



**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
January 19, 2022**

The following agenda describes the issues that the Board 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 Board.

AGENDA

8:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-5)**
- B. Approval of Minutes of December 15, 2021 (6-11)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Annual Policy Review **(12-15)**
 - 3) Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(16-23)**
 - 4) Board Members – Term Expiration Dates
 - a. Bond, Jr., Milton – 7/1/2023
 - b. Chou, Clarence P. – 7/1/2023
 - c. Ferguson, Kris – 7/1/2025
 - d. Gerlach, Diane M. – 7/1/2024
 - e. Goel, Sumeet K. – 7/1/2023
 - f. Lerma, Carmen – 7/1/2024
 - g. Parish, Michael A. – 7/1/2023
 - h. Sattler, Rachel E. – 7/1/2024
 - i. Schmeling, Gregory J. – 7/1/2025
 - j. Siebert, Derrick R. – 7/1/2025
 - k. Wasserman, Sheldon A. – 7/1/2023
 - l. Yerby, Lemuel G. – 7/1/2024
 - m. Yu, Emily S. – 7/1/2024
 - 5) Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
 - 6) Assignment of Screening Panel and Examination Panel Liaisons

- 7) Wis. Stat. § 15.085 (3)(b) – Affiliated Credentialing Boards’ Biannual Meeting with the Medical Examining Board to Consider Matters of Joint Interest

F. Legislative and Policy Matters – Discussion and Consideration

G. Administrative Rule Matters – Discussion and Consideration (24)

- 1) Med 10, Relating to Performance of Physical Examinations
- 2) Med 1, Relating to Licensure
- 3) Status Update: Cos 2, 3, 5, & 8
- 4) Preliminary Rule Draft – DI 2, Relating to Reciprocal Credentials for Service Members, Former Service Members, and their Spouses **(25-28)**
- 5) Pending or Possible Rulemaking Projects
 - a. Update on Possible Rule Project on Med 20 – Respiratory Care Practitioners
 - b. Rule Project Chart **(29)**

H. COVID-19 – Discussion and Consideration

I. Federation of State Medical Boards (FSMB) Matters – Discussion and Consideration

J. Speaking Engagements, Travel, or Public Relation Requests, and Reports – Discussion and Consideration

- 1) Federation of State Medical Boards (FSMB) Annual Meeting – April 28-30, 2022 – New Orleans, LA **(30)**

K. Controlled Substances Board Report

- 1) Wisconsin Enhanced Prescription Drug Monitoring Program Awarded \$1.6 million to Combat Opioid Abuse, Expand Access **(31-32)**

L. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners – Discussion and Consideration

M. Newsletter Matters – Discussion and Consideration

N. CE Broker – Discussion and Consideration

O. MED-PA Collaboration Committee Report

- 1) Physician Assistant Affiliated Credentialing Board – Jennifer Jarrett, Chairperson

P. Screening Panel Report

Q. Future Agenda Items

R. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Elections, Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates
- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters

- 10) Legislative and Policy Matters
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

S. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

T. Deliberation on DLSC Matters

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 18 MED 607 – Michael J. Knitter, MD **(33-38)**
 - b. 21 MED 239 – Michael S. Huie, MD **(39-44)**
 - c. 21 MED 397 – Karen L. Butler, MD **(45-51)**
- 2) **Administrative Warnings**
 - a. 20 MED 225 – J.S.S. **(52-53)**
 - b. 21 MED 001 – J.S.J. **(54-56)**
 - c. 21 MED 095 – N.C.K. **(57-58)**
 - d. 21 MED 260 – R.E.S. **(59-61)**
- 3) **Case Closings**
 - a. 19 MED 014 – J.W.S. **(62-93)**
 - b. 19 MED 303 – M.J.K. **(94-97)**
 - c. 19 MED 400 – J.C.L. **(98-111)**
 - d. 20 MED 024 – J.M.C. **(112-121)**
 - e. 20 MED 382 – S.B.B. **(122-127)**
 - f. 21 MED 001 – G.L.I. **(128-137)**
 - g. 21 MED 116 – J.L.S. **(138-144)**
 - h. 21 MED 359 – G.J.M. **(145-156)**
 - i. 21 MED 382 – J.D.C. **(157-172)**
 - j. 21 MED 406 – R.E.G. **(173-181)**

- k. 21 MED 463 – A.N.W. **(182-185)**
- 4) **Monitoring Matters (186-187)**
 - a. Heath J. Meyer, DO – Request for Full Licensure **(188-215)**
 - b. Herbert W. Jones, MD – Request to Refer Non-Compliance for Further Investigation **(216-238)**
 - c. Johnspencer C. Archinihu, MD – Request for Action Due to Non-Compliance **(239-273)**

U. Credentialing Matters

- 1) File Processing Report for Erin DePrekel **(274)**
- 2) Full Board Review
 - a. Zarina Markova **(275-306)**
- 3) Consideration of Waiver of 24 Months of ACGME/AOA Approved Post-Graduate Training
 - a. Sanjeeb Bhandari **(307-352)**

V. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Complaints
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Extension of Time
- 18) Petitions for Assessments and Evaluations
- 19) Petitions to Vacate Orders
- 20) Remedial Education Cases
- 21) Motions
- 22) Petitions for Re-Hearing
- 23) Appearances from Requests Received or Renewed

W. Open Cases

X. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

Y. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

Z. Open Session Items Noticed Above Not Completed in the Initial Open Session

AA. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

ORAL EXAMINATION OF CANDIDATES FOR LICENSURE

VIRTUAL/TELECONFERENCE

11:30 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING

CLOSED SESSION – Reviewing Applications and Conducting Oral Examination of **five (5)** (at time of agenda publication) Candidates for Licensure – **Dr. Goel** and **Dr. Wasserman**

NEXT MEETING: FEBRUARY 16, 2022

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
MEDICAL EXAMINING BOARD
MEETING MINUTES
DECEMBER 15, 2021**

PRESENT: Milton Bond, Jr., Clarence Chou, M.D.; Kris Ferguson, M.D. (*arrived at 8:01 a.m.*); Diane Gerlach, D.O.; Sumeet Goel, D.O.; Carmen Lerma (*arrived at 8:12 a.m.*); Rachel Sattler (*arrived at 8:24 a.m.*); Gregory Schmeling, M.D.; Derrick Siebert, M.D.; Sheldon Wasserman, M.D.; Emily Yu, M.D.

EXCUSED: Michael Parish, M.D.; Lemuel Yerby, M.D.

STAFF: Tom Ryan, Executive Director; Jameson Whitney, Legal Counsel; Megan Glaeser, Bureau Assistant; and other Department staff

CALL TO ORDER

Sheldon Wasserman, Chairperson, called the meeting to order at 8:00 a.m. A quorum was confirmed with eight (8) members present.

(Kris Ferguson arrived at 8:01 a.m.)

ADOPTION OF AGENDA

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 17, 2021

MOTION: Diane Gerlach moved, seconded by Kris Ferguson, to approve the Minutes of November 17, 2021 as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

(Carmen Lerma arrived at 8:12 a.m.)

Med 13, Relating to Continuing Education

MOTION: Sumeet Goel moved, seconded by Diane Gerlach, to approve the Scope Statement revising Med 13, relating to Continuing Education, for submission to the Department of Administration and Governor's Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

Pod 1 and 2, Related to Language Updates

MOTION: Gregory Schmeling moved, seconded by Emily Yu, to affirm the Board has reviewed the proposed rules revising Wisconsin Administrative Code

Chapter Pod 1 and 2, relating to Language Updates. Motion carried unanimously.

OT 3, Related to Continuing Education

MOTION: Kris Ferguson moved, seconded by Diane Gerlach, to affirm the Board has reviewed the proposed rules revising Wisconsin Administrative Code Chapter OT 3, relating to Continuing Education. Motion carried unanimously.

BOARD SETTING OF GOALS TO ADDRESS OPIOID ABUSE – WIS. STAT. S. 440.035(2M)(C)

MOTION: Diane Gerlach moved, seconded by Clarence Chou, to approve the goals as presented in the 12/15/2021 agenda materials for 2022 to address opioid abuse pursuant to Wis. Stat. s. 440.035(2m)(c). Motion carried unanimously.

(Rachel Sattler arrived at 8:24 a.m.)

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS

Speaking Engagement Request – Wisconsin Medical Society Doctor’s Day – February 8, 2022

MOTION: Clarence Chou moved, seconded by Sumeet Goel, to designate Sheldon Wasserman to speak on the Board’s behalf at the Wisconsin Medical Society Doctor’s Day on February 8, 2022 in Madison, WI. Motion carried unanimously.

CLOSED SESSION

MOTION: Diane Gerlach moved, seconded by Sumeet Goel, to 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 § 448.02(8), Stats.); to consider individual histories or disciplinary data (§ 19.85(1)(f), Stats.); and to confer with legal counsel (§ 19.85(1)(g), Stats.). Sheldon Wasserman, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Milton Bond, Jr.-yes; Clarence Chou-yes; Kris Ferguson-yes; Diane Gerlach-yes; Carmen Lerma-yes; Sumeet Goel-yes; Rachel Sattler-yes; Gregory Schmeling-yes; Sheldon Wasserman-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 8:58 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

20 MED 272 – Aleksandar V. Rosich, MD

MOTION: Kris Ferguson moved, seconded by Emily Yu, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Aleksandar V. Rosich, MD, DLSC Case Number 20 MED 272. Motion carried unanimously.

21 MED 054 – Joseph A. Locke, DO

MOTION: Diane Gerlach moved, seconded by Carmen Lerma, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Joseph A. Locke, DO, DLSC Case Number 21 MED 054. Motion carried unanimously.

21 MED 181 – Javier E. Font, PA

MOTION: Sumeet Goel moved, seconded by Emily Yu, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Javier E. Font, PA, DLSC Case Number 21 MED 181. Motion carried. Opposed: 1 (Sattler)

21 MED 265 – Morgan Budde, MD

MOTION: Gregory Schmeling moved, seconded by Kris Ferguson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Morgan Budde, MD, DLSC Case Number 21 MED 265. Motion carried unanimously.

21 MED 283 – Tyler D. Miller, MD

MOTION: Sumeet Goel moved, seconded by Carmen Lerma, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Tyler D. Miller, MD, DLSC Case Number 21 MED 283. Motion carried unanimously.

21 MED 308 – Paul W. Sperduto, MD

MOTION: Clarence Chou moved, seconded by Diane Gerlach, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Paul W. Sperduto, MD, DLSC Case Number 21 MED 308. Motion carried unanimously.

Administrative Warnings

18 MED 092 – D.B.S.

MOTION: Diane Gerlach moved, seconded by Kris Ferguson, to issue an Administrative Warning in the matter of D.B.S., DLSC Case Number 18 MED 092. Motion carried unanimously.

20 MED 483 – J.I.N.

MOTION: Emily Yu moved, seconded by Sumeet Goel, to issue an Administrative Warning in the matter of J.I.N., DLSC Case Number 20 MED 483. Motion carried unanimously.

20 MED 491 – T.J.R.

MOTION: Clarence Chou moved, seconded by Emily Yu, to issue an Administrative Warning in the matter of T.J.R., DLSC Case Number 20 MED 491. Motion carried unanimously.

21 MED 127 – D.D.K.

MOTION: Gregory Schmeling moved, seconded by Diane Gerlach, to issue an Administrative Warning in the matter of D.D.K., DLSC Case Number 21 MED 127. Motion carried unanimously.

21 MED 294 – A.B.B.

MOTION: Diane Gerlach moved, seconded by Clarence Chou, to issue an Administrative Warning in the matter of A.B.B., DLSC Case Number 21 MED 294. Motion carried unanimously.

21 MED 301 – J.F.D.

MOTION: Kris Ferguson moved, seconded by Sumeet Goel, to issue an Administrative Warning in the matter of J.F.D., DLSC Case Number 21 MED 301. Motion carried unanimously.

Case Closings

MOTION: Kris Ferguson moved, seconded by Gregory Schmeling, to close the following DLSC Cases for the reasons outlined below:

1. 20 MED 174 – A.M.L., S.S. – No Violation
2. 20 MED 179 – P.J.B. – No Violation
3. 20 MED 347 – Q.N. – No Violation
4. 21 MED 062 – J.D.W. – Insufficient Evidence
5. 21 MED 315 – J.S.B. – Prosecutorial Discretion (P5)
6. 21 MED 326 – M.V.R. – No Violation
7. 21 MED 348 – W.M.L. – No Violation

Motion carried unanimously.

20 MED 362 – K.S.

MOTION: Diane Gerlach moved, seconded by Gregory Schmeling, to close DLSC Case Number 20 MED 362, against K.S., for No Violation. Motion carried unanimously.

21 MED 263 – C.J.S.

MOTION: Sumeet Goel moved, seconded by Kris Ferguson, to close DLSC Case Number 21 MED 263, against C.J.S., for Lack of Jurisdiction (L2). Motion carried unanimously.

21 MED 357 – S.E.D.

MOTION: Kris Ferguson moved, seconded by Sumeet Goel, to close DLSC Case Number 21 MED 357, against S.E.D., for No Violation. Motion carried unanimously.

CREDENTIALING MATTERS

Consideration of Waiver of 24 Months of ACGME/AOA Approved Post-Graduate Training

Zarina Markova

MOTION: Sumeet Goel moved, seconded by Clarence Chou, to table the consideration of application of Zarina Markova until a future meeting. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Diane Gerlach moved, seconded by Carmen Lerma, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 9:48 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Sumeet Goel moved, seconded by Diane Gerlach, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

**DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND
RATIFICATION OF LICENSES AND CERTIFICATES**

MOTION: Emily Yu moved, seconded by Gregory Schmeling, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Clarence Chou moved, seconded by Carmen Lerma, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:52 a.m.

DRAFT

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Kimberly Wood, Program Assistant Supervisor-Adv. on behalf of Division of Policy Development Executive Directors		2) Date when request submitted: 12/13/2021 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Please be advised of the following Annual Policy Review items: <ol style="list-style-type: none"> 1. Attendance/Quorum: Thank you for your service and for your commitment to meeting attendance. If you cannot attend a meeting or if you have scheduling conflicts impacting your attendance, please let us know ASAP. Timely notification is appreciated as quorum is required for our Boards, Sections and Councils to meet pursuant to Open Meetings Law. 2. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside of a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law. 3. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline which is at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting) 4. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPS within 30 days of the close of each month in which expenses are incurred. (Attachments: Per Diem Example, Travel Voucher Example) 5. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members. Standard eligibility: member must leave home before 6:00 a.m. to attend a meeting by the scheduled start time. <ul style="list-style-type: none"> • If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe. If a meeting is changed to occur remotely or is cancelled or rescheduled DSPS staff will cancel or modify reservations as appropriate. 6. Inclement Weather Policy: In the event of inclement weather the agency may change a meeting from an in-person venue to one that is executed remotely. 			
11) Authorization			
Kimberly Wood		12/13/2021	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 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. 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Bureau Assistant for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and Minutes (from the last meeting)
- Open Session Items
 - Public Hearings (on Admin Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Department's website.

Department of Safety and Professional Services

PER DIEM REPORT

INSTRUCTIONS: Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

Purpose Codes:

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

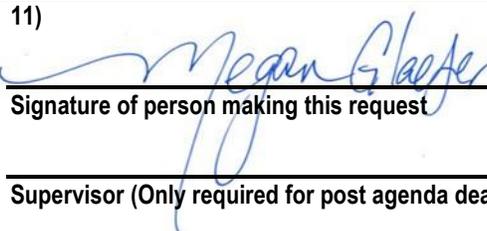
NAME OF EXAMINING BOARD OR COUNCIL EXAMPLE EXAMINING BOARD			BOARD OR COUNCIL MEMBER'S NAME MARY SUNSHINE	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</p> <p>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</p> <p>Department staff completes the fields titled "Total Days Claimed".</p>
CLAIMANT'S CERTIFICATION			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i> Claimant's Signature		1/4/2021 Date		
			Supervisor	Date

EMPL ID: 100012345-0

To be completed by Department staff: TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Megan Glaeser, Bureau Assistant		2) Date when request submitted: 7 January 2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Medical Examining Board			
4) Meeting Date: 19 January 2022	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Matters <ul style="list-style-type: none"> • Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities 	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <ol style="list-style-type: none"> 1) The Board, Council or Section should conduct Election Officers: Chairperson, Vice Chairperson & Secretary 2) The newly elected Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider its existing delegated authorities including any modification of these delegations and any proposals for additional delegations. <ol style="list-style-type: none"> a. Credentialing Delegations b. Monitoring Delegations 			
11) 		Authorization	
Signature of person making this request		7 January 2022 Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 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. 			

**MEDICAL EXAMINING BOARD
2021 ELECTION AND APPOINTMENT RESULTS**

ELECTION RESULTS	
Chairperson	Sheldon Wasserman
Vice Chairperson	Clarence Chou
Secretary	Sumeet Goel

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Lemuel Yerby, Emily Yu, Michael Parish, Diane Gerlach, Kris Ferguson, Gregory Schmeling, Derrick Siebert Alternate: Clarence Chou
Education and Examinations Liaison(s)	Sumeet Goel, Clarence Chou
Continuing Education Liaison(s)	Michael Parish Alternate: Diane Gerlach
Monitoring Liaison(s)	Kris Ferguson Alternate: Clarence Chou
Professional Assistance Procedure (PAP) Liaison(s)	Kris Ferguson Alternate: Clarence Chou
Legislative Liaison	Sumeet Goel, Sheldon Wasserman
Travel Liaison(s)	Sumeet Goel Alternate: Diane Gerlach
Newsletter Liaison(s)	Sheldon Wasserman Alternate: Sumeet Goel
Prescription Drug Monitoring Program Liaison(s)	Michael Parish Alternate: Kris Ferguson
Website Liaison(s)	Sumeet Goel Alternate: Milton Bond, Jr
Administrative Rules Liaison(s)	Sumeet Goel Alternate: Lemuel Yerby
Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g) (MED)	Kris Ferguson Alternate: Michael Parish

**MEDICAL EXAMINING BOARD
2021 ELECTION AND APPOINTMENT RESULTS**

OTHER APPOINTMENTS	
Council on Anesthesiologist Assistants	Kris Ferguson
Interstate Medical Licensure Compact Commission (IMLCC) (2 reps)	Sheldon Wasserman, Clarence Chou
Licensure Forms Committee	Derrick Siebert, Diane Gerlach, Emily Yu
MED-PA Collaboration Committee	Sumeet Goel (Chairperson), Lemuel Yerby, Jennifer Jarrett, Eric Elliot, Reid Bowers

MOTION: Michael Parish moved, seconded by Diane Gerlach, to appoint Kris Ferguson to the Council on Anesthesiologist Assistants as the Medical Examining Board representative. Motion carried unanimously.

Delegation of Authorities

Document Signature Delegations

MOTION: David Roelke moved, seconded by Diane Gerlach, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: David Roelke moved, seconded by David Bryce, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Padmaja Doniparthi moved, seconded by Michael Parish, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

**MEDICAL EXAMINING BOARD
2021 ELECTION AND APPOINTMENT RESULTS**

Monitoring Delegations

MOTION: David Roelke moved, seconded by Diane Gerlach, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 20, 2021 agenda materials on pages 22-23. Motion carried unanimously.

MOTION: David Roelke moved, seconded by Diane Gerlach, to delegate to Board Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Denial Decisions)

MOTION: David Roelke moved, seconded by Padmaja Doniparthi, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Board for final determination. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: David Roelke moved, seconded by Padmaja Doniparthi, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried. Opposed: 2

Delegation of Authority for Conviction Reviews

MOTION: Michael Parish moved, seconded by Rachel Sattler, to delegate authority to Department Attorneys to review and approve ordinance violations which are not substantially related to the practice of medicine, limited to:

1. Littering
2. Loitering
3. Up to two (2) Underage Drinking
4. One (1) OWI two or more years prior to application
5. Trespassing
6. Disturbing the Peace

Motion carried unanimously.

**MEDICAL EXAMINING BOARD
2021 ELECTION AND APPOINTMENT RESULTS**

Delegation to DSPS When Applicant’s History Has Been Previously Reviewed

MOTION: Milton Bond, Jr. moved, seconded by Diane Gerlach, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous Medical Examining Board credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Diane Gerlach moved, seconded by Clarence Chou, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Council Delegation Motion

MOTION: Michael Parish moved, seconded by Sumeet Goel, to delegate to the Board’s Councils and/or its liaison(s), the authority to review applications and conduct examinations of candidates for licensure and to make recommendations regarding the licensure of applicants based upon the application reviews and examinations. Recommended credential denials should be considered by the Medical Examining Board. This delegation motion is not intended to be exhaustive of the Councils’ advisory authority. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: David Roelke moved, seconded by Sumeet Goel, delegate authority to the Department’s Attorney Supervisors to serve as the Board’s designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Continuing Education Liaison(s) and Education and Examination Liaison(s) Delegation

MOTION: David Roelke moved, seconded by Diane Gerlach, to delegate authority to the Continuing Education Liaison(s), and the Education and Examination Liaison(s) to address all issues related to continuing education, and education and examinations. Motion carried unanimously.

**MEDICAL EXAMINING BOARD
2021 ELECTION AND APPOINTMENT RESULTS**

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Clarence Chou moved, seconded by Michael Parish, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: David Roelke moved, seconded by Lemuel Yerby to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison(s) Delegation

MOTION: David Roelke moved, seconded by Clarence Chou, to delegate authority to the Legislative Liaisons(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: David Bryce moved, seconded by Padmaja Doniparthi, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

Newsletter Delegation

MOTION: Gregory Schmeling moved, seconded by Kris Ferguson, to delegate authority to the newsletter liaison(s) to handle all matters relating to the Board's newsletter. Motion carried unanimously.

Roles and Authorities Delegated for Monitoring

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

Authorities Delegated to the Monitoring Liaison

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.
8. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
9. Grant or deny a request to appear before the Board/Section in closed session.
10. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
11. *(Except Pharmacy and Medical)* Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review.

12. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
- a. Initial: 49 screens (including 1 hair test, if required by original order)
 - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
 - c. 2nd Reduction: 28 screens plus 1 hair test
 - d. 3rd Reduction: 14 screens plus 1 hair test
13. (*Dentistry only*) Ability to approve or deny all requests from a respondent.
14. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

Authorities Delegated to the Department Monitor

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

- 1) Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
- 2) Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
- 3) Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
- 4) **Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval.**

Authorities Delegated to Board Legal Counsel

Board Legal Counsel may take the following actions on behalf of the Board/Section:

- 1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.
-

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Nilajah Hardin, Administrative Rules Coordinator On Behalf of Jameson Whitney, Board Legal Counsel		2) Date when request submitted: 01/07/22 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Medical Examining Board			
4) Meeting Date: 01/19/21	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Preliminary Rule Draft – DI 2, Relating to Reciprocal Credentials for Service Members, Former Service Members, and their Spouses 2. Pending or Possible Rulemaking Projects a. Update on Possible Rule Project on Med 20 – Respiratory Care Practitioners b. Rule Projects Chart	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachment: Preliminary Rule Draft – DI 2 Rule Project Chart (Board Rule projects can be Viewed Here if Needed: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx)			
11) Authorization			
 Signature of person making this request		01/07/22 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.			

STATE OF WISCONSIN
DIETITIANS AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF RULEMAKING	:	PROPOSED ORDER OF THE
PROCEEDINGS BEFORE THE	:	DIETITIANS AFFILIATED
DIETITIANS AFFILIATED	:	CREDENTIALING BOARD
CREDENTIALING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE)

PROPOSED ORDER

An order of the Dietitians Affiliated Credentialing Board to amend DI 2.01 (5) and (6) Note; and to create DI 2.03 relating to reciprocal credentials for service members, former service members, and their spouses.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 440.09, Stats.

Statutory authority: Sections 15.085 (5) (b) and 440.09 (5), Stats.

Explanation of agency authority:

Section 15.085 (5) (b), Stats., provides an affiliated credentialing board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains...”

Section 440.09 (5), Stats., provides that “[t]he department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.”

Related statute or rule: None.

Plain language analysis:

The proposed rule creates a provision to implement s. 440.09, Stats., as amended by 2019 Wisconsin Act 143. Section 440.09, Stats., specifies the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members. In addition, the proposed rule will revise s. DI 2.01 (5) to reflect that the American Dietetic Association has been renamed the Academy of Nutrition and Dietetics. A revision to the note found under s. DI 2.01 (6) updates the department phone number and website.

Summary of, and comparison with, existing or proposed federal regulation:

None.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

No public comments were received on the statement of scope. All public comments on this proposed rule received in the rulemaking process will be considered by the Dietitians Affiliated Credentialing Board.

Comparison with rules in adjacent states:

Illinois:

The Illinois Statutes provide for the expedited licensure of service members and their spouses (20 ILCS 5/5-715). “Service member” includes a person whose active duty service concluded within the 2 years preceding application for licensure. A license issued to a service member or the spouse of a service member may be renewed. Rules of the Illinois Department of Financial and Professional Regulation establish requirements for licensure as a dietitian nutritionist in Illinois (68 Ill. Adm. Code 1245 Subpart B).

Iowa:

Rules of the Professional Licensure Division of the Iowa Department of Public Health provide for the expedited reciprocal licensure of a veteran or a spouse of an active duty service member (645 IAC 645.20.3). A reciprocal license issued to a veteran or a spouse of an active duty service member may be renewed. Rules of the Iowa Board of Dietetics establish requirements for licensure as a dietitian in Iowa (645 IAC 81.4).

Michigan:

The Michigan Statutes provide for temporary licensure of the spouse of an active duty service member (MCL 339.213). A temporary license is valid for 6 months and may be renewed for one additional 6-month term if it is determined the licensee continues to meet the requirements for temporary licensure and needs additional time to fulfill the requirements for initial licensure. Public Act 267 of 2014 repealed Michigan’s licensure requirements for dietitians and nutritionists and eliminated the Michigan Board of Dietetics and Nutrition.

Minnesota:

The Minnesota Statutes provide for temporary licensure of an individual who is an active duty military member, the spouse of an active duty military member, or a veteran who has left service in the 2 years preceding the date of license application (2020 Minnesota Statutes, Section 197.4552). A temporary license allows a qualified individual to perform regulated professional services for a limited length of time as determined by the applicable licensing board. During the temporary license period, the individual must complete the full application procedure as required by applicable law. Rules of the Minnesota Board of Dietetics and Nutrition Practice establishes requirements for licensure as a dietitian in Minnesota (Minnesota Administrative Rules, 3250.0010).

Summary of factual data and analytical methodologies:

The rules were developed by reviewing the provisions of 2019 Wisconsin Act 143 in conjunction with the current rules relating to applications and credentials under ch. DI 2 and obtaining input and feedback from the Dietitians Affiliated Credentialing Board.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis will be attached when completed.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Daniel.Hereth@wisconsin.gov, or by calling (608) 267-2435.

Agency contact person:

Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, Wisconsin 53708; telephone 608-267-7139; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Nilajah Hardin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, 4822 Madison Yards Way, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing, held on a date to be determined, to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. DI 2.01 (5) and (6) Note is amended to read:

DI 2.01 (5) Official verification of having passed the registration examination for dietitians established by the commission on dietetic registration of the ~~American dietetic association~~ academy of nutrition and dietetics, or passes an equivalent examination approved by the board, and held under s. 448.84, Stats., to determine fitness to practice dietetics.

(6) Note: Application forms ~~are available upon request to~~ may be obtained from the Department of Safety and Professional Services, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708 by calling (608) 266-2112 or from the department's website at <http://dsps.wi.gov>. ~~An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.~~

SECTION 2. DI 2.03 is created to read:

DI 2.03 Reciprocal credentials for service members, former service members, and their spouses. A reciprocal license shall be granted to a service member, former service member, or the spouse of a service member or former service member who the board determines meets all of the requirements under s. 440.09 (2), Stats. Subject to s. 440.09 (2m), Stats., the board may request verification necessary to make a determination under this section.

Note: Applications for reciprocal licensure may be obtained from the Department of Safety and Professional Services by calling (608) 266-2112 or from the department's website at <http://dsps.wi.gov>.

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

**Medical Examining Board
Rule Projects (updated 01/07/22)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
Not Assigned Yet	040-21	10/26/2023	Med 1	Licenses to Practice Medicine and Surgery	Drafting	Posting for EIA Comment
21-030	008-19	07/14/2021	Med 10	Unprofessional Conduct	Rule Adopted by the Board and Submitted for Publication in Administrative Register	Rule Effective 02/01/22
Not Assigned Yet	012-21	08/08/2023	Med 10	Performance of Physical Examinations	Finalize Fiscal Estimate and EIA	Submission to Clearinghouse for Review
21-017	143-20	05/02/2023	Med 13	Continuing Medical Education Requirements	Rule Adopted by the Board and Submitted for Publication in Administrative Register	Rule Effective 02/01/22
20-053	094-20	01/20/2023	Med 13	Continuing Medical Education	Final Rule Submitted to Governor's Office on 12/22/20	Submission to the Legislature after Governor Approval
Not Assigned Yet	Not Assigned Yet	Not Assigned Yet	Med 13	Continuing Medical Education	Scope Approved by the Governor's Office on 01/06/22	Submission to Administrative Register for Publication

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Federation of State Medical Boards		2) Date When Request Submitted: 12/13/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Medical Examining Board			
4) Meeting Date: 1/19/2022	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? FSMB Annual Meeting – April 28-30, 2022, New Orleans, LA – Board Consideration of Attendance	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (<u>Fill out Board Appearance Request</u>) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: Dear Presidents/Chairs and Staff Fellows, The FSMB’s 2022 Annual Meeting will be held in New Orleans, Louisiana on April 28 - 30 . The FSMB is pleased to offer scholarships to the following member medical board individuals to attend the Annual Meeting: <ul style="list-style-type: none"> Voting Delegate (1 per board) Staff Fellow (1 per board) Public Member (limited to 12 scholarships on a first come, first served basis) Detailed information about these scholarships, including eligibility and meeting attendance requirements, as well as application instructions can be accessed by clicking on the following links: <ul style="list-style-type: none"> Voting Delegate and Staff Fellow Public Member All scholarships in 2022 will be in the amount of \$1800 each for travel, lodging and meals. The registration fee for the Annual Meeting is also waived for scholarship recipients and does not count towards the \$1800 amount. A draft agenda for the meeting is available here: https://web.cvent.com/event/045042e3-740a-40b2-baeb-fb468e0b7a98/summary Board Action: Consider Participation, Delegate Voting Delegate, Alternate. Note that Department funding will not be provided for travel.			
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.			

Wisconsin Enhanced Prescription Drug Monitoring Program Awarded \$1.6 million to Combat Opioid Abuse, Expand Access

Grant will primarily benefit providers in rural and underserved areas of Wisconsin

MADISON, Wis. – Wisconsin Department of Safety and Professional Services Secretary Dawn Crim announced today that the Wisconsin Enhanced Prescription Drug Monitoring Program will receive \$1,648,500 from a competitive U.S. Department of Justice grant program. The award is part of DOJ's [Harold Rogers Prescription Drug Monitoring Program](#), which is administered by the Bureau of Justice Assistance.

The [Wisconsin Controlled Substances Board](#) and DSPS introduced the award-winning ePDMP in partnership with NIC Wisconsin, a subsidiary of [Tyler Technologies](#), in 2017. This replaced a previous version of the platform that launched in 2013. The ePDMP was designed to be a clinical tool to help inform healthcare providers, including physicians, dentists, advanced practice nurses and others, when they are making decisions about prescribing opioids, benzodiazepines, and other potentially addictive drugs.

This year's Harold Rogers Prescription Drug Monitoring Program grant will fund enhancements designed to expand adoption of the ePDMP's direct workflow integrations and to make ePDMP data more accessible within providers' existing electronic health record systems. The primary focus of the funding is to benefit providers in rural and underserved areas of Wisconsin.

"Since its inception, the ePDMP has been an invaluable tool in the state's multi-faceted effort to address the opioid epidemic," Secretary Crim said. "It has already transformed prescribing culture, and it continues to generate important data about prescribing trends in Wisconsin. This additional funding will make it more functional for and more accessible to more providers throughout the state."

Since the launch of the ePDMP, DSPS, the CSB, and NIC Wisconsin have partnered to continually enhance the ePDMP to provide healthcare providers with simple efficient access to the vital data about controlled substance dispensing in Wisconsin. These enhancements include data analytics that provide insight into a provider's own prescribing patterns and data-driven alerts about potentially unsafe patient prescription histories, such as overlapping opioids and benzodiazepines and potentially dangerous levels of opioid usage. Additionally, there is an ongoing multiyear project using previously awarded grant funds to overhaul the data capabilities of the ePDMP that is expected to complete in 2023.

"We are excited to see DSPS and the CSB being awarded funding to expand upon the successful ePDMP," said Nicole Randol, general manager of NIC Wisconsin. "As we look ahead, our partnership with DSPS on this critical tool will continue to focus on satisfying the needs of the healthcare providers across Wisconsin who use the ePDMP."

About the Wisconsin Department of Safety and Professional Services (DSPS)

In addition to operating the ePDMP and administering the CSB, DSPS issues more than 240 unique licenses, supports dozens of boards and councils, enforces state building codes, and runs the state fire prevention program. A fee-based agency, the DSPS is self-sustaining and receives no general fund tax dollars for its day-to-day operations.

About Tyler Technologies and NIC

Acquired by Tyler Technologies (NYSE: TYL) on April 21, 2021, NIC is a leader in digital government solutions and payments, partnering with government to deliver user-friendly digital services that make it easier and more efficient to interact with government. NIC and Tyler are united in their mission to empower public sector entities to operate more efficiently and connect more transparently with their constituents and with each other. Tyler has more than 27,000 successful installations across more than 11,000 sites, with clients in all 50 states, Canada, the Caribbean, Australia, and other international locations. Tyler has been named to Government Technology's GovTech 100 list five times and has been recognized three times on Forbes' "Most Innovative Growth Companies" list. More information about Tyler Technologies, an S&P 500 company headquartered in Plano, Texas, can be found at tylertech.com.

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Jennifer Garrett, Director of Public Affairs, Wisconsin Department of Safety and Professional Services, (608) 576-2491, Jennifer.garrett@wisconsin.gov