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STATE OF WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

AGENCY PRIMER: “WHAT YOU NEED TO KNOW”

JANUARY 2023



INSTITUTE FOR
REFORMING GOVERNMENT



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FROM THE DESK OF CJ SZAFIR

Freedom and Opportunity. Those are ideals that bind us together as a state. Unfortunately, the size and scope of state government too often gets in the way of individuals and families being able to achieve their full potential as they build their share of the American Dream.

We can do better, and we must do better. We all should ask, — “Is the mission of state government, — of each and every agency, bureau, and division —, aligned with the vision that everyday Wisconsinites have for Wisconsin? Is state government set up to help citizens succeed, or is it a roadblock to success? We need a conservative vision for state government, indeed for each and every agency.

Last spring, with support from our donors and Board of Directors, the Institute for Reforming Government started an ambitious project to help answer those questions about the biggest state agencies to help answer those questions because we believe the best way to enhance liberty is to improve transparency. This project was the work of eight experts in Wisconsin state government, including three senior-level cabinet officials, a budget director, and subject matter experts. In addition, our team had regular meetings with former top officials in state government as well as business leaders and other experts outside of government. We looked at past revenue and spending trends. The findings are not surprising.

State agencies are massive. They spend record amounts of taxpayer dollars year over year. They too often get in the way of individual success and are set up as enforcement agents instead of partners in creating a better Wisconsin. They need reform. We need leaders to bring forward conservative visions to the agencies.

In these briefings, we shine light onto state agencies to help all citizens diagnose what is broken. Later, based on these and discussions with people all over Wisconsin, we'll offer government reform ideas and detailed budget analysis to help chart a new course for Wisconsin, - one where each and every individual in our state has the freedom and opportunity to succeed.

Sincerely,

CJ Szafir

President

Institute for Reforming Government

“Light and liberty go together”

Thomas Jefferson, In a letter to Tench Coxe, 1795

This document prepared by the Institute for Reforming Government (IRG) is intended to inform policy makers and the public of the full scope of the Wisconsin Department of Safety and Professional Services (DSPS). Our partners at the IRG Action Fund will release conservative, free market, and liberty minded policy reforms specifically for DSPS in a separate document.

For the general public, the executive branch of Wisconsin state government can be a mystery. There are countless agencies with billions of tax dollars flowing through them. Although some may have an understanding of an agency because of their daily work or real world experience, few people in Wisconsin have a handle on the entirety of the executive branch. Each agency has its own mission, functions, and programs. Some agencies generate their own revenue, some rely on state tax dollars and many of them take some sort of federal funding. Each agency has unique powers and authorities. The goal of this briefing document is to pull back the veil and show Wisconsinites how their government taxes, spends, and regulates.

Over the course of months, a team of policy experts at IRG poured through all of the information on Wisconsin's biggest agencies. In this briefing document, you will see agency functions, budget trends, a list of past appointees, and policy concerns. These items create a basis for understanding the scope and history of each agency in an effort to inform policy makers in Madison as they carry out their work in the coming legislative session. By doing this, we hope to inspire the next generation of policy makers and cast a conservative vision for Wisconsin.

The Department of Safety and Professional Services is relatively small when compared to other cabinet agencies in size, but its mission is significant. The Department issues more than 240 licenses, administers dozens of boards and councils that regulate professions, enforces state building codes, operates the state fire prevention program, and is home to the award-winning Prescription Drug Monitoring Program, a tool to help combat the ongoing prescription drug abuse epidemic in Wisconsin.



2011 Wisconsin Act 32 created the Department of Safety and Professional Services (DSPS) by combining the Department of Regulation and Licensing (DRL) and the Divisions of Safety and Buildings and Environmental and Regulatory Services from the Department of Commerce. The Department is headed by a Secretary appointed by the Governor with the advice and consent of the Senate. A fee-based agency, DSPS is self-sustaining and receives no general fund tax dollars for its day-to-day operations.

Historically, DRL's responsibilities changed significantly since its creation through Chapter 75, Laws of 1967. From performing routine housekeeping functions for the examining boards that operated as independent agencies at the time to the department assuming various administrative functions previously performed by the boards, including direct regulation of several professions.

The Divisions of Safety and Buildings and Environmental and Regulatory Services have also seen significant changes since its creation. In 1914, the Division of Safety and Buildings saw the adoption of its first building code. Originally, the Division of Safety and Buildings set standards for a safe place of employment and was eventually extended to include public buildings. Over the years, additional programs were added including plumbing, heating, ventilation, air conditioning, and electrical inspection and certification. DSPS's Division of Environmental and Regulatory Services was created by 1995 Wisconsin Act 27 and was removed under 2011 Wisconsin Act 32. Today, DSPS is responsible for ensuring the safe and competent practice of licensed professionals in Wisconsin. The department also administers and enforces laws to assure safe and sanitary conditions in public and private buildings. It provides administrative services to the state occupational regulatory authorities responsible for regulation of occupations and offers policy assistance in such areas as evaluating and establishing new professional licensing programs, creating routine procedures for legal proceedings, and adjusting policies in response to public needs.

DSPS licenses and regulates more than 200 different types of credentials. The agency also provides centralized administrative services to nearly 100 boards, councils, and advisory committees. The boards, councils, and advisory committees have varying levels of responsibility and professional oversight based on statutory provisions.

DSPS central office is located in Madison, Wisconsin with customer service walk-in hours. DSPS has four field offices for industry services. These field offices do not offer walk-up counter services and are not staffed to support credentialing. Locations of the field offices include: Green Bay, Hayward, Onalaska, and Waukesha.

AGENCY DESCRIPTION, MISSION, & FUNCTION

Information in this section was pulled directly from public sources on the Department of Administration and Department of Safety and Professional Services websites.

Agency Descriptions

The department is headed by a secretary who is appointed by the Governor with the advice and consent of the Senate. The department provides policy coordination and administrative services for boards, committees, councils and advisory committees. The department also oversees the regulation of credential holders, professional and industry standards, and safe construction of public and private buildings. The department is comprised of five divisions. Professional Credential Processing is responsible for all credential application processing, including determination of credential eligibility and credential renewal. Policy Development provides administrative support to professional regulatory boards; serves as a liaison between the boards, councils, advisory committees and the department; and is responsible for administrative rule-making for professions and technical programs. Policy Development is also the home of the Prescription Drug Monitoring Program and the Office of Education and Examinations, which oversees continuing education, examinations and approval for schools under the Educational Approval Program. Legal Services and Compliance investigates and prosecutes complaints against licensed professionals, conducts business compliance inspections and audits, monitors compliance with disciplinary orders, and provides legal services to professional boards and the department. Industry Services provides services related to public safety, and the construction and operation of buildings. Management Services provides budget and finance, information technology, and facilities management services to the department, which includes five field offices. Department and board operations are funded through application, renewal and examination fees, and fees associated with required reviews of building plans and other items that are regulated under the law. A fee schedule for the application and renewal of professional credentials is set by the department with legislative oversight. Examination and other department fees are set by statute and administrative rule.



Mission

The mission of the department is to promote economic growth and stability while protecting the citizens of Wisconsin as designated by statute.

Function

The department is primarily divided between two main functions: professional regulation and administrative services; and regulation of industry, safety and buildings.

To administer these two functions, the department is organized into five divisions and the Office of the Secretary. The divisions are Industry Services, Legal Services and Compliance, Management Services, Policy Development, and Professional Credential Processing.

Division of Industry Services

The division is divided into two bureaus, an Administrative Services Section, and the Fire Prevention program.

- The Bureau of Field Services performs inspections of commercial buildings, amusement rides, boilers, elevators, pressurized gas systems, and electrical systems. The bureau also performs plan reviews of elevators, boilers, and private onsite wastewater treatment systems. The bureau is also responsible for auditing third party and municipal inspection agencies.
- The Bureau of Technical Services performs commercial building, plumbing, and fire suppression plan review. The bureau is also responsible for administering the Uniform Dwelling Code program, the federal HUD Manufactured Housing program, and provides consultations and training to local building officials, as well as commercial and residential contractors.
- The Administrative Services Section provides administrative support to internal and external stakeholders. It also administers the Rental Weatherization program for rental properties.
- The Fire Prevention Program administers the 2% Fire Dues program and provides consultation, support, and training to over 800 fire departments throughout the state.

Division of Legal Services and Compliance

The division provides legal services to professional boards and the Department regarding the investigation and discipline of licensed credential holders for violations of professional regulations. The Division is also responsible for the complaint intake process, compliance monitoring and a confidential program for impaired professionals. In addition, the Division conducts business compliance inspections and financial audits.

Division of Management Services

The division provides administrative services to the Office of the Secretary and all other Divisions within the Department. These services include human resources, employment relations, affirmative action, payroll, planning, budget, accounting, information technology, safety, fleet management and facilities management.

Division of Policy Development

The Division of Policy Development is responsible for providing administrative support and policy guidance to the professional boards in the state by facilitating board meetings, serving as a liaison between the boards and the Department, and managing the administrative rule promulgation process for self-regulated professions. The Division also manages the administrative rule promulgation process for professions and technical programs that are directly regulated by the Department. This Division is also responsible for continuing education and examination requirements for regulated professions and administration of the Prescription Drug Monitoring Program (PDMP).

Division of Professional Credential and Processing

The division is responsible for all credential application processing, including determination of credential eligibility and renewal. The division is responsible for licensure, renewal and verification of health, business, trades and manufactured home owners/communities credentials, operation of the Department's Customer Service Center and regulation of the state's mixed martial arts/boxing program.



AGENCY BUDGET TRENDS

The state budget process begins in September of every even year when each agency sends its budget requests to the Department of Administration. The Governor then has several months to put together the executive budget proposal that is forwarded to the Legislature. The Legislature, through the work of the Joint Finance Committee, then holds hearings and votes on the budget through the spring and summer of the odd year. This culminates with the signing of the budget document that summer. While technically due by July 1 of the budget year, often budget debates will drag into the Summer and sometimes the Fall. However, the government does not shut down in Wisconsin as it does at the federal level when there is a budget impasse - it simply continues on the current spending plan until a new budget is adopted.

The budget for the Department of Safety and Professional Services has stayed relatively stable over the past three legislative sessions. A fee-based agency, the Department of Safety and Professional Services is self-sustaining and receives no general fund tax dollars for its day-to-day operations.

The agency has not taken on any major new initiatives nor has there been a need for a dramatic increase in expenditures.

Agency Budget Trend

Fund	2017 ACT 59	2019 ACT 9	2021 ACT 58
GPR			
FED	\$949,200.	\$1,179,700	\$1,066,000
PR	\$106,540,000	\$117,372,700	\$119,142,900
SEG			
TOTAL	\$107,489,200	\$118,552,400	\$120,208,900

FTE Position Summary

Fund	2017 ACT 59	2019 ACT 9	2021 ACT 58
GPR			
FED	1.7	1.7	1.7
PR	234.44	235.44	240.44
SEG			
TOTAL	236.14	237.14	242.14

AGENCY LEADERSHIP

As the head of a cabinet agency, the Secretary is appointed by the Governor with the advice and consent of the Senate and serves at the pleasure of the Governor. The Secretary of each agency then must appoint the other members of their team to help them carry out the duties and responsibilities of the agency. Descriptions of each appointed position are listed below:

Secretary

Appointed by the Governor, the Secretary leads and represents the agency. The position is responsible for directing and managing the agency to execute the Governor's agenda while ensuring the efficient operation of the agency per state statute. The position is also responsible for reporting on the agency's matters to the Governor and Legislature.

Deputy Secretary

The Deputy Secretary serves at the pleasure of the Secretary and is primarily responsible for assisting the Secretary with carrying out the mission of the agency including but not limited to, personnel management, day-to-day operations, and external affairs.

Assistant Deputy Secretary

The Assistant Deputy Secretary also serves at the pleasure of the Secretary and is responsible for assisting both the Secretary and Deputy Secretary. Responsibilities may include but are not limited to day-to-day operations and external affairs aligned with the agency's mission.

Chief Legal Counsel

The Chief Legal Counsel serves at the pleasure of the Secretary and provides legal counsel and support involving the agency's affairs.

Legislative Liaison

The Legislative Liaison is primarily responsible for facilitating and managing relationships with the Legislature and external stakeholders to provide information as needed and requested. The position also helps develop the agency's legislative agenda to align with the Governor's priorities, current industry standards and respond to stakeholder concerns.



Communications Director

The Communications Director supports the Secretary's Office in strategic communications and responds to media inquiries. The position may also speak on behalf of the Secretary and represent the agency in the media.

Division Administrator

The Division Administrator, appointed by the Secretary, is responsible for providing leadership, personnel management and guidance on day-to-day operations for the agency's assigned division. This position typically reports to the Deputy Secretary, communicating activities and providing advice to ensure the division is in line with the agency's mission.

Wisconsin Commissioner Of Unarmed Combat Sports

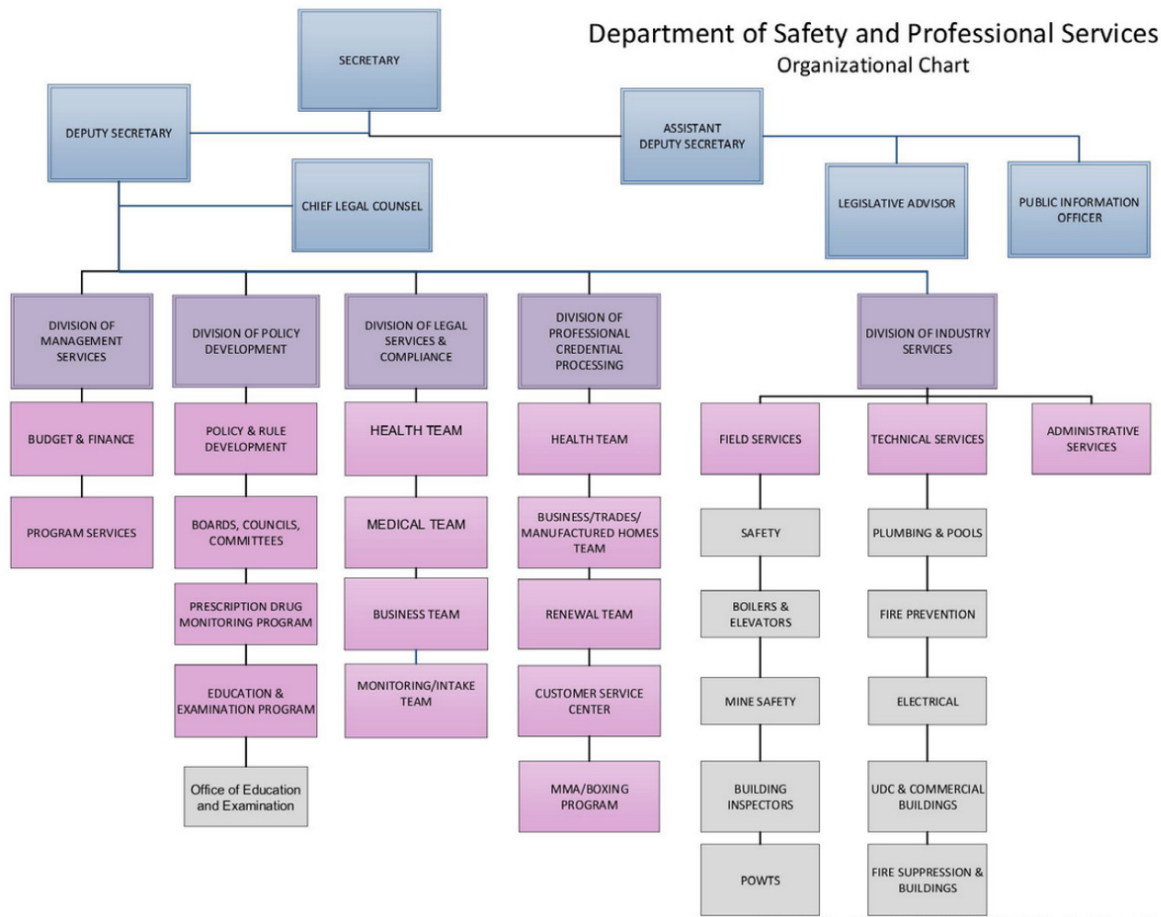
The DSPS Secretary also has the responsibility to appoint the Wisconsin Commissioner of Unarmed Combat Sports. The Department grants licenses and provides other oversight for adult participants of these sports. Duties of the Commissioner include overseeing promoters and the hiring of officials, judges, referees, physicians and inspectors for every event.

These appointments may change during the 4-year term of a governor. Listed here are the teams serving under Gov. Evers in mid-2022, as well as the team that served at the end of Gov. Walker's final term.

Agency Leadership

POSITION	EVERS	WALKER
SECRETARY	Dan Hereth	Laura Gutierrez
DEPUTY SECRETARY	Donna Moreland	Eric Esser
ASSISTANT DEPUTY SECRETARY	Jennifer Garrett	Kirsten Reader
CHIEF LEGAL COUNSEL	Al Rohmeyer	Al Rohmeyer
COMMUNICATIONS DIRECTOR	Greg Cieslewicz	Nichole Anspach
LEGISLATIVE DIRECTOR	Michael Tierney	Nate Yahn
DIVISION ADMINISTRATORS		
DIVISION OF MANAGEMENT SERVICES	Angela Banks	Alicia Nalid
DIVISION OF POLICY DEVELOPMENT	Gwendolyn Jones	Brittney Lewin
DIVISION OF LEGAL SERVICES AND COMPLIANCE	Mary Richards	Nate Ristow
DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING	Mark Andrews	Michelle Beasley
DIVISION OF INDUSTRY SERVICES	Brandon Piper	Christopher Joch

ORGANIZATION CHART



ATTACHED COUNCILS, TASK FORCES, & COMMITTEES

Like most agencies, the Department of Safety and Professional Services has Boards and Councils that are charged with various responsibilities. Generally, these groups either give advice to the Secretary or they are part of the regulatory process itself.

Subordinate statutory boards, councils, and committees:

- Automatic Fire Sprinkler System Contractors and Journeyman Council
 - Statutory Duties: The Automatic Fire Sprinkler System Contractors and Journeymen Council is created in Wis. Stat. § 15.407(17) to advise the Department on matters related to automatic fire sprinkler credentials as set forth in Wis. Stat. § 145.17(2).
 - Appointments: The members of the Automatic Fire Sprinkler System Contractors and Journeymen Council are appointed by the Secretary of the Department of Safety and Professional Services to serve 4-year terms. The Council consists of 5 members including an employee of the Department who serves as the Council Secretary, 2 licensed journeymen automatic fire sprinkler fitter members, and 2 members representing licensed automatic fire sprinkler contractors.
 - Meeting Frequency: The Council is currently inactive.
 - Membership: N/A
- Commercial Building Code Council
 - Statutory Duties: The Commercial Building Code Council is created in Wis. Stat. § 15.407(18) to advise the Department on the uniform commercial building code, as set forth in Wis. Stat. § 101.023.
 - Appointments: The members of the Commercial Building Code Council are appointed by the Governor to serve 3-year terms. The Council consists of 2 skilled building trade members; 2 local licensed building inspector members employed by a city, village or county; 2 fire services members, 1 of whom is a fire chief; 2 building contractors members; 2 members who are architects, engineers, or designers; and 1 member who is an employee of the Department who serves as a nonvoting secretary of the council and is appointed by and serves at the pleasure of the Secretary.
 - Meeting Frequency: In 2021, the Council met monthly with the last meeting held on December 13, 2021. There have been no meetings held in 2022.
- Controlled Substances Board
 - Statutory Duties: The Controlled Substances Board is created in Wis. Stat. § 15.405(5g) and has authority as outlined in Wis. Stat. ch. 961.
 - Appointments: The members of the Controlled Substances Board are appointed as outlined in Wis. Stat. § 15.405(5g). The Board consists of seven members with no term expiration dates: the Attorney General, the Secretary of Health Services, and the Secretary of Agriculture, Trade and Consumer Protection, or their designees; the chairperson of the Pharmacy Examining Board, the chairperson of the Medical Examining Board, the chairperson of the Dentistry Examining Board, and the chairperson of the Board of Nursing, or a designee; and two members appointed by the Governor to serve 3-year terms: one psychiatrist member and one pharmacologist member.

- Meeting Frequency: The Board regularly meets quarterly, as well as the Board's Referral Criteria Working Group.
- **Conveyance Safety Code Council**
 - Statutory Duties: The Conveyance Safety Code Council is created in Wis. Stat. § 15.407(14) to advise the Department on matters related to elevators, escalators and other passenger lifts as set forth in Wis. Stat. § 101.986.
 - Appointments: The members of the Conveyance Safety Code Council are appointed by the Governor to serve 3-year terms. The Council consists of 1 manufacturer of elevators member; 1 elevator servicing business member; 1 member representing an architectural design or elevator consulting profession; 1 member representing a labor organization whose members are involved in installation, maintenance, and repair of elevators; 1 member representing a city, village, town, or county in this state; 1 owner or manager of a building in this state containing an elevator; 1 public member; the Secretary of the Department of Safety and Professional Services or designee; and 1 employee of the Department, designated by the Secretary, who is familiar with commercial building inspections and serves as a nonvoting council secretary.
 - Meeting Frequency: The Council has not met since 2019.
- **Manufactured Housing Code Council**
 - Statutory Duties: The Manufactured Housing Code Council is created in Wis. Stat. § 15.407(13) to advise the Department on matters related to manufactured housing as set forth in Wis. Stat. § 101.933.
 - Appointments: The members of the Manufactured Housing Code Council are appointed by the Secretary of the Department of Safety and Professional Services to serve 3 year terms. The Council consists of 2 members representing manufacturers of manufactured home; 2 members representing manufactured home dealers; 2 members representing owners of manufactured home communities; 2 members representing installers of manufactured homes; 1 member representing an association of the manufactured housing industry in Wisconsin; 1 member representing suppliers of materials or services to the manufactured housing industry; 1 member representing the public; 1 member representing labor; and 1 member representing inspectors of manufactured homes.
 - Meeting Frequency: The Council is currently inactive.
- **Plumbers Council**
 - Statutory Duties: The Plumbers Council is created under Wis. Stat. § 15.407(16) to advise the Department on matters relating to plumbing credentials as set forth in Wis. Stat. § 145.02(4)(a).
 - Appointments: The members of the Plumbers Council are appointed by the Secretary of the Department of Safety and Professional Services. The Council consists of 3 members, 1 master plumber member and 1 journeuman plumber appointed to serve 2-year terms, and 1 DSPS employee member who serves as the Council secretary.
 - Meeting Frequency: The Council is currently inactive.
- **Sign Language Interpreters Advisory Committee**
 - Statutory Duties: The Sign Language Interpreters Advisory Committee is created under Wis. Stat. § 227.13 and Wis. Stat. § 440.042(1) to advise the Department on matters outlined in Wis. Stat. § 440.032(6m)(b). The Sign Language Interpreters Advisory Committee succeeded the Sign Language Interpreter Council as a result of 2019 Wisconsin Act 17.



- Appointments: The members of the Sign Language Interpreters Advisory Committee are appointed by the Secretary of the Department of Safety and Professional Services. The agency may use informal conferences and consultations to obtain the viewpoint and advice of interested persons with respect to contemplated rule making. The agency also may appoint a committee of experts, interested persons or representatives of the public to advise it with respect to any contemplated rule making. The committee shall have advisory powers only.
- Meeting Frequency: The Committee meets quarterly.
- Uniform Dwelling Code Council
 - Statutory Duties: The Uniform Dwelling Code Council is created in Wis. Stat. § 15.407(10) to advise the Department on matters related to the dwelling code, building inspector discipline, and contractor certification as set forth in Wis. Stat. §101.62.
 - Appointments: The members of the Uniform Dwelling Code Council consist of 11 members appointed for staggered 2-year terms. All members of the Council are appointed by the Governor except for the nonvoting DSPS Employee member who is appointed by the Secretary of DSPS. Each member shall represent at least one of the following groups: building trade labor organizations; certified building inspectors employed by local units of government; building contractors actively engage in on-site construction of 1- and 2- family housing; manufacturers, retailers, or installers of manufactured or modular one- and 2- family housing; architects, engineers, or designers who are registered under Wis. Stat. ch. 443 and who are actively engage in the design or evaluation of 1- and 2-family housing; the construction material supply industry; remodeling contractors actively engaged in the remodeling of 1- and 2-family housing; persons with disabilities, as defined in Wis. Stat. § 106.50(1m)(g); and fire prevention professionals.
 - Meeting Frequency: The Council meets once a year.

Independent entities attached for administrative purposes:

- Accounting Examining Board
 - Statutory Duties: The Accounting Examining Board has is created in Wis. Stat. § 15.405(1) and has authority as outlined in Wis. Stat. ch. 442.
 - Appointments: The members of the Accounting Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 5 members who hold certificates as certified public accountants, and 2 public members.
 - Meeting Frequency: The Board meets quarterly.
- Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors
 - Statutory Duties: The Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers is created in Wis. Stat. § 15.405(2) and has authority as outlined in Wis. Stat. ch. 443. The Board convenes to address matters of joint interest and is divided into 6 Sections to address matters specific to its respective professional areas.

- Appointments: The members of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Registered Interior Designers are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 25 members: 3 architects, 3 landscape architects, 3 professional engineers, 3 designers, 3 professional land surveyors, 3 registered interior designers, and 12 public members.
- Meeting Frequency: The Board and the Board's Rules Committee meets twice a year.
- Auctioneer Board
 - Statutory Duties: The Auctioneer Board is created in Wis. Stat. § 15.405(3) and works with the Department of Safety and Professional Services as outlined in Wis. Stat. ch. 480.
 - Appointments: The members of the Auctioneer Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of four members who are registered as an auctioneer or who serve as a representative of a registered auction company, and three public members.
 - Meeting Frequency: The Board meets quarterly.
- Cemetery Board
 - Statutory Duties: The Cemetery Board is created in Wis. Stat. § 15.405(3m) and works with the Department of Safety and Professional Services as defined at Wis. Stat. Ch. 440, subch. IX.
 - Appointments: The members of the Cemetery Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of four members each of whom is a business representative of a licensed cemetery authority, and two public members.
 - Meeting Frequency: The Board meets quarterly.
- Chiropractic Examining Board
 - Statutory Duties: The Chiropractic Examining Board is created in Wis. Stat. § 15.405(5) and has authority as outlined in Wis. Stat. ch. 446.
 - Appointments: The members of the Chiropractic Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of four members who are licensed chiropractors in this state, and two public members.
 - Meeting Frequency: The Board meets quarterly.
- Cosmetology Examining Board
 - Statutory Duties: The Cosmetology Examining Board is created in Wis. Stat. § 15.405(17) and has authority as outlined in Wis. Stat. Ch. 454.
 - Appointments: The members of the Cosmetology Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of four members who are licensed aestheticians or cosmetologists, one licensed electrologist member, one private school of cosmetology representative member, one public school of cosmetology representative member, and two public members.
 - Meeting Frequency: The Board meets nearly every other month. In 2022, the Board's Scope of Practice Committee met three times.
- Dentistry Examining Board
 - Statutory Duties: The Dentistry Examining Board is created in Wis. Stat. § 15.405(6) and has authority as outlined in Wis. Stat. ch. 447.



- Appointments: The members of the Dentistry Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 6 licensed dentists, 3 licensed dental hygienists and 2 public members.
- Meeting Frequency: The Board meets every other month.
- Funeral Directors Examining Board
 - Statutory Duties: The Funeral Directors Examining Board is created in Wis. Stat. § 15.405(16) and has authority as outlined in Wis. Stat. ch. 445.
 - Appointments: The members of the Funeral Directors Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of four licensed funeral directors and two public members.
 - Meeting Frequency: The Board meets quarterly.
- Examining Board of Professional Geologists, Hydrologists, and Soil Scientists
 - Statutory Duties: The Examining Board of Professional Geologists, Hydrologists and Soil Scientists is created in Wis. Stat. § 15.405(2m) and has authority as outlined in Wis. Stat. ch. 470. The Board convenes to address matters of joint interest and is divided into 3 Sections to address matters specific to its respective professional areas.
 - Appointments: The members of the Examining Board of Professional Geologists, Hydrologists and Soil Scientists are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 12 members: 3 professional geologists, 3 professional hydrologists, 3 professional soil scientists and 3 public members.
 - Meeting Frequency: The Board has not met in the last three years.
- Hearing and Speech Examining Board
 - Statutory Duties: The Hearing and Speech Examining Board is created under Wis. Stat. § 15.405(6m) and has authority as outlined in Wis. Stat. ch. 459.
 - Appointments: The members of the Hearing and Speech Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of three hearing instrument specialist members, one otolaryngologist member, two audiologist members, two speech-language pathologist members, and two public members one of which is required to be a hearing aid user.
 - Meeting Frequency: The Board meets quarterly.
- Marriage and Family Therapy, Professional Counseling and Social Work Examining Board
 - Statutory Duties: The Marriage and Family Therapy, Professional Counseling and Social Work Examining Board is created in Wis. Stat. § 15.405(7c) and has authority as outlined in Wis. Stat. ch. 457. The Board convenes to address matters of joint interest and is divided into three Sections to address matters specific to its respective professional areas.

- Appointments: The members of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of thirteen members: three marriage and family therapist members, three professional counselor members, four social worker members and three public members who represent groups that promote the interests of consumers of services provided by persons who are certified or licensed under Wis. Stat. ch. 457.
- Meeting Frequency: The Board meets quarterly.
- Medical Examining Board
 - Statutory Duties: The Medical Examining Board is created in Wis. Stat. § 15.405(7) and has authority as outlined in Wis. Stat. ch. 448.
 - Appointments: The members of the Medical Examining Board are appointed by the Governor and confirmed by the Legislature to serve staggered 4-year terms. The Board consists of 9 licensed doctors of medicine, 1 licensed doctor of osteopathy, and 3 public members.
 - Meeting Frequency: The Board meets monthly.
- Athletic Trainers Affiliated Credentialing Board
 - Statutory Duties: The Athletic Trainers Affiliated Credentialing Board is created under Wis. Stat. § 15.406(4), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 448, subch. VI.
 - Appointments: The members of the Athletic Trainers Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 4 athletic trainer members, 1 physician member, and 1 public member.
 - Meeting Frequency: The Board meets twice a year.
- Dietitians Affiliated Credentialing Board
 - Statutory Duties: The Dietitians Affiliated Credentialing Board is created under Wis. Stat. § 15.406(2), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 448, subch. V.
 - Appointments: The members of the Dietitians Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 3 dietitian members and 1 public member.
 - Meeting Frequency: The board meets twice a year.
- Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
 - Statutory Duties: The Massage Therapy and Bodywork Therapy Affiliated Credentialing Board, created in Wis. Stat. § 15.406(6), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 460.
 - Appointments: The members of the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 6 Massage Therapists or Bodywork Therapists: 1 of the 6 professional members shall be a representative of an approved massage therapy or bodywork therapy school; 1 member shall be a representative of a massage therapy or bodywork therapy program offered by a technical college in this state; and 1 public member.
 - Meeting Frequency: The Board meets quarterly.



- Occupational Therapists Affiliated Credentialing Board
 - Statutory Duties: The Occupational Therapists Affiliated Credentialing Board, created in Wis. Stat. § 15.406(5), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 448, subch. VII.
 - Appointments: The members of the Occupational Therapists Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 3 Occupational Therapists, 2 Occupational Therapy Assistants, and 2 public members.
 - Meeting Frequency: The Board meets quarterly.
- Podiatry Affiliated Credentialing Board
 - Statutory Duties: The Podiatry Affiliated Credentialing Board, created in Wis. Stat. § 15.406(3), is affiliated with the Medical Examining Board and has authority as outlined in Wis. Stat. ch. 448, Subch. IV.
 - Appointments: The members of the Podiatry Affiliated Credentialing Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 3 licensed podiatrist members and 1 public member.
 - Meeting Frequency: The Board meets three times a year.
- Board of Nursing
 - Statutory Duties: The Board of Nursing is created in Wis. Stat. § 15.405(7g) and has authority as outlined in Wis. Stat. ch. 441.
 - Appointments: The members of the Board of Nursing are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 5 Registered Nurse members, 2 Licensed Practical Nurse members and 2 public members.
 - Meeting Frequency: The Board meets monthly.
- Nursing Home Administrator Examining Board
 - Statutory Duties: The Nursing Home Administrators Examining Board is created in Wis. Stat. § 15.405(7m) and has authority as outlined in Wis. Stat. ch. 456.
 - Appointments: The members of the Nursing Home Administrators Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of the Secretary of the Department of Health Services or a designee who serves as a non-voting member, 5 Nursing Home Administrators, 1 physician, 1 nurse and 2 public members.
 - Meeting Frequency: The Board meets quarterly.

- **Pharmacy Examining Board**
 - Statutory Duties: The Pharmacy Examining Board is created under Wis. Stat. § 15.405(9), and has authority as outlined in Wis. Stat. ch. 450.
 - Appointments: The members of the Pharmacy Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 5 licensed pharmacist members and 2 public members.
 - Meeting Frequency: The Board meets nearly every month. The Board's Rules Committee meets quarterly.
- **Physical Therapy Examining Board**
 - Statutory Duties: The Physical Therapy Examining Board is created under Wis. Stat. § 15.045(7r) and has authority as outlined in Wis. Stat. ch. 448, Subch. III.
 - Appointments: The members of the Physical Therapy Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of 3 licensed physical therapists, 1 licensed physical therapist assistant, and 1 public member.
 - Meeting Frequency: The Board meets quarterly.
- **Psychology Examining Board**
 - Statutory Duties: The Psychology Examining Board is created under Wis. Stat. § 15.405(10m) and has authority as outlined in Wis. Stat. ch. 455.
 - Appointments: The members of the Psychology Examining Board are appointed by the Governor and confirmed by the Legislature to serve four-year terms. The Board consists of four members who represent different areas of the practice of psychology, and two public members.
 - Meeting Frequency: The Board meets approximately every other month.
- **Radiography Examining Board**
 - Statutory Duties: The Radiography Examining Board is created under Wis. Stat. § 15.405(7e) and has authority as outlined in Wis. Admin. Code ch. 462.
 - Appointments: The members of the Radiography Examining Board are appointed by the Governor and confirmed by the Legislature to serve 4-year terms. The Board consists of three licensed radiographer members; one physician member who is certified in radiology by the American Board of Radiology, the American Osteopathic Board of Radiology, the British Royal College of Radiologists, or the Royal College of Physicians and Surgeons of Canada; one member who is licensed as a radiologic physicist; and two public members.
 - Meeting Frequency: The Board meets three times a year.
- **Real Estate Appraisers Board**
 - Statutory Duties: The Real Estate Appraisers Board is created in Wis. Stat. § 15.405(10r) and works with the Department of Safety and Professional Services as outlined in Wis. Stat. ch. 458.
 - Appointments: The members of the Real Estate Appraisers Board are appointed by the Governor and confirmed by the Senate to serve 4-year terms. The Board consists of 7 members including 1 certified general appraiser, 1 certified residential appraiser, 1 certified or licensed appraiser, 1 assessor member, 2 public members and 1 appraisal management representative.
 - Meeting Frequency: The Board meets quarterly.



MAJOR PAST INITIATIVES (2011-Present)

Most major policy initiatives happen during the budget process. The Governor, and sometimes the Legislature, will propose a major reduction or increase in spending for any number of programs. The major initiatives dating from 2011 to the present for the Department of Safety and Professional Services is listed below:

Major Past Initiatives

INITIATIVE	GOVERNOR	ENACTED	NOTES
Information technology enhancements	Evers	Yes	JFC revised original request
Professional licensing and regulation staff	Evers	Yes	JFC revised original request
Private on-site wastewater treatment system grants	Evers	No	JFC deleted provision
Equity officer position	Evers	No	JFC deleted provision
Construction contractors registration	Evers	No	JFC deleted provision
Prohibit use of vapor products in indoor locations	Evers	No	JFC deleted provision
Create an appropriation to receive inter-agency transfers	Evers	No	JFC deleted provision
Pharmacist training in naloxone use	Evers	No	JFC deleted provision
Pharmacist continuing education	Evers	No	JFC deleted provision
Professional and trade regulation staff	Evers	No	JFC modified original request
Private Onsite Wastewater Treatment System regulation	Evers	No	JFC deleted provision

PDMP - Reporting Naloxone administered by ambulance service	Evers	Yes	JFC/Governor
PDMP - opioid naive alerts	Evers	Yes	JFC/Governor
PDMP - project positions	Evers	No	JFC deleted provision
Chiropractic examination appropriation	Evers	Yes	JFC/Eveers
Eliminate Rental Unit Energy Efficiency Program	Walker	Yes	JFC modified original request
Convert Funding for Private Onsite Wastewater Treatment System Grant Program From Ongoing to One-Time	Walker	No	JFC modified original request
Possession, use and transportation of fireworks	Walker	Yes	JFC provision, Governor modified
Create Occupational License Review Council	Walker	No	JFC deleted provision
Occupational License Study	Walker	Yes	JFC/Legislature
Regulation of Licensed Health Professionals - Boards and Councils	Walker	No	JFC deleted provision
Eliminate certain boards and councils	Walker	No	JFC deleted provision
Apprenticeship examination exemption	Walker	No	JFC deleted provision
Prescription Drug Monitoring Program	Walker	Yes	JFC modified original request
Procedure for addressing chemically dependent credential holders	Walker	Yes	Governor/Legislature



Transfer functions of the Educational Approval Board	Walker	Yes	Governor/Legislature
Information technology modernization	Walker	Yes	JFC deleted provision
Eliminate certain councils under DSPS	Walker	Yes	JFC/Legislature
Eliminate rental unit energy efficiency program	Walker	Yes	Original request modified
Repeal requirement to contract for education regarding construction standards	Walker	Yes	Governor/Legislature
Religious waivers to certain one- and two-family building code provisions	Walker	Yes	JFC/Legislature
Septic and well pump installer electrician license exemption	Walker	Yes	JFC/Legislature
Local electrical and multi-family sprinkler code ordinances	Walker	Yes	JFC/Legislature
Transfer functions to DFIPS	Walker	No	JFC deleted provision
Transfer private onsite wastewater treatment system regulation to DNR	Walker	No	JFC deleted provision
Transfer Veterinary Examining Board to the Department of Agriculture, Trade and Consumer Protection	Walker	Yes	JFC modified original request
Consolidate Marketing Services in Tourism	Walker	Yes	JFC modified original request
Transfer regulation of tattooing, body piercing and tanning to DSPS	Walker	Yes	JFC/Legislature

Information technology modernization	Walker	Yes	
Reclassify Division Administrator Position	Walker	Yes	Modified and vetoed in part
Transfer regulation of certain professions and organizations to the Department of Financial Institutions	Walker	No	JFC modified provision
Study to Consolidate DSPS with the Department of Agriculture, Trade and Consumer Protection	Walker	Yes	
Repeal state chiropractic examination	Walker	Yes	JFC/Legislature
Agency budget reductions	Walker	Yes	
Transfer functions from other agencies	Walker	Yes	JFC modified and Governor vetoed in part
Transfer state approving functions from the Department of Veterans Affairs	Walker	No	JFC deleted provision
Create Real Estate Examining Board	Walker	Yes	
Real estate renewal fee transfer to UW-Madison	Walker	Yes	JFC modified
Substitution of drug equivalents at skilled nursing facilities	Walker	No	JFC deleted provision
Medical Examining Board Investigator	Walker	Yes	
Private sewage system replacement requirements and grant eligibility	Walker	No	JFC deleted provision



Building code changes that increase the cost of one- and two-family dwellings	Walker	Yes	
Regulation of residential conveyances	Walker	Yes	
Underground storage tank regulations for secondary containment	Walker	Yes	
Pharmacist vaccinations to children	Walker	Yes	JFC/Legislature

STAKEHOLDERS

Every agency has a number of organizations, professions, and industries that are uniquely interested in the policy or regulatory decisions that could affect their membership or industry. These groups are commonly organized into trade associations and are represented by registered lobbyists that stay in touch with agency leadership. These lobbyists keep their membership informed on current policy debates and use their expertise to educate policy makers on the issues important to their industries. Below is a non exhaustive list of stakeholders that are interested in the Department of Safety and Professional Services.

STAKEHOLDER	TYPICAL ISSUES
Wisconsin Society of Land Surveyors	Legislation involving licensing issues, water laws, land law, condominiums, land records, electronic recording of land records, subdivisions and liability issues impacting land surveying and land surveyors
Wisconsin Society of Architects	Legislation and rules affecting the profession and practice of architecture and the design and construction industry in Wisconsin, including taxation, liability, building codes, regulation and licensing, public buildings and related issues
Wisconsin Roofing Contractors Association	All matters related to roofing, construction, licensing, apprenticeship, Worker's Compensation, asbestos, building codes, business regulation, and small business
Wisconsin Realtors Association	Land use and environmental policy; real estate licensing laws; tax policy; housing-related regulations; development - residential and commercial; economic development
Wisconsin Radiological Society	Issues relating to medical imaging; practice of medicine, regulation and licensing
Wisconsin Pipe Trades Association	All bills and rules affecting the piping industry in Wisconsin and the licensing of persons installing, servicing and working with piping, plumbing and HVAC-R systems



Wisconsin Optometric Association	Health care, insurance, managed care and licensing & regulation of doctors of optometry. Implementation of national health care reform. Optometry scope and practice
Wisconsin Occupational Therapy Association	Issues affecting persons with disabilities, Medicaid reimbursement, health profession scope of practice, professional licensing, professional education
Wisconsin Housing Alliance	Any matter that may affect manufactured (HUD Code) or modular housing including but not limited to taxation, licensing, transportation and consumer protection
Wisconsin Genetic Counselors Association	Educate and raise the awareness of opinion leaders and public officials on the issues related to the licensing of Genetic Counselors as healthcare providers
Wisconsin Dental Hygienists Association	Representing dental hygienists in the areas of health care reform, managed care, oral health care issues, regulatory and licensing issue impacting dental hygienists, continuing education, and government and non-government third party insurance matters
Wisconsin Chiropractic Association	All legislation and rules which affect health care, licensing of chiropractors, health insurance, or other types of insurance which provide a health care benefit
Wisconsin Bakers Association	Licensing
Wisconsin Society of General Dentistry	Healthcare, oral healthcare, regulation, licensing business practices
Wisconsin Naturopathic Doctors Association	The regulation and licensing of naturopathic doctors who have completed four year naturopathic medical schools
Plumbing, Heating, Cooling Wisconsin Contractors	Matters affecting plumbing-heating-cooling, construction, apprenticeship, licensing, codes, building, water, natural resources, water conservation, geothermal heating & cooling, consumer contracts, and construction contracts.
Chiropractic Society of Wisconsin	Legislation and rules affecting chiropractic care and the patients they serve, including licensing of chiropractors, insurance, health care, etc

Associated General Contractors of Wisconsin	Any legislation or rule affecting commercial contractors such as taxes, trade licensing, building codes, bidding, lien law, prevailing wage, environmental, and contracts
American Physical Therapy Association	All areas affecting physical therapy, including the licensing and regulation of physical therapists, physical therapist assistants and students of physical therapy
American Massage Therapy Association - Wisconsin Chapter	Updating Wisconsin law regarding the regulation and licensing of massage therapists and bodyworkers
Wisconsin Association of Anesthesiologists	Areas concerning the delivery of anesthesia services by physicians and the regulation of such services
Wisconsin Psychiatric Association	Legislation and regulation that affect the practice of psychiatry in the state of Wisconsin
Wisconsin Podiatric Medical Association	This organization has interest in matters medical on a legislative and regulatory level with particular emphasis on legislation and administrative rules which directly impact the practice of podiatric medicine, such as the regulations governing the activities of managed care organizations (MCOs) and HMOs, service corporation issues, regulation of the practices of podiatric physicians and their compliance with rules, regulations and disciplinary actions affecting them
Wisconsin Institute of Certified Public Accountants	Accounting, taxation, civil liability, business and professional regulation and state government
Wisconsin Association of Nurse Anesthetists	Issues related to the practice of advanced practice nurses certified to administer anesthesia



Wisconsin Academy of Physician Assistants	Rules and regulation affecting health care, licensure and physician assistants practice in Wisconsin
Wisconsin Academy of General Dentistry	Healthcare, oral healthcare, regulation, licensing business practices
Wisconsin Academy of Family Physicians	Rules, regulations or statutes pending in the legislature which would impact the practice of family medicine in the state of Wisconsin
American Association for Marriage and Family Therapy	Issues related to the licensure of marriage and family therapists

PAST EXECUTIVE ORDERS

Formal actions by the Governor are conveyed through executive order. These orders often direct state agencies to carry out the Governor's policy goals within their statutory authority. They can be used to create councils to explore public policy solutions, bring the state into compliance with federal requirements, direct agencies to take certain actions, and carry out powers granted to the Governor under Chapter 14 of the Wisconsin Statutes. Below is a list of executive orders that pertain to the Department of Safety and Professional Services.

Executive Orders

GOVERNOR	EO #	DATE	DESCRIPTION	STATUS
Evers - EM	22	4/9/20	Relating to certain timelines established by the Department of Safety and Professional Services	Active
Evers - EM	35	5/3/20	Relating to the Department of Health Services and Department of Safety and Professional Services	Active
Walker	214	9/22/16	Relating to the creation of the Governor's Task Force on Opioid Abuse	Inactive
Walker	228	1/5/17	Relating to implementation of the recommendations of the co-chairs of the Governor's Task Force on Opioid Abuse	Inactive



GOVERNMENT REFORM OPPORTUNITIES

Wisconsin government has grown too big and too expensive. This has precipitated issues across the whole of the executive branch that have become a barrier to the success of Wisconsin residents and businesses alike. The Institute for Reforming Government endeavors to shine light on these issues as prime opportunities for bold reform. Below you will find a non-exhaustive list of policy concerns that we have highlighted for the Department of Safety and Professional Services.

The Backlog

Lingering effects of Governor Evers' COVID-19 policies, a newly launched electronic filing system, and agency mismanagement created a licensure backlog. DSPS employees have not been able to catch up on the mounting backlog of filed forms. Several reports indicate some Wisconsinites are left waiting months, and some over a year, for their credentials and employers have reported severe difficulties to fill open positions. According to a public hearing earlier this year, DSPS did not foresee the backlog subsiding until fall or winter of 2022. The issue is yet to be resolved. More concerning, there appears to be no plan in place to appropriately overcome the backlog and the timeliness of processing.

Right to Earn a Living

Unnecessary and overly burdensome restrictions posed on professionals from the department may negatively impact Wisconsinites from entering the workforce. The agency suffers from red tape restrictions - many times losing sight of the agency's mission - that make it harder for individuals to enter the workforce in a timely manner.

License Approval

DSPS' ongoing backlog and long-term mismanagement leaves law-abiding Wisconsin professionals suffering unnecessary delays in entering or continuing in the workforce. As many of these regulatory requirements may simply require basic information and a fee, Wisconsin should consider automating as much of the process as possible making it less time consuming for the individual, as well as the State.

Sunrise Review

The rate of new occupations requiring some type of regulation outweighs the sunseting of others. It's much easier to create regulations than scale them back. There should be a careful review of the best form of regulation to reduce the unnecessary burdensome red tape for professionals to enter the workforce.

Sunset Review

Proposing and enacting new occupational regulations consistently exceeds those being suspended or ended. In 2018, DSPS released a comprehensive study on occupational licenses regulated in Wisconsin and included recommendations for the elimination and reform of 28 occupational licenses. It's time to update Wisconsin law to ensure occupational regulations are not only reviewed on a consistent basis but also require action to uphold any ongoing regulatory burdens.

Universal License Recognition

Some licensing boards have strong regulatory powers that may result in pushing out healthy industry competition. Boards that require unnecessary or overburdensome requirements discourages a growing industry.

Poor Management

DSPS suffers from mismanagement, which has led to issues such as delays in licensing professionals or public safety concerns. The agency currently has a massive backlog in processing paperwork for licensing. The growing external pressures could mitigate attention to other vital areas of the department that focus on public safety, such as building plan reviews, inspections, and amusement rides. Re-focus the agency to allow more attention on public safety and re-align licensing with other agencies that also perform similar functions. The agency has great responsibility in protecting Wisconsinites - not just to ensure those entering a profession follow industry standards but also ensuring general public safety within a variety of programs. Realigning DSPS with a sole focus on public safety will strengthen oversight on regulatory program operations that protect the public.



At the Institute for Reforming Government we know that the government isn't the way of the future - people are. And we believe that in order to empower people and ideas to flourish, our government needs to get out of the way.

This is nothing new for Wisconsinites- we have a long history as the standard bearer for government reform - we were the first state to implement unemployment insurance, Wisconsin Works (W-2), and we were on the cutting edge of major collective bargaining reform. But today the state we love is beginning to lag behind. Our executive branch has become bloated, slow, and expensive - a burden to the state's economy instead of a catalyst.

The solution to this problem isn't more government, it's less. What we need is a conservative vision for the state. This introductory document lays bare the issues and problems that are standing in the way for Wisconsin. In the coming months, IRG will be releasing a series of reforms that will cast a conservative vision for key executive branch agencies in the state.

Now is the time to renew our faith in the people of Wisconsin, not the government.