

Clearinghouse Rule 99-112

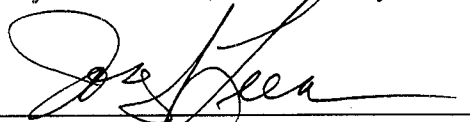
CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND FAMILY SERVICES)

I, Joseph Leean, Secretary of the Department of Health and Family Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to refresher training requirements in CPR and first aid for drivers of specialized medical vehicles (SMVs) under the Medical Assistance program were duly approved and adopted by this Department on November 11, 1999.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 11th day of November, 1999.



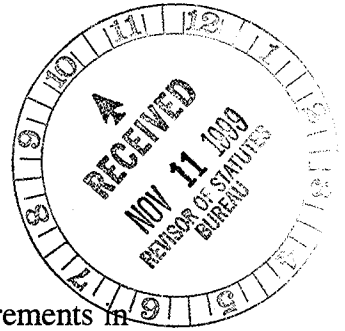
Joseph Leean, Secretary
Department of Health and Family Services

SEAL:



1-1-00
99-112

ORDER OF THE
DEPARTMENT OF HEALTH AND FAMILY SERVICES
AMENDING A RULE



To amend HFS 105.39 (4) (b) 3., relating to refresher training requirements in cardiopulmonary resuscitation (CPR) and first aid for drivers of specialized medical vehicles (SMVs) under the medical assistance (MA) program.

Analysis Prepared by the Department of Health and Family Services

The Department's rules for certification of specialized motor vehicle (SMV) providers under the Medical Assistance (MA) program include requirements for SMV drivers. Among current requirements is that each driver must receive training in first aid and cardiopulmonary resuscitation (CPR) before driving a vehicle or serving as an attendant and must receive refresher training in first aid every 2 years and refresher training in CPR annually. The specific requirements for refresher training date from December 1, 1994. When revising its rules for SMV providers earlier in 1994 the Department proposed to require refresher training every 2 years for both first aid and CPR, but at the public hearings on the proposed rules 5 SMV providers said the CPR refresher training should take place annually and the Department agreed and made that its requirement.

Although the American Red Cross CPR training and certification that the person is trained continue to be annual, the equivalent American Heart Association CPR training and certification (the American Heart Association prefers "recognition" to "certification") is now every 2 years. This means that to comply with the Department's current MA rule for SMV drivers, s. HFS 105.39 (4) (b) 3., drivers who receive their training from the American Heart Association must repeat the training each year. That is unnecessary for maintenance of American Heart Association certification (recognition) and the time and expense involved is a burden on SMV providers and drivers. The Department is modifying the rule through this order to simply require that drivers maintain CPR certification.

The Department through this order is also changing the requirement for refresher training in first aid from every 2 years to at least every 3 years. That is because the American Red Cross certification in first aid is now for 3 years. A requirement for more frequent refresher training in first aid is a burden in time and expense involved for SMV providers and drivers.

The Department's authority to amend this rule is found in ss. 49.45 (10), Stats. The rule interprets ss. 49.43 to 49.497, Stats.

SECTION 1. HFS 105.39 (4) (b) 3. is amended to read:

HFS 105.39 (4) (b) 3. Each driver shall receive refresher training in first aid at least every 2 3 years and refresher training in CPR annually shall maintain CPR certification. A driver who is an emergency medical technician licensed under ch. HFS 110, 111 or 112, a licensed practical nurse, a registered nurse or a physician assistant shall be considered to have met ~~this requirement~~ these requirements by completion of continuing education which includes first aid and CPR.

The rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22 (2), Stats.

Wisconsin Department of Health and
Family Services

Dated: **November 11, 1999**

By: _____



Joseph Leean
Secretary

SEAL:



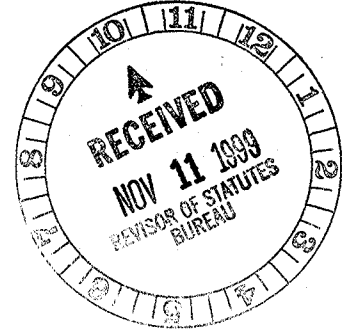
State of Wisconsin
Department of Health and Family Services

(608) 266-0573

Tommy G. Thompson, Governor
Joe Leean, Secretary

November 11, 1999

Mr. Bruce Munson
Revisor of Statutes
131 W. Wilson St., Suite 800
Madison, WI 53703



Dear Mr. Munson:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of s. HFS 105.39 (4) (b) 3., administrative rules relating to refresher training requirements in cardiopulmonary resuscitation (CPR) and first aid for drivers of specialized medical vehicles (SMVs) under the medical assistance (MA) program.

The rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Leean".

Joseph Leean
Secretary

Enclosure