

WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky
Director
(608) 266-1946

Richard Sweet
Assistant Director
(608) 266-2982



David J. Stute, Director
Legislative Council Staff
(608) 266-1304

One E. Main St., Ste. 401
P.O. Box 2536
Madison, WI 53701-2536
FAX: (608) 266-3830

CLEARINGHOUSE RULE 99-055

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 September 1998.]

2. Form, Style and Placement in Administrative Code

In s. HFS 181.06, “(l)” should be replaced with “(L)” to avoid confusion with the numeral 1.

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

a. In s. HFS 181.03 (4), “PL 100-578” should be replaced with “42 USC 263a” to reflect the current provision of federal law. Also, “part” should be inserted after “42 CFR.”

b. In s. HFS 181.08 (1), the notation “s.” should be inserted before the statutory cross-reference.

c. In s. HFS 181.08 (2) (b), “, Stats.” should be inserted after “s. 973.09.”

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

a. Section 254.13 (1) refers to the director of a clinical laboratory as one person who must report certain information regarding lead poisoning or lead exposure. Section HFS 181.03 (1) defines the term “analytical laboratory” in terms of a clinical laboratory. Sections HFS 181.02 and 181.03 (6) refer to the director of a blood drawing site. The use of the various terminology raises the following questions:

(1) Why is the term “analytical laboratory” created?

(2) What is a “blood drawing site”?

b. In s. HFS 181.03 (12), the definition should include the requirement that the person screens blood samples for lead. Also, the definition can be shortened by substituting the defined term “health care provider” for the references to a physician, nurse, hospital administrator, local health officer or director of a blood drawing site. [See also s. HFS 181.08 (2).]

c. Section HFS 181.04 (5) should begin with the phrase “Except as provided in sub. (3) (c).” Following this change, the last sentence of this subsection should be deleted.

d. In s. HFS 181.06 (1) (g) and (h), “year’s” should be replaced with “years.” Also, the use of the word “parent’s” indicates that the name of only one parent is required. Is this the intent of sub. (1) (g) and (h)?

e. In s. HFS 181.08 (2) (a), “doctor, nurse, hospital administrator, local health officer, director of a clinical laboratory or director of a blood drawing site” could be replaced with “health care provider or director of a clinical laboratory.” If this change is not made, “doctor” should be replaced with “physician” for consistency with other provisions of the chapter. Also, why is the phrase “director of a clinical laboratory” used when s. HFS 181.03 (1) defines the term “analytical laboratory” in terms of a clinical laboratory?

f. In s. HFS 181.08 (2) (b), “physician, nurse, hospital administrator, local health officer, director of analytical laboratory or director of a blood drawing site” could be replaced with “health care provider or director of an analytical laboratory.” If this change is not made, “an” should be inserted before “analytical laboratory.”