

## CO-SPONSORSHIP MEMORANDUM

To: All Legislators

From: Senator Rob Stafsholt  
Representative Nate Gustafson

Date: May 2, 2023

RE: Co-Sponsorship of LRB-2742/1, relating to: reciprocal credentials

Deadline: Friday, May 12<sup>th</sup> at 12:00pm.

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The Legislative Council Study Committee on Occupational Licenses was created with the goal of finding solutions so current and future license holders can be licensed in a timely manner. We were tasked with finding long-term solutions that will fix the problems plaguing DSPS. Throughout the study committee, there were many ideas that came forward that were discussed by the group and turned into legislation. There were also some ideas that we didn't have enough time to fully discuss and get drafted into legislation before our final hearing, and LRB-2742/1 is one of those ideas.

This legislation replaces the credential-specific standards with a universal licensure recognition standard, which allows the state to grant a reciprocal credential to a person who holds an occupational credential from another state or jurisdiction, using a single standard across multiple occupations.

In order to create the universal recognition standard, the bill utilizes the universal standard that currently applies to service members, veterans, and their spouses. The bill expands that standard to any person who is credentialed in good standing in another jurisdiction, regardless of military status. However, the bill eliminates the requirement that the applicant reside in this state.

Under the bill, a reciprocal credential must be granted if the person satisfies all of the following requirements:

- The individual holds a credential granted by a governmental authority in a jurisdiction outside this state that qualifies the person to perform the acts authorized under the corresponding Wisconsin credential for which the person is applying.
- The individual is not under investigation and does not have any limitation, restriction, or other encumbrance on an out-of-state credential.

The bill provides that once an individual submits an application for a reciprocal credential, the credential is considered to be provisionally granted on that date, and the individual may immediately practice the occupation or profession, subject to the ultimate decision on whether to grant or deny the reciprocal credential.

In addition, the bill provides that a person who receives a reciprocal credential is subject to the laws, scope of practice, and procedures for the Wisconsin credential. A person in all circumstances must limit their practice to the scope of their experience, education, and training.

This bill does not apply to temporary credentials or certain other specified nonstandard credentials.

If you would like to co-sponsor this legislation, please respond to this email or contact Senator Stafsholt's office at 6-7745 or Representative Gustafson's office at 9155. Co-sponsors will automatically be added to both the Senate and Assembly versions unless otherwise specified.

### ***Analysis by the Legislative Reference Bureau***

*This bill expands provisions allowing individuals who hold a license, certification, registration, or permit that was granted by another state to apply for and receive a reciprocal credential in this state.*

*Under current law, an individual may not engage in certain professions or assume certain titles in this state unless the individual holds a credential issued by the Department of Safety and Professional Services or a credentialing board with authority to oversee the profession or practice. In certain circumstances, an individual who holds a license, certification, or registration from another jurisdiction that authorizes or qualifies the applicant to perform acts that are substantially the same as those acts authorized by a Wisconsin credential may obtain a "reciprocal credential." Current law generally provides two methods for obtaining a reciprocal credential:*

*1. Under one of numerous provisions allowing DSPS or a credentialing board to grant a reciprocal credential if certain conditions are met. These provisions do not exist for every profession, and generally require that the requirements in the other jurisdiction in which the individual is licensed, certified, or registered have requirements that are similar to or substantially equivalent to those under Wisconsin law.*

*2. Under a "universal" provision that requires DSPS or a credentialing board to issue a reciprocal credential if certain conditions are met. This provision does not require that the other jurisdiction's requirements for granting the license, credential, or registration be similar to or substantially equivalent to those under Wisconsin law and is not limited to specific professions or occupations. However, it is available only to service members, former service members, or the spouses of a service member or former service members who reside in this state. In addition, it requires that the individual be in good standing with the governmental authorities in every jurisdiction outside this state that have granted the license, credential, or registration.*

*The bill repeals the various profession-specific reciprocal credential provisions described above and expands who may apply for reciprocal credentials under the universal provision to include all individuals, and not only service members and spouses. However, the bill also eliminates the requirement that the applicant reside in this state. Additionally, the bill clarifies that the provision 1) requires that the individual not have any limitation, restriction, or other encumbrance on a credential issued in another state and not be under investigation by a credentialing authority in another state; 2) only provides for the granting of reciprocal credentials to natural persons; and 3) does not apply to temporary credentials*

*or to certain other specified nonstandard credentials, including unarmed combat sports credentials, peddler's licenses for ex-soldiers, and credentials issued under the Uniform Athlete Agents Act. The bill provides that once an individual applies for a reciprocal credential, the credential is considered to be provisionally granted on that date, and the individual may immediately practice the occupation or profession, subject to the ultimate decision on whether to grant or deny the reciprocal credential. Finally, the bill provides that a person who receives a reciprocal credential must limit his or her practice to the scope of his or her experience, education, and training.*