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RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 97-133

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a. The department’s analysis fails to mention and give the rationale for several repealed rules. See SECTIONS 2, 14 and 16 of the rule. In addition, the repeal and recreation of s. PT 2.01 (6) (c) results in the subject matter of the current rule not being replaced; this also is not discussed in the analysis. Further, the analysis indicates that s. PT 6.01 is amended to clarify that a written referral is not required for services exempt under s. 448.52, Stats.; that clarification is not reflected in the text of the rule. Finally, the department’s analysis indicates that s. PT 7.02 (6) is “clarified” to include a change of name permitted under s. 786.36, Stats. Current s. PT 7.02 (6), by exempting from the provision a name change resulting from an “order by a court of record,” already includes name changes under s. 786.36. The effect of the amendment is to limit court-ordered name changes to those ordered under s. 786.36, Stats.

b. It is suggested that s. PT 2.01 (6) (b) be written as follows: “The passing score for the national physical therapy examination is that score recommended by the federation of state boards of physical therapy.”

c. The two sentences of s. PT 6.01 could be combined to begin as follows: “In addition to the services excepted from written referral under s. 448.56 (1), Stats., a written referral is not required to”

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

a. In s. PT 2.01 (6) (c), it appears that the phrase “To pass the examination on the statutes and rules examination” should be replaced by the phrase “To pass the examination on statutes and rules.”

b. Section PT 8.02 appears to place the administration of license renewal under the jurisdiction of the Department of Regulation and Licensing rather than the Physical Therapists Affiliated Credentialing Board. However, the last sentence of this section states that the board must notify a licensee as to whether the application for license renewal is approved or denied. Should this sentence be amended to place this responsibility with the department rather than the board?