



Wisconsin Legislative Council

RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 21-004

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Council Staff and the Legislative Reference Bureau, dated November 2020.]

3. Conflict With or Duplication of Existing Rules

The current administrative rules, in s. Opt 3.02, specify the materials that an applicant must submit to apply for licensure. As these materials are different from the information that must be submitted under the provision created in the proposed rule, in s. Opt 3.025, the current text of s. Opt 3.02 should be amended to add the phrase, “Except as provided in s. Opt 3.025”.

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

a. The agency should consider revising s. Opt 3.025 (2) to first identify the materials that an applicant must submit to apply for the reciprocal licensure and whether those materials are in addition to or notwithstanding the materials that an applicant must submit under s. Opt 3.02. The agency should also use the active voice in the sentence structure, to clearly identify who must do what at what time. For example, “the board shall grant a license to an applicant who meets...”.

b. In s. Opt 3.025 (5), the agency should consider explaining what the agency intends to do for an “expedited” issuance. Does this mean that an application under s. Opt 3.025 will be reviewed before any pending applications submitted under s. Opt 3.02? Or does it mean that the agency intends to review the application and issue a determination within a certain number of days of receiving a complete application?