



VIRTUAL/TELECONFERENCE
PODIATRY AFFILIATED CREDENTIALING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
March 3, 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

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of October 14, 2021 (5-6)**
- C. Introductions, Announcements and Recognition – Discussion and Consideration**
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Updates – Discussion and Consideration**
 - 1. Department and Staff Updates
 - 2. Annual Policy Review **(7-10)**
 - 3. Election of Officers, Appointment of Liaisons and Alternates, Delegation of Authorities **(11-18)**
 - 4. Board Members – Term Expiration Dates
 - a. Connelly, Kerry – 7/1/2022
 - b. Hutter, Jack – 7/1/2023
 - c. Kittleson, Randal – 7/1/2023
 - d. Sage, Robert – 7/1/2024
 - 5. Wis. Stat. § 15.083(3)(b) Biannual Meeting with the Medical Examining Board
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration (19)**
 - 1. **Adoption Order:** Pod 1, Relating to Reciprocal Credentials for Service Members, Former Service Members, and their Spouses **(20-22)**
 - 2. Pending and Possible Rulemaking Projects **(23)**

H. Opioid Abuse – Discussion and Consideration

1. Board Setting of Goals for 2022 to Address Opioid Abuse – Wis. Stat. s. 440.035 (2m) (c) **(24)**
2. Press Release: Wisconsin Enhanced ePDMP Program Awarded \$1.6 Million to Combat Opioid Abuse, Expand Access **(25-26)**

I. COVID-19 – Discussion and Consideration

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

1. Introductions, Announcements and Recognition
2. Administrative Matters
3. Election of Officers
4. Appointment of Liaisons and Alternates
5. Delegation of Authorities
6. Education and Examination Matters
7. Credentialing Matters
8. Practice Matters
9. Legislation and Policy Matters
10. Administrative Rule Matters
11. Liaison Reports
12. Board Liaison Training and Appointment of Mentor
13. Informational Items
14. Division of Legal Services and Compliance (DLSC) Matters
15. Presentations of Petitions for Summary Suspension
16. Petitions for Designation of Hearing Examiner
17. Presentation of Proposed Stipulations, Final Decisions and Orders
18. Presentation of Proposed Final Decisions and Orders
19. Presentation of Interim Orders
20. Petitions for Re-Hearing
21. Petitions for Assessments
22. Petitions to Vacate Orders
23. Requests for Disciplinary Proceeding Presentations
24. Motions
25. Petitions
26. Appearances from Requests Received or Renewed
27. Speaking Engagement(s), Travel, or Public Relation Request(s)

K. 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 440.205, 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.).

L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

1. **Stipulations, Final Decisions and Orders**
 - a. 21 POD 003, 21 POD 004, 21 POD 005, 21 POD 006, 21 POD 008, and 21 POD 010 – Alyssa K. Stephenson, DPM **(27-33)**
2. **Case Closings**
 - a. 21 POD 013 – T.A.D. **(34-39)**

b. 21 POD 016 – J.D.T. (40-52)

- M. Deliberation of Items Added After Preparation of the Agenda
 - 1. Education and Examination Matters
 - 2. Credentialing Matters
 - 3. Disciplinary 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 Orders
 - 9. Administrative Warnings
 - 10. Review of Administrative Warnings
 - 11. Proposed Final Decisions and Orders
 - 12. Matters Relating to Costs/Orders Fixing Costs
 - 13. Case Closings
 - 14. Proposed Interim Orders
 - 15. Petitions for Assessments and Evaluations
 - 16. Petitions to Vacate Orders
 - 17. Remedial Education Cases
 - 18. Motions
 - 19. Petitions for Re-Hearing
 - 20. Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

- O. Open Session Items Noticed Above Not Completed in the Initial Open Session
- P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate
- Q. Delegation of Ratification of Examination Results and Ratification of Licenses and Certificates

ADJOURNMENT

NEXT MEETING: JUNE 9, 2022

**VIRTUAL/TELECONFERENCE
PODIATRY AFFILIATED CREDENTIALING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Tom Ryan (608) 266-2112
March 3, 2022**

**PODIATRY AFFILIATED CREDENTIALING BOARD
2021 WISCONSIN PUBLIC RECORDS LAW FACILITATED TRAINING
9:30 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

A quorum of the Podiatry Affiliated Credentialing Board may be present; however, no board business will be conducted.

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
PODIATRY AFFILIATED CREDENTIALING BOARD
MEETING MINUTES
OCTOBER 14, 2021**

PRESENT: Kerry Connelly, Jack Hutter, DPM; Randal Kittleson, DPM; Robert Sage, DPM

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

CALL TO ORDER

Jack Hutter, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: Jack Hutter moved, seconded by Kerry Connelly, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 10, 2021

MOTION: Jack Hutter moved, seconded by Randal Kittleson, to approve the minutes of June 10, 2021 as published. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Preliminary Rule Draft: Pod 1 and 2, Relating to Licensure and Unprofessional Conduct

MOTION: Jack Hutter moved, seconded by Kerry Connelly, to approve the preliminary rule draft of Pod 1 and 2, relating to licensure and professional conduct, for posting for economic impact comments, for submission to the Medical Examining Board for review and comment pursuant to s. 15.085 (5) (b) 1., and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Jack Hutter moved, seconded by Kerry Connelly, to 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.). Robert Sage, Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Kerry Connelly- yes; Jack Hutter- yes; Randal Kittleson- yes; and Robert Sage-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:17 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Stipulations, Final Decisions and Orders

MOTION: Robert Sage moved, seconded by Jack Hutter, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 19 POD 008 – Mark T. Hinze, DPM
 2. 21 POD 011 – Camille J. Zizzo, DPM
- Motion carried unanimously.

Case Closings

20 POD 006 – A.D.S.

MOTION: Jack Hutter moved, seconded by Kerry Connelly, to close DLSC Case Number 20 POD 006, against A.D.S., for Insufficient Evidence. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Jack Hutter moved, seconded by Randal Kittleson, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 9:35 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Robert Sage moved, seconded by Jack Hutter, 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: Jack Hutter moved, seconded by Kerry Connelly, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Jack Hutter moved, seconded by Randal Kittleson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 9:41 a.m.

**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 the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

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			BOARD OR COUNCIL MEMBER'S NAME	
EXAMPLE EXAMINING BOARD			MARY SUNSHINE	
Activity Date	Duration of Activity	Purpose Code	Where Performed	Activity
MM/DD/YY	Hours/Minutes	A or B	City/Location (Home, Work, DSPS)	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>		1/4/2021		
Claimant's Signature	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: Katlin Schwartz, Bureau Assistant		2) Date when request submitted: 2/21/2022 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: Podiatry Affiliated Credentialing Board			
4) Meeting Date: 3/3/2022	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 c. Pre-Screening Delegations 			
11) Authorization			
Katlin Schwartz		2/21/2022	
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. 			

Podiatry Affiliated Credentialing Board 2021 Officers, Liaisons, and Authorities

ELECTION RESULTS	
Chairperson	Robert Sage
Vice Chairperson	Kerry Connelly
Secretary	Jack Hutter

Appointment of Liaisons

LIAISON APPOINTMENTS	
Credentialing Liaison	Robert Sage <i>Alternate: Kerry Connelly</i>
Education and Exams Liaison	Jack Hutter <i>Alternate: Randal Kittleson</i>
Monitoring Liaison	Kerry Connelly <i>Alternate: Robert Sage</i>
Professional Assistance Procedure Liaison	Kerry Connelly <i>Alternate: Robert Sage</i>
Legislative Liaison	Robert Sage <i>Alternate: Randal Kittleson</i>
Travel Liaison	Jack Hutter <i>Alternate: Kerry Connelly</i>
Rules Liaison	Robert Sage <i>Alternate: Randal Kittleson</i>
Screening Panel	Jack Hutter, Kerry Connelly, Robert Sage, Randal Kittleson

Delegation of Authorities

Document Signature Delegations

MOTION: Jack Hutter moved, seconded by Kerry Connelly, 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: Robert Sage moved, seconded by Jack Hutter, 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: Jack Hutter moved, seconded by Kerry Connelly, 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.

Delegation to Chief Legal Counsel Due to Lack/Loss of Quorum

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate the review and authority to act on of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Jack Hutter moved, seconded by Robert Sage, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the February 4, 2021 agenda materials on pages 14-15. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate to 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: Jack Hutter moved, seconded by Kerry Connelly, 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 to DSPS When Credentialing Criteria is Met

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Kerry Connelly moved, seconded by Jack Hutter, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

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

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous podiatry credential and there is no new conviction record. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Jack Hutter moved, seconded by Robert Sage, to 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.

Delegation of Authority for Conviction Reviews - Added 6/10/2021

MOTION: Jack Hutter moved, seconded by Randal Kittleson, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of podiatry. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

Voluntary Surrenders

MOTION: Robert Sage moved, seconded by Jack Hutter, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

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

MOTION: Jack Hutter moved, seconded by Robert Sage, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Jack Hutter moved, seconded by Robert Sage 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: Jack Hutter moved, seconded by Robert Sage, to delegate authority to the Legislative Liaison(s) to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Liaison(s) Delegation

MOTION: Jack Hutter moved, seconded by Robert Sage, to delegate authority to the Travel Liaison(s) to approve any board member travel. Motion carried unanimously.

Rules Liaison(s) Delegation

MOTION: Jack Hutter moved, seconded by Robert Sage, to grant the Rules Liaison(s) the ability to address all rulemaking as related to drafting and making recommendations to the full Board. 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		2) Date when request submitted: 02/21/22 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: Podiatry Affiliated Credentialing Board			
4) Meeting Date: 03/03/22	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. Adoption Order: Pod 1, Relating to Reciprocal Credentials for Service Members, Former Service Members, and their Spouses 2. Pending or Possible Rulemaking Projects	
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: Attachments: 1. Pod 1 Adoption Order 2. Rule Project Chair			
11) Authorization			
 Signature of person making this request		02/21/22 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
PODIATRY AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF RULEMAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	PODIATRY AFFILIATED
PODIATRY AFFILIATED	:	CREDENTIALING BOARD
CREDENTIALING BOARD	:	ADOPTING RULES
	:	(CLEARINGHOUSE RULE 21-034)

ORDER

An order of the Podiatry Affiliated Credentialing Board to amend Pod 1.03 and to create Pod 1.095; 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:

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.

Section Pod 1.03 contains general provisions for podiatric medicine and surgery licensure.

Plain language analysis:

The proposed rule creates a provision to implement s. 440.09, Stats., as created 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.

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

None.

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.

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.

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.

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 (2019 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.

Summary of factual data and analytical methodologies:

The proposed rules were developed by reviewing the provisions of s. 440.09, Stats., as created by 2019 Wisconsin Act 143, and obtaining input and feedback from the Podiatry Affiliated Credentialing Board.

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

The proposed rules were posted for a period of 14 days for public comment on the economic impact of the proposed rules, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

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, Attorney, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-266-0955; email at DSPSAdminRules@wisconsin.gov.

TEXT OF RULE

SECTION 1. Pod 1.03 (intro.) is amended to read:

Pod 1.03 Licensure requirements. Except as provided in s. Pod 1.095, Every every person applying for a license to practice podiatric medicine and surgery shall submit all of the following:

SECTION 2. Pod 1.095 is created to read:

Pod 1.095 Reciprocal credentials for service members, former service members, and their spouses. Notwithstanding s. Pod 1.03, A reciprocal license to practice podiatric medicine and surgery 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: Forms to apply for a reciprocal credential are available from the department of safety and professional services’ website at www.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)

Dated _____

Chairperson
Podiatry Affiliated Credentialing Board

**Podiatry Affiliated Credentialing Board
Rule Projects (updated 02/21/22)**

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
21-034	077-20	12/22/2022	Pod 1	Reciprocal Credentials for Service Members, Former Service Members, and their Spouses	Adoption Order Presented at 03/03/21	Submission for Publication; Anticipated Rule Effective Date 05/01/22
Not Assigned Yet	034-21	09/29/2023	Pod 1 and 2	Licensure and Unprofessional Conduct	Public Hearing Scheduled for 06/08/22 Meeting	Finalize Rule Draft and Legislative Report for Submission to the Governor's Office for Approval

**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: 11/29/2021	
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: Podiatry Affiliated Credentialing Board			
4) Meeting Date: 3/3/2022	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Board Setting of Goals for 2022 to Address Opioid Abuse – Wis. Stat. s. 440.035 (2m) (c)	
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:	
<p>10) Describe the issue and action that should be addressed:</p> <p>Wis. Stat s. 440.035 (2m) (c) 1 requires the Podiatry Affiliated Credentialing Board to set goals for addressing the issue of opioid abuse, as that issue pertains to or implicates the practices of professionals regulated by the board. The proposed goals for 2022 are:</p> <ol style="list-style-type: none"> 1. Take Enforcement Action When Appropriate 2. Track and Monitor Podiatrist Prescribing of Controlled Substances 3. Review for Adoption Amendments to the Wisconsin Medical Examining Board 4. Educate Licensees Registered with the ePDMP <p>The Board should consider a motion to adopt these goals for 2022.</p>			
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 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