

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> 05/08/2023
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> Chapters DHS 1, 10, 13, 40, 82, 83, 89, 101, 102, 103, 104, 105, 107, 108, 116, 118, 124, 132, 134, 150, 153, 163, 182, and 251	
<b>4. Subject</b> Biennial review of rules in accordance with s. 227.29, Stats. (2021 Biennial Review)	
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b> N/A
<b>7. Fiscal Effect of Implementing the Rule</b> <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses ( <b>if checked, complete Attachment A</b> )	
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$0	
<b>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>11. Policy Problem Addressed by the Rule</b> Under s. 227.29, Stats, the Department is required to review its administrative rules for: (1) rules are unauthorized due to repeal or amendment of the law that previously authorized promulgation; (2) rules for which the authority to promulgate has been restricted; (3) rules that are obsolete or rendered unnecessary; (4) rules that are duplicative or or superseded by another rule, statute, or regulation; (5) rules that are economically burdensome. Any rules determined to fit within one of those five categories must be included in the department's biennial rules report to the Joint Committee for Review of Administrative Rules ("JCRAR"), and that report must indicate actions the Department is taking to address each rule listed in the report.  The Department previously submitted a report to JCRAR on March 31, 2021, and that report indicated that a statement of scope was to be submitted to address the above-listed rules. A statement of scope was subsequently approved by the Governor on April 15, 2021.	
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> None	
<b>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</b> None	
<b>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)</b> The proposed rules are not anticipated to have an economic or fiscal impact on small businesses.	
<b>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule</b>	

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The biennial review process is statutorily required under s. 227.29, Stats. There are no reasonable policy alternatives to promulgating the proposed rules.

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16. Long Range Implications of Implementing the Rule

The proposed rules are not anticipated to have an economic or fiscal impact.

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17. Compare With Approaches Being Used by Federal Government

There appear to be no existing or proposed federal regulations that address the activities to be regulated by the proposed rules.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Not applicable - the proposed rule order is based off of requirements specific to Wisconsin contained in s. 227.29, Stats

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19. Contact Name

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Office of Legal Counsel  
Department of Health Services

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20. Contact Phone Number

608-266-1279

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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
  - Less Stringent Schedules or Deadlines for Compliance or Reporting
  - Consolidation or Simplification of Reporting Requirements
  - Establishment of performance standards in lieu of Design or Operational Standards
  - Exemption of Small Businesses from some or all requirements
  - Other, describe:
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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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