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# WISCONSIN LEGISLATIVE COUNCIL

## RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 05-048

#### Comments

**[NOTE:** All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

#### **2. Form, Style and Placement in Administrative Code**

- a. In the introductory paragraph to SECTION 9 of the rule, the first “and” in the third line of that paragraph should be deleted.
- b. The note to s. HFS 113.04 (3) (d) 2. should be included in the list of repealed items in SECTION 10 of the rule, not in the list of amended items in SECTION 11.
- c. Should s. HFS 113.04 (2) (c) be amended in the rule, since it refers to a first responder defibrillation training course?
- d. In SECTION 14 of the rule, s. HFS 113.05 (d) 1. should be split into two subdivisions and the rest of the subdivisions should be renumbered accordingly.

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

In the explanation of statutory authority, the title number to the Code of Federal Regulations citation was left out. This should be inserted.

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

- a. The plain language analysis states that the order authorizes first responders to use nonvisualized airways and the administration of epinephrine. However, a certified first responder is already authorized to use nonvisualized airways, pursuant to s. 146.50 (8) (e), Stats. This should be clarified in the plain language analysis.

The first item that should be mentioned in the plain language analysis is that the rule requires certification of all first responders, rather than just first responders-defibrillation, as under the current rule.

The plain language analysis should describe the changes that the proposed rule makes to current rules. For example, see s. HFS 113.04 (2) (d) (intro.), (6) (a) 2., (9) (a) 5., and (10) (b) 2.

b. In s. HFS 113.03 (1), a comma should be inserted after the word “direction.”

c. In s. HFS 113.04 (1) (a), the paragraph reads “(n)o first responder may perform unless certified by the department...” This should clarify what it is that first responders may not perform unless certified.

d. Section HFS 113.04 (5) (b) 3. states that the protocol developed and distributed by the department may be used. The rule should clarify under what conditions the protocol may be used.

e. In s. HFS 113.04 (9) (b), after the first “first responder,” “certification” should be inserted.

f. In s. HFS 113.04 (9) (d), “an” should be inserted prior to the word “automatic.”