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CLEARINGHOUSE RULE 96-047

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 first entry in the introductory language in SECTION 7 of the proposed order should be changed from “8.05” to “8.05 (intro.)” Also, the term “(intro.)” should be inserted in the text following the title of s. Med 8.05.

b. In s. Med 8.05 (1) (intro.), the title of the subsection (which is not being amended) should not be underlined. [See s. 1.05 (2) (c) and (3) (c), Manual.]

c. In the last sentence of s. Med 8.07 (1), the phrase “a physician’s physician” should be rearranged so that all of the new underscored material immediately follows all of the stricken material; that is, the text should be changed to “physician’s a physician.” [See s. 1.06 (1), Manual.]

d. In s. Med 8.08 (2) (d), the new underscored material must immediately follow the stricken material. Thus, the stricken word “~~and~~” must immediately precede the inserted material “, the DEA registration number of the supervising physician if the prescription is prepared for a controlled substance.” rather than following it. [See s. 1.06 (1), Manual.]

5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. Med 8.02 (3), the word “meets” should be changed to “meet” so that it agrees with the word “applicants.” [The current rule correctly refers to “applicants...who meet” and should not be changed.]

b. Section Med 8.05 (2) (c) indicates that an application review panel must consist of “at least 2 ~~physician’s~~ physician assistant council members designated by the chairperson...” If this is intended to mean that any two members of the Council on Physician Assistants may be designated to perform this function, it would be preferable to amend this to refer to “at least 2 ~~physician’s assistant~~ council members designated by the chairperson...” so that the defined term “council” is used. On the other hand, if it is intended to mean that the chairperson must designate at least two members of the Council on Physician Assistants who are themselves physician assistants to perform this function, this should be made clear by amending this to refer to “at least 2 ~~physician’s assistant~~ council members who are physician assistants and who have been designated by the chairperson...”

Also, in the last sentence of s. Med 8.05 (2) (c), the phrase “medical examining board” should be changed to “~~medical examining~~ board” so that the defined term “board” is used.

c. Section Med 8.08 (2) (e) (intro.) provides that: “The supervising physician *either*” (emphasis added). This introductory language is followed by subds. 1., 2. and 3., which currently are connected by the conjunction “or” at the end of subds. 1. and 2. Because the proposed order modifies subds. 1. and 2. by deleting the word “or” and inserting a period following each subdivision, it would be preferable to change s. Med 8.08 (2) (e) (intro.) to provide that: “The supervising physician ~~either~~ does any one of the following:”.

d. In s. Med 8.08 (2) (e) 3., it appears that the phrase “other than the supervising physician’s main office of a facility or hospital in which the supervising physician has staff privileges” should be changed to “other than the supervising physician’s main office ~~of~~ or a facility or hospital in which the supervising physician has staff privileges.”

e. In s. Med 8.10 (1), the phrase “2 assistants” should be changed to “2 physician assistants.”