

STATE OF WISCONSIN
PODIATRY AFFILIATED CREDENTIALING BOARD

IN THE MATTER OF RULEMAKING	:	NOTICE OF TIME PERIOD
PROCEEDINGS BEFORE THE	:	FOR COMMENTS FOR THE
PODIATRY AFFILIATED	:	ECONOMIC IMPACT ANALYSIS
CREDENTIALING BOARD	:	

NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Podiatry Affiliated Credentialing Board relating to biennial registration of podiatrists, including how this proposed rule may affect businesses, local government units and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Shawn Leatherwood
Division of Policy Development
Department of Safety and Professional Services
PO Box 8366
Madison, WI 53708-8935
Shancethea.Leatherwood@wisconsin.gov

The deadline for submitting economic impact comments is August 19, 2014

PROPOSED ORDER

An order of the Podiatry Affiliated Credentialing Board to amend Pod 4.01 and 4.03 (2), relating to biennial registration of podiatrists.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted:

Section 448.65 (2), Stats.

Statutory authority:

Sections 15.085 (b), 227.11 (2) (a) and 448.65 (2), Stats.

Explanation of agency authority:

Affiliated credentialing boards such as the Podiatry Affiliated Credentialing Board have the authority to promulgate rules that provide guidance within their profession pursuant

to s. 15.085 (b), Stats. Boards are also authorized by s. 227.11 (2) (a), Stats., to set forth rules interpreting the provisions of any statute it enforces or administers. Section 448.65 (2), Stats., is administered by the Podiatry Affiliated Credentialing Board and provides guidance in the profession with regards to the requirements for podiatrists seeking renewal of their credential. The proposed rule seeks to amend the rules regarding renewal of a podiatrist's credential. Therefore, the Podiatry Affiliated Credentialing Board is empowered both generally and specifically to promulgate the proposed rules.

Related statute or rule:

Section 440.08 (2) (a) 60, Stats.

Plain language analysis:

The sole purpose of this proposed rule is to correct an inconsistency regarding the renewal date for podiatrists. Currently, s. Pod 4.01 and 4.03 states the renewal date for podiatrists is November 1 of each odd-numbered year while s. 440.08 (2) (a) 60, Stats., states that the renewal date is November 1 of each even-numbered year. The statute is controlling. Therefore, the proposed rule seeks to correct s. Pod 4.01 and 4.03 (2) to reflect the correct date. There are no new policies proposed by the rule.

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

None.

Comparison with rules in adjacent states:

Illinois: Licenses issued in Illinois expire on January 31st of each odd-numbered year. A podiatrist may renew their license during the month preceding the expiration date. ILL. ADMIN. CODE tit. 68 §1360.55 a).

Iowa: Biennial license renewal for podiatrist is June 30th of each even-numbered year. Iowa Admin. Code r. 645-220.09 (1).

Michigan: Licensees must renew on an annual basis. MICH. ADMIN. CODE R 338.3701.

Minnesota: The renewal term begins on July 1 in odd-numbered years for a licensee whose license number is an odd number and in even-numbered years for a licensee whose license number is an even numbered. Minn. Rules. 6900.0200.

Summary of factual data and analytical methodologies:

None.

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

Fiscal Estimate and Economic Impact Analysis:

The department is currently soliciting information and advice from businesses, local government units and individuals in order to prepare the Economic Impact Analysis.

Effect on small business:

Agency contact person:

Comments may be submitted to Shawn Leatherwood, Department of Safety and Professional Services, Division of Policy Development, 1400 East Washington Avenue, Room 151, P.O. Box 8366, Madison, WI 53708-8366, or by email to Shancethea.L Leatherwood@wisconsin.gov.

TEXT OF RULE

SECTION 1. Pod 4.01 is amended to read:

Pod 4.01 Registration required; method of registration. Each licensee shall register biennially with the board. Prior to November 1 of each ~~odd-numbered~~ even-numbered year the department shall mail to each licensee at his or her last known address an application form for registration. Each licensee shall complete the application form and return it with the required fee prior to November 1 of that year. The board shall notify the licensee within 30 business days of receipt of a completed registration form whether the application for registration is approved or denied

SECTION 2. Pod. 4.03 (2) is amended to read:

Pod 4.03 (2) Failure to renew a license by November 1 of ~~odd-numbered years~~ an even-numbered year shall cause the license to lapse. A licensee who allows the license to lapse may apply to the board for reinstatement of the license as follows:

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

(END OF TEXT OF RULE)

Dated _____

Agency _____

Board Chairperson or Secretary
Podiatry Affiliated Credentialing Board