PETITION TO REPEAL UNAUTHORIZED RULE

Clearinghouse Rule 18-044

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 10.72 is 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 repeals s. DHS 10.72 (1), is authorized by s. 227.26 (4), Stats.

F. **Brief summary of the proposed rule**
2007 WI Act 20 repealed ss. 50.36 (2) (c) and 50.38, Stats. These statutes directed the department to promulgate rules requiring hospitals to refer certain patients to a resource center and to establish penalties for non-compliance. The proposed rule repeals s. DHS 10.72, which implemented this requirement.

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

SECTION 1. DHS 10.72 (1) is repealed.

SECTION 2. 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.