

DRAFT
Council on Worker's Compensation
Meeting Minutes – Hybrid Meeting (In-person and WebEx)
201 E. Washington Avenue
GEF-1 Building
Madison, Wisconsin
May 13, 2025

The Department of Workforce Development (DWD) provided public notice of the meeting under Wis. Stat. § 19.84.

Members present in-person and via video: Ms. Bloomingdale, Mr. Buchen, Ms. Frank, Mr. Fugina, Mr. Kent, Ms. Kosnicki, Mr. Large, Ms. Meidl, Mr. Nettum, Mr. Dipko (Chairperson), Mr. Reese, Mr. Schwanda, Mr. Tindell, and Ms. Ver Velde.

Excused: None

Staff Present: Mr. Aiello, Mr. Brockman, Ms. Driese, Mr. Guler, Ms. Halsey, Ms. Lake, Mr. O'Malley, Ms. Przybylo, Mr. Przybylo, Mr. Sensenbrenner, and Mr. Spencer.

1. **Call to Order/Introductions:** Mr. Dipko convened the Worker's Compensation Advisory Council (WCAC) meeting at approximately 10:32 a.m. in accordance with Wisconsin's open meetings law and called roll of the WCAC members.
2. **Approval of the Minutes:** A motion was made by Ms. Bloomingdale to approve the minutes of the April 29, 2025, meeting. Ms. Ver Velde seconded the motion. The minutes of the meeting were unanimously approved without correction.
3. **Correspondence:** Mr. O'Malley reviewed correspondence received since the last meeting.

An e-mail message dated May 6, 2025, was received from Attorney Paul Riegel. Attorney Riegel sent the e-mail message on behalf of Mr. Bernard Rosauer, President of the Wisconsin Compensation Rating Bureau (WCRB), to respond to questions from the WCAC raised at the April 29, 2025, meeting regarding the difference between worker's compensation premiums, and the rate charged per class code assigned to a policy. Three pages of graphs were attached to Attorney Riegel's e-mail message. A graph titled **Wisconsin Workers' Compensation Insurance Market Change in Premium and Contributing Factors** was on the first page. On the second page was a graph titled **Wisconsin Workers' Compensation Insurance Market Annual Net Earned Premium (NEP)**. The third page contained two graphs titled **Wisconsin Workers' Compensation Market Annual Net Earned Premium (NEP)** and **Wisconsin Workers' Compensation Insurance Market Wisconsin Wages and Salaries**.

There was a discussion about the difference between worker's compensation insurance premiums and class code rates. Payroll increases and a decrease in overall rates during the same relative ten-year period have contributed to a relatively stable amount of premiums for employers. Safer workplaces contribute to fewer injuries which result better loss experiences for employers. Attorney Riegel was not able to state if there were savings recognized by employers due to any of these factors.

4. **Administrative Rule and Legislation Updates:** Mr. O'Malley reviewed SB-229 that was introduced on April 29, 2025 and AB-232 that was introduced on May 2, 2025. These

companion bills transfer worker's compensation adjudicatory functions from the Division of Hearings & Appeals in the Department of Administration to the Department of Workforce Development. Senators Testin, Wangaard, Feyen, and Wall were joined by co-sponsors Representatives Sortwell, Armstrong, Dittrich, Moses, Murphy and Sinicki in introducing the companion bills. SB-229 was referred to the Senate Committee on Government Operations, Labor and Economic Development. AB-232 was referred to the Assembly Committee on Workforce Development, Labor, and Integrated Employment. The bills are 65 pages in length and the effective date will be January 1, 2026. Mr. O'Malley explained that these bills have similar language to the language contained in the 2020 Agreed Upon Bill, 2019 SB- 673 and Governor Evers' Executive Budget in 2019. These bills also include amendments to Chapter 227, Wis. Stats., necessary to transfer worker's compensation adjudicatory functions to the Department of Workforce Development.

The WCAC discussed how to convey its support for these bills. It was decided that a letter of support should be drafted by the Department on behalf of the WCAC.

Motion: Ms. Ver Velde made a motion for the WCAC to support the legislation and direct the Department to draft a letter of support on its behalf to be sent to all members of the Wisconsin State Legislature. Ms. Bloomingdale seconded the motion. By unanimous vote, the motion passed.

Mr. O'Malley briefly discussed the status of the administrative rule amendments that involve minor and technical changes to ch. DWD 80 of the Wisconsin Administrative Code. The rules are currently pending on a 30-day review period before the appropriate committees in each house of the legislature. Following this 30-day review period the administrative rule amendments will be sent to the Joint Committee for the Review of Administrative Rules for another 30-day review period. He was hopeful the amendments would be in effect by August 1, 2025. He also stated that work on s. DWD 80.32 of the Wisconsin Administrative Code pertaining to minimum permanent partial disability (PPD) ratings is still in progress. Work has not been completed in updating the worker's compensation treatment guidelines in ch. DWD 81 of the Wisconsin Administrative Code because there is not currently a quorum of members on the Health Care Provider Advisory Committee. A quorum of members must be present at meetings to recommend changes to update the treatment guidelines.

Mr. Buchen asked whether the WCAC's approval of the administrative rule amendments was sent to the legislative committees reviewing the amendments to the administrative rules. Mr. O'Malley believed the WCAC's approval of the administrative rule amendments was included in the analysis in the hearing draft or other paperwork submitted for the amendments, but also stated he would check into this.

5. Labor and Management Proposals: No additional proposals were presented at the meeting.

6. Other Business: The next meetings will be held on June 11, 2025, and July 9, 2025. Mr. Dipko stated that the Department was finalizing its proposals for the council to consider.

7. Motion to Caucus: Ms. Bloomingdale moved the members to go into a closed session under s. 19.85(1) (eg), Wis. Stats., to deliberate items on the agenda and adjourn the meeting from caucus. Ms. Ver Velde seconded the motion. By unanimous vote, the motion passed. Mr. Dipko announced the closed session, statutory authority, and the nature of business to be

considered. The open session of the meeting was adjourned at approximately 10:59 a.m. The Worker's Compensation Advisory Council's next meeting is scheduled for June 11, 2025.