



Wisconsin Legislative Council

RULES CLEARINGHOUSE

Scott Grosz
Clearinghouse Director

Anne Sappenfield
Legislative Council Director

Margit Kelley
Clearinghouse Assistant Director

CLEARINGHOUSE RULE 24-062

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 SECTION 3 of the proposed rule, creating s. HAS 6.05, the second sentence after the section number appears to be an introductory clause, not a continuation of the section title. Only the title should be shown in bold typeface, and the second sentence should be shown in normal typeface if it is not part of the title. Titles are not considered part of the substance of the rule itself, and the second sentence does appear to be substantive. [See s. 1.10 (2), Manual.]

b. In SECTIONS 4 and 6, the subunit designation “(intro.)” could be removed from the text of the rule. Though it is proper to include the subunit designation “(intro.)” in the treatment clause, it is not necessary to be included in the text of the rule. [See s. 1.11 (1) and (3) (Example), Manual.]

c. SECTIONS 6, 7, and 8 could be combined into one rulemaking SECTION. When two or more subunits of the same rule section are affected by the same treatment, they may be included in the same SECTION of the rulemaking, as long as the intervening subunits are unaffected by other treatment. [See s. 1.03 (2) (c) 2., Manual.] Therefore, these three SECTIONS, which all amend various subunits of s. HAS 6.18, could be in the same SECTION of the rulemaking order.

3. Conflict With or Duplication of Existing Rules

In the current text of s. HAS 6.10 (a) (d), the Board should consider adding a reference to the compact privilege so that every reference to a licensed speech-language pathologist in ch. HAS 6 also includes reference to a compact privileged speech-language pathologist.

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

In the agency’s plain language analysis for the proposed rule, readability would be improved if the description included a period at the end of every listed item. [s. 1.01 (2) (b), Manual.]