



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 21-028

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

a. In the analysis for the proposed rule, under the heading for related statutes or rules, the board could consider adding citations to the other credentialing provisions in ss. Phar 2.02 and 2.05.

b. In s. Phar 2.06 (2) (a), the two items in that paragraph should be separated to stand alone in two paragraphs, similar to s. Phar 2.02 (1) (a) and (e).

3. Conflict With or Duplication of Existing Rules

The current administrative rules, in ss. Phar 2.02 and 2.05, specify the materials that an applicant must submit to apply for regular or transfer credentialing. As these materials are different from the information that must be submitted under the provision created in the proposed rule, in s. Phar 2.06 (2), the current text of ss. Phar 2.02 and 2.05 should each be amended to add the phrase, “Except as provided in s. Phar 2.06 (2),”.

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

Section 440.09 (2) (a), Stats., requires an individual who is applying for a reciprocal credential to apply using a form prescribed by the Department of Safety and Professional Services or the credentialing board. Section 227.14 (3), Stats., requires references to forms to be included in a note. Accordingly, s. Phar 2.06 (2) (a) should be revised to include a note to indicate where the form may be found or how it may be obtained. [s. 227.14 (3), Stats.; and s. 1.12 (3), Manual.]

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

In s. Phar 2.06 (2), the board should specify whether the required application materials are in addition to or notwithstanding the materials that an applicant must submit under ss. Phar 2.02 and 2.05.