

# STATEMENT OF SCOPE

## Department of Safety and Professional Services

Rule No.: SPS 175, 176

Relating to: Registered sanitarian examination requirements

Rule Type: Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is to incorporate rule changes to chapters SPS 175 and 176 as affected by the enactment of 2013 Wisconsin Act 114.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

2013 Act 114 prohibits the department of safety and professional services or a credentialing board from requiring a person to complete any postsecondary education before the person is eligible to take an examination for a credential. The current rule requires sanitarian applicants to submit evidence of completion of educational requirements in order to receive Department approval to sit for the exam. The proposed rule will revise the rules to specify the requirements for registration rather than the requirements for examination. This will allow the applicant to complete the registration requirements in any order including allowing an applicant to take an examination prior to the completion of the education requirements.

The alternative to the proposed policy is to continue with the current rules that are in conflict with 2013 WI Act 114.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

§ 227.11 (2) (a), Wis. Stats. Rule-making authority is expressly conferred as follows: (a) Each agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.

§ 440.98 (2), Wis. Stats. Registration qualifications. In order to safeguard life, health and property, to promote public welfare and to establish the status of those persons whose duties in environmental sanitation call for knowledge of the natural sciences, the department may establish minimum standards and qualifications for the registration of sanitarians.

§ 440.98 (5), Wis. Stats. Registration. Except as provided in s. 440.12 or 440.13, the department shall register as a sanitarian any person who satisfies the conditions in sub. (6) and who has presented evidence satisfactory to the department that sanitarian registration standards and qualifications of the department, as established by rule, have been met.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

40 hours

6. List with description of all entities that may be affected by the proposed rule:

Sanitarian applicants

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

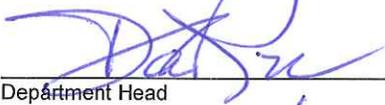
None

8. Anticipated economic impact of implementing the rule:

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

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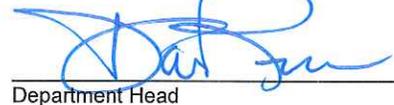
Approved for publication:

  
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Department Head

Date Submitted

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