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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 03-020

#### 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 2002.]**

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

- a. On page 2 of the analysis, the term statutory “sites” or “site” should read “cites” or “cite,” respectively. Also, “15” should replace “(15).”
- b. In s. PT 1.02, “Physical Therapy” is not capitalized in the current rule. Therefore, the current phrase should be stricken and the new phrase underscored.
- c. In s. PT 7.02 (21), “the rules of” should be deleted.
- d. In s. PT 9.02 (1), the acronym “CEU” should be defined as a continuing education unit.

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

- a. Does s. PT 3.01 (6) mean that if a physical therapist is supervising four physical therapy assistants and physical therapy aides under s. PT 5.02 (10), the physical therapist is then unable to supervise any physical therapists with temporary licenses?
- b. In s. PT 5.02 (intro.), the term “patient care activities” is changed to “patient-related tasks.” What is the difference between those two terms and should patient-related tasks be defined more clearly?
- c. Section 448.56 (1m) (b), Stats., requires the affiliated credentialing board to promulgate rules establishing the requirements that a physical therapist must satisfy if a physician, chiropractor, dentist, or podiatrist makes a written referral. The purpose of the rules

are to ensure continuity of care between the physical therapist and the other health care practitioner. In response to this requirement, s. PT 6.01 (2) states that “a physical therapist providing physical therapy services pursuant to a referral under s. 448.56 (1), Stats., shall communicate with the referring physician, chiropractor, dentist, or podiatrist as necessary to ensure continuity of care.” The statutes appear to contemplate more detailed rules to ensure the continuity of care than the one sentence in s. PT 6.01 (2).

d. In s. PT 9.03 (3), the second sentence should read “If a license has lapsed, . . . .”

e. Section PT 9.03 (4), which requires a licensee who fails to meet the continuing education requirements to cease and desist from practice, would be more effective if it also stated the licensee who fails to meet the requirements shall be subject to disciplinary proceedings under s. 488.57, Stats.

f. In s. PT 9.04 (1) (intro.), the introductory sentence should be rephrased as follows “To be approved for credit, a continuing education program shall meet all of the following criteria:”. The introductory paragraph, as currently phrased, appears to require approval of a continuing education program that meets all of the criteria without leaving any discretion to the board.

g. In the table for Class I activities, par. b., the number of hours should be 10 “hours” per CEU. The word “hours” is currently misspelled.

h. The statutory provisions which provide the statutory authority for this rule-making order do not go into effect until April 1, 2004. With the exception of the provision that allows physical therapist assistants to be temporarily licensed until that date, the effective date for the other provisions should be delayed until April 1, 2004, in accordance with the statutory requirement.

i. In s. PT 9.04, it is suggested that the tables be given numbers such as Table PT 9.04-1 and Table PT 9.04-2. The reference in s. PT 9.04 (2) (intro.) to “the tables below” could then be changed to refer to the tables by number.