



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-100

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

2. Form, Style and Placement in Administrative Code

a. In the rule summary’s listing of the place where comments are to be submitted, a date should replace the asterisk, for the deadline to submit comments. [s. 1.02 (2) (a) 13., Manual.]

b. The listing of the two formulations of hydrocodone should be inserted in s. SPS 10.01 (10) (a), with the other oral analgesics, rather than in sub. (10) (am).

3. Conflict With or Duplication of Existing Rules

Based on the phrasing in s. SPS 10.01 (10) (am) (intro.), it appears to be intended that “only” the two listed formulations of hydrocodone are permitted. However, the phrasing in sub. (10) (intro.), “Therapeutic pharmaceutical agents include but are not limited to:”, is written as a list of examples, which is not an exhaustive list. To reconcile the two phrases, the department should consider amending the second sentence in sub. (10) (intro.) to state that either:

- a. “Each of the following is a therapeutic pharmaceutical agent:”.
- b. “Therapeutic pharmaceutical agents include, and, except as provided in par. [(a) 5. and 6.], are not limited to:”.

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

In s. SPS 10.01 (10) (am) (intro.), the phrase “only as any of the following” is confusing. The introductory phrase should be rewritten to read: “Controlled substances in schedule II, limited to either of the following:”. Alternatively, if comment 3. a., above, is adopted, the department could consider removing this introductory clause entirely.