. 1−1−00; **CR 12−005: am. (1), (2) (a), (e), (i), cr. (3) Register February 2014 No. 698, eff. 3−1−14.**

Med 8.09 Employee status. No physician assistant may be self−employed. If the employer of a physician assistant is other than a licensed physician, the employer shall provide for, and may not interfere with, the supervisory responsibilities of the physician, as defined in s. Med 8.02 (6) and required in ss. Med 8.07 (1) and 8.10.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. Register, October, 1996, No. 490, eff. 11−1−96.

Med 8.10 Physician to physician assistant ratio. (1) No physician may supervise more than 4 on−duty physician assistants at any time unless a written plan to do so has been submitted to and approved by the board. Nothing herein shall limit the number of physician assistants for whom a physician may provide supervision over time. A physician assistant may be supervised by more than one physician while on duty.

(2) A supervising physician shall be available to the physician assistant at all times for consultation either in person or within 15 minutes of contact by telecommunication or other means.

History: Cr. Register, July, 1984, No. 343, eff. 8−1−84; am. (1), Register, December, 1999, No. 528, eff. 1−1−00; CR 09−006: am. (3) Register August 2009 No. 644, eff. 9−1−09; **CR 12−005: r. and recr. Register February 2014 No. 698, eff. 3−1−14.**

State of Wisconsin
Department of Safety & Professional Services

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Daniel Agne, Bureau Assistant On behalf of Tom Ryan, Executive Director	4/23/14 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☒ Yes ☐ No	Discussion of supervision and delegation

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

Discussion of MED 8.07(1), relating to Supervision of PA's and PA's delegating tasks

Med 8.07 Practice.
(1) SCOPE AND LIMITATIONS. In providing medical care, the entire practice of any physician assistant shall be under the supervision of one or more licensed physicians or physicians exempt from licensure requirements pursuant to s. 448.03 (2) (b), Stats. The scope of practice is limited to providing medical care as specified in sub. (2). A physician assistant's practice may not exceed his or her educational training or experience and may not exceed the scope of practice of the physician providing supervision. A medical care task assigned by the supervising physician to a physician assistant may not be delegated by the physician assistant to another person.

See Background Info and Article from PAsConnect.org on following pages.

11) Authorization

Daniel Agne

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

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Revised 8/13

Background Information for Discussion of Supervision & Delegation

From MED 8.07(1):
https://docs.legis.wisconsin.gov/code/admin_code/med/8/07

Med 8.07 Practice.

(1) SCOPE AND LIMITATIONS. In providing medical care, the entire practice of any physician assistant shall be under the supervision of one or more licensed physicians or physicians exempt from licensure requirements pursuant to s. 448.03 (2) (b), Stats. The scope of practice is limited to providing medical care as specified in sub. (2). A physician assistant's practice may not exceed his or her educational training or experience and may not exceed the scope of practice of the physician providing supervision. A medical care task assigned by the supervising physician to a physician assistant may not be delegated by the physician assistant to another person.

Scope of Practice:

There are many examples of PA's who are trained to do things where the supervising physicians don't routinely do but potentially could do. For example, if you have a PA that is ACLS certified but the physician is only BLS certified, could the PA run a code under those circumstances. There are also many times when a PA is trained to do in office procedures (inserting IUD for example) and we go thru training to do this but the physician we are working with doesn't do that specific procedure. However the procedure is something that would be part of the physician scope of practice. Could the PA do the procedure under those circumstances, or not? It's obvious that a surgical PA that starts working in family practice isn't going to perform major surgery but it's some of the smaller procedures that come into question.

Delegation of Tasks:

Question about whether PA's are allowed to order in-house tests or authorize refills. The process is that many clinics have protocols—medical assistant (MA) may automatically order and perform a rapid strep test on a patient with a sore throat. They then sign the order in the EMR. Or the MA can automatically authorize a refill if the certain criteria are met per protocol.

There is an argument that the MA couldn't do these things for a PA because the task can't be re-delegated. Most everyone I know interprets this clause to mean that if a physician assigns a specific task to a PA (i.e.: close the patient up after surgery, apply a cast, etc), that the PA can't re-delegate this specific task. But I think these general tasks really shouldn't be an issue since it interferes with work flow—for example NP's aren't subject to this same restriction.

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09

PA State Law Victories Abound in 2013

Posted by Ann Davis Comment

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*UPDATE, Jan. 15, 2014: More states made amendments or improvements to their laws or regulations after publication of this article. The final count for PA-positive changes to state laws and regulations in 2013 is **42 states and the District of Columbia.***

This article originally appeared in the December 2013 edition of PA Professional magazine.

In 2013, the PA profession saw dramatic improvements in state laws that impact PA practice. Thirty-three states and the District of Columbia amended and enacted laws and regulations to lower barriers to PA practice. While every victory has its own story, several themes that drive success have emerged.

Share Your Opinion, Win a Gift Card

Interested in Neonatology?

Interactive Timeline: History of Physician Assistants

'The Perfect Storm' Can Happen to You—Be Prepared

Opportunity to write freelance as a PA and earn extra money

Opportunity to be a freelance writer and earn extra money

PA school interview questions

Online Physician Assistant Program Directory

These include:

Recognition of PA value in the healthcare workforce

As states plan for implementation of the Affordable Care Act, officials realize that more people with coverage will mean more demand for medical services. States are therefore supporting changes to increase the PA workforce and to recognize PAs in payment plans.

Iowa enacted legislation to institute loan repayment for PAs who practice in rural areas, and North Carolina enhanced protections for PAs who volunteer. North Dakota also passed legislation that requires the state's Medicaid program to enroll PAs as providers.

Authorizing expansion of the PA role

As PAs prove their worth in every specialty and setting, states see value in expanding their roles.

California, Maine and Nevada changed laws to allow PAs to supervise medical assistants. Alabama passed legislation that authorizes PAs to order occupational therapy, and Indiana passed legislation that allows PAs to order both occupational therapy and physical therapy. Minnesota clarified how PAs work with dieticians, North Dakota authorized PAs to order respiratory therapy, and legislation in Illinois allows PAs to order home health. South Dakota also added PAs to the definition of mental health provider.

In addition, Indiana, South Carolina and Texas authorized Schedule II prescribing authority for PAs. Legislation passed in Florida clarifies that PAs may order controlled medication. Arizona repealed a provision that required board approval for Schedule II and III prescriptive authority.

A new law in Nebraska allows PAs to order expedited partner therapy for patients with sexually transmitted diseases. Massachusetts and Maryland authorized PA use of fluoroscopy and Oregon clarified the ability of a PA to order medical imaging procedures. The District of Columbia, Maryland and Virginia now allow PAs to sign death certificates, and Tennessee expanded the role of PAs in end-of-life care. **Georgia** and **South Carolina** authorized PAs to order treatment for anaphylaxis administered at school, and additional legislation passed in **South Carolina** authorizes PAs to clear student athletes who have had head injuries to return to play. Finally, **Idaho** passed legislation authorizing PAs to order emergency involuntary detention for emotionally disturbed minors and adults with mental illness.

States are increasingly expanding the role PAs play in the collection of evidence and their interaction with the legal system. A new **Montana** law adds PAs to teams that review cases of maternal death. And legislation passed in **Virginia** authorizes PAs to collect evidence from victims of sexual assault.

Repeal of barriers to full PA practice

As PA laws are modernized, an increasing number of states are repealing archaic barriers to full practice. In 2013 the District of Columbia repealed the chart co-signature mandate while Colorado,

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Indiana and South Carolina reduced co-signature requirements. Colorado, Kentucky, Indiana, Missouri, South Carolina and Washington repealed or reduced physician proximity requirements and New York, South Carolina, Texas and Washington increased the number of PAs with whom a physician may practice. Virginia repealed a regulation that required a physician to see a patient every fourth visit for a continuing illness.

State law barriers continue to fall

AAPA has identified Six Key Elements of a Modern PA Practice Act that optimize PA practice when included in state laws and regulations. In addition, AAPA works with PA organizations at the state level to ensure that PAs are specifically included in all applicable health laws and that state programs that expand the healthcare workforce are extended to PAs.

The winning combination of state lawmakers who understand PA practice and state PA organizations with increased advocacy capacity bodes well for significant victories in 2014.

***Ann Davis, MS, PA-C**, is AAPA's vice president of constituent organization outreach and advocacy. Contact her at ann@aapa.org or 571-319-4359.*

See also: Washington State Expands PA Practice

Tags: legislation

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State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:	2) Date When Request Submitted:
Daniel Agne, Bureau Assistant On behalf of Tom Ryan, Executive Director	4/25/14 Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting for paperless boards

3) Name of Board, Committee, Council, Sections:

Council on Physician Assistants

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
5/1/14	☒ Yes ☐ No	

7) Place Item in:	8) Is an appearance before the Board being scheduled?	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session ☐ Both	☐ Yes (Fill out Board Appearance Request) ☒ No	

10) Describe the issue and action that should be addressed:

The Council will review the Position Statements on the following pages

11) Authorization

Daniel Agne

Signature of person making this request — Date

Supervisor (if required) — Date

Executive Director signature (indicates approval to add post agenda deadline item to agenda) — Date

Directions for including supporting documents:
1. This form should be attached to any documents submitted to the agenda.
2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.
3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.

Revised 8/13

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Governor Scott Walker **Secretary Dave Ross**

Positions Statements Related to Physician's Assistant Issued by the Medical Examining Board

WHAT IS THE LEVEL OF PHYSICIAN SUPERVISION FOR DELEGATED MEDICAL ACTS? DOES IT DEPEND ON THE LEVEL OF LICENSURE OF THE PERSON TO WHOM THE MEDICAL ACT IS DELEGATED?

For persons who are unlicensed, the performance of a delegated medical act must be "*directed, supervised and inspected"* by the physician. The unlicensed person presumably does not have the degree of knowledge, training or education as licensed health care professionals, such as a nurse, physician assistants, or advance nurse practice prescribers, therefore, the supervision requirement is heightened. See Wis. Stats. 448.03 (2)(e).

The supervision requirement for delegated medical acts performed by a Physician Assistant is *"general supervision,"* although limited by the scope of the PA's education, training and experience, and the scope of practice of the supervising physician. See Chapter MED 8.07(1) and (2). Also, the supervising physician shall be available to the PA at all times for consultation either in person or within 15 minutes of contact by phone or electronic communication. See Chapter MED 8.10(3).

WHAT IS THE LENGTH OF TIME THAT A PHYSICIAN IN WISCONSIN MUST RETAIN PATIENT MEDICAL RECORDS?

Chapter MED 21.03 of the Wisconsin Administrative Code, **Minimum Standards for Patient Health Care Records,** requires that a physician or a physician's assistant shall maintain patient health care records for a period of not less than five (5) years after the date of the last entry, or for such longer period as may be otherwise required by law. The rule also describes what type of information that should be maintained in the patient's records.

DOES WISCONSIN RECOGNIZE ORTHOPEDIC PHYSICIAN ASSISTANTS (OPA-C)?

Per Ch Med 8.04, the board shall approve only educational programs accredited and approved by the committee on allied health education and accreditation of the American Medical Association, the commission for accreditation of allied health education programs, or its successor agency. If an OPA has graduated from one of these programs, they would be eligible to be licensed as a PA in Wisconsin (given completion of other application materials as described in Ch. Med 8.05). Wisconsin does not provide specialty licenses for physician assistants.

HAS THE WISCONSIN MEDICAL EXAMINING BOARD ADOPTED SPECIFIC GUIDELINES FOR PHYSICIANS WHO ARE TREATING CHRONIC PAIN OR PRESCRIBING CONTROLLED SUBSTANCES FOR THE TREATMENT OF PAIN?

No, the Board has not officially adopted or issued any specific guidelines *per se;* however, the Board has indicated that if a physician follows the Model Guidelines for Use of Controlled Substances for Treatment of Pain adopted by the Federation of State Medical Board (FSMB), the physician would be practicing within the standard of care of a competent physician.

The current FSMB guidelines can be referred to by clicking here.

ARE THERE ANY RESTRICTIONS ON A PHYSICIAN PRACTICING MEDICINE UNDER A LIMITED LIABILITY COMPANY (LLC) OR LIMITED LIABILITY PARTNERSHIP (LLP)?

Under Wisconsin law, physicians are prohibited from practicing medicine under a LLC or LLP form of business. Sec. 448.08(4), Wis. Stats., provides that two or more physicians may enter into professional partnerships or service corporations to practice medicine. The allowable form of business entity for physicians has been reviewed by the Wisconsin Attorney General and it was determined that physicians may not organize as business corporations. 75 Op. Att'y Gen. 200 (1986) Although LLC's and LLP's did not exist at the time of the A.G.'s opinion, the rationale for the opinion would apply equally to those business entities: Physicians are considered members of a learned profession, and their responsibilities for patient health and safety cannot be subordinated to the interests of shareholders or limited by a business entity.

WHAT ARE THE REQUIREMENTS FOR A PHYSICIAN ADVERTISING AS "BOARD CERTIFIED"?

Chapter MED 10.02(w) requires that use of the term "board certified" (or a similar phrase of like meaning) in advertising must include disclosure of the complete name of the specialty board which conferred the certification. Advertising in such a manner is prohibited if the physician is not in fact certified. Failure to make the required disclosure or advertising in an untruthful or inaccurate manner constitutes unprofessional conduct.

WHAT ARE THE CHANGES TO THE PRESCRIBING AUTHORITY OF PHYSICIAN ASSISTANTS?

In September 2009, legislation was enacted that changed the countersignature requirement for prescriptions written by physician assistants (Ch Med 8.08). Based on the advances in physician assistants' licensure and prescriptive authority, including a record of safe prescribing, co-signature of every prescription is no longer needed. A link to the analysis of this legislation can be accessed here.