

**Committee Name:**  
**Assembly Committee – Rural Affairs**  
**(AC–RA)**

**Appointments**

95hr\_AC–RA\_Appt\_pt00

**Committee Hearings**

95hr\_AC–RA\_CH\_pt00

**Committee Reports**

95hr\_AC–RA\_CR\_pt00

**Clearinghouse Rules**

**95hr\_AC–RA\_CRRule\_95–152**

**Executive Sessions**

95hr\_AC–RA\_ES\_pt00

**Hearing Records**

95hr\_ab0000

95hr\_sb0000

**Misc.**

95hr\_AC–RA\_Misc\_pt00

**Record of Committee Proceedings**

95hr\_AC–RA\_RCP\_pt00



123 West Washington Avenue  
P. O. Box 7970  
Madison, Wisconsin 53707  
(608)266-1018

Tommy G. Thompson, Governor  
William J. McCoshen, Secretary

September 27, 1995

The Honorable David Prosser  
Speaker of the Assembly  
Room 101  
119 Martin Luther King Blvd  
Madison, WI 53702

Dear Representative Prosser:

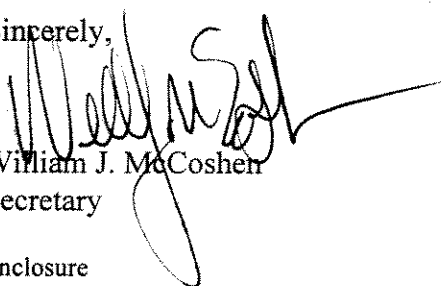
In compliance with s. 227.19 (2), Stats., the Department of Development hereby submits the final draft of the proposed rule ( CR-95- 152 ) relating to the Health Care Provider Assistance Loan Program.

1995 Wisconsin Act 27 amended the statute governing the health care provider loan assistance program to make a change to the areas in the state which are eligible locations for practitioners to receive loan repayments and to provide that such practitioners must practice "primarily" rather than "exclusively" in such an area to be eligible. The rules are changed by the proposed order to conform to the altered statute.

The Department held a hearing on the proposed rule on September 27, 1995 in Madison. No one appeared or commented on the proposed rule. The Legislative Council Clearinghouse report recommend several changes with which the Department agrees and we have followed the suggestions.

Copies of the fiscal estimate, regulatory flexibility analysis and the final draft rules are enclosed. If you have any questions about the rule, please contact Dennis Fay at 266-6747.

Sincerely,

  
William J. McCoshen  
Secretary

Enclosure

## NOTICE OF HEARING

NOTICE IS HEREBY GIVEN That pursuant to s. 560.184 (5) (b), Stats., the Wisconsin Department of Development will hold a hearing to consider the repeal of DOD 28.01 (7), the amendment of 28.03 (1) and (2) (a), (b), (c), (d), (e) and (f) and 28.04 (1) (e), (f) and (g) and to create 28.02 (1m) interpreting s. 560.184, Stats., relating to the health care provider loan assistance program at the following place and time: Department of Development, Room 918, 123 West Washington Avenue, Madison, Wisconsin on September 27, 1995 at 10:00 a.m.

### Analysis Prepared by the Department of Development

1995 Wisconsin Act 27 amended the statute governing the health care provider loan assistance program to make a change to the areas in the state which are eligible locations for practitioners to receive loan repayments and to provide that such practitioners must practice "primarily" rather than "exclusively" in such an area to be eligible. The rules are changed by the proposed order to conform to the altered statute.

### Final Regulatory Flexibility Analysis

NOTICE IS HEREBY GIVEN That pursuant to s. 227.19 (3) (e), Stats., the proposed rule will have a positive impact on small business. The final regulatory flexibility analysis as required by s. 227.17 (3) (e), Stats., is as follows:

1. Method of reducing the impact of the rule on small businesses: None.
2. Issues raised during the hearing: None.
3. Nature of reports and estimated cost of preparation: None.
4. Nature and cost of other measures: None.
5. Additional costs to the agency for administering or enforcing a rule which includes methods specified under s. 227.114 (2), Stats: None.
6. Impact on public health, safety and welfare caused by including in the rules any method specified under s. 227.114 (2), Stats: None.

### Fiscal Estimate

The proposed rule has no fiscal effect.

### Contact Person

Dennis Fay, General Counsel, 608/266-6747.

Pursuant to the authority vested in the Department of Development by s. 560.184 (5) (b), Stats., the Department of Development hereby repeals, amends and creates rules relating to the health care provider loan assistance program.

SECTION 1. DOD 28.02 (1n) is created to read:

DOD 28.02 (1n) "Eligible practice area" has the meaning contained in s. 560.184 (1) (am), Stats.

SECTION 2. DOD 28.02 (7) is repealed.

SECTION 3. DOD 28.03 (1) and (2) (a), (b), (c), (d), (e) and (f) are amended to read:

DOD 28.03 (1) Any health care provider who practices primarily in a ~~primary care health professional shortage~~ eligible practice area and who provides primary care is eligible for educational loan repayment as provided in s. 560.184 (4), Stats.

(2) (a) Extremely high need for medical care. The degree to which there is an extremely high need for medical care in the ~~primary care health professional shortage~~ eligible practice area in which the eligible applicant proposes to practice.

(b) Health care provider retention. The likelihood that an eligible applicant will remain in the ~~primary care health professional shortage~~ eligible practice area in which he or she desires to practice after the loan repayment period.

(c) Per capita income. The per capita income of the ~~primary care health professional shortage~~ eligible practice area in which an eligible applicant desires to practice.

(d) Financial support for health care provider recruitment and retention. The financial or other support for health care provider recruitment and retention provided by individuals, organizations or local governments in the ~~primary care health professional shortage~~ eligible practice area in which an eligible applicant desires to practice.

(e) Geographic distribution. The geographical distribution of the health care providers who have entered into loan repayment agreements under this section and the geographical location of the ~~primary care health professional shortage~~ eligible practice area in which an eligible applicant desires to practice.

(f) Length of service. The degree to which the medical service is new to the ~~primary care health professional shortage~~ eligible practice area.

SECTION 4. DOD 28.04 (1) (e), (f) and (g) are amended to read:

DOD 28.04 (1) (e) Evidence that the provider practices or will practice primary care primarily in a ~~primary care health professional shortage~~ an eligible practice area.

(f) The length of time the health care provider has practiced in the ~~primary care health professional shortage~~ eligible practice area.

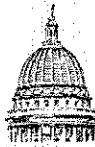
(g) Information about the likelihood that the applicant will remain in the ~~primary care health professional shortage~~ eligible practice area after the loan repayment period.

EFFECTIVE DATE: The regulations set forth in this order shall be effective on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro.), Stats.

Dated: \_\_\_\_\_

Agency: \_\_\_\_\_

William J. McCoshen  
Secretary



# John Ainsworth

State Representative • 6th Assembly District

Chair: Assembly Committee on Rural Affairs

TO: MEMBERS OF THE ASSEMBLY RURAL AFFAIRS COMMITTEE

FROM: REPRESENTATIVE JOHN AINSWORTH, CHAIR

DATE: OCTOBER 11, 1995

## MEMO

On October 10, 1995, the following clearinghouse rule was referred to the Assembly Rural Affairs Committee:

Clearinghouse Rule 95-152, relating to the health care provider loan assistance program.

A copy of the rule is attached for your information. The deadline for committee action on this rule is **November 9, 1995**. If you are interested in requesting a hearing and/or submitting comments, please do so prior to that date. Please contact Jacques in my office at 266-3097 if you have any questions or concerns.

JA:jfb

Attachment



ja

123 West Washington Avenue  
P. O. Box 7970  
Madison, Wisconsin 53707  
(608)266-1018

Tommy G. Thompson,  
Governor  
William J. McCoshen, Secretary

October 13, 1995

The Honorable John Ainsworth, Chair  
Assembly Committee on Rural Affairs  
Room 418 North  
State Capitol  
Madison, WI 53702

Dear Representative Ainsworth:

Clearinghouse rules 95-152 relating to the Health Care Provider Assistance Loan Program has been assigned to your committee. If you have questions about any the rules, please give me a call at 266-6747.

Sincerely,

A handwritten signature in cursive script that reads 'Dennis Fay'.

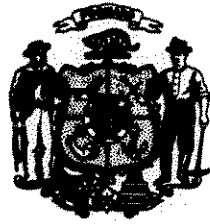
Dennis Fay  
General Counsel

WISCONSIN LEGISLATIVE COUNCIL STAFF



**RULES CLEARINGHOUSE**

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**CLEARINGHOUSE REPORT TO AGENCY**

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[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 95-152**

AN ORDER to repeal DOD 28.02 (7); to amend DOD 28.03 (1) and (2) (a) to (f); and to create DOD 28.02 (1m), relating to the health care provider loan assistance program.

Submitted by **DEPARTMENT OF DEVELOPMENT**

08-15-95 RECEIVED BY LEGISLATIVE COUNCIL.  
09-11-95 REPORT SENT TO AGENCY.

RNS:LR;jt;kja



**LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT**

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached      YES       NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached      YES       NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached      YES       NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS  
[s. 227.15 (2) (e)]

Comment Attached      YES       NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached      YES       NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL  
REGULATIONS [s. 227.15 (2) (g)]

Comment Attached      YES       NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

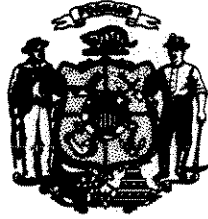
Comment Attached      YES       NO

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

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## CLEARINGHOUSE RULE 95-152

### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### **2. Form, Style and Placement in Administrative Code**

a. The definition of "eligible practice area" should be renumbered to s. DOD 28.02 (1n), since s. DOD 28.02 (1m) is already taken up by the definition of "educational loan."

b. In s. DOD 28.04 (1) (e), the word "a" should be stricken and the word "an" should be inserted before the term "eligible practice area."

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

The word "primarily" should be inserted after the term "primary care" in s. DOD 28.04 (1) (e). This is necessary to conform with the changes to the requirements of this program in 1995 Wisconsin Act 27, which provide that health care providers must practice "primarily" in an eligible area in order to qualify for the health care provider loan assistance program.