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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 08-093

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated September 2008.]**

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

a. In the third paragraph of the “Plain Language Analysis,” the sentence beginning with “It also requires...” is unclear. It would be clearer if rewritten to read:

It also requires the Chiropractic Examining Board to approve as continuing education courses all AED courses approved by the Department of Health Services.

b. In the “Plain Language Analysis,” the explanation of SECTION 6 is unclear. The second sentence appears to state that s. Chir 5.02 (1) (b) and (2) (a) does not apply to automatic external defibrillator (AED) courses. However, as written, s. Chir 5.02 (7) appears to state that subs. (1) to (6) do not apply to AED courses. For example, the effect of s. Chir 5.02 (7) could potentially allow meal or break periods taken during AED courses to count towards continuing education credit, currently prohibited under s. Chir 5.02 (5). Is this the intent of the rule?

c. The rule preface notes that the states adjacent to Wisconsin do not, or appear to not, “require proficiency and training as a requirement for a licensure.” Presumably, this phrase refers to “proficiency and training in the use of an automated external defibrillator as a requirement for licensure.”

d. In the rule preface review of the agency's analysis and supporting documents used to determine the rule's effect on small business or in preparation of an economic impact report, it appears that the second occurrence of the dollar amount "\$132.00" should be replaced with the number "\$80.00."

e. As noted in comment 5. b., above, the interplay between subs. (1m) and (7) of s. Chir 5.02 is unclear. It is inconsistent for sub. (7) to state that "this section" does not apply to AED courses when sub. (1m) in s. Chir 5.02 itself imposes the requirement on the board to approve AED courses. Subsection (7) should be deleted and an additional sentence should be added to sub. (1m) indicating which subsections of s. Chir 5.02 do not apply to the board's approval of AED courses.

f. Section 446.02 (3r), Stats., listed in part as statutory authority for the rule, provides that the board may promulgate rules providing for the granting of a temporary permit to practice chiropractic to an individual who is licensed to practice in another state or territory of the United States or in another country. Any rules promulgated under this subsection must require an individual seeking a temporary permit to submit satisfactory evidence that the individual has current proficiency in the use of an AED. Why is s. Chir 3.035 not amended in accordance with the directive in s. 446.02 (3r), Stats.?

g. The rule does not conclude with a price sheet from the Badger Chapter of the American Red Cross, as indicated by the rule preface.