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**VIRTUAL/TELECONFERENCE  
MEDICAL EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Valerie Payne (608) 266-2112  
October 21, 2020**

*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 September 16, 2020 (6-11)**

**C. Introductions, Announcements and Recognition**

- 1) Recognition of Carmen Lerma, Public Member

**D. Conflicts of Interest**

**E. Administrative Matters**

- 1) Board, Department and Staff Updates
- 2) Board Members – Term Expiration Dates
  - a. Milton Bond, Jr. – 7/1/2023
  - b. David A. Bryce – 7/1/2021
  - c. Clarence Chou – 7/1/2023
  - d. Padmaja Doniparthi – 7/1/2021
  - e. Diane Gerlach – 7/1/2024
  - f. Sumeet Goel – 7/1/2023
  - g. Michael Parish – 7/1/2023
  - h. David Roelke – 7/1/2021
  - i. Rachel Sattler – 7/1/2024
  - j. Sheldon Wasserman – 7/1/2023
  - k. Lemuel Yerby – 7/1/2024
  - l. Emily Yu – 7/1/2024
- 3) Appointments, Reappointments, Confirmations, and Committee, Panel and Liaison Appointments
- 4) Assignment of Screening Panel and Examination Panel Liaisons
- 5) 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 (12)**
  - 1) Review of Preliminary Draft Rules of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and the Occupational Therapists Affiliated Credentialing Board **(13-24)**
  - 2) Administrative Rules Reporting Requirement Under 2017 Wisconsin Act 108
    - a. Review of 2019 Report **(25-27)**
    - b. Proposals for 2021 Report
  - 3) Pending or Possible Rulemaking Projects
    - a. Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses **(28-29)**
- H. COVID-19 – Discussion and Consideration**
  - 1) Emergency Order 2 **(30-35)**
- I. University of Minnesota Request for Extension of Reciprocity – Discussion and Consideration**
- J. CE Broker – Discussion and Consideration**
- K. Federation of State Medical Boards (FSMB) Matters – Discussion and Consideration**
  - 1) FSMB Statement on Wearing Face Coverings During Patient Care **(36)**
- L. Controlled Substances Board Report
- M. Interstate Medical Licensure Compact Commission (IMLCC) – Report from Wisconsin’s Commissioners
- N. Newsletter Matters – Discussion and Consideration
- O. Screening Panel Report**
- P. Future Agenda Items
- Q. 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

R. 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.).**

S. Credentialing Matters

- 1) **Application Review**
  - a. Michael Perez Rodriguez **(37-85)**
  - b. Elie Joseph Hercule **(86-111)**
  - c. Diana Rice **(112-140)**
- 2) **Waiver of Post-Graduate Training**
  - a. Alaa Harmada **(141-189)**
  - b. Elyan Ruiz Solano **(190-222)**

T. Deliberation on DLSC Matters

- 1) **Stipulations and Final Decisions and Orders**
  - a. 18 MED 029 – Kevin E. Rist, M.D. **(223-229)**
  - b. 18 MED 503 – Bao-Lan Raikar, M.D. **(230-236)**
  - c. 19 MED 274 – Andrew E. Floren, M.D. **(237-243)**
  - d. 19 MED 383 – Todd M Schleef – R.C.P. **(244-250)**
  - e. 20 MED 141 – Karen E. Reynolds, M.D. **(251-257)**
  - f. 20 MED 181 – Nosheen Hasan, M.D. **(258-263)**
  - g. 20 MED 230 – David Lee, M.D. **(264-269)**
- 2) **Administrative Warnings**
  - a. 18 MED 266 – K.J.R. **(270-272)**
  - b. 18 MED 286 – T.S.W. **(273-274)**
  - c. 19 MED 159 – K.P.K. **(275-276)**
  - d. 19 MED 240 – J.M.H. **(277-278)**
  - e. 19 MED 435 – K.D.S. **(279-280)**
  - f. 19 MED 564 – K.A.H. **(281-282)**
  - g. 19 MED 564 – T.J.B. **(283-284)**
  - h. 20 MED 070 – E.S.G. **(285-286)**
- 3) **Case Closings**

- a. 18 MED 427 – D.A.V. **(287-296)**
- b. 19 MED 284 – M.D.S. **(297-302)**
- c. 19 MED 451 – J.A.B. **(303-311)**
- d. 19 MED 503 – W.L.W. **(312-317)**
- e. 19 MED 540 – N.T. **(318-324)**
- f. 20 MED 086 – B.M.M. & J.M.D. **(325-337)**
- g. 20 MED 205 – T.Y.C. **(338-341)**

**U. Deliberation on Proposed Final Decision and Orders**

- 1) Manuel J. Thomas, M.D., Respondent (DHA Case Number SPS-20-0016/DLSC Case Number 17 MED 338, 18 MED 053, 19 MED 016, 19 MED 142, 19 MED 212, 19 MED 533, and 19 MED 552) **(342-356)**

**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**

- 1) CME Violation Procedures
- 2) Return to Practice After Out of State Service

**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**

**10:00 A.M. OR IMMEDIATELY FOLLOWING THE FULL BOARD MEETING**

**CLOSED SESSION** – Reviewing Applications and Conducting Oral Examination of **zero (0)** (at time of agenda publication) Candidates for Licensure – **Dr. Gerlach** and **Dr. Wasserman**

**NEXT DATE: NOVEMBER 18, 2020**

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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 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  
SEPTEMBER 16, 2020**

**PRESENT:** Milton Bond, Jr. (*excused at 9:48 a.m.*), David Bryce, M.D; Clarence Chou, M.D. (*excused at 11:00 a.m.*); Padmaja Doniparthi, M.D.; Sumeet Goel, D.O. (*arrived at 8:02 a.m.*); Michael Parish, M.D.; David Roelke, M.D.; Rachel Sattler; Sheldon Wasserman, M.D.; Lemuel Yerby, M.D. (*excused at 11:00 a.m.*); Emily Yu, M.D.

**STAFF:** Valerie Payne, Executive Director; Yolanda McGowan, 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 ten (10) members present.

**ADOPTION OF AGENDA**

**MOTION:** David Roelke moved, seconded by Clarence Chou, to adopt the Agenda as published. Motion carried unanimously.

(*Sumeet Goel arrived at 8:02 a.m.*)

**APPROVAL OF MINUTES OF AUGUST 19, 2020**

**MOTION:** David Roelke moved, seconded by Lemuel Yerby, to adopt the Minutes of August 19, 2020 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Appointment of Liaisons**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	Lemuel Yerby, Emily Yu, Michael Parish, Diane Gerlach Alternate: Clarence Chou, David Roelke, David Bryce

**ADMINISTRATIVE RULE MATTERS**

**Scope Statement – Med 13 – Continuing Medical Education Requirements**

**MOTION:** Michael Parish moved, seconded by Sumeet Goel, to approve the Scope Statement revising Med 13, relating to continuing medical education requirements, 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.

### **Preliminary Rule Draft – Med 13 – Continuing Medical Education Requirements**

**MOTION:** David Roelke moved, seconded by Milton Bond, Jr., to approve the preliminary rule draft of Med 13, relating to continuing medical education, for posting for economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

### **2020 MEDICAL EXAMINING BOARD REPORT ON OPIOID ABUSE**

**MOTION:** Milton Bond, Jr. moved, seconded by David Roelke, to approve the Board's 2020 report on opioid abuse for submission to the Legislature and Governor's Office as required under 2017 Wisconsin Act 262. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** David Bryce 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, the Chairperson, read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: David Bryce-yes; Clarence Chou-yes; Padmaja Doniparthi-yes; Sumeet Goel-yes; Michael Parish-yes; David Roelke-yes; Rachel Sattler-yes; Sheldon Wasserman-yes; Lemuel Yerby-yes; and Emily Yu-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:49 a.m.

*(Milton Bond, Jr. was disconnected for the vote at 9:48 a.m., and was excused for the remainder of the meeting.)*

### **CREDENTIALING MATTERS**

#### **Waiver of Post-Graduate Training**

##### ***Lawrence Rajan***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to approve the Waiver of Post Graduate Training application of Lawrence Rajan, once all requirements are met. Motion carried unanimously.

*Luba Frank*

**MOTION:** Padmaja Doniparthi moved, seconded by David Roelke, to approve the Waiver of Post Graduate Training application of Luba Frank, once all requirements are met. Motion carried unanimously.

**Visiting Physician License**

*Ferass Qawasmi*

**MOTION:** Sumeet Goel moved, seconded by Michael Parish, to refer the matter to Credentialing to obtain additional information and to authorize the liaison to act on the application of Ferass Qawasmi once the additional information is obtained. Motion carried unanimously.

*Per Braanemark*

**MOTION:** Michael Parish moved, seconded by David Bryce, to approve the Visiting Physician License application of Per Braanemark, once all requirements are met. Motion carried unanimously.

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

**Complaints**

*17 MED 275 – D.I.S.*

**MOTION:** David Roelke moved, seconded by Sumeet Goel, to find probable cause in DLSC Case Number 17 MED 275, to believe that D.I.S. has committed unprofessional conduct, and therefore, to issue the Complaint and hold a hearing on such conduct pursuant to Wis. Stat§ 448.02(3)(b). Motion carried unanimously.

**Stipulations, Final Decisions and Orders**

*17 MED 447 – James L. Delgadillo, D.O.*

**MOTION:** David Roelke moved, seconded by Michael Parish, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James L. Delgadillo, D.O., DLSC Case Number 17 MED 447. Motion carried unanimously.

*18 MED 318 – Douglas Milosavljevic, M.D.*

**MOTION:** Sumeet Goel moved, seconded by Clarence Chou, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary

proceedings against Douglas Milosavljevic, M.D., DLSC Case Number 18 MED 318. Motion carried unanimously.

***18 MED 415 – Diane E. Head, M.D.***

**MOTION:** Michael Parish moved, seconded by David Bryce, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Diane E. Head, M.D., DLSC Case Number 18 MED 415. Motion carried unanimously.

***18 MED 430 – Rory M. Johnson, M.D.***

**MOTION:** Sumeet Goel moved, seconded by Michael Parish, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Rory M. Johnson, M.D., DLSC Case Number 18 MED 430. Motion carried unanimously.

***19 MED 040 – Robert B. Lufkin, M.D.***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Robert B. Lufkin, M.D., DLSC Case Number 19 MED 040. Motion carried unanimously.

***19 MED 385 – Rebekah R. Schroeder, M.D.***

**MOTION:** Michael Parish moved, seconded by David Bryce, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Rebekah R. Schroeder, M.D., DLSC Case Number 19 MED 385. Motion carried unanimously.

**Administrative Warnings**

***18 MED 317 – S.C.B.***

**MOTION:** David Roelke moved, seconded by Lemuel Yerby, to issue an Administrative Warning in the matter of S.C.B., DLSC Case Number 18 MED 317. Motion carried unanimously.

***18 MED 349 – A.B.***

**MOTION:** Sumeet Goel moved, seconded by Padmaja Doniparthi, to issue an Administrative Warning in the matter of A.B., DLSC Case Number 18 MED 349. Motion carried unanimously.

***19 MED 118 – E.N.T.***

**MOTION:** Lemuel Yerby moved, seconded by Michael Parish, to issue an Administrative Warning in the matter of E.N.T., DLSC Case Number 19 MED 118. Motion carried unanimously.

***19 MED 425 – A.D.***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to issue an Administrative Warning in the matter of A.D., DLSC Case Number 19 MED 425. Motion carried unanimously.

***20 MED 221 – N.A.V.***

**MOTION:** David Bryce moved, seconded by Padmaja Doniparthi, to issue an Administrative Warning in the matter of N.A.V., DLSC Case Number 20 MED 221. Motion carried unanimously.

**Case Closings**

**MOTION:** Michael Parish moved, seconded by Sumeet Goel, to close the following DLSC Cases for the reasons outlined below:

1. 18 MED 192 – M.M.D. – No Violation
2. 19 MED 032 – M.R. – No Violation
3. 19 MED 083 – L.A. – Lack of Jurisdiction (L2)
4. 19 MED 223 – H.Z.W. – No Violation
5. 19 MED 359 – Y.K.K. – Prosecutorial Discretion (P5)
6. 19 MED 452 – J.C. – No Violation
7. 19 MED 466 – C.V. – Prosecutorial Discretion (P3)
8. 20 MED 065 – D.L.P. – Insufficient Evidence
9. 20 MED 083 – M.A. – Insufficient Evidence
10. 20 MED 094 – C.M.M. – No Violation
11. 20 MED 097 – P.C. – Prosecutorial Discretion (P2)
12. 20 MED 147 – J.T.H. – No Violation
13. 20 MED 253 – J.A.H. – Prosecutorial Discretion (P5)
14. 20 MED 254 – E.A.F. – Prosecutorial Discretion (P5)
15. 20 MED 257 – J.S. – Prosecutorial Discretion (P7)

Motion carried unanimously.

***19 MED 375 – A.A.***

**MOTION:** David Roelke moved, seconded by Padmaja Doniparthi, to close DLSC Case Number 19 MED 375, against A.A., for Insufficient Evidence. Motion carried unanimously.

**Petition for Authorization to Request Extension of Time**

*17 MED 275 – D.I.S.*

**MOTION:** Sumeet Goel moved, seconded by Clarence Chou, to decline to take action on the Petition for Authorization to Request an Extension of Time in the matter of DLSC Case Number 17 MED 275 against D.I.S. Motion carried unanimously.

**RECONVENE TO OPEN SESSION**

**MOTION:** David Roelke moved, seconded by Clarence Chou, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 10:59 a.m.

*(Clarence Chou and Lemuel Yerby were excused at 11:00 a.m.)*

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

**MOTION:** David Roelke moved, seconded by David Bryce, 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:** David Roelke moved, seconded by Rachel Sattler, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Michael Parish moved, seconded by Sumeet Goel, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:08 a.m.

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

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Dale Kleven Administrative Rules Coordinator</b>		2) Date When Request Submitted:  <b>10/9/20</b> Items will be considered late if submitted after 12:00 p.m. on the deadline date: ▪ 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections:  <b>Medical Examining Board</b>			
4) Meeting Date:  <b>10/21/20</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Administrative Rule Matters – Discussion and Consideration</b> <b>1. Review of Preliminary Draft Rules of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and the Occupational Therapists Affiliated Credentialing Board</b> <b>2. Administrative Rules Reporting Requirement Under 2017 Wisconsin Act 108</b> a. Review of 2019 Report b. Proposals for 2021 Report <b>3. Pending and Possible Rulemaking Projects</b> a. Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses	
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:  1. Under s. 15.085 (5), Stats., the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board and the Occupational Therapists Affiliated Credentialing Board are required to submit a proposed rule to the Medical Examining Board for comment at least 60 days before the proposed rule is submitted to the Legislative Clearinghouse. Any comments on the proposed rule must be considered and included in the report on the proposed rule submitted to the Legislature.			
11) Signature of person making this request  <b><i>Dale Kleven</i></b>		Authorization  _____	Date  <b><i>October 9, 2020</i></b>
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  
MESSAGE THERAPY AND BODYWORK THERAPY AFFILIATED CREDENTIALING  
BOARD

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IN THE MATTER OF RULEMAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : MESSAGE THERAPY AND BODYWORK  
MESSAGE THERAPY AND BODYWORK : THERAPY AFFILIATED CREDENTIALING  
THERAPY AFFILIATED : BOARD ADOPTING RULES  
CREDENTIALING BOARD : (CLEARINGHOUSE RULE )

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PROPOSED ORDER

An order of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board to amend MTBT 2.03 (1) (intro.) and create MTBT 2.035, relating to reciprocal credentials for service members, former service members, and their spouses.

Analysis prepared by the Department of Safety and Professional Services.

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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, such as the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board, “shall 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.

**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 Massage Therapy and Bodywork Therapy 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 to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

## **Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

## **Effect on small business:**

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

**Agency contact person:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

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

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the public hearing to be held at \* a.m. on \*, 2021, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. MTBT 2.03 (1) (intro.) is amended to read:

**MTBT 2.03 (1) (intro.)** ~~An~~ Except as provided under s. MTBT 2.035, an applicant for a license on the basis of a similar license, registration, or license in another state or territory of the United States or another country shall submit all of the following to the board:

SECTION 2. MTBT 2.035 is created to read:

**MTBT 2.035 Reciprocal credentials for service members, former service members, and their spouses.** A reciprocal license to practice massage therapy or bodywork therapy 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.

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.

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(END OF TEXT OF RULE)

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## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date September 18, 2020
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) MTBT 2	
4. Subject Reciprocal credentials for service members, former service members, and their spouses	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165 (1) (hg)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule 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.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. The Department estimates one-time administrative costs of \$475.18. These costs may be absorbed in the agency budget.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is reflecting s. 440.09, Stats., as created by 2019 Wisconsin Act 143. If the rule is not implemented, it will not reflect current requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.	
16. Long Range Implications of Implementing the Rule The long range implication of implementing the rule is reflecting the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.	

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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17. Compare With Approaches Being Used by Federal Government  
None

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

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.

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19. Contact Name

Dale Kleven

20. Contact Phone Number

(608) 261-4472

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This document can be made available in alternate formats to individuals with disabilities upon request.

**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

---

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

---

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

---

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
- 

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

---

5. Describe the Rule's Enforcement Provisions

---

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)  
 Yes    No

---

STATE OF WISCONSIN  
OCCUPATIONAL THERAPISTS  
AFFILIATED CREDENTIALING BOARD

---

IN THE MATTER OF RULE-MAKING : PROPOSED ORDER OF THE  
PROCEEDINGS BEFORE THE : OCCUPATIONAL THERAPISTS  
OCCUPATIONAL THERAPISTS : AFFILIATED CREDENTIALING  
AFFILIATED CREDENTIALING : BOARD  
BOARD : ADOPTING RULES  
 : (CLEARINGHOUSE RULE )

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PROPOSED ORDER

An order of the Occupational Therapists Affiliated Credentialing Board to **repeal** OT 2.06 (3) (Note); to **amend** OT 2.02 (1) (intro.) and (a) (Note); and to **create** OT 2.08, relating to reciprocal credentials for service members, former service members, and their spouses.

Analysis prepared by the Department of Safety and Professional Services.

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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.

**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 Occupational Therapists 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 to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals. No comments were received.

**Fiscal Estimate and Economic Impact Analysis:**

The Fiscal Estimate and Economic Impact Analysis document is attached.

**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:**

Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, Wisconsin 53708-8366; telephone 608-261-4472; email at DSPSAdminRules@wisconsin.gov.

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

Comments may be submitted to Dale Kleven, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received at or before the public hearing to be held at \* a.m. on \*, 2021, to be included in the record of rule-making proceedings.

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TEXT OF RULE

SECTION 1. OT 2.02 (1) (intro.) and (a) (Note) are amended to read:

**OT 2.02 (1) (intro.)** ~~Every~~ Except as provided under s. OT 2.08, every applicant for initial licensure as an occupational therapist or occupational therapy assistant shall submit all of the following:

**(a) (Note)** Application forms are available ~~upon request to the board office at 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708~~ from the department of safety and professional services’ website at www.dsps.wi.gov.

SECTION 2. OT 2.06 (3) (Note) is repealed.

SECTION 3. OT 2.08 is created to read:

**OT 2.08 Reciprocal credentials for service members, former service members, and their spouses.** A reciprocal license to practice as an occupational therapist or occupational therapy assistant 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.

SECTION 4. 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.

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(END OF TEXT OF RULE)  
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## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date September 30, 2020
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) OT 2	
4. Subject Reciprocal credentials for service members, former service members, and their spouses	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.165 (1) (hg)
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule 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.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The proposed rule was posted on the Department of Safety and Professional Services' website for 14 days in order to solicit comments from businesses, representative associations, local governmental units, and individuals that may be affected by the rule. No comments were received.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. No local governmental units participated in the development of this EIA.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The proposed rule will not have a significant impact on specific businesses, business sectors, public utility rate payers, local governmental units, or the state's economy as a whole. The Department estimates one-time administrative costs of \$68.57. These costs may be absorbed in the agency budget.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The benefit to implementing the rule is reflecting s. 440.09, Stats., as created by 2019 Wisconsin Act 143. If the rule is not implemented, it will not reflect current requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.	
16. Long Range Implications of Implementing the Rule The long range implication of implementing the rule is reflecting the requirements for issuing reciprocal credentials to service members, former service members, and the spouses of service members and former service members.	

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

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17. Compare With Approaches Being Used by Federal Government  
None

---

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

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.

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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.

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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.

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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.

---

19. Contact Name

Dale Kleven

20. Contact Phone Number

(608) 261-4472

---

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**ADMINISTRATIVE RULES**  
**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

---

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

---

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

---

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
- 

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

---

5. Describe the Rule's Enforcement Provisions

---

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
-

**Kenneth B. Simons**  
Chairperson

**Timothy W. Westlake**  
Vice Chairperson

**Mary Jo Capodice**  
Secretary

**MEDICAL EXAMINING BOARD**



4822 Madison Yards Way  
PO Box 8935  
Madison WI 53708-8935

Email: [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov)  
Voice: 608-266-2112  
FAX: 608-267-3816

March 15, 2019

Senator Stephen Nass, Senate Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 10 South, State Capitol  
Madison, WI 53702

Representative Joan Ballweg, Assembly Co-Chairperson  
Joint Committee for Review of Administrative Rules  
Room 210 North, State Capitol  
Madison, WI 53702

RE: Report Submitted in Compliance with s. 227.29 (1), Stats.

Dear Senator Nass and Representative Ballweg:

This report has been prepared and submitted in compliance with s. 227.29 (1), Stats.

**I. Unauthorized rules, as defined in s. 227.26 (4) (a), Stats.:**

After careful review of the Board's administrative rules, the Board has determined that no promulgated rules are unauthorized.

**II. Rules for which the authority to promulgate has been restricted:**

Rule	Description of the legislation that restricted the authority	Action taken to address or reason for not taking an action
Med 22.10 (5)	The Board's authority to conduct random audits for compliance with continuing education requirements has been restricted by 2017 Act 59, s. 1929.	Final draft rule (CR 18-074) pending approval from the Legislature.

**III. Rules that are obsolete or that have been rendered unnecessary:**

Rule	Description of why the rule is obsolete or has been rendered unnecessary	Action taken to address or reason for not taking an action
Med 20.02	Effective January 2015, the National Board for Respiratory Care (NBRC) changed the Certified Respiratory Technician examination from the Entry Level CRT Examination to the Therapist Multiple-Choice Examination (TMC).	Final draft rule (CR 18-101) pending approval from the Legislature.
Med 20.03	This section contains requirements for applications filed prior to January 1, 1992, and an obsolete requirement that an applicant provide a recent passport type photograph.	Final draft rule (CR 18-101) pending approval from the Legislature.
Med 20.05	This section concerning a temporary certificate was created at a time when results of an examination could take several months. As results of the current examination are available immediately, the temporary certificate under s. Med 20.05 is no longer necessary.	Final draft rule (CR 18-101) pending approval from the Legislature.
Med 22.03 Med 22.04	These sections contain requirements for applications filed prior to January 1, 2004.	Final draft rule (CR 18-074) pending approval from the Legislature.

**IV. Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction.

**V. Rules that are economically burdensome:**

After careful review of the Board’s administrative rules, the Board has determined that no promulgated rules are economically burdensome.

Thank you.

Sincerely,

Kenneth B. Simons  
Chairperson  
Medical Examining Board

on which the petition and proposed rule were submitted to the committee.

3. Following receipt of the petition and proposed rule submitted by the legislative council staff under subd. 2., the joint committee for review of administrative rules shall review the petition and proposed rule and may do any of the following:

a. Approve the agency's petition if the committee determines that the proposed rule would repeal an unauthorized rule.

b. Deny the agency's petition.

c. Request that the agency make changes to the proposed rule and resubmit the petition and proposed rule under subd. 1.

4. The committee shall inform the agency in writing of its decision as to the petition.

(c) If the joint committee for review of administrative rules approves a petition to repeal an unauthorized rule as provided in par. (b) 3. a., the agency shall promulgate the proposed rule by filing a certified copy of the rule with the legislative reference bureau under s. 227.20, together with a copy of the committee's decision.

**SECTION 7.** 227.29 of the statutes is created to read:

**227.29 Agency review of rules and enactments. (1)**

By March 31 of each odd-numbered year, each agency with any rules published in the code shall submit a report to the joint committee for review of administrative rules listing all of the following rules promulgated or otherwise administered by that agency:

(a) Unauthorized rules, as defined in s. 227.26 (4) (a), together with a description of the legislation that eliminated the agency's authority to promulgate any such rule.

(b) Rules for which the authority to promulgate has been restricted, together with a description of the legislation that restricted that authority.

(c) Rules that are obsolete or that have been rendered unnecessary, together with a description of why those rules are obsolete or have been rendered unnecessary.

(d) Rules that are duplicative of, superseded by, or in conflict with another rule, a state statute, a federal statute or regulation, or a ruling of a court of competent jurisdiction, together with a citation to or the text of any such statute, regulation, or ruling.

(e) Rules that the agency determines are economically burdensome.

(2) The report under sub. (1) shall also include all of the following:

(a) A description of the agency's actions, if any, to address each rule listed in the report. If the agency has not taken any action to address a rule listed in the report, the agency shall include an explanation for not taking action.

(b) A description of the status of each rule listed in the previous year's report not otherwise listed.

(c) If the agency determines that there is no rule as described under sub. (1) (a), (b), (c), (d), or (e), a statement of that determination.

(3) If an agency identifies an unauthorized rule under sub. (1) (a) and is not otherwise in the process of promulgating a rule that repeals the unauthorized rule, the agency shall, within 30 days after the agency submits the report, submit a petition to the legislative council staff under s. 227.26 (4) (b) 1. to repeal the unauthorized rule if the agency has not previously done so.

(4) (a) In this subsection, "enactment" means an act or a portion of an act that is required to be published under s. 35.095 (3) (a).

(b) Each agency shall review enactments to determine whether any part of an enactment does any of the following:

1. Eliminates or restricts the agency's authority to promulgate any rules promulgated or otherwise administered by that agency.

2. Renders any rules promulgated or otherwise administered by that agency obsolete or unnecessary.

3. Renders, for any reason, any rules promulgated or otherwise administered by that agency not in conformity with or superseded by a state statute, including due to statutory numbering or terminology changes in the enactment.

4. Requires or otherwise necessitates rule making by the agency.

(c) If an agency determines that any consequence specified in par. (b) 1. to 4. results from an enactment or part of an enactment, within 6 months after the applicable effective date for the enactment or part of the enactment, the agency shall do one or more of the following, as applicable, to address the consequence identified by the agency and notify the joint committee for review of administrative rules of its action:

1. Submit a statement of the scope of a proposed rule under s. 227.135 (2), unless the enactment requires otherwise or unless the agency submits a notice to the committee explaining why it is unable to submit the statement of scope within that time period and an estimate of when the agency plans to submit the statement of scope.

2. In the case of an affected rule that the agency determines is an unauthorized rule, as defined in s. 227.26 (4) (a), submit a petition to the legislative council staff under s. 227.26 (4) (b) 1.

3. In the case of a consequence specified under par. (b) 3. that can be addressed by the legislative reference bureau using its authority under s. 13.92 (4) (b), submit a request to the legislative reference bureau to use that authority.

**SECTION 8. Initial applicability.**

(1) The treatment of section 227.29 (4) of the statutes first applies to enactments published by the legislative

## **Reciprocal Credentials for Service Members, Former Service Members, and Their Spouses**

Under prior law, the spouse of a service member could obtain a temporary reciprocal credential granted by DSPS or a board attached to DSPS. 2019 Wisconsin Act 143 expanded the availability of a reciprocal credential to include service members, former service members, and the spouses of former service members. The Act also provides that a reciprocal credential granted to a service member, former service member, or the spouse of a service member or former service member expires on the same renewal date as the credential that corresponds to the reciprocal credential, and that the reciprocal credential may be renewed by paying the applicable fee and satisfying the requirements that apply to renewing the corresponding credential. The Act also provides that DSPS or a board attached to DSPS may promulgate rules necessary to implement the Act.

(c) For purposes of par. (b), the period shall be the period beginning on March 12, 2020, and ending on the 60th day after the end of the period covered by the public health emergency declared on March 12, 2020, by executive order 72.

(d) A renewal that occurs subsequent to the period described in par. (c) is not subject to the late renewal fee under sub. (3) (a) if the application to renew the credential is received before the next applicable renewal date. Notwithstanding the applicable provisions in chs. 440 to 480, the applicable credentialing board may, for that next applicable renewal date, provide an exemption from or reduction of continuing education or other conditions for renewal.

**History:** 1991 a. 39 ss. 3305, 3313; 1991 a. 78, 160, 167, 269, 278, 315; 1993 a. 3, 16, 102, 105, 107, 443, 463, 465; 1993 a. 490 ss. 228 to 230, 274, 275; 1995 a. 27, 233, 321, 322, 461; 1997 a. 27, 75, 81, 96, 156, 191, 237, 261, 300; 1999 a. 9, 32; 2001 a. 16, 70, 74, 80, 89; 2003 a. 150, 270, 285, 327; 2005 a. 25, 31, 242, 292, 297, 407; 2007 a. 20, 174, 189; 2009 a. 28, 29, 106, 130, 174, 282, 355, 360; 2011 a. 160, 190, 258; 2013 a. 20, 240, 244, 358; 2015 a. 3, 16, 55, 116; 2015 a. 195 s. 83; 2015 a. 258; 2017 a. 82, 113, 329, 364; 2019 a. 49 s. 1; 2019 a. 185.

**440.09 Reciprocal credentials for service members, former service members, and their spouses.** (1) In this section:

(a) “Former service member” means a person who was discharged from the U.S. armed forces under conditions other than dishonorable within 4 years of the date on which the service member or the spouse of the service member applies for a reciprocal credential under this section.

(b) “Service member” means a member of the U.S. armed forces, a reserve unit of the U.S. armed forces, or the national guard of any state.

(c) “Spouse” includes the spouse of a person who died while in service in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces.

(2) The department and each credentialing board shall grant a reciprocal credential to an individual who the department or credentialing board determines meets all of the following requirements:

(a) The individual applies for a reciprocal credential under this section on a form prescribed by the department or credentialing board.

(b) The individual is a service member, a former service member, or the spouse of a service member or former service member and resides in this state.

(c) The individual holds a license, certification, registration, or permit that was granted by a governmental authority in a jurisdiction outside this state that qualifies the individual to perform the acts authorized under the appropriate credential granted by the department or credentialing board.

(d) The individual pays the fee specified under s. 440.05 (2).

(f) The individual is in good standing with the governmental authorities in every jurisdiction outside this state that have granted the individual a license, certification, registration, or permit that qualifies the individual to perform acts authorized under the appropriate credential granted by the department or credentialing board.

(2m) If an individual is unable to provide documentation that the individual is a service member, former service member, or the spouse of a service member or former service member, the individual may submit an affidavit to the department or credentialing board, as appropriate, stating that the individual is a service member, former service member, or the spouse of a service member or former service member.

(3) (a) A reciprocal credential granted under this section expires on the applicable renewal date specified in s. 440.08 (2) (a), except that if the first renewal date specified in s. 440.08 (2) (a) after the date on which the credential is granted is within 180 days of the date on which the credential is granted, the credential expires on the 2nd renewal date specified in s. 440.08 (2) (a) after the date on which the credential is granted.

(b) The department or credentialing board, as appropriate, shall grant a renewed reciprocal credential to an applicant who pays the renewal fee specified under s. 440.05 (2) and satisfies the requirements that apply for renewing that credential.

(4) The department or credentialing board, as appropriate, shall expedite the issuance of a reciprocal credential granted under this section.

(5) The department or credentialing board, as appropriate, may promulgate rules necessary to implement this section.

**History:** 2011 a. 210; 2019 a. 143.

**440.11 Change of name or address.** (1) An applicant for or recipient of a credential who changes his or her name or moves from the last address provided to the department shall notify the department of his or her new name or address within 30 days of the change in writing or in accordance with other notification procedures approved by the department.

(2) The department or any examining board, affiliated credentialing board or board in the department may serve any process, notice or demand on the holder of any credential by mailing it to the last-known address of the holder as indicated in the records of the department, examining board, affiliated credentialing board or board.

**History:** 1987 a. 27; 1991 a. 39; 1993 a. 107; 1997 a. 27; 2017 a. 329.

**440.12 Credential denial, nonrenewal and revocation based on tax or unemployment insurance contribution delinquency.** Notwithstanding any other provision of chs. 440 to 480 relating to issuance or renewal of a credential, the department shall deny an application for an initial credential or credential renewal or revoke a credential if any of the following applies:

(1) The department of revenue certifies under s. 73.0301 that the applicant or credential holder is liable for delinquent taxes.

(2) The department of workforce development certifies under s. 108.227 that the applicant or credential holder is liable for delinquent unemployment insurance contributions.

**History:** 1997 a. 237; 2013 a. 36.

**Cross-reference:** See also ch. SPS 9, Wis. adm. code.

**440.121 Credential denial, nonrenewal, and revocation based on incompetency.** Notwithstanding any other provision of chs. 440 to 480 relating to issuance or renewal of a credential, the department shall deny an application for an initial credential or credential renewal or revoke a credential issued to an individual for whom the department receives a record of a declaration under s. 54.25 (2) (c) 1. d. stating that the individual is incompetent to apply for a credential under chs. 440 to 480.

**History:** 2005 a. 387.

**440.13 Delinquency in support payments; failure to comply with subpoena or warrant.** (1) In this section:

(b) “Memorandum of understanding” means a memorandum of understanding entered into by the department of safety and professional services and the department of children and families under s. 49.857.

(c) “Support” has the meaning given in s. 49.857 (1) (g).

(2) Notwithstanding any other provision of chs. 440 to 480 relating to issuance of an initial credential or credential renewal, as provided in the memorandum of understanding:

(a) With respect to a credential granted by the department, the department shall restrict, limit, or suspend a credential or deny an application for an initial credential if the credential holder or applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and families or a county child support agency under s. 59.53 (5) and related to support or paternity proceedings.

(b) With respect to credential renewal, the department shall deny an application for renewal if the applicant is delinquent in paying support or fails to comply, after appropriate notice, with a subpoena or warrant issued by the department of children and

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

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Valerie Payne, Executive Director on behalf of Sheldon Wasserman, Chair		2) Date when request submitted: 10/15/2020 <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: 10/21/2020	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Under COVID-19 – Discussion and Consideration <ul style="list-style-type: none"> <li>• <b>Emergency Order 2</b></li> </ul>	
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 <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed: <ul style="list-style-type: none"> <li>• The attached Governor Evers issued <a href="#">Emergency Order 2</a> contains provisions related to licensed health care professionals. Individual licensee/provider temporary license forms as well as health care facility temporary license forms can be found here: <a href="https://dsps.wi.gov/pages/Home.aspx">https://dsps.wi.gov/pages/Home.aspx</a></li> </ul>			
11) <span style="float: right;">Authorization</span> <hr/> <div style="display: flex; justify-content: space-between;"> <span><i>Valerie Payne</i></span> <span>10/15/2020</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>			
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.			

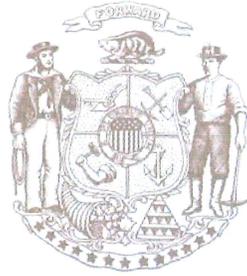
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# State of Wisconsin

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**Governor Tony Evers**

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**Secretary-designee Andrea Palm**

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## **Emergency Order #2**

### **Order to Aid our Healthcare Facilities to Provide Treatment to Wisconsinites Impacted by COVID-19**

SARS-CoV-2 is a deadly respiratory virus. The immediate and long-term health impacts are still being identified by victims and medical experts. COVID-19, the disease that is caused by SARS-CoV-2, is widespread in Wisconsin.

Make no mistake – COVID-19 is not the flu. During the 2019-2020 flu season, there were 36,175 cases of influenza in Wisconsin, which led to 4,425 flu-related hospitalizations, and 183 deaths. Approximately 0.1% of people infected with seasonal influenza die. COVID-19, the disease that is caused by SARS-CoV-2, has been far more prolific and deadly. Since the start of this pandemic less than 10 months ago, Wisconsin has seen 122,747 confirmed COVID-19 cases, 7,300 COVID-19 related hospitalizations, and 683 COVID-19 related deaths. The fall and winter months – which bring more severe respiratory illnesses – are expected to cause a rise in COVID-19 cases and deaths.

As we head into these colder months, hospital capacity in this state is already increasingly strained in certain areas. The State of Wisconsin is divided into seven healthcare emergency readiness coalition regions (HERC regions), which coordinate how public health, healthcare institutions, and first responder agencies respond to health emergencies and catastrophic events. Today, every HERC region in the state has a high disease activity level.

The following data describes the current situation in three of the HERC regions of the state—all experiencing surges:

- North Central has tripled the number of patients with COVID-19 in the past two weeks with 94 total patients with COVID-19 currently hospitalized and 38 of those patients in the Intensive Care Unit; 4 of 17 hospitals reporting critical staffing shortages;
- North East has increased the number of patients with COVID-19 by 2.5 times with 113 total patients with COVID-19 currently hospitalized and 38 of those patients in the Intensive Care Unit; 3 of 10 hospitals reporting critical staffing shortages; and
- Fox Valley has doubled the number of patients with COVID-19 in the past two weeks with 112 total patients with COVID-19 currently hospitalized and 38 of those patients in the Intensive Care Unit; 3 of 13 hospitals reporting critical staffing shortages.

In the remaining four HERC regions, the number of patients with COVID-19 has also begun to rise in the past week and these regions are likewise experiencing critical staffing shortages—largely due to staff members experiencing infection or exposure to COVID-19.

Because of the increasing magnitude of the COVID-19 pandemic in Wisconsin, there may soon be too little space and too few healthcare professionals to treat everyone who needs medical care.

Healthcare capacity will increasingly be strained as long as the virus spreads. Even before COVID-19, more than half of Wisconsin counties had a shortage of physicians, and many other types of healthcare workers were in short supply. Now, as our efforts against the COVID-19 pandemic strains our healthcare systems, we must swiftly act to do all that we can to make sure those systems are able to provide medical aid. This means welcoming the help of as many skilled healthcare providers as possible and working to establish an agile workforce.

As such, I, Tony Evers, Governor of the State of Wisconsin, and I, Andrea Palm, Secretary-designee of the Department of Health Services, by the authority vested in us by the Constitution and laws of this State, including but not limited to Article I, Section I of the Wisconsin Constitution, Section 252.02(2) of the Wisconsin Statutes, and Section 15.001(2) of the Wisconsin Statutes, direct the following:

**I. Increasing our credentialed workforce**

1. Definitions

For purposes of this Order, the following definitions control:

“Healthcare provider” has the meaning given in Wis. Stat. § 146.81(1)(a) through (hp).

“Healthcare facility” refers to any system, care clinic, care provider, long-term care facility, alternative care facility, or any other healthcare facility where medical services are or may be provided.

“Interstate reciprocity temporary license” refers to temporary licensure issued under Section I-2.

“Emergency declaration” refers to the public health emergency declared pursuant to Section 319 of the Public Health Service Act, last declared July 23, 2020, and including any renewals.

2. Interstate Reciprocity

Any healthcare provider with a valid and current license or credential issued by another state may practice under that license and within the scope of that license in Wisconsin, including via telehealth/telemedicine technology, without first obtaining a

license or credential from the Department of Safety and Professional Services (DSPS), so long as the following conditions are met:

1. The practice is necessary for an identified healthcare facility to ensure the continued and safe delivery of healthcare services;
2. The healthcare provider is not currently under investigation and does not currently have any restrictions or limitations placed on their license by their credentialing state or any other jurisdiction;
3. The healthcare facility's needs reasonably prevented in-state credentialing in advance of practice;
4. Except as provided in Section I-5, the healthcare provider must apply for an interstate reciprocity temporary license, or another form of temporary or permanent license provided for by Wisconsin law, within 30 days of first working at a healthcare facility in reliance on this Section;
5. The healthcare facility must notify DSPS at [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov) within 10 days of a healthcare provider practicing at its facility, including via telehealth/telemedicine technology, in reliance on this Section.

For a healthcare provider who possessed a temporary interstate license under Emergency Order 16, as modified in Emergency Order 20, or 2019 Wis. Act 185 and is seeking reinstatement, the provider may attest that the information contained in the original application is the same. The healthcare provider need not submit a new application form.

DSPS shall make the application form, notification form, and reinstatement attestation form readily available as soon as practicably possible on its website: <https://dsps.wi.gov/pages/Home.aspx>.

DSPS may withdraw an individual's authority to practice pursuant to this Section for good cause as determined by DSPS.

The Office of the Commissioner of Insurance (OCI) is directed to work with healthcare providers practicing under this provision to ensure they have the proper liability insurance coverage.

### 3. Expiring Credentials

A temporary interstate license provided under Section I-2, or any otherwise valid healthcare provider license that expires during the emergency declaration, shall remain valid for 30 days after the conclusion of the emergency declaration.

### 4. Reinstatement of Recently Lapsed Credentials

Any healthcare provider with a license that has recently lapsed (meaning within 5 years of expiration) who applies to DSPS for reinstatement shall not be required to pay any late renewal fees, and shall not be required to fulfill lapsed continuing education requirements.

## 5. Telemedicine

Except for as provided in Section I-2, a physician providing telemedicine in the diagnosis and treatment of a patient located in this state must have a valid and current license issued by this State, another state, or Canada. Where a requirement in Wis. Admin. Med. Ch. 24 applies to physicians licensed to practice by the medical examining board, such requirements extend to any physician practicing telemedicine in this state.

A physician practicing under this section must not currently be under investigation and must not currently have any restrictions or limitations placed on their license by their credentialing state or any other jurisdiction.

Insured patients are encouraged to continue to work with their insurance providers to ensure they are selecting providers in-network, if applicable and where possible.

An out-of-state physician who provides telemedicine in the diagnosis and treatment of a patient in Wisconsin pursuant to this Section who does not hold a valid interstate reciprocity temporary license as provided for in Section I-2, or another form of temporary or permanent license provided for by Wisconsin law, must provide notice that they have provided healthcare to a Wisconsin resident within 10-days to DSPS at [dsps@wisconsin.gov](mailto:dsps@wisconsin.gov). Such notice must include verification of credentials. Notice need only be provided once.

DSPS shall make the notification form readily available as soon as practicably possible on its website: <https://dsps.wi.gov/pages/Home.aspx>

OCI is directed to continue working with malpractice insurance carriers to facilitate coverage outside of the traditional healthcare facility settings and to continue working with health insurers to minimize out-of-network barriers for insured patients seeking telemedicine services.

## **II. Maximizing existing workforce resources**

Practice and training flexibility for certain healthcare professions that were implemented previously have been identified by our healthcare partners as tools to help maximize available workforce resources during times of high volume COVID-19 care. As such, Sections IV and V of Emergency Order #16 issued March 27, 2020 are incorporated here by reference.

## **III. Other Provisions**

Nothing in this Order should be construed to facilitate the practice by a credential-holder who has unmet disciplinary requirements, or whose credential has been suspended, revoked, or rescinded. Nothing in this Order should be construed to prevent civil or criminal action against a person or entity who falsely reports required information to DSPS or who otherwise violates the terms of this Order.

If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

This Order is effective immediately and shall remain in effect for the duration of the federal public health emergency declared July 23, 2020 pursuant to Section 319 of the Public Health Service Act, including any renewals, or until a superseding order is issued by either the Governor or the Secretary of the Department of Health Services.



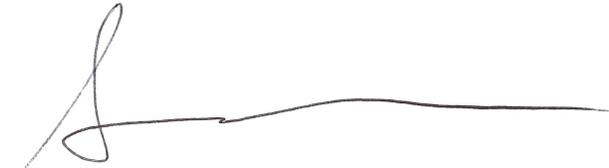
10/1/2020

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Tony Evers  
Governor  
State of Wisconsin

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Date



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Andrea Palm  
Secretary-designee  
State of Wisconsin Department of Health Services

10/01/2020

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Date



**For Immediate Release: October 6, 2020**

Contact: Joe Knickrehm, (202) 601-7803

[jknickrehm@fsmb.org](mailto:jknickrehm@fsmb.org)

## **FSMB Statement on Wearing Face Coverings During Patient Care**

WASHINGTON, D.C. (October 6, 2020) – The Federation of State Medical Boards’ Board of Directors released the following statement in response to reports from a number of state medical boards of complaints they are receiving about physicians and physician assistants failing to wear face coverings during patient care:

“Wearing a face covering is a harm-reduction strategy to help limit the spread of COVID-19, especially since physical distancing is not possible in health care settings. When seeing patients during in-person clinical encounters, physicians and physician assistants have a professional responsibility to wear a facial covering for their own protection, as well as that of their patients and society as a whole.”

For more information about how state medical boards and the FSMB are responding to the COVID-19 pandemic, visit [FSMB’s webpage](#) dedicated to providing resources and information to states and the public about COVID-19.

### **About the Federation of State Medical Boards:**

The Federation of State Medical Boards (FSMB) is a national non-profit organization representing the 71 medical boards within the United States and its territories that license and discipline allopathic and osteopathic physicians and, in some jurisdictions, other health care professionals. The FSMB serves as the voice for state medical boards, supporting them through education, assessment, research and advocacy while providing services and initiatives that promote patient safety, quality health care and regulatory best practices. The FSMB serves the public through [Docinfo.org](http://Docinfo.org), a free physician search tool which provides background information on the nearly 1 million doctors in the United States. To learn more about FSMB, visit [www.fsmb.org](http://www.fsmb.org). and follow FSMB on Twitter ([@theFSMB](https://twitter.com/theFSMB)).

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