



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 07-042

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 January 2005.]

2. Form, Style and Placement in Administrative Code

a. The department should revise the introductory clause to state: An order to repeal and recreate HFS 83.04 (50); and to create HFS 83.04 (33m) and (49m), 83.07 (7m) and Note, 88.02 (14m), (27g), and (27r), 88.03 (4) (c) and Note, 89.13 (17m), (25g), and (25r), 89.53 (4) (c) and Note, 132.13 (10m), (25g), and (25r), 132.14 (9) and Note, 134.13 (18m), (38g), and (38r), and 134.14 (5r) and Note, relating to facility reporting of involuntary administration of psychotropic medication under s. 55.14, Stats., and affecting small businesses. The abbreviation “HFS” is needed only once after “create.”

b. In the related statute or rule section of the summary, the abbreviation “ch.” appears twice.

c. In SECTION 2 of the proposed rule, the treatment clause should state, “HFS 83.04 (50) is repealed and recreated to read:”.

d. In ss. HFS 88.02 (14m) (intro.), 89.13 (17m) (intro.), 132.13 (10m) (intro.), and 134.13 (18m) (intro.), the word “one” should be removed in order to conform to traditional drafting style and to the definition in s. 55.14 (1) (a), Stats. [See s. 1.03 (8), Manual.]

e. In SECTION 10 of the proposed rule, the department should refer to s. HFS 134.13 (38g) and s. HFS 134.13 (38r).

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

In the summary of the proposed rule, the department should refer to s. 55.14, Stats., in the statute interpreted section or the related statute or rule section, but not both.

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

In the note to s. HFS 83.07 (7m), should the department replace the word “provider” with “licensee” in order to be consistent with the text of s. HFS 83.07 (7m)? Does the note repeat information provided in the proposed rule? This comment applies to other notes in the rule also.