



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 16-080

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 December 2014.]

2. Form, Style and Placement in Administrative Code

Section HAS 3.07 should not be included in SECTION 1 of the proposed rule. Although ss. HAS 3.04, 3.05, and 3.07 are affected by the same treatment, they are not consecutively numbered. They, therefore, may not all be included in a single SECTION of the rule-making order. [s. 1.04 (2) (a) 3., Manual.]

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

a. The heading of the rule contains a typo, which identifies the Hearing and Speech Examining Board as the “Hearing and Speech Board Examining Board”. There is also a typo in the plain language analysis of SECTION 4 of the proposed rule. The last sentence of the analysis should say the applicant is not required to retake everything “if” one or more of the exams is failed. Both of these should be revised.

b. In s. HAS 3.08 (1) and (1m), the board could consider making either of the following revisions:

- (1) The second sentence of s. HAS 3.08 (1m) could be revised for clarity to state, “The board may accept the test provider’s recommended passing grade as a representation of minimum competence to practice”.
- (2) Sections HAS 3.08 (1) and (1m) could be combined because both of these sections begin with essentially the same language. For example, instead of the proposed rule changes, the first sentence of s. HAS 3.08 (1) could be revised to state “To

pass the written and practical examinations, each applicant shall receive a grade determined by the board to represent minimum competence to practice, based upon the following:”. This could be followed by two paragraphs: (a) “For each part of the practical examination, the board shall determine the passing grade after consultation with ...”; and (b) “For the written examination, the board may accept the test provider’s recommended passing grade as a representation of minimum competence to practice.”.

c. The board should revise the second sentence of s. HAS 3.08 (2) for clarity. This sentence could, for example, be revised to state “An applicant who does not receive all of the required passing grades may retake only the examination, or portion of the examination, which the applicant has failed”.