



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 11-016

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]

1. Statutory Authority

The analysis states that a transitional license will not be provided by the board, contrary to the nonstatutory requirement in 2009 Act 106, SECTION 7 (3). The nonstatutory language supersedes the American Registry of Radiologic Technologists (ARRT) requirement cited in the analysis. The Act provides that a person must pass an examination administered by the board; perhaps a different testing mechanism other than the ARRT exam can be devised for transitional licenses.

2. Form, Style and Placement in Administrative Code

a. The introductory clause in the proposed order should specify that the order creates chapters RAD 1 to 6, Wis. Adm. Code. [s. 1.02, Manual.] The clause should read: “An order of the Radiology Examining Board, to create chs. RAD 1 to 6, relating to radiography.”

b. The chapter titles should be reformatted. Instead of including the title in the treatment clause, they should be drafted as follows:

SECTION 1. Chapter RAD 1 is created to read:

CHAPTER RAD 1
AUTHORITY AND DEFINITIONS

c. In RAD 1.01, “ch.” before the statutory cites should be replaced by “ss.”

d. In s. RAD 1.01 (15), the material after “radiography” should be deleted. It adds substance to the definition. This material could be placed in ch. RAD 4.

e. The entire rule should be reviewed for numbering errors. [See s. 1.03, Manual.] Numbering errors include: numbering a rule section as a subunit when there is only one subunit (ss. RAD 2.01 (1) and 3.02 (1), for example); using subsection numbers, paragraph letters, and subdivision numbers erroneously (ss. RAD 2.02, 2.03, 2.04, 2.05, 3.06, 4.01, 4.02, 5.01, 5.02, 5.05); numbering an introductory clause erroneously (ss. RAD 3.07 and 5.01); failing to put a colon after an introductory clause (ss. RAD 5.01 (intro.) and 6.01 (intro.)); and putting commas and semicolons rather than periods after a subunit (ss. RAD 2.05 (1) (a) and 3.07 (1) (a)).

f. Subunits should begin with capital letters. For example, see s. RAD 2.04 (1) (a) and (b).

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

a. The citation in s. RAD 2.01 should be more specific, to s. 462.03 (1) and (2), Stats.

b. The citation in s. RAD 3.01 should be more specific, to s. 462.03 (1) and (3), Stats.

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

a. In s. RAD 2.01 (1), the material after “Stats.” should be deleted, as it is redundant with the statutory requirements. The same comment applies to s. RAD 3.01.

b. In s. RAD 2.04 (1), the word “completes” should be replaced by “submits”. Then, “submits” in pars. (a) and (b) should be deleted.

c. In s. RAD 3.05, the word “shall” should be changed to “may” after the word “applicant”. [s. 1.01 (2), Manual.]

d. In s. RAD 3.07 (1), “any of” should be inserted after the word “of”.