PETITION TO REPEAL UNAUTHORIZED RULE

Clearinghouse Rule 18-039

The Department of Health Services hereby petitions the Joint Committee for Review of Administrative Rules to use the process provided in s. 227.26 (4), Stats. The Department has determined that s. DHS 12.03 (22) (a) contains an "unauthorized rule." The Department submits the following analysis and proposed rule:

I. ANALYSIS

A. **Statute/s that the proposed rule interprets**
None.

B. **Statute/s that authorizes promulgation**
Section 227.26 (4), Stats.

C. **Related statute/s**
None.

D. **Related rule/s**
None.

E. **Explanation of the agency's authority to promulgate the proposed rule**
The proposed rule, which strikes language in s. DHS 12.03 (22) (a), is authorized by s. 227.26 (4), Stats.

F. **Brief summary of the proposed rule**
Section 48.62 (1) (b), Stats., was repealed. The proposed rule removes the reference to the statute in s. DHS 12.03 (22) (a).

G. **Electronic mail address and telephone number of agency contact person**
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II. PROPOSED RULE

SECTION 1. DHS 12.03 (22) (a) is amended to read.

"Treatment foster home" means a family-oriented facility ~~operated by a person or persons required to be licensed under s. 48.62 (1) (b), Stats.,~~ in which treatment, care and maintenance are provided for no more than 4 foster children.

SECTION 2. DHS 12.03 (22) (note) is repealed.

SECTION 3. EFFECTIVE DATE: This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register, as provided in s. 227.22 (2), Stats.