



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 15-067

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 December 2014.]

1. Statutory Authority

In the explanation, the agency should consider removing or revising the final phrase in the last paragraph. The statutory language provides that the board may establish rules to prevent unauthorized persons from practicing professional nursing, and that it *shall* approve all rules for the administration of ch. 441, Stats., *in accordance with ch. 227*. This is a slightly different meaning than “The board may establish rules... and approve all rules for the administration of ch. 441, Stats.”.

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

In the plain language analysis, the reference to “authority to deny an initial license or certificate” could be qualified to more accurately reflect the statute, which allows denial for certain types of misconduct, subject to department rules promulgated pursuant to s. 440.03 (1), Stats.

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

In s. N 7.01 (2), the agency added “denying an initial license or certificate” as a separate phrase from “denying renewal of a license or certificate”. Should the same structure be used in s. N 7.03 (intro.) instead of deleting “renewal”?