

Clearinghouse Rule 08-001

REPORT TO LEGISLATIVE COUNCIL RULES CLEARINGHOUSE GRANTS FOR NURSING SERVICES PI 33, WISCONSIN ADMINISTRATIVE CODE

Statute interpreted: Section 115.28 (47), Stats.

Statutory authority: Section 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 227.11 (2) (a), Stats., gives an agency rule-making authority to interpret the provisions of any statute enforced or administered by it, if the agency considers it necessary to effectuate the purpose of the statute.

Court decisions directly relevant: None.

Related statute or rule: None.

Plain language analysis:

2007 Wisconsin Act 20, the biennial budget bill, created a new competitive grant program under s. 115.28 (47), Stats., appropriating \$250,000 annually for school districts, other than Milwaukee Public Schools, to employ additional school nurses or contract for additional nursing services.

Grants must be awarded based on greatest need such as the ratio of pupils to nurses, rate of chronic health problems among pupils, and number of pupils from low-income families. Recipients may not supplant existing nursing staff or services and must submit a report to the department describing how the school district used the money and its effectiveness in providing additional nursing services to pupils who need such services.

The proposed rule establishes criteria and procedures for awarding grants to eligible school districts.

Emergency rules were promulgated effective November 24, 2007, in order to establish application criteria and procedures in time for the program to operate in the second semester of the school year.

Summary of, and comparison with, existing or proposed federal regulations: N/A.

Comparison with rules in adjacent states:

Illinois, Iowa, Michigan, and Minnesota do not have rules relating to grants for nursing services.

Summary of factual data and analytical methodologies:

The rules reflect statutory language. Because 2007 Wisconsin Act 20 creating this grant program became effective October 27, 2007, the rule established an application deadline of December 14 to expedite the awarding of funds in 2007-08. In subsequent years, applications will be due April 30 to coincide with application timelines established for other grants awarded by the department.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact report: N/A.

Anticipated costs incurred by private sector: N/A.

Effect on small business:

The proposed rules will have no significant economic impact on small businesses, as defined in s. 227.114 (1) (a), Stats.

Agency contact person (including email and telephone):

Douglas White, Director, Student Services/Prevention and Wellness, (608) 266-5198, douglas.white@dpi.state.wi.us .

Place where comments are to be submitted and deadline for submission:

The department will publish a hearing notice in the *Administrative Register* which will include this information.

Agency procedure for promulgation:

Notice to Legislative Council pursuant to s. 227.15, Stats., and proceeding under the ten day notice/hearing process pursuant to ss. 227.16 to 227.18, Stats.

Description of any forms (attach copies if available):

PI-2124, School Nursing Services Grant Application, is attached.