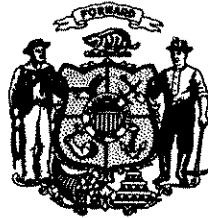


18-069 HFS 89-RESIDENTIAL  
CARE APARTMENTS

**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 98-069**

AN ORDER to amend chapter HFS 89 (title), 89.11, 89.12 (1), 89.13 (1), (2), (6) Note, (14) Note and (30), 89.14, 89.15, 89.21, 89.22 (1) and Note, (2) (a) and (b) 1. and (e) 3., (3) and (4), 89.23 (1), (2) (a) 2. (intro.) and 3. and (c), (3) (a), (4) (a) 1., (b), (c) and (d) 2., (5) and (6), 89.24 (1), (2) and (3) (a) and Note and (b) 4., 89.25 (1) (intro.), 89.26 (3) (c) 1., 89.27 (1) and (2) (c) 1. b. and 3., 89.28 (1) and (5), 89.29 (1) (intro.), (2) (a), (b) (intro.) and (c) and (3) (a) (intro.), (b) and (c) (intro.), 89.31, 89.32, 89.33, 89.34 (intro.), (6), (9) and (12), 89.35, 89.41, 89.42, 89.43 (2) to (4), 89.44 (1) (intro.) and (2) to (5), 89.51 (1), 89.52, 89.53 (1) (b), (2) (a) to (c) and (e), (3) (h) and (5), 89.57, 89.58 and 89.61 (intro.); and to create HFS 89.11 Note, relating to residential care apartment complexes (formerly known as assisted living facilities).

Submitted by **DEPARTMENT OF HEALTH AND FAMILY SERVICES**

05-07-98      RECEIVED BY LEGISLATIVE COUNCIL.  
06-01-98      REPORT SENT TO AGENCY.

RS:LR;jt;rv

**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 98-069

### 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

In SECTION 4 of the rule, in order to be consistent with the remainder of the rule, where the Notes to s. HFS 89.13 (6) and (14) are amended, strike through the language which is being deleted and underscore the language which is being added.

PROPOSED ORDER OF THE  
DEPARTMENT OF HEALTH AND FAMILY SERVICES  
AMENDING AND CREATING RULES

To amend chapter HFS 89 (title), 89.11, 89.12 (1), 89.13 (1), (2), (6) (Note) (14) (Note) and (30), 89.14, 89.15, 89.21, 89.22 (1) and (Note), (2) (a) and (b) 1., and (e) 3., (3) and (4), 89.23 (1), (2) (a) 2. (intro.) and 3. and (c), (3) (a), (4) (a) 1., (b), (c) and (d) 2., (5) and (6), 89.24 (1), (2) and (3) (a) and (Note) and (b) 4., 89.25 (1) (intro.), 89.26 (3) (c) 1., 89.27 (1), (2) (c) 1. b. and 3., 89.28 (1) and (5), 89.29 (1) (intro.), (2) (a), (b) (intro.) and (c) and (3) (a) intro.), (b) and (c) (intro.), 89.31, 89.32, 89.33, 89.34 (intro.), (6), (9) and (12), 89.35, 89.41, 89.42, 89.43 (2) to (4), 89.44 (1) (intro.) and (2) to (5), 89.51 (1), 89.52, 89.53 (1) (b), (2) (a) to (c) and (e), (3) (h) and (5), 89.57, 89.58 and 89.61 (intro.) and to create HFS 89.11 (Note), relating to residential care apartment complexes (formerly known as assisted living facilities).

Analysis Prepared by the Department of Health and Family Services

A recent session law, 1997 Wisconsin Act 13, amended s. 50.034, Stats., to change the generic name of a type of regulated residential facility called "assisted living facility" to "residential care apartment complex" and to define "stove" as the term is used in the statutory definition of "residential care apartment complex."

This order brings ch. HFS 89 into conformity with the two changes made in the program statute, s. 50.034, Stats., by Act 13. This has involved substituting the terms "residential care apartment complex," "a residential care apartment complex" and "residential care apartment complexes" for, respectively, "assisted living facility," an assisted living facility" and "assisted living facilities" throughout ch. HFS 89, and replacing the definition of "stove" that had been in the rules since ch. HFS 89 went into effect in March 1997 with the statutory definition.

Before Act 13 went into effect in September 1997, "stove" was not defined in the program statute, but under ch. HFS 89 it was defined as a cooking appliance consisting of burners and an oven, with the oven permitted to be a separate microwave oven. Section 50.01 (1d), Stats., as amended by Act 13, states that a stove is a cooking appliance that is either a microwave oven of at least 1000 watts or consists of burners and an oven.

The Department's authority to amend and create these rules is found in s. 50.034 (2), Stats. The rules interpret ss. 50.01 (1d) and 50.034, Stats.

SECTION 1. Chapter HFS 89 (title) is amended to read:

CHAPTER HFS 89 (title)  
ASSISTED LIVING FACILITIES RESIDENTIAL CARE APARTMENT COMPLEXES  
(FORMERLY, ASSISTED LIVING FACILITIES)

SECTION 2. Wherever in ch. HFS 89, except in s. HFS 89.15, the terms "assisted living facility," "an assisted living facility" and "assisted living facilities" are found, substitute, respectively, "residential care apartment complex," "a residential care apartment complex" and "residential care apartment complexes."

SECTION 3. HFS 89.11 (Note) is created to read:

HFS 89.11 (Note) Before September 6, 1997, residential care apartment complexes were called "assisted living facilities." The name change was made by 1997 Wisconsin Act 13.

SECTION 4. HFS 89.13 (6) (Note) and (14) (Note) are amended to read:

HFS 89.13 (6) (Note) Congregate housing may become <sup>assisted living</sup> a residential care apartment complex if it chooses to offer supportive, personal and nursing services. (2)

(14) (Note) Housing for the elderly may become <sup>assisted living</sup> a residential care apartment complex if it chooses to offer supportive, personal and nursing services.

SECTION 5. HFS 89.13 (30) is amended to read:

HFS 89.13 (30) "Stove" means a cooking appliance ~~which~~ that is a microwave oven of at least 1000 watts or that consists of burners and an oven. ~~The oven may be a separate microwave oven.~~

SECTION 6. HFS 89.15 is amended to read:

HFS 89.15 LIMITATION ON USE OF NAME "RESIDENTIAL CARE APARTMENT COMPLEX". As provided in s. 50.034 (5), Stats., an entity that does not meet the definition of ~~assisted living residential care apartment complex~~ under s. 50.01 (1d), Stats., may not designate itself as an ~~"assisted living facility"~~ a residential care apartment complex or use the ~~word~~ words ~~"assisted living facility"~~ "residential care apartment complex" to represent or tend to represent the entity as an ~~assisted living facility~~ a residential care apartment complex or services provided by the entity as services provided by an ~~assisted living facility~~ a residential care apartment complex.

The rules included in this order 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.

Wisconsin Department of Health and  
Family Services

Dated:

By: \_\_\_\_\_  
Joseph Leean  
Secretary

SEAL:



Tommy G. Thompson  
Governor

Joe Leean  
Secretary



**State of Wisconsin**

Department of Health and Family Services

OFFICE OF LEGAL COUNSEL

1 WEST WILSON STREET  
P.O. BOX 7850  
MADISON WI 53707-7850

TELEPHONE: (608) 266-8428

August 24, 1998

The Honorable Brian Rude, President  
Wisconsin State Senate  
1 East Main, Suite 402  
Madison, WI 53702

AUG 24 1998

The Honorable Scott Jensen, Speaker  
Wisconsin State Assembly  
1 East Main, Suite 402  
Madison, WI 53702

Re: Clearinghouse Rule 98-069  
HFS 89, relating to residential care apartment complexes, formerly known as assisted living facilities.

Gentlemen:

In accordance with the provisions of s. 227.19(2), Stats., you are hereby notified that the above-mentioned rule is in final draft form. This notice and the report required by s. 227.19(3), Stats., are submitted herewith in triplicate.

The rule was submitted to the Legislative Council for review under s. 227.15, Stats. A copy of the Council's report is also enclosed.

If you have any questions about the rule, please contact David Robertson at 264-9888.

Sincerely,

Paul E. Menge  
Administrative Rules Manager

cc. Gary Poulson, Deputy Revisor of Statutes  
Senator Robert Welch, JCRAR  
Representative Glenn Grothman, JCRAR  
David Robertson, Division of Supportive Living  
Patricia Russell, Division of Supportive Living  
Kevin Lewis, Secretary's Office



PROPOSED ADMINISTRATIVE RULES – HFS 89  
ANALYSIS FOR LEGISLATIVE STANDING COMMITTEES  
PURSUANT TO S. 227.19 (3), STATS.

Need for Rules

A recent session law, 1997 Wisconsin Act 13, amended s. 50.034, Stats., to change the generic name of a type of regulated residential facility called “assisted living facility” to “residential care apartment complex” and to define “stove” as the term is used in the statutory definition of “residential care apartment complex.”

This order brings ch. HFS 89 into conformity with the two changes made in the program statute, s. 50.034, Stats., by Act 13. This has involved substituting the terms “residential care apartment complex,” “a residential care apartment complex” and “residential care apartment complexes” for, respectively, “assisted living facility,” an assisted living facility” and “assisted living facilities” throughout ch. HFS 89, and replacing the definition of “stove” that had been in the rules since ch. HFS 89 went into effect in March 1997 with the statutory definition.

Before Act 13 went into effect in September 1997, “stove” was not defined in the program statute, but under ch. HFS 89 it was defined as a cooking appliance consisting of burners and an oven, with the oven permitted to be a separate microwave oven. Section 50.01 (1d), Stats., as amended by Act 13, states that a stove is a cooking appliance that is either a microwave oven of at least 1000 watts or consists of burners and an oven.

Response to Clearinghouse Recommendation

In its report to the Department following review of the proposed revision of ch. HFS 89, the Legislative Council’s Rules Clearinghouse suggested one change in the rulemaking order. The Department accepted that comment and made the suggested change.

Public Review

The Department on June 30, 1998, published a 30-day notice in the Wisconsin Administrative Register that it intended to proceed with the revision of ch. HFS 89 without a public hearing unless, within 30 days after the date of publication of the notice, the Department was petitioned for a hearing by an interested party. No petition was received.

### Final Regulatory Flexibility Analysis

On August 12, 1998, there were 56 registered or certified residential care apartment complexes in the state. Seven of them were small businesses as "small business" is defined in s. 227.114 (1) (a), Stats.

No residential care apartment complex will be affected by changes to the rules made by this order. The rule changes do no more than bring the rules into conformity with changes made to s. 50.034, Stats., by 1997 Wisconsin Act 13. Effective September 6, 1998, Act 13 changed the generic name of this type of facility from "assisted living facility" to "residential care apartment complex" and created a statutory definition for "stove" which supersedes the definition in the rules.

8-12-98

PROPOSED ORDER OF THE  
DEPARTMENT OF HEALTH AND FAMILY SERVICES  
AMENDING AND CREATING RULES

To amend chapter HFS 89 (title), 89.11, 89.12 (1), 89.13 (1), (2), (6) (Note) (14) (Note) and (30), 89.14, 89.15, 89.21, 89.22 (1) and (Note), (2) (a) and (b) 1., and (e) 3., (3) and (4), 89.23 (1), (2) (a) 2. (intro.) and 3. and (c), (3) (a), (4) (a) 1., (b), (c) and (d) 2., (5) and (6), 89.24 (1), (2) and (3) (a) and (Note) and (b) 4., 89.25 (1) (intro.), 89.26 (3) (c) 1., 89.27 (1), (2) (c) 1. b. and 3., 89.28 (1) and (5), 89.29 (1) (intro.), (2) (a), (b) (intro.) and (c) and (3) (a) intro.), (b) and (c) (intro.), 89.31, 89.32, 89.33, 89.34 (intro.), (6), (9) and (12), 89.35, 89.41, 89.42, 89.43 (2) to (4), 89.44 (1) (intro.) and (2) to (5), 89.51 (1), 89.52, 89.53 (1) (b), (2) (a) to (c) and (e), (3) (h) and (5), 89.57, 89.58 and 89.61 (intro.) and to create HFS 89.11 (Note), relating to residential care apartment complexes (formerly known as assisted living facilities).

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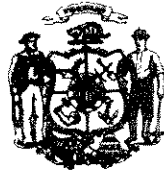
The rules included in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2), Stats.

Wisconsin Department of Health and  
Family Services

Dated:

By: \_\_\_\_\_  
Joseph Lean  
Secretary

SEAL:



Sen. Bob Welch -  
201 (E)

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**Carol Roessler**  
STATE SENATOR

AUG 27 1998

DATE: August 27, 1998

TO: Members, Senate Health, Family Services  
and Aging

FROM: Senator Carol Roessler, Chairperson

RE: Clearinghouse Rule 98-069

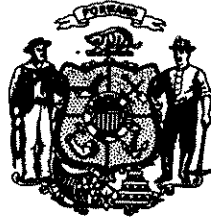
Clearinghouse Rule 98-069 (relating to residential care apartment complexes-formerly known as assisted living facilities) has been referred to the committee as of August 26, 1998.

Attached is a copy of the rules. If you are interested in a hearing, please contact Susan at 266-5300. The deadline for committee action is September 24, 1998.

**RULES CLEARINGHOUSE**

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Richard Sweet  
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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 98-069**

AN ORDER to amend chapter HFS 89 (title), 89.11, 89.12 (1), 89.13 (1), (2), (6) Note, (14) Note and (30), 89.14, 89.15, 89.21, 89.22 (1) and Note, (2) (a) and (b) 1. and (e) 3., (3) and (4), 89.23 (1), (2) (a) 2. (intro.) and 3. and (c), (3) (a), (4) (a) 1., (b), (c) and (d) 2., (5) and (6), 89.24 (1), (2) and (3) (a) and Note and (b) 4., 89.25 (1) (intro.), 89.26 (3) (c) 1., 89.27 (1) and (2) (c) 1. b. and 3., 89.28 (1) and (5), 89.29 (1) (intro.), (2) (a), (b) (intro.) and (c) and (3) (a) (intro.), (b) and (c) (intro.), 89.31, 89.32, 89.33, 89.34 (intro.), (6), (9) and (12), 89.35, 89.41, 89.42, 89.43 (2) to (4), 89.44 (1) (intro.) and (2) to (5), 89.51 (1), 89.52, 89.53 (1) (b), (2) (a) to (c) and (e), (3) (h) and (5), 89.57, 89.58 and 89.61 (intro.); and to create HFS 89.11 Note, relating to residential care apartment complexes (formerly known as assisted living facilities).

Submitted by **DEPARTMENT OF HEALTH AND FAMILY SERVICES**

05-07-98 RECEIVED BY LEGISLATIVE COUNCIL.

06-01-98 REPORT SENT TO AGENCY.

RS:LR:jt;rv

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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

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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***

**Ronald Sklansky**  
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## **CLEARINGHOUSE RULE 98-069**

### **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**

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PROPOSED ADMINISTRATIVE RULES - HFS 89  
ANALYSIS FOR LEGISLATIVE STANDING COMMITTEES  
PURSUANT TO S. 227.19 (3), STATS.

Need for Rules

A recent session law, 1997 Wisconsin Act 13, amended s. 50.034, Stats., to change the generic name of a type of regulated residential facility called "assisted living facility" to "residential care apartment complex" and to define "stove" as the term is used in the statutory definition of "residential care apartment complex."

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Response to Clearinghouse Recommendation

In its report to the Department following review of the proposed revision of ch. HFS 89, the Legislative Council's Rules Clearinghouse suggested one change in the rulemaking order. The Department accepted that comment and made the suggested change.

Public Review

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No residential care apartment complex will be affected by changes to the rules made by this order. The rule changes do no more than bring the rules into conformity with changes made to s. 50.034, Stats., by 1997 Wisconsin Act 13. Effective September 6, 1998, Act 13 changed the generic name of this type of facility from "assisted living facility" to "residential care apartment complex" and created a statutory definition for "stove" which supersedes the definition in the rules.

8-12-98

PROPOSED ORDER OF THE  
DEPARTMENT OF HEALTH AND FAMILY SERVICES  
AMENDING AND CREATING RULES

To amend chapter HFS 89 (title), 89.11, 89.12 (1), 89.13 (1), (2), (6) (Note) (14) (Note) and (30), 89.14, 89.15, 89.21, 89.22 (1) and (Note), (2) (a) and (b) 1., and (e) 3., (3) and (4), 89.23 (1), (2) (a) 2. (intro.) and 3. and (c), (3) (a), (4) (a) 1., (b), (c) and (d) 2., (5) and (6), 89.24 (1), (2) and (3) (a) and (Note) and (b) 4., 89.25 (1) (intro.), 89.26 (3) (c) 1., 89.27 (1), (2) (c) 1. b. and 3., 89.28 (1) and (5), 89.29 (1) (intro.), (2) (a), (b) (intro.) and (c) and (3) (a) intro.), (b) and (c) (intro.), 89.31, 89.32, 89.33, 89.34 (intro.), (6), (9) and (12), 89.35, 89.41, 89.42, 89.43 (2) to (4), 89.44 (1) (intro.) and (2) to (5), 89.51 (1), 89.52, 89.53 (1) (b), (2) (a) to (c) and (e), (3) (h) and (5), 89.57, 89.58 and 89.61 (intro.) and to create HFS 89.11 (Note), relating to residential care apartment complexes (formerly known as assisted living facilities).

Analysis Prepared by the Department of Health and Family Services

A recent session law, 1997 Wisconsin Act 13, amended s. 50.034, Stats., to change the generic name of a type of regulated residential facility called "assisted living facility" to "residential care apartment complex" and to define "stove" as the term is used in the statutory definition of "residential care apartment complex."

This order brings ch. HFS 89 into conformity with the two changes made in the program statute, s. 50.034, Stats., by Act 13. This has involved substituting the terms "residential care apartment complex," "a residential care apartment complex" and "residential care apartment complexes" for, respectively, "assisted living facility," an assisted living facility" and "assisted living facilities" throughout ch. HFS 89, and replacing the definition of "stove" that had been in the rules since ch. HFS 89 went into effect in March 1997 with the statutory definition.

Before Act 13 went into effect in September 1997, "stove" was not defined in the program statute, but under ch. HFS 89 it was defined as a cooking appliance consisting of burners and an oven, with the oven permitted to be a separate microwave oven. Section 50.01 (1d), Stats., as amended by Act 13, states that a stove is a cooking appliance that is either a microwave oven of at least 1000 watts or consists of burners and an oven.

The Department's authority to amend and create these rules is found in s. 50.034 (2), Stats. The rules interpret ss. 50.01 (1d) and 50.034, Stats.

SECTION 1. Chapter HFS 89 (title) is amended to read:

CHAPTER HFS 89 (title)  
ASSISTED LIVING FACILITIES RESIDENTIAL CARE APARTMENT COMPLEXES  
(FORMERLY, ASSISTED LIVING FACILITIES)

SECTION 2. Wherever in ch. HFS 89, except in s. HFS 89.15, the terms “assisted living facility,” “an assisted living facility” and “assisted living facilities” are found, substitute, respectively, “residential care apartment complex,” “a residential care apartment complex” and “residential care apartment complexes.”

SECTION 3. HFS 89.11 (Note) is created to read:

HFS 89.11 (Note) Before September 6, 1997, residential care apartment complexes were called “assisted living facilities.” The name change was made by 1997 Wisconsin Act 13.

SECTION 4. HFS 89.13 (6) (Note) and (14) (Note) are amended to read:

HFS 89.13 (6) (Note) Congregate housing may become assisted living a residential care apartment complex if it chooses to offer supportive, personal and nursing services.

(14) (Note) Housing for the elderly may become assisted living a residential care apartment complex if it chooses to offer supportive, personal and nursing services.

SECTION 5. HFS 89.13 (30) is amended to read:

HFS 89.13 (30) “Stove” means a cooking appliance ~~which~~ that is a microwave oven of at least 1000 watts or that consists of burners and an oven. ~~The oven may be a separate microwave oven.~~

SECTION 6. HFS 89.15 is amended to read:

HFS 89.15 LIMITATION ON USE OF NAME “RESIDENTIAL CARE APARTMENT COMPLEX”. As provided in s. 50.034 (5), Stats., an entity that does not meet the definition of ~~assisted living residential care apartment complex~~ under s. 50.01 (1) (1d), Stats., may not designate itself as ~~an “assisted living facility”~~ a residential care apartment complex or use the ~~word~~ words ~~“assisted living facility”~~ “residential care apartment complex” to represent or tend to represent the entity as ~~an assisted living facility~~ a residential care apartment complex or services provided by the entity as services provided by ~~an assisted living facility~~ a residential care apartment complex.

The rules included in this order 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.

Wisconsin Department of Health and  
Family Services

Dated:

By: \_\_\_\_\_  
Joseph Leean  
Secretary

SEAL:



Tommy G. Thompson  
Governor

Joe Leean  
Secretary



State of Wisconsin

Department of Health and Family Services

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August 24, 1998

The Honorable Brian Rude, President  
Wisconsin State Senate  
1 East Main, Suite 402  
Madison, WI 53702

The Honorable Scott Jensen, Speaker  
Wisconsin State Assembly  
1 East Main, Suite 402  
Madison, WI 53702

Re: Clearinghouse Rule 98-069

HFS 89, relating to residential care apartment complexes, formerly known as assisted living facilities.

Gentlemen:

In accordance with the provisions of s. 227.19(2), Stats., you are hereby notified that the above-mentioned rule is in final draft form. This notice and the report required by s. 227.19(3), Stats., are submitted herewith in triplicate.

The rule was submitted to the Legislative Council for review under s. 227.15, Stats. A copy of the Council's report is also enclosed.

If you have any questions about the rule, please contact David Robertson at 264-9888.

Sincerely,

Paul E. Menge  
Administrative Rules Manager

cc. Gary Poulson, Deputy Revisor of Statutes  
Senator Robert Welch, JCRAR  
Representative Glenn Grothman, JCRAR  
David Robertson, Division of Supportive Living  
Patricia Russell, Division of Supportive Living  
Kevin Lewis, Secretary's Office