



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-165

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.]

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

a. Consider revising SECTION 3 of the rule text for clarity. The term “diversion” may refer to a range of activities in medical and legal contexts. The board could consider including a definition for the term or adding language to clarify the intended use. Also, because “theft” is considered a type of diversion in most cases, the use of the phrase “theft or diversion” may lead to confusion. The board should consider changing the standard to “a manner that obstructs theft or other diversion of the controlled substance from its legitimate and intended medical purpose”.

b. SECTION 5 of the rule text provides that a minimum and maximum temperature and the humidity over the course of time a pharmacy is closed shall be obtained. This might be intended to refer to either of the following:

- (1) Minimum temperature, maximum temperature, and the humidity.
- (2) Minimum temperature, maximum temperature, minimum humidity, and maximum humidity.

If the intent is to refer to the former, the rule text should be revised so that the reference to “the humidity” appears first in the sentence and is followed by references to minimum and maximum temperature. (“The humidity and a minimum and maximum temperature over the course of the time a pharmacy is closed shall be obtained.”)

If the intent is to refer to the latter, the rule text should be revised to remove the word “the” before “humidity”. (“The minimum and maximum temperature and humidity over the course of the time a pharmacy is closed shall be obtained.”)