



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 23-033

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

1. Statutory Authority

In SECTION 2 of the proposed rule, it appears to be the intent of the agency to grant “pre-approved” status to NAB-accredited courses and programs on a prospective basis, meaning that a course or program that does not exist at the time the rule would be promulgated would nonetheless be deemed pre-approved by the agency. Pre-approval of this nature should be reconsidered, as it likely constitutes an improper delegation of authority to the National Association of Long Term Care Administrator Boards. [See s. 1.14 (5) (Note), Manual.] If pre-approval of prospective courses or programs is not intended, the rule text should be revised to more specifically define the accredited courses and programs to which “pre-approved” status is granted.

2. Form, Style and Placement in Administrative Code

In SECTION 1 of the proposed rule, the treatment of s. NHA 3.01 should be indicated as “All Except as provided in sub. (1m), all...”. [s. 1.04 (4), Manual.]

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

In SECTION 2 of the proposed rule, should “Executive” instead be written as the plural “Executives”?