



H 30, 31  
State of Wisconsin \ DEPARTMENT OF HEALTH AND SOCIAL SERVICES

January 13, 1977

DIVISION OF HEALTH  
MAIL ADDRESS: P. O. BOX 309  
MADISON, WISCONSIN 53701  
IN REPLY PLEASE REFER TO:

Mr. Orlan Prestegard  
Revisor of Statutes  
411 W. Capitol  
Madison, Wisconsin 53702

Dear Mr. Prestegard:

As provided in section 227.023, Wis. Stats., there is hereby submitted a certified copy of a proposed creation of a new subsection within Chapters H 30 and H 31, Wisconsin Administrative Code, pertaining to VARIANCES in Residential Care Facilities as adopted by the Secretary of the Department of Health and Social Services on October 9, 1976. In accordance with section 227.018(2), Wis. Stats., the 30-day review by the appropriate legislative committee members expired on September 18, 1976, with no objections being raised.

These rules are also being submitted to the Governor as required by section 14.06, Wis. Stats., and to the Secretary of State as required by section 227.023, Wis. Stats.

It is hoped that the rules can be published in the February, 1977 edition of the Wisconsin Administrative Register and become effective March 1, 1977.

Sincerely,

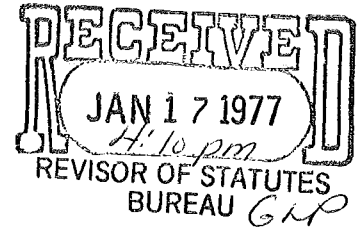
*Edwin R. Larkin, M.D.*

Edwin R. Larkin, M.D.  
Acting Administrator

ERL:lb 874844

Enclosures

STATE OF WISCONSIN )  
 ) ss  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)



TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Manuel Carballo, Secretary of the Department of Health and Social Services and custodian of the official records of said department, do hereby certify that the creation of rules and regulations relating to Residential Care Facilities has been duly approved and adopted by this department.

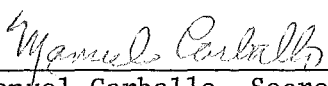
I, further certify that to the best of my knowledge, my official representative has compared said copy with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department in the city of Madison, this 12th day of January 1977.

Manuel Carballo  
Manuel Carballo, Secretary  
Department of Health and Social Services

SEAL

The rules contained herein shall take effect in accordance with section 227.026(1), Wis. Stats., subject to the provisions of section 14.06, Wis. Stats.

  
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Manuel Carballo, Secretary  
Department of Health and Social Services

Dated January 12, 1977

SEAL

ORDER OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES ADOPTING RULES

Pursuant to authority vested in the Department of Health & Social Services in Chapter 39, Laws of 1975, and in section 140.05, Wis. Stats. & in accordance with Chapter 227, Wis. Stats., the following rules are hereby promulgated: (*created*)

H 30.23 VARIANCE PROCEDURE (1) If the residential care facility meets the requirements herein established, the department may approve variances in the requirements of this section when such variances or alternatives are demonstrated, to the satisfaction of the department, to enhance quality care of the residents affected. Variances are not permitted without approval from the department.

H 31.22 VARIANCE PROCEDURE (1) If the residential care facility meets the requirements herein established, the department may approve variances in the requirements of this section when such variances or alternatives are demonstrated, to the satisfaction of the department, to enhance quality care of the residents affected. Variances are not permitted without approval from the department.