

# State of Wisconsin



2021 Assembly Bill 63

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

AN ACT *to repeal* 455.01 (4), 455.01 (7), 455.02 (2m) (h), 455.02 (3m) (title), 455.045 (2), 455.065 (3), 455.07, 455.08 and 455.10; *to renumber and amend* 455.02 (1m) and 455.02 (3m); *to amend* 15.405 (10m), 48.375 (2) (c), 48.375 (4) (b) 1m., 49.45 (30f), 50.06 (4), 51.30 (1) (b), 54.01 (27), 155.01 (1g) (a), 440.08 (2) (a) (intro.), 440.88 (3m), 455.01 (3m), 455.02 (1m) (title), 455.02 (2m) (d), 455.02 (2m) (m), 455.03, 455.04 (title), 455.04 (1) (intro.), 455.04 (1) (b), 455.04 (1) (c), 455.04 (1) (e), 455.04 (3), 455.04 (5), 455.045 (1), 455.065 (1), 455.065 (4), 455.065 (5), 455.09 (3) and 905.04 (1) (e); *to repeal and recreate* 455.01 (5), 455.01 (6), 455.02 (2m) (f), 455.02 (2m) (k), 455.04 (1) (d), 455.04 (4), 455.045 (3), 455.06 and 455.09 (title); and *to create* 455.02 (2m) (o) to (s), 455.025, 455.04 (2) and 455.065 (6) and (7) of the statutes; **relating to:** the practice of psychology, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, granting rule-making authority, and requiring the exercise of rule-making authority.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 15.405 (10m) of the statutes is amended to read:

15.405 (10m) PSYCHOLOGY EXAMINING BOARD. There is created in the department of safety and professional services a psychology examining board consisting of 6 members appointed for staggered 4-year terms. Four of the members shall be psychologists licensed in this state. ~~Each of the psychologist members shall represent a different specialty area within the field of psychology. Two members shall be public members. The governor shall, to the extent possible, nominate to the examining board psychologists who represent different specialty areas within the field of psychology.~~

**SECTION 2.** 48.375 (2) (c) of the statutes is amended to read:

48.375 (2) (c) "Counselor" means a physician including a physician specializing in psychiatry, a

licensed psychologist, ~~as defined in s. 455.01 (4)~~ licensed under s. 455.04 (1) or (2), or an ordained member of the clergy. "Counselor" does not include any person who is employed by or otherwise affiliated with a reproductive health care facility, a family planning clinic, or a family planning agency; any person affiliated with the performance of abortions, except abortions performed to save the life of the mother; or any person who may profit from giving advice to seek an abortion.

**SECTION 3.** 48.375 (4) (b) 1m. of the statutes is amended to read:

48.375 (4) (b) 1m. A physician who specializes in psychiatry or a ~~licensed psychologist, as defined in s. 455.01 (4)~~, licensed under s. 455.04 (1) or (2) states in writing that the physician or psychologist believes, to the best of his or her professional judgment based on the facts of the case before him or her, that the minor is likely to commit suicide rather than file a petition under s. 48.257 or approach her parent, or guardian or legal custodian, if

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

one has been appointed, or an adult family member of the minor, or one of the minor's foster parents, if the minor has been placed in a foster home and the minor's parent has signed a waiver granting the department, a county department, or the foster parent the authority to consent to medical services or treatment on behalf of the minor, for consent.

**SECTION 4.** 49.45 (30f) of the statutes is amended to read:

49.45 (30f) PSYCHOTHERAPY AND ALCOHOL AND OTHER DRUG ABUSE SERVICES. The department shall include licensed mental health professionals, as defined in s. 632.89 (1) (dm), and licensed psychologists, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2),~~ as providers of psychotherapy and of alcohol and other drug abuse services. Except for services provided under sub. (30e), the department may not require that licensed mental health professionals or licensed psychologists be supervised; may not require that clinical psychotherapy or alcohol and other drug abuse services be provided under a certified program; and, notwithstanding subs. (9) and (9m), may not require that a physician or other health care provider first prescribe psychotherapy or alcohol and other drug abuse services to be provided by a licensed mental health professional or licensed psychologist before the professional or psychologist may provide the services to the recipient. This subsection does not affect the department's powers under ch. 50 or 51 to establish requirements for facilities that are licensed, certified, or operated by the department.

**SECTION 5.** 50.06 (4) of the statutes is amended to read:

50.06 (4) A determination that an individual is incapacitated for purposes of sub. (2) shall be made by 2 physicians, as defined in s. 448.01 (5), or by one physician and one licensed psychologist, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2),~~ who personally examine the individual and sign a statement specifying that the individual is incapacitated. Mere old age, eccentricity, or physical disability, either singly or together, are insufficient to make a finding that an individual is incapacitated. Neither of the individuals who make a finding that an individual is incapacitated may be a relative, as defined in s. 242.01 (11), of the individual or have knowledge that he or she is entitled to or has a claim on any portion of the individual's estate. A copy of the statement shall be included in the individual's records in the facility to which he or she is admitted.

**SECTION 6.** 51.30 (1) (b) of the statutes is amended to read:

51.30 (1) (b) "Treatment records" include the registration and all other records that are created in the course of providing services to individuals for mental illness, developmental disabilities, alcoholism, or drug dependence and that are maintained by the department; by county departments under s. 51.42 or 51.437 and their

staffs; by treatment facilities; or by psychologists licensed under s. 455.04 (1) or (2) or licensed mental health professionals who are not affiliated with a county department or treatment facility. Treatment records do not include notes or records maintained for personal use by an individual providing treatment services for the department, a county department under s. 51.42 or 51.437, or a treatment facility, if the notes or records are not available to others.

**SECTION 7.** 54.01 (27) of the statutes is amended to read:

54.01 (27) "Psychologist" means a licensed psychologist, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2).~~

**SECTION 8.** 155.01 (1g) (a) of the statutes is amended to read:

155.01 (1g) (a) A licensed psychologist, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2).~~

**SECTION 9.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.11, 447.04 (2) (c) 2., 449.17 (1m) (d), 449.18 (2) (e), 455.06 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, the renewal dates for credentials are as follows:

**SECTION 10.** 440.88 (3m) of the statutes is amended to read:

440.88 (3m) EXCEPTION. This section does not apply to a physician, as defined in s. 448.01 (5), a clinical social worker, as defined in s. 457.01 (1r), a licensed psychologist, ~~as defined in s. 455.01 (4) licensed under s. 455.04 (1) or (2),~~ a marriage and family therapist, as defined in s. 457.01 (3), or a professional counselor, as defined in s. 457.01 (7), who practices as a substance abuse clinical supervisor or provides substance abuse counseling, treatment, or prevention services within the scope of his or her licensure.

**SECTION 11.** 455.01 (3m) of the statutes is amended to read:

455.01 (3m) "Fee" "Fee," when used other than in reference to a fee for a credential, means direct or indirect payment or compensation, monetary or otherwise, including the expectation of payment or compensation whether or not actually received.

**SECTION 12.** 455.01 (4) of the statutes is repealed.

**SECTION 13.** 455.01 (5) of the statutes is repealed and recreated to read:

455.01 (5) (a) "Practice of psychology" means the observation, description, evaluation, interpretation, prediction, or modification of human behavior by the application of psychological principles, methods, or procedures for any of the following purposes, in exchange for a fee:

1. Preventing, eliminating, evaluating, assessing, or predicting symptomatic, maladaptive, or undesired

behavior and promoting adaptive health maintaining behavior or psychological functioning.

2. Assisting in legal decision-making.

(b) "Practice of psychology" includes all of the following if done in exchange for a fee:

1. Psychological testing and the evaluation or assessment of a person's characteristics, including intelligence; personality; cognitive, physical, or emotional abilities; skills; interests; aptitudes; or neuropsychological functioning.

2. Counseling, consultation, psychoanalysis, psychotherapy, hypnosis, biofeedback, behavior therapy, and applied behavior analysis.

3. The diagnosis, treatment, or management of mental and emotional disorders or disabilities, substance use disorders, disorders of habit or conduct, and the psychological aspects of physical illnesses, accidents, injuries, or disabilities.

4. Psychoeducational evaluation, therapy, or remediation.

5. Consultation with other psychologists, physicians, or other health care professionals and with a patient regarding all available treatment options with respect to the provision of care for a specific patient or client.

6. The supervision of anything specified in subds. 1. to 5.

**SECTION 14.** 455.01 (6) of the statutes is repealed and recreated to read:

455.01 (6) "Psychotherapy" means the diagnosis and treatment of mental, emotional, or behavioral disorders, conditions, or addictions through the application of methods derived from established psychological or systemic principles, including for the purpose of assisting individuals with modifying their behaviors, cognitions, emotions, or personality characteristics, or for the purpose of understanding unconscious processes or intrapersonal, interpersonal, or psychosocial dynamics.

**SECTION 15.** 455.01 (7) of the statutes is repealed.

**SECTION 16.** 455.02 (1m) (title) of the statutes is amended to read:

455.02 (1m) (title) ~~LICENSE REQUIRED TO PRACTICE.~~

**SECTION 17.** 455.02 (1m) of the statutes is renumbered 455.02 (1m) (a) and amended to read:

455.02 (1m) (a) Except as provided in ~~s. sub. (2m) and ss. 257.03 and 455.03~~, no person may engage in the practice of psychology ~~or the private practice of school psychology~~, or attempt to do so or make a representation as authorized to do so, without a license issued by the examining board.

**SECTION 18.** 455.02 (2m) (d) of the statutes is amended to read:

455.02 (2m) (d) A person employed in a position as a psychologist or psychological assistant by ~~an a regionally accredited college, junior college or university or other academic or research higher educational~~ institution, if the person is performing activities that are a part

of the duties for which he or she is employed, is performing those activities solely within the confines of or under the jurisdictions of the institution in which he or she is employed, and does not render or offer to render psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the institution with which he or she is employed. An individual acting under this paragraph may, ~~without obtaining a license under s. 455.04 (1) or (4), disseminate research findings and scientific information to others, such as accredited academic institutions or governmental agencies, or may offer lecture services for a fee. teach the practice of psychology, conduct psychological research, present lectures on the practice of psychology, perform any consultation required by his or her academic or research functions, or provide expert testimony in court related to his or her field of expertise. A person employed in a position under this paragraph may utilize or represent himself or herself by the academic or research title conferred upon him or her by the administration of the laboratory, school, college, or university or use the title "psychology professor" or "academic psychologist."~~

**SECTION 19.** 455.02 (2m) (f) of the statutes is repealed and recreated to read:

455.02 (2m) (f) A person providing psychological services as part of a psychology training program, if his or her activities and services constitute a part of the supervised course of study and are performed under the supervision of a psychologist licensed under this chapter and the person does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she may receive for the performance of the official duties with the employing agency or organization. A person providing services under this paragraph may use the title "psychology student," "psychology intern," or "psychology resident."

**SECTION 20.** 455.02 (2m) (h) of the statutes is repealed.

**SECTION 21.** 455.02 (2m) (k) of the statutes is repealed and recreated to read:

455.02 (2m) (k) A person whose activities are limited to educational or vocational counseling or testing that is performed in a human resources, personnel, or educational setting.

**SECTION 22.** 455.02 (2m) (m) of the statutes is amended to read:

455.02 (2m) (m) A person providing psychological services as an employee of a federal, ~~state or local~~ governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, and does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she

receives for the performance of the official duties with the agency by which he or she is employed.

**SECTION 23.** 455.02 (2m) (o) to (s) of the statutes are created to read:

455.02 (2m) (o) A person providing psychological services as an employee of a state or local governmental agency, if the person is providing the psychological services as a part of the duties for which he or she is employed, is providing the psychological services solely within the confines of or under the jurisdiction of the agency by which he or she is employed, does not provide or offer to provide psychological services to the public for a fee over and above the salary that he or she receives for the performance of the official duties with the agency by which he or she is employed, and has received a master's degree in psychology from a regionally accredited higher educational institution or has fulfilled requirements commensurate with a master's degree, as determined by the examining board. The examining board may promulgate rules to further establish requirements for exemptions under this paragraph for persons who do not hold a master's degree in psychology. A person providing services under this paragraph may use the title "psychological associate."

(p) A person providing psychological services under the supervision of a psychologist licensed under this chapter as part of a formal psychology fellowship program that meets the program standards of an organization as determined by the examining board. A person providing services under this paragraph may use the title "psychology fellow."

(q) A person whose activities are limited to testifying in a court in this state regarding services rendered in another state.

(r) A person engaging in the private practice of school psychology who holds a valid private practice school psychologist license issued under s. 455.04 (4), 2019 stats. A person acting under this paragraph may use the title "private practice school psychologist."

(s) A person who holds a doctoral degree in psychology but does not engage in the practice of psychology. A person described in this paragraph may use the title "psychologist" or "doctor of psychology."

**SECTION 24.** 455.02 (3m) (title) of the statutes is repealed.

**SECTION 25.** 455.02 (3m) of the statutes is renumbered 455.02 (1m) (b) and amended to read:

455.02 (1m) (b) Except as provided in s. sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or (2) may use the title "psychologist" or any similar title or state or imply that he or she is licensed to practice psychology, ~~and only an individual licensed under s. 455.04 (4) may use the title "private practice school psychologist" or any similar title or state or imply that he or she is licensed to engage in the private practice of school psychology.~~ Except as provided in s.

sub. (2m) and ss. 257.03 and 455.03, only an individual licensed under s. 455.04 (1) or ~~(4)~~ (2) may represent himself or herself to the public by any description of services incorporating the word "psychological" or "psychology".

**SECTION 26.** 455.025 of the statutes is created to read:

**455.025 Practice of medicine and surgery.** Nothing in this chapter shall be construed to authorize a psychologist to engage in the practice of medicine and surgery.

**SECTION 27.** 455.03 of the statutes is amended to read:

**455.03 Temporary practice.** A psychologist who is licensed or certified by a similar examining board of another state or territory of the United States or of a foreign country or province whose standards, in the opinion of the examining board, are equivalent to or higher than the requirements for licensure as a psychologist in s. 455.04 (1) may ~~offer provide psychological services as a psychologist in this state for~~ on not more than 60 working days in any year without holding a license issued under s. 455.04 (1). The psychologist shall report to the examining board the nature and extent of his or her practice in this state if it exceeds 20 working days within a year. In this section, "day" means any part of a day during which psychological services are rendered.

**SECTION 28.** 455.04 (title) of the statutes is amended to read:

**455.04 (title) Licensure of psychologists and private practice school psychologists.**

**SECTION 29.** 455.04 (1) (intro.) of the statutes is amended to read:

455.04 (1) (intro.) ~~The department~~ Subject to s. 455.09, the examining board shall issue grant a psychologist license to an individual who submits an application for the license ~~to the department on a form provided by the department, pays the fee specified in s. 440.05 (1) or, if sub. (3) applies, the fee specified in s. 440.05 (2) determined by the department under s. 440.03 (9), and is found by the examining board to meet~~ satisfies all of the following requirements:

**SECTION 30.** 455.04 (1) (b) of the statutes is amended to read:

455.04 (1) (b) Subject to ss. 111.321, 111.322, and 111.335, not have an arrest or a conviction record.

**SECTION 31.** 455.04 (1) (c) of the statutes is amended to read:

455.04 (1) (c) Hold a doctoral degree in psychology from a college or university accredited by a regional accrediting agency approved by the state board of education in the state in which the college or university is located program accredited by an organization approved by the examining board, or have had other academic training or specialized experience, which in the opinion of that the examining board is determines to be substantially equivalent thereto on the basis of standards estab-

lished by rule. The examining board may require examinations to determine the equivalence of such training and experience and may also require examinations for individuals holding doctoral degrees in psychology from non-American universities.

**SECTION 32.** 455.04 (1) (d) of the statutes is repealed and recreated to read:

455.04 (1) (d) Complete at least 3,000 hours of supervised graduate-level experience in the practice of psychology under conditions satisfactory to the examining board and established by rule. Supervised hours shall consist of all of the following:

1. At least 1,500 hours of experience in a successfully completed internship, which shall be accrued after the completion of all doctoral level coursework.

2. At least 1,500 hours of experience consisting of any combination of the following, as established by the examining board by rule:

a. Pre-internship hours that occur after the completion of the first year of the doctoral program or at any time while in a doctoral program after the completion of a master's degree in psychology or its equivalent, as defined by the examining board by rule.

b. Hours accrued in the internship described in subd. 1. that are in excess of the 1,500 hours required under subd. 1.

c. Post-internship hours accrued after the completion of the internship under subd. 1., but before the conferral of the doctoral degree.

d. Postdoctoral hours obtained after the conferral of the doctoral degree.

**SECTION 33.** 455.04 (1) (e) of the statutes is amended to read:

455.04 (1) (e) Pass the examination under s. 455.045 (1) (a). ~~This paragraph does not apply to an applicant who is licensed as a psychologist in another state if the applicant submits proof of completion of continuing educational programs or courses approved under s. 455.065 (4) for the minimum number of hours required in the rules promulgated under s. 455.065 (3).~~

**SECTION 34.** 455.04 (2) of the statutes is created to read:

455.04 (2) Subject to s. 455.09, the examining board shall grant an interim psychologist license to an individual who submits an application for the license, pays the fee specified under s. 440.05 (6), and satisfies the requirements for a license under sub. (1) (a) to (c), (d) 1., and (f). An individual licensed under this subsection may provide psychological services only under the supervision of qualified supervisors, as determined by the examining board.

**SECTION 35.** 455.04 (3) of the statutes is amended to read:

455.04 (3) The examining board may waive the requirements of sub. (1) (c) ~~and (d) to (e)~~ if a candidate holds a diploma of the American board of examiners in

professional psychology, or an applicant holds a certificate or license of an examining board of some other state or territory or foreign country or province, if the standards of such other examining board are deemed by the members of this examining board to be substantially equivalent to the standards of this state ~~and like reciprocity is extended to holders of licenses issued by this state.~~

**SECTION 36.** 455.04 (4) of the statutes is repealed and recreated to read:

455.04 (4) An individual who, on the day before the effective date of this subsection ... [LRB inserts date], held a valid private practice school psychologist license under s. 455.04 (4), 2019 stats., may continue to renew that license as provided in s. 455.06. The examining board may not grant any initial private practice school psychologist license on the basis of an application received on or after the effective date of this subsection ... [LRB inserts date].

**SECTION 37.** 455.04 (5) of the statutes is amended to read:

455.04 (5) Applicants for licensure under ~~subs. (1) and (4)~~ this section may be required to appear before the examining board in person prior to licensure to allow the examining board to make such inquiry of them as to qualifications and other matters as it considers proper.

**SECTION 38.** 455.045 (1) of the statutes is amended to read:

455.045 (1) ~~The examining board shall administer In order to qualify for a psychologist license under s. 455.04 (1), an applicant must have passed all of the following examinations for psychologist licensure at least semiannually at times and places determined by the examining board:~~

(a) A written examination on the professional practice of psychology.

(b) A written examination in the elements of practice essential to the public health, safety or welfare on state law related to the practice of psychology.

**SECTION 39.** 455.045 (2) of the statutes is repealed.

**SECTION 40.** 455.045 (3) of the statutes is repealed and recreated to read:

455.045 (3) The examining board shall set passing scores for examinations under sub. (1) (a) or (b). The examining board may adopt passing scores recommended by test developers.

**SECTION 41.** 455.06 of the statutes is repealed and recreated to read:

**455.06 Renewals.** (1) (a) Except as provided in par. (b), the renewal dates for licenses issued under this chapter or under s. 455.04 (4), 2019 stats., are specified under s. 440.08 (2) (a), and the renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

(b) A license issued under s. 455.04 (2) is valid for 2 years or until the individual obtains a license under s. 455.04 (1) and may not be renewed, except that the examining board may promulgate rules specifying circum-

stances in which the examining board, in cases of hardship, may allow an individual to renew a license issued under s. 455.04 (2). Notwithstanding sub. (2), an individual holding a license issued under s. 455.04 (2) is not required to complete continuing education.

(2) An applicant for renewal of a license issued under this chapter or under s. 455.04 (4), 2019 stats., shall include with his or her application proof in the form specified by the examining board that he or she has completed the hours of continuing education required under s. 455.065.

**SECTION 42.** 455.065 (1) of the statutes is amended to read:

455.065 (1) Promulgate rules establishing the minimum number of hours of continuing education, the topic areas that the continuing education must cover, the criteria for the approval of continuing education programs and courses required for renewal of a license, and the criteria for the approval of the sponsors and cosponsors of those continuing education programs and courses. The examining board may establish criteria for the substitution of hours of professional activities to meet continuing education requirements.

**SECTION 43.** 455.065 (3) of the statutes is repealed.

**SECTION 44.** 455.065 (4) of the statutes is amended to read:

455.065 (4) Approve continuing education programs and courses in accordance with the criteria established under ~~subs. sub. (1) and (3).~~

**SECTION 45.** 455.065 (5) of the statutes is amended to read:

455.065 (5) Promulgate rules establishing the criteria for the substitution of uncompensated hours of professional assistance volunteered to the department of health services for some or all hours of continuing education credits required under ~~subs. sub. (1) and (3).~~ The eligible substitution hours shall involve professional evaluation of community programs for the certification and recertification of community mental health programs, as defined in s. 51.01 (3n), by the department of health services.

**SECTION 46.** 455.065 (6) and (7) of the statutes are created to read:

455.065 (6) Grant a postponement of or waiver from the continuing education requirements under this section on the basis of prolonged illness or disability or on other grounds constituting extreme hardship. The examining board shall consider each application individually on its merits, and the examining board may grant a postponement, partial waiver, or total waiver of the requirement as the examining board deems appropriate.

(7) Grant an exemption from the continuing education requirements under this section to a psychologist who certifies to the examining board that he or she has

permanently retired from the practice of psychology. A psychologist who has been granted an exemption under this subsection may not return to active practice without submitting evidence satisfactory to the examining board of having completed the required continuing education credits within the 2-year period prior to the return to the practice of psychology.

**SECTION 47.** 455.07 of the statutes is repealed.

**SECTION 48.** 455.08 of the statutes is repealed.

**SECTION 49.** 455.09 (title) of the statutes is repealed and recreated to read:

**455.09 (title) Disciplinary proceedings and actions.**

**SECTION 50.** 455.09 (3) of the statutes is amended to read:

455.09 (3) A revoked license may not be renewed. ~~One year from the date of revocation~~ An individual may, no sooner than one year after the date of revocation, apply for reinstatement of a license under this chapter, ~~application may be made for reinstatement.~~ The examining board may accept or reject an application for reinstatement. If reinstatement is granted under this subsection, the licensee shall pay a reinstatement fee in an amount equal to the renewal fee. This subsection does not apply to a license that is revoked under s. 440.12.

**SECTION 51.** 455.10 of the statutes is repealed.

**SECTION 52.** 905.04 (1) (e) of the statutes is amended to read:

905.04 (1) (e) "Psychologist" means a licensed psychologist, ~~as that term is defined in s. 455.01 (4)~~ licensed under s. 455.04 (1) or (2), or a person reasonably believed by the patient to be a psychologist.

**SECTION 53. Nonstatutory provisions.**

(1) EMERGENCY RULE AUTHORITY. Using the procedure under s. 227.24, the psychology examining board may promulgate rules under ch. 455 that are necessary to implement the changes in this act. Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (c) and (2), the effective period of a rule promulgated under this subsection is for 2 years after its promulgation, or until permanent rules take effect, whichever is sooner, and the effective period may not be further extended under s. 227.24 (2).

**SECTION 54. Effective dates.** This act takes effect on the first day of the 3rd month beginning after publication, except as follows:

(1) SECTION 53 (1) of this act takes effect on the day after publication.