

**PROPOSED RULES OF  
THE DEPARTMENT OF HEALTH SERVICES  
TRANSMITTAL TO THE LEGISLATIVE COUNCIL**

**Subject:**

To update, correct or remove outdated rule provisions and cross-references relating to the following administrative rules:

DHS 12, relating to Caregiver Background Checks and Appendix A, relating to Offenses affecting caregiver eligibility.

DHS 83, relating to Community-Based Residential Facilities.

DHS 88, relating to Licensed Adult Family Homes.

DHS 124, relating to Hospitals.

DHS 127, relating to Rural Medical Centers.

DHS 148, relating to Cancer and Chronic Disease Drug Repository Program.

DHS 165, relating to Laboratory Certification.

**Federal statutes or regulations which require adoption of or are relevant to the substance of proposed rules:**

Chapter DHS 12, Caregiver Background Checks. There appear to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rule.

Chapter DHS 83, Community-Based Residential Facilities. There appear to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rule.

Chapter DHS 88, Licensed Adult Family Homes. There appear to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rule.

Chapter DHS 124, Hospitals. There appear to be no existing or proposed federal regulations that address clinical records to be maintained for anatomical gifts.

Chapter DHS 127, Rural Medical Centers. There appear to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rule.

Chapter DHS 148, Cancer and Chronic Disease Drug Repository Program. The proposed rules are affected by 21 CFR 200-299, 21 CFR 1300-1302, and 21 CFR 1304-1308. These regulations constitute the Food and Drug Administration (FDA) and Drug Enforcement Agency (DEA) regulations that affect the type of medications that can be donated to the drug repository.

Chapter DHS 165, Laboratory Certification. Similar federal regulations are contained in the 42 CFR 493 and 42 CFR 1310 to 405.1317.

**Court decisions directly relevant to the proposed rule:**

None known.

**Public hearings:**

The department will hold one public hearing on August 26, 2010, 1:00 p.m. to 3:00 p.m. at 1 West Wilson Street, Room 950B, Madison, Wisconsin. Comments may be submitted to the agency contact person that is listed above until August 26, 2010, 4:30 p.m.

**Names and phone numbers of agency contacts:**

**For substantive questions on rules contact:**

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**Small Business Regulatory Review Coordinator:**

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**Date rules submitted to the Legislative Council:** July 15, 2010