



**Scott Walker, Governor**  
**Laura Gutiérrez, Secretary**

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**HEARING AND SPEECH EXAMINING BOARD**  
**Room 121A, 1400 E. Washington Avenue, Madison**  
**Contact: Tom Ryan (608) 266-2112**  
**January 8, 2018**

*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 description of the actions of the Board.*

**AGENDA**

**1:00 P.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

**A. Adoption of Agenda (1-3)**

**B. Approval of Minutes of October 9, 2017 (4-6)**

**C. Administrative Updates (7-13)**

- 1) **Board and Staff Updates**
- 2) **Election of Officers**
- 3) **Appointment of Liaisons and Alternates**
- 4) **Delegation of Authorities**
- 5) **Board Member Status**
  - a. Robert Broeckert – 07/01/2020
  - b. Barbara Johnson – 07/01/2017 (*Reappointed, not yet confirmed*)
  - c. Steven Klapperich – 07/01/2019 (*Reappointed, not yet confirmed*)
  - d. Thomas Krier – 07/01/2021 (*Reappointed, not yet confirmed*)
  - e. Scott Larson – 07/01/2017
  - f. Thomas Sather – 07/01/2015
  - g. Patricia Willis – 07/01/2018
  - h. Public Member (Hearing Aid User) – Vacant
  - i. Public Member – Vacant
  - j. Otolaryngologist Member – Vacant

**D. Legislative and Administrative Rule Matters – Discussion and Consideration**

- 1) Update on Legislation and Pending or Possible Rulemaking Projects

**E. 2017 Wisconsin Act 59, Update on Budget Provisions – Discussion and Consideration (14-17)**

**F. Senate Bills 288 and 296 – Discussion and Consideration**

**G) Speaking Engagement(s), Travel or Public Relation Request(s) – Discussion and Consideration**

H) Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Board Liaison Training and Appointment of Mentors
- 4) Administrative Updates
- 5) Education and Examination Matters
- 6) Credentialing Matters
- 7) Practice Matters
- 8) Legislation/Administrative Rule Matters
- 9) Liaison, Panel, and Committee Report(s)
- 10) Informational Item(s)
- 11) Disciplinary Matters
- 12) Presentations of Petition(s) for Summary Suspension
- 13) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 14) Presentation of Proposed Decisions
- 15) Presentation of Interim Order(s)
- 16) Petitions for Re-Hearing
- 17) Petitions for Assessments
- 18) Petitions to Vacate Order(s)
- 19) Petitions for Designation of Hearing Examiner
- 20) Requests for Disciplinary Proceeding Presentations
- 21) Motions
- 22) Petitions

I. 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.)**

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

- 1) Administrative Warning(s)
- 2) Proposed Stipulation(s), Final Decision(s), and Order(s)
- 3) Case Closures
- 4) Monitoring

**K. Recusal of Board from 16 HAD 005 – Jerold Jerue (18)**

**L. Deliberation on Credentialing Matters**

- 1) Application Reviews
  - a. Phillip N. Heistad **(19-73)**

**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) Board Liaison Training
- 7) Petition(s) for Summary Suspensions
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Administrative Warnings

- 10) Proposed Decisions
- 11) Matters Relating to Costs
- 12) Complaints
- 13) Case Closings
- 14) Case Status Report
- 15) Petition(s) for Extension of Time
- 16) Proposed Interim Orders
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

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

**P. APPEARANCE: Ryan Zeinert, DSPS Licensing Examination Specialist - License Ratification**

**ADJOURNMENT**

The Next Scheduled Meeting is April 9, 2018.

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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 1400 East Washington Avenue, 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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**HEARING AND SPEECH EXAMINING BOARD  
MEETING MINUTES  
October 9, 2017**

**PRESENT:** Robert Broeckert, Barbara Johnson, Steven Klapperich (*arrived at 1:12 p.m.*), Thomas Krier, Scott Larson, Thomas Sather, Patricia Willis

**STAFF:** Tom Ryan, Executive Director; Helen Leong, Administrative Rules Coordinator; Laura Smith, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Thomas Sather, Chair, called the meeting to order at 1:08 p.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Scott Larson moved, seconded by Patricia Willis, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JULY 10, 2017**

**MOTION:** Patricia Willis moved, seconded by Scott Larson, to approve the minutes of July 10, 2017 as published. Motion carried unanimously.

**LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

(*Steve Klapperich arrived at 1:12 P.M.*)

**Adopt Clearinghouse Rule 16-080 Relating to Hearing Instrument Specialist Examinations**

**MOTION:** Steven Klapperich moved, seconded by Barbara Johnson, to approve the Adoption Order for Clearinghouse Rule 16-080 relating to hearing instrument specialists. Motion carried unanimously.

**REVIEW AND DISCUSSION OF THE POSITION STATEMENTS POSTED ON THE  
HEARING AND SPEECH EXAMINING BOARD WEBSITE**

**MOTION:** Patricia Willis moved, seconded by Thomas Sather, to remove the Position Statements from the website. Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Steven Klapperich moved, seconded by Scott Larson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. 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.). Thomas Sather, Vice Chair; read the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Robert Broeckert-yes; Barbara Johnson-yes; Steven Klapperich-yes; Thomas Krier-yes; Scott Larson-yes; Thomas Sather-yes; Patricia Willis-yes. Motion carried unanimously.

The Board convened to Closed Session at 2:06 p.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Barbara Johnson moved, seconded by Robert Broeckert, to reconvene to open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:46 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Steven Klapperich moved, seconded by Scott Larson, to affirm all votes made 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.)*

### **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTER**

#### **Monitoring**

#### ***Jerrold Jerue***

**MOTION:** Barbara Johnson moved, seconded by Steven Klapperich, to delegate to Department Chief Legal Counsel, to investigate, consult with expert(s), determine whether Respondent violated any term(s) of his Board Order (no. 4295), and to preside over and resolve any violation(s) with appropriate discipline. Motion carried unanimously.

*(Scott Larson recused himself and left the room for discussion and voting in the matter of Jerrold Jerue.)*

### **DELIBERATION ON CREDENTIALING MATTERS**

#### **Christopher P. Green**

**MOTION:** Barbara Johnson moved, seconded by Scott Larson, to accept California as a state for license reciprocity and to approve the Hearing Instrument Specialist application of Christopher P. Green once all requirements are met. Motion carried unanimously.

#### **Phillip N. Heistad**

**MOTION:** Steven Klapperich moved, seconded by Scott Larson, to table the Hearing Instrument Specialist re-licensure application of Phillip N. Heistad and to request additional information. Motion carried unanimously.

**Jenna M. Peterson**

**MOTION:** Steven Klapperich moved, seconded by Robert Broeckert, to table the Hearing Instrument Specialist application of Jenna M. Peterson and to ask for additional information. Motion carried unanimously.

**APPEARANCE: RYAN ZEINERT, DSPS LICENSING EXAMINATION SPECIALIST –  
LICENSE RATIFICATION**

**MOTION:** Steven Klapperich moved, seconded by Thomas Krier, that the Board ratify the scores from the October 9, 2017 exams and grant the licenses once requirements are met. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Thomas Krier moved, seconded by Barbara Johnson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:52 p.m.

## AGENDA REQUEST FORM

<b>1) Name and Title of Person Submitting the Request:</b>  Laura Smith, Bureau Assistant, on behalf of Tom Ryan, Executive Director		<b>2) Date When Request Submitted:</b> 11/24/17  Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> Hearing and Speech Examining Board			
<b>4) Meeting Date:</b>  1/8/2018	<b>5) Attachments:</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Matters/Updates 1) Election of Officers 2) Appointment of Liaisons and Alternates 3) Delegation of Authorities	
<b>7) Place Item in:</b>  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>  N/A
<b>10) Describe the issue and action that should be addressed:</b>  1) The Board should conduct Election of its Officers for 2018 2) The new Chairperson should review and appoint/reappoint Liaisons and Alternates as appropriate 3) The Board should review and then consider continuation or modification of previously delegated authorities			
<b>11) Authorization</b>  <div style="display: flex; justify-content: space-between;"> <span><i>Laura Smith</i></span> <span>11/24/2017</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Signature of person making this request</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Supervisor (if required)</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</span> <span>Date</span> </div> <hr/> <div style="background-color: #f0f0f0; padding: 5px;"> <b>Directions for including supporting documents:</b>          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.       </div>			

# Hearing and Speech Examining Board

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**Added April 10, 2017:**

## **DELEGATION OF AUTHORITY TO MONITORING LIAISON AND DEPARTMENT MONITOR**

**MOTION:** Barbara Johnson moved, seconded by Patricia Willis, to adopt the ‘Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor’ document as presented. Motion carried unanimously.

**January 9, 2017**

<b>2017 ELECTION RESULTS</b>	
<b>Board Chair</b>	<b>Thomas Sather</b>
<b>Vice Chair</b>	<b>Scott Larson</b>
<b>Secretary</b>	<b>Barbara Johnson</b>
<b>2017 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	Patricia Willis, Thomas Sather, Robert Broeckert, Thomas Krier, Barbara Johnson
<b>Professional Assistance Program (PAP) Liaison</b>	Barbara Johnson
<b>Monitoring Liaison</b>	Thomas Sather
<b>Travel Liaison</b>	Thomas Sather
<b>Website Liaison(s)</b>	Thomas Krier, Scott Larson, Thomas Sather
<b>Continuing Education (CE) Liaison(s)</b>	Patricia Willis, Thomas Sather, Thomas Krier, Robert Broeckert
<b>Exam Liaison(s)</b>	Steven Klapperich, Barbara Johnson
<b>Legislative Liaison(s)</b>	Thomas Sather
<b>Screening Panel</b>	Robert Broeckert, Steven Klapperich, Patricia Willis Alternate – Barbara Johnson, Scott Larson, Thomas Sather



**MOTION:** Steven Klapperich moved, seconded by Thomas Krier, to affirm the Chair's appointment of Liaisons and Screening Panel for 2017. Motion carried unanimously.

## **DELEGATION OF AUTHORITY**

### **Delegated Authority for Urgent Matters**

**MOTION:** Scott Larson moved, seconded by Thomas Krier, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

### **Delegated Authority for Application Denial Reviews**

**MOTION:** Robert Broeckert moved, seconded by Barbara Johnson, that the Board counsel or another department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

### **Document Signature Delegation**

**MOTION:** Steven Klapperich moved, seconded by Thomas Krier, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.




### **Credentialing Authority Delegations**

**MOTION:** Thomas Krier moved, seconded by Scott Larson, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

**MOTION:** Steven Klapperich moved, seconded by Robert Broeckert, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

**MOTION:** Barbara Johnson moved, seconded by Patricia Willis, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

## AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request:  <b>Ashley Ayres</b>  Monitoring and Intake Supervisor Division of Legal Services and Compliance		2) Date When Request Submitted:  <b>December 18, 2017</b>  Items will be considered late if submitted after 4:30 p.m. and less than: ■ 10 work days before the meeting for Medical Board ■ 14 work days before the meeting for all others									
3) Name of Board, Committee, Council, Sections: <b>Hearing and Speech Examining Board</b>											
4) Meeting Date:  <b>January 8, 2018</b>	5) Attachments:  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page?  <b>Appointment of Monitoring Liaison and Delegated Authority Motion</b>									
7) Place Item in:  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:								
10) Describe the issue and action that should be addressed:  <b>Adopt or reject the Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor document as presented in today's agenda packet.</b>											
<table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border: none;">           11)  </td> <td style="width: 40%; border: none; text-align: center;"> <b>Authorization</b> </td> </tr> <tr> <td style="border: none;">           Signature of person making this request         </td> <td style="border: none; text-align: center;"> <b>December 18, 2017</b> Date         </td> </tr> <tr> <td style="border: none;">           Supervisor (if required)         </td> <td style="border: none; text-align: center;">           Date         </td> </tr> <tr> <td colspan="2" style="border: none;">           Executive Director signature (indicates approval to add post agenda deadline item to agenda)     Date         </td> </tr> </table>				11) 	<b>Authorization</b>	Signature of person making this request	<b>December 18, 2017</b> Date	Supervisor (if required)	Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)     Date	
11) 	<b>Authorization</b>										
Signature of person making this request	<b>December 18, 2017</b> 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.											

## **Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor**

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

### **Current 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/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 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 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 the signature or written authorization from the Liaison.
8. Grant or deny a request to appear before the Board/Section in closed session.
9. *(Except Pharmacy)* 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.
10. *(Except Pharmacy)* 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.
  - a. Year 1: 49 screens (including 1 hair test, if required by original order)
  - b. Year 2: 36 screens (plus 1 hair test, if required by original order)
  - c. Year 3: 28 screens plus 1 hair test
  - d. Year 4: 28 screens plus 1 hair test
  - e. Year 5: 14 screens plus 1 hair test
11. *(Dentistry only)* – Ability to approve or deny all requests from a respondent.

### **Current 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 CE 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 CE 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 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.
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### **Proposed (New) Delegations to the Monitoring Liaison**

The Monitoring Unit is proposing the following additions to the Monitoring Liaison's authority:

1. Board Monitoring Liaison may determine whether Respondent's petition is eligible for consideration by the full Board/Section.
2. Board Monitoring Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc.

## AGENDA REQUEST FORM

<b>1) Name and Title of Person Submitting the Request:</b>  Helen Leong, Administrative Rules Coordinator		<b>2) Date When Request Submitted:</b>  December 20, 2017 <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>	
<b>3) Name of Board, Committee, Council, Sections:</b>  Hearing and Speech Examining Board			
<b>4) Meeting Date:</b>  January 8, 2018	<b>5) Attachments:</b>  <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b>  2017 Wisconsin Act 59, Update on Budget Provisions	
<b>7) Place Item in:</b>  <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b>  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b>  <p><b>2017 Wisconsin Act 59</b>  <b>SECTION 9139. Nonstatutory provisions; Safety and Professional Services.</b>  (17w) OCCUPATIONAL LICENSE STUDY.  (a) <i>Definitions.</i> In this subsection:</p> <ol style="list-style-type: none"> <li>1. "Department" means the department of safety and professional services.</li> <li>2. "Occupational license" means any of the following: <ol style="list-style-type: none"> <li>a. A license, permit, certification, registration, or other approval granted under section 167.10 (6m) or chapters 101, 145, or 440 to 480 of the statutes.</li> <li>b. A license, permit, certification, registration, or other approval not included under subdivision 2. a. if granted to a person by this state in order that the person may engage in a profession, occupation, or trade in this state or in order that the person may use one or more titles in association with his or her profession, occupation, or trade.</li> </ol> </li> <li>(b) <i>Report.</i> No later than December 31, 2018, the department shall submit a report to the governor and the chief clerk of each house of the legislature for distribution to the legislature under section 13.172 (2) of the statutes. The report shall include the department's recommendations for the elimination of occupational licenses based on all of the following: <ol style="list-style-type: none"> <li>1. The department's evaluation of whether the unregulated practice of the profession, occupation, or trade can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative.</li> <li>2. The department's evaluation of whether the public reasonably benefits from the occupational license requirement.</li> <li>3. The department's evaluation of whether the public can be effectively protected by any means other than requiring an occupational license.</li> <li>4. The department's analysis of whether licensure requirements for the regulated profession, occupation, or trade exist in other states.</li> <li>5. The department's estimate of the number of individuals or entities that are affected by the occupational license requirement.</li> <li>6. The department's estimate of the total financial burden imposed on individuals or entities as a result of the occupational licensure requirement, including education or training costs, examination fees, private credential fees, occupational license fees imposed by the state, and other costs individuals or entities incur in order to obtain the required occupational license.</li> <li>7. Any statement or analysis provided by the agency or board administering the occupational license.</li> <li>8. The department's evaluation of the tangible or intangible barriers people may face in obtaining an occupational license.</li> </ol> </li> </ol> <p><b>SECTION 1904.</b> 440.03 (4m) of the statutes is created to read:  <b>(4m)</b> Except as otherwise permitted in chs. 440 to 480, the department may require a credential holder to submit proof of the continuing education programs or courses that he or she has completed only if a complaint is made against the credential holder.</p>			

11)	Authorization	
Signature of person making this request		Date
<i>Helen Leong</i>		<i>December 20, 2017</i>
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"> <li>1. This form should be attached to any documents submitted to the agenda.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director.</li> <li>3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.</li> </ol>		

## Chapter HAS 8

### CONTINUING EDUCATION REQUIREMENTS

HAS 8.01 Authority.  
HAS 8.02 Definitions.  
HAS 8.03 Continuing education.

HAS 8.04 Approval of continuing education programs and courses of study.  
HAS 8.05 Special continuing education requirements.

**HAS 8.01 Authority.** The rules in this chapter are adopted by the hearing and speech examining board under the authority of ss. 227.11 (2), 459.095, 459.12 (1) and 459.24 (5m), Stats.

**History:** Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**HAS 8.02 Definitions.** In this chapter:

(1) “Accredited university” means an institution which is accredited by a regional or national accrediting agency recognized by the U.S. department of education.

(2) “Course of study” means course work completed while enrolled as a student at a college or university accredited by a regional or national accrediting agency recognized by the U.S. department of education.

(3) “Hour” means 60 minutes.

(4) “Licensee” means a hearing instrument specialist, audiologist or speech-language pathologist licensed by the board under ch. 459, Stats.

(5) “Program” means a seminar or course other than a course of study offered by a sponsor approved by the board.

**History:** Cr. Register, February, 1999, No. 518, eff. 3-1-99.

**HAS 8.03 Continuing education.** (1) Except as provided in sub. (6), hearing instrument specialists, audiologists and speech-language pathologists shall complete at least 20 hours of board approved continuing education programs or courses of study which pertain to the practice of fitting and dealing in hearing instruments, audiology or speech-language pathology, as appropriate, in each biennial renewal period. Of the 20 required hours, at least 2 hours shall relate to ethics.

(2) Except as provided under s. HAS 7.05 (1) (a) 4. and (2) (a) 3., continuing education hours may be applied only to the biennial registration period in which the continuing education hours are acquired.

**Note:** Section HAS 7.05 was repealed by CR 15-096, effective 9-1-16.

(3) To obtain credit for completion of continuing education hours, a licensee shall, at the time of each renewal, sign a statement certifying that he or she has completed, within the 2 years immediately preceding the date of his or her application, 20 hours of continuing education programs or courses of study approved by the board, including at least 2 hours of ethics credits.

(4) A licensee who fails to meet the continuing education requirements by the renewal date shall not practice as a hearing instrument specialist, audiologist or speech-language pathologist, as appropriate, until his or her license is restored under s. HAS 7.05.

**Note:** Section HAS 7.05 was repealed by CR 15-096, effective 9-1-16.

(5) For auditing purposes, every licensee shall maintain records of continuing education hours for at least 5 years from the date the certification statement required under sub. (3) is signed.

(6) A new licensee is not required to report continuing education hours until the second renewal date following the initial grant of his or her license. A new licensee is not required to take or report continuing education prior to or at the time of the first renewal of the license after initial licensure. A licensee is required to take continuing education during the second 2-year period following licensure and report full compliance with the continuing

education requirements at the time of the second renewal following licensure and every subsequent biennium.

**History:** Cr. Register, February, 1999, No. 518, eff. 3-1-99; CR 05-026: am. (1) and cr. (6) Register September 2005 No. 597, eff. 10-1-05; CR 11-017: am. (1), (3), (6) Register August 2011 No. 668, eff. 9-1-11.

**HAS 8.04 Approval of continuing education programs and courses of study.** (1) Except as provided in subs.

(6) and (7), to apply for approval of a continuing education program or course of study, a sponsor shall submit to the board office, at least 30 calendar days prior to the first date the program or course of study is offered, an application on forms provided by the board and shall include the name of the sponsor, the program or course title, general description and an outline of the program or course, the dates, the location, the name and qualifications of each instructor.

**Note:** Application forms for approval of continuing education programs and courses of study may be obtained from the board office at 1400 East Washington Avenue, P.O. Box 8366, Madison, Wisconsin 53708.

(2) The following criteria shall be utilized in the approval process:

(a) The subject matter of the program or course shall pertain to an area or topic approved or required by the board which relates to the practice of fitting and dealing in hearing instruments, audiology or speech-language pathology.

(b) The program or course sponsor shall be approved by the board.

(c) The program or course sponsor agrees to monitor the attendance, furnish a certificate of attendance to each participant and maintain records verifying attendance for at least 5 years.

(3) If a continuing education course includes subject matter other than the subject matter areas identified under sub. (2) (a), only the board approved portions of the course which relate to the areas identified under sub. (2) (a), qualify as continuing education required under this chapter.

(4) Continuing education programs or courses of study offered by alternative delivery methods such as home-study courses, self-study packages, computer courses, televideo conferencing and other methods may be approved by the board.

(5) A program or course sponsor may repeat a previously approved program or course without application, if the subject matter and instructor has not changed.

(6) Subject to compliance with the requirements set forth in subs. (2) to (5), the board may accept attendance at and completion of one or more continuing education programs or courses of study approved by the American Academy of Audiology, American Speech-Language-Hearing Association, Wisconsin Department of Public Instruction, International Hearing Society, or the National Board for Certification in Hearing Instrument Sciences as fulfilling the continuing education hours required under this chapter. Other acceptable continuing education activities include employer-sponsored in-service training programs, other professional organizations' continuing education programs, college or university course work from an institution that holds regional accreditation or its equivalent, and courses offered by any provider authorized by the International Association for Continuing Education and Training. Prior approval is not required for activities related to professional development or practice, which are



completed during the biennial renewal period, and for which the licensee has obtained acceptable documentation of attendance and completion.

(7) The board may accept attendance at and completion of graduate courses of study from an accredited university which pertain to the practice of fitting and dealing in hearing instruments, to audiology, or to speech–language pathology, as appropriate, as fulfilling one or more continuing education hours required under this chapter. Each clock hour of a course shall be equivalent to one hour of continuing education.

**Note:** The following entities may be contacted by writing to the: American Academy of Audiology (AAA), 8201 Greensboro Drive, Suite 300, McLean, Virginia, 22102; American Speech–Language–Hearing Association (ASHA), 10801 Rockville Pike, Rockville, Maryland 20852; Wisconsin Department of Public Instruction (DPI), 125 South Webster, Madison, Wisconsin 53702; and the International Hearing Society (IHS) and National Board for Certification in Hearing Instrument Sciences (NBC–HIS), 16880 Middlebelt Road, Suite 4, Livonia, Michigan 48154–3367.

**History:** Cr. Register, February, 1999, No. 518, eff. 3–1–99; CR 05–026: am. (1) Register September 2005 No. 597, eff. 10–1–05; CR 11–017: am. (6) Register August 2011 No. 668, eff. 9–1–11.

**HAS 8.05 Special continuing education requirements.** (1) If a licensee is required to complete a specified continuing education program or course of study pursuant to s. 459.095 (3) or 459.24 (5m) (a) 3., Stats., the board shall administer an examination on the matter that is the subject of the continuing education program or course of study prior to the date the continuing education program or course of study is offered.

(2) A licensee who passes the examination administered by the board, as provided under sub. (1), is not required to complete the continuing education hours approved by the board for the specified continuing education program or course of study.

(3) A licensee who takes the examination specified under sub. (1), shall pay the fee required under s. 440.05 (1) (b), Stats.

(4) The criteria established under s. HAS 8.04 shall apply to determinations involving the approval of a specified continuing education program or course of study and to the approval of sponsors and cosponsors of a specified continuing education program or course of study.

**History:** Cr. Register, February, 1999, No. 518, eff. 3–1–99.