



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 18-030

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

It appears that s. 441.01 (3), Stats., should be included in the listing of statutory authority. [See s. 1.02 (2m) (a), Manual.]

2. Form, Style and Placement in Administrative Code

a. Because the statutes refer to Wisconsin’s current compact as the “enhanced nurse licensure compact”, it would be helpful to specify in the rule itself (in addition to the language in the appendix) that the rule refers to the current compact as the “nurse licensure compact” rather than the “enhanced nurse licensure compact”.

b. The Board should review the definitions in s. N 2.02 (8m), (9m), and (11) for clarity. All three terms are already defined in statute. Is it necessary to define them differently by rule? Why does the rule’s definition of “single state license” omit part of the statutory definition? The Board could consider either removing these subsections, in which case the statutory definitions would control, or incorporating the statutory definitions by reference.

c. The Board could modify s. N 2.10 (1m) and (2m) to incorporate statutory requirements by reference where appropriate to avoid unnecessary repetition of statutory language. [See s. 1.08 (1), Manual.] For example, the rule could require that applicants satisfy s. 441.51 (3) (c) 4. to 10., Stats., as well as a list of other items. There is also a typo in SECTION 5 of the proposed rule, which should be numbered s. N 2.10 (2m) rather than (1m).

d. In terms of overall style, the Board could consider placing all of the provisions related to multistate licenses under the compact into ch. N 9, since that chapter as proposed would only contain one section. Chapter N 2 could be retitled to apply only to single state licenses.

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

a. Section N 2.105 (2) (intro.) should be reworded for clarity to require submission of “one” or “at least one” of the listed items, rather than “any” of those items.

b. In s. N 2.105 (4), the sentence should read “a foreign prelicensure program **that** was not taught in English...”.

c. Section N 2.19 (2) (e) is not grammatically correct. It could be revised, for example, to state that the person must provide “Evidence of successful completion of an NCLEX...”.

d. The Board may wish to consider performing an additional proofreading of the rule analysis section. For example, the summary of factual data and analytical methodologies states that the rule brings the code into compliance with new legislation by “crating” separate licensing requirements and procedures.