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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 05-002

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]**

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. The first paragraph of the rule analysis refers to “the department’s residential facilities established under ss. 45.365 or 45.385.” It would better inform the reader to refer to those facilities by name (ie., an assisted living facility at the Veterans Homes at King, Union Grove, or Chippewa Falls). In the rule itself, the term “veterans home” could be defined to mean those three facilities and the term could then be substituted for the recitation of statutory provisions in SECTIONS 1 and 2 of the rule.

b. The statute governing the veterans assistance program allows assistance to veterans “discharged under conditions other than dishonorable,” and the statutes governing the veterans homes require that veterans have served “under honorable conditions.” [See ss. 45.357 (1) and 45.37 (1a), Stats.] Is there a difference and, if so, how does the rule address the difference?

c. The program that is the subject of this rule is called the “veterans assistance program” in s. 45.357, Stats., but is called the “veterans rehabilitation program” in the rule title and text. To avoid confusion, it is suggested that the rule language be changed throughout to conform to the statutory language.

d. Section VA 13.02 (2) (e) would permit the department to provide financial assistance to persons who have “financial inability to pay for the cost of care provided at a residential facility established by the department under ss. 45.365 or 45.385, Stats.” The rule should specify what constitutes “financial inability to pay” and how, and by whom, the appropriate amount of assistance will be calculated.

e. Section VA 13.04 (3) refers to providing financial assistance to an “eligible” veteran. Does “eligible” refer to the person’s eligibility for financial assistance under the veterans assistance program, eligibility for residence at a veterans home, or both?

f. In s. VA 13.06, “s.” should be inserted before the citation on the last line.