

# Report From Agency

DEPARTMENT OF HEALTH SERVICES

STATE OF WISCONSIN

Office of Legal Counsel  
F-02113 (05/2017)

## RULEMAKING REPORT TO LEGISLATURE

### CLEARINGHOUSE RULE 17-006

Ch. DHS 78, Telecommunication Assistance for Deaf, Deafblind and Severely Hard of Hearing Persons

#### Basis and Purpose of Proposed Rule

The Telecommunication Assistance Program (TAP) provides assistance to income eligible deaf, severely hard of hearing and deafblind persons in securing telecommunication devices capable of serving their needs. Chapter DHS 78 establishes application processing procedures, and eligibility requirements for the program.

The procedures currently described in ch. DHS 78 are outdated and do not reflect the program's current needs and objectives. The department proposes to update the rule to clarify eligibility requirements; to revise application and processing requirements; to reflect current program operations; and to reflect the changes in technology available to assist the deaf, deafblind and severely hard of hearing persons that have occurred since the rule was last revised in 2003.

#### Department Response to Legislative Council Rules Clearinghouse Recommendations

The department accepts the recommendations made by the Legislative Council Rules Clearinghouse and has modified the proposed rule where suggested.

#### Final Regulatory Flexibility Analysis

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The issues raised by each small business during the public hearing(s).

None. The proposed rules will not have an economic impact on small businesses

Any changes in the rule as a result of an alternative suggested by a small business and the reasons for rejecting any of those alternatives.

N/A

The nature of any reports and estimated cost of their preparation by small businesses that must comply with the rule.

N/A

The nature and estimated costs of other measures and investments that will be required by small businesses in complying with the rule.

N/A

The reason for including or not including in the proposed rule any of the following methods for reducing the rule's impact on small businesses, including additional cost, if any, to the department for administering or enforcing a rule which includes methods for reducing the rule's impact on small businesses and the impact on public health, safety and welfare, if any, caused by including methods in rules

N/A

#### Changes to the Analysis or Fiscal Estimate/Economic Impact Analysis

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Analysis

No changes were made to the rule's analysis.

Fiscal Estimate/Economic Impact Analysis

No changes were made to the Fiscal Estimate/Economic Impact Analysis.

#### Public Hearing Summary

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The department began accepting public comments on the proposed rule via the Wisconsin Legislature Administrative Rules website, and through the Department's Administrative Rules Website on April 3<sup>rd</sup>, 2017. A public hearing was held on May 15<sup>th</sup>, 2017, in Madison, Wisconsin. Four persons attended the hearing. Public comments on the proposed rule were accepted until May 22<sup>nd</sup>, 2017.

**List of Public Hearing Attendees and Commenters**

The following is a complete list of the persons who attended the public hearing or submitted comments on the proposed rule during the public comment period, the position taken by the commenter and whether or not the individual provided written or oral comments.

<b>Commenter</b>	<b>Name and Address</b>	<b>Position Taken (Support or Opposed)</b>	<b>Method of Commenting (Oral or Written)</b>
1.	Harry Mauldin – 100 Marcie Dr; Brooklyn, WI 53521	N/A	N/A
2.	Mary Jablonski – 1 W. Wilson St. Room 750; Madison, WI 53703	N/A	N/A
3.	Michelle Cordova – 3810 Milwaukee St; Madison, WI 53714	N/A	N/A
4.	Jeffrey J. Richter – 610 N. Whitney Way; Madison, WI 53705	Support	Written

## Summary of Public Comments and Department Responses

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The number(s) following each comment corresponds to the number assigned to the individual listed in the Public Hearing Attendees and Commenters section of this document.

Rule Provision	Public Comment	Department Response
Ch. 78	Supporting the rule revisions. 4.	The department accepts the commenter's support for the rule revisions.

## Summary of Items Submitted with this Report to the Legislature

Below is a checklist of the items that are attached to or included in this report to the legislature under s. 227.19 (3), Stats.

Documents/Information	Included in Report	Attached	Not Applicable
Final proposed rule -- Rule Summary and Rule Text		X	
Department response to Rules Clearinghouse recommendations	X		
Final Regulatory Flexibility Analysis	X		
Changes to the Analysis or Fiscal Estimate/Economic Impact Analysis			X
Public Hearing Summary	X		
List of Public Hearing Attendees and Commenters	X		
Summary of Public Comments and Department Responses	X		
Fiscal Estimate/Economic Impact Analysis		X	
Revised Fiscal Estimate/Economic Impact Analysis			X
Small Business Regulatory Review Board (SBRRB) statement, suggested changes, or other material, and reports made under s. 227.14 (2g), Stats. and Department's response			X
Department of Administration (DOA) report under s. 227.115 (2), Stats., on rules affecting housing			X
DOA report under s. 227.137 (6), Stats., on rules with economic impact of \$20 MM or more			X
Public Safety Commission (PSC) energy impact report under s. 227.117 (2), Stats. and the Department's response, including a description of changes made to the rule			X