



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 24-031

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.]

2. Form, Style and Placement in Administrative Code

In SECTION 5 of the proposed rule, the treatment “L.P.N.’s” should be written “L.P.N.s”.

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

a. Are unintended consequences created within ch. N 6, Wis. Adm. Code, by the proposed rule’s modification of the definition of “provider” from “a physician, podiatrist, dentist, optometrist or advanced practice nurse provider” to “any licensed professional who is legally authorized to delegate acts within the scope of their practice”? For example, s. N 6.03 (2) (c) and (d), Wis. Adm. Code, unchanged by the proposed rule, require an R.N. to “[c]onsult with a provider in cases where the R.N. knows or should know a delegated act may harm a patient” and “[p]erform delegated acts under the general supervision or direction of provider”. Could the change in definition inadvertently raise a question of whether an R.N. could consult with another R.N. or perform delegated tasks under the supervision of another R.N.?

b. Section N 6.04 (1) (e) 3., Wis. Adm. Code, which relates to standards of performance of acts under the general supervision of an R.N. or the direction of a provider, provides that an L.P.N. shall “[r]einforce the teaching provided by an R.N. provider and provide basic health care instruction”. Should the phrase “R.N. provider” be modified to contemplate reinforcement of teaching from providers other than an R.N.? Perhaps the phrase could be modified to “R.N. or other provider”.

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

a. The rule should add a SECTION to correct a grammatical error in s. N 6.03 (2) (d), Wis. Adm. Code, by adding the word “a” before “provider”.

b. Should the agency modify the phrase “nursing tasks or activities” within the definition of UAP created by the rule to “nursing acts” for consistency both within the definition and the rest of ch. N 6, Wis. Adm. Code?