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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 19-138

#### 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. In the analysis for the proposed rule, either in the explanation of the authority under s. 457.08 (5), Stats., or in the plain language summary, the board could cite the enactment of 2017 Wisconsin Act 356, which created that provision to expressly authorize the board to require that an applicant’s hours of face-to-face client contact include training based on the Diagnostic and Statistical Manual of Mental Disorders (DSM) or its equivalent. To further explain the context, the citation could note that the provision was enacted following an objection by the Joint Committee for Review of Administrative Rules to the proposed repeal of DSM training that had been included in CHR 14-057.

b. In s. MPSW 3.09 (3), the underscored period that is shown after the word “contact” should be moved to be shown after the phrase “and including”. Also, the period after the word “individuals” should be shown with underscoring and should be moved to follow the stricken comma.

c. When the rule goes into effect, is it possible that the board would have pending applications whose affidavits would not include information on the applicant’s compliance with the specific number of hours of DSM training the applicant has completed? If so, how will those applicants be affected? For example, would the applicants be asked to revise and resubmit the affidavits? Or should an initial applicability provision be added to the proposed rule to specify that the revised rule applies to new applications submitted on or after the effective date? If it is anticipated that there could be pending applications that would not meet the requirements of the

proposed rule on the date it goes into effect, the board should specify how those applications will be handled. [For an example of an initial applicability clause, see s. 1.02 (3m), Manual.]