WISCONSIN LEGISLATIVE COUNCIL
RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 19-024

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.]

2. Form, Style and Placement in Administrative Code

a. An entry should be inserted for the rule summary's description of the analysis and supporting documents used to determine the effect on small business.

b. The board should add a definition for the term "delegate-check-delegate", which is used multiple times throughout the proposed rule.

c. The board should review the rule generally to ensure that each subunit, which follows introductory material, forms a complete sentence when read with the introduction. The subunits should also use a parallel sentence structure. For example, pars. (b) and (c) (intro.) of s. Phar 7.21 (2) each begin with the word "completed", while par. (d) (intro.) begins with the phrase "completion of". The board should similarly review the sentence structure of the subunits under s. Phar 7.21 (3).

d. In s. Phar 7.21 (2) (d) 2., the designation for subpar. e. should be revised to subpar. d., in order to be sequential.

e. Because the titles are not part of the substance of the rule, s. Phar 7.21 (3) (a) (intro.) should be revised to specify that the delegate may only do product verification in an institutional pharmacy if the medications meet the listed criteria, and s. Phar 7.21 (3) (b) (intro.) should likewise be revised so that the rule text explicitly refers to community pharmacies.

f. In s. Phar 7.21 (4) (b) 7., the format of the reference to s. Phar 7.21 (2) (c) 3. should be revised to "sub. (2) (c) 3.".

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

In s. Phar 7.21 (3) (a) 2. and (b) 2., the references to s. Phar 7.03 are not clear. That provision refers to prescription renewal limitations, rather than a drug utilization review. Either the terminology should be revised to be consistent, or, if a different review is intended, the cross-reference should be corrected.

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

a. In s. Phar 7.21 (1) (b), consider revising the sentence to specify more clearly what is intended. For example, the provision uses the phrase "accuracy and correctness", but the current rule refers to "accuracy, validity, completeness, and appropriateness" of a filled prescription, and consistent terminology should be used when possible. Is the proposed rule intended to address both accuracy and validity? And should completeness be included? Also, the "correctness of the drug product and label requirements" is not grammatically coherent. Is this intended to require a verification both that the product corresponds to the identification on the label, and that the label itself is in compliance with state and federal law requirements?

b. In s. Phar 7.21 (2) (b), it appears that the word "pharmacy" should be inserted before the phrase "technician training program", and that the word "pharmaceutical" should be inserted before the phrase "product selection".

c. In s. Phar 7.21 (2) (c) (intro.), for clarity, consider inserting the phrase "training in" before the phrase "all of the following:".

d. In s. Phar 7.21 (3) (a) 2. and (b) 2., a period should be inserted at the end of each sentence.