



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 06-075

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. First, a general style comment. Use of the new term “EMT-intermediate technician” alongside “EMT-intermediate” in numerous rule provisions is repetitive and wordy, making sentences awkward to read, and potentially confusing, since the “T” in “EMT” already stands for “technician.” Optimally, a new name would be given to this new type of intermediate EMT. At the least, it is suggested that the department define and then use acronyms such as “EMT-I” for the EMTs-intermediate and “EMT-IT” or “EMT-ITECH” for the EMTs-intermediate technician throughout chs. HFS 110 and 111, to shorten up the numerous provisions in which the two are referenced and make it easier to distinguish between the two at a glance.

b. The rule analysis should mention the change in duration of the training permit from 36 to 18 months in s. HFS 111.05 (4) (b) (SECTION 26 of the rule).

c. In the treatment clause of SECTIONS 2 and 18, the second “HFS” should be deleted.

d. In a number of locations, a space is missing between words, most frequently where current language is stricken and new language inserted. As an example, see “to specify” on the second-to-the-last line of s. HFS 110.01.

e. The term “EMT-intermediate technician” is defined in both s. HFS 110.02 (23) and s. HFS 111.03 (11m), but the two definitions are not worded exactly the same, as it would seem they should be. In the latter definition, the last sentence is substantive material which should not be included in the definition. In both definitions, could more specific references be given for the

location of the functions specified for EMT-intermediate technicians, rather than just citing “ch. HFS 111” or “this chapter”?

f. In SECTIONS 22 to 24, 26 to 29 and 31 to 32, numerous provisions of ss. HFS 111.04 to 111.08, spanning 15 pages of text, are amended or renumbered and amended, or have newly created language, making it virtually impossible to see how the modified provisions will read as a whole. In particular, it is difficult to separate out the actions that the two types of EMTs-intermediate may take and in what respect those differ. These provisions would benefit greatly from being repealed and recreated, as was done in SECTION 30 of the rule, relating to training course content and hours.

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

a. In the explanation of related statutes and rules, it is unnecessary to mention chs. HFS 110 and 111, since they are the subject of the rule. The purpose here is to mention other statutes and rules that are related to those treated in the rule.

b. In the newly created s. HFS 111.03 (15m), in SECTION 21, it is suggested that the citation read “s. HFS 111.04 (5) (f) 1.,” for consistency with the language in current s. HFS 111.03 (15).

c. In s. HFS 111.04 (5) (f) 1. b., the correct cross reference is “subd. 1. a.” [See s. 1.07 (2), Manual.]

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

a. In s. HFS 110.02, should the reference on the last line be to certified training centers?

b. In s. HFS 110.02 (38), the comma after “EMTs” on line 2 should be deleted.

c. In s. HFS 110.05 (5) (d) 1. and (e) 1. c. and e., should there be a reference to “equivalent training approved by the department,” as there is in sub. (5) (b) 3.?

d. In s. HFS 110.08 (2) (f), the stricken-through word “personnel” on line 2 should be retained.

e. In s. HFS 111.02, line 2, “technician” is misspelled.

f. In s. HFS 111.03 (11), opening quotation marks should be inserted before “emergency” on line 1.

g. Should the definition of “EMT-intermediate instructor-coordinator” in s. HFS 111.02 (13) include a reference to the instructor having advanced cardiac life support training, as is done in the definition of “EMT-intermediate technician instructor-coordinator” in s. HFS 111.03 (13m), or does the former type of instructor not have to have such training?

h. In s. HFS 111.03 (32), the phrase “or a” on line 2 should be deleted.

i. An example of the confusion over permitted activities of EMTs-intermediate and EMTs-intermediate technician is found in s. HFS 111.04 (4) (see SECTIONS 22 and 24). Section HFS 111.04 (intro.), as amended in SECTION 22, states that EMTs-intermediate technician and EMTs-intermediate “may perform only the following actions:”. From that introductory language, the reader expects that the items delineated in the paragraphs following the (intro.) will contain actions that both types of EMTs may perform. Subsection (4) (a) pertains to providing basic life support and does not mention the two types of EMTs; presumably the provision applies to both. However, sub. (4) (b), a newly created provision in SECTION 24, lists “Administration of the following additional advanced skills and medications *if the individual is licensed as an EMT-intermediate technician...*” (emphasis added), thus appearing to pertain only to EMTs-intermediate technician. All of the provisions relating to actions of the two types of EMTs should be reviewed and clarified. Also, are all of the “additional advanced skills and medications” listed in this paragraph actions that an EMT-basic IV was authorized to perform, consistent with the statement in the rule analysis that “[n]o changes to skills or competency requirements are being proposed”?

j. In s. HFS 111.06 (3) (b) 1., how can items be “included in the 2001 Wisconsin revision of the national standard curriculum for training...EMTs-intermediate technician,” when that category of EMT is newly created in this rule?

k. In the treatment clause to SECTION 28, commas should be inserted around “as renumbered.”

l. In the renumbered s. HFS 111.06 (2) (a) 1. (in SECTION 29), the word “an” should be inserted before “EMT” on line 1.

m. In the second paragraph of SECTION 30, there should be a space after “least” on line 3.

n. In s. HFS 111.07 (7) (a) 10., the word “ambulance” could be inserted before the second “service” on the third-from-the-last line.

o. In s. HFS 111.08 (3), the second “INTERMEDIATE” in the title is misspelled.

p. In s. HFS 111.08 (5), is there a form to be used to file the appeal? If so, a note should be inserted indicating where to obtain the form. [See s. 227.14 (3), Stats.]

q. In s. HFS 111.08 (6), reference is made in the current rule language to a certified *EMT-paramedic* instructor coordinator, in a provision which otherwise deals with certified EMT-intermediate technician or EMT-intermediate instructor-coordinators. Is that reference a mistake?