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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 08-006

#### 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.]**

#### **2. Form, Style and Placement in Administrative Code**

Current s. Ins 17.28 (6) (k) 2., (L) 2., (m) 2., (n) 3., and (q) 2. all establish a fee for a list of health care persons “employed by” the specified health care provider “as of July 1, 2007.” The proposed rule eliminates the reference to when the health care person was employed. Thus, in contrast to the current rule which sets the fee based on the number employed as of a specified date, the proposed rule does not make clear what fee, if any, is payable by a provider who employs a listed health care person for part, but not all, of the 2008-09 fiscal year. (It does not appear that s. Ins 17.28 (4), which provides for prorating fees for health care providers, applies inasmuch as the listed health care persons in the proposed rule are not defined as health care providers.)

Moreover, this appears to be a substantive change which should be explained in the analysis. [See s. 1.02 (2) (c), Manual.]

#### **3. Conflict With or Duplication of Existing Rules**

In s. Ins 17.01 (3) (a), “~~\$25.00~~18.00” should be changed to “~~\$17.00~~18.00” since the current rule provides that this fee is \$17.00, not \$25.00.

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

In the statutory authority provision in the analysis, the reference to “655.61 (12)” should be changed to “655.61 (2).”

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

In the last sentence of item 5. of the analysis, “a increase” should be changed to “an increase.”