

Council on Worker's Compensation  
Meeting Minutes  
Hybrid Meeting (In-Person and via WebEx)  
201 E. Washington Avenue  
GEF-1 Building  
Madison, Wisconsin  
November 2, 2023

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

**Members present:** Ms. Bloomingdale, Mr. Buchen, Mr. Kent, Mr. Large, Ms. Johnson, Mr. Nettum, Mr. Peters (Chairperson), Mr. Schwanda, Mr. Tindall, and Ms. Ver Velde.

**Excused:** Ms. Frank, Mr. Fugina, Mr. Streff and Ms. Zarecki.

**Staff Present:** Mr. Aiello, Ms. Brown, Ms. Egan, Ms. Lake, Mr. Moreth, Mr. O'Malley, Ms. Przybylo, and Mr. Spencer.

1. **Call to Order/Introductions:** Mr. Peters convened the Worker's Compensation Advisory Council (WCAC) meeting at approximately 10:00 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 September 26, 2023 meeting. Ms. Ver Velde seconded the motion. The minutes were unanimously approved without correction.
3. **Correspondence:** Mr. O'Malley advised that one item of correspondence was received since the last meeting.

Mr. Brad Harrell submitted a letter dated November 1, 2023 that mentioned his previous communication requesting the WCAC to consider increasing supplemental benefit amounts for permanent totally disabled workers. In his letter Mr. Harrell discussed research he conducted on past proposals to increase supplement benefit amounts and justification for increasing benefit rates for supplemental benefits for workers receiving compensation for permanent total disability.

4. **Department Proposals:** Mr. Peters presented Department Proposal 12 which will change the WCD's funding from an annual appropriation to a continuing appropriation. A handout was distributed that explained the rationale for the proposal. The proposed change will involve amendments to s. 20.445 (1) (ra) and (rp), Wis. Stats.

Current law provides an annual appropriation structure for funding operations of the WCD. This proposal will change the appropriation structure for the WCD from annual to continuing. The annual appropriation designation caps spending at the annual budget bill levels regardless of whether revenue is available to cover necessary and approved discretionary costs. The WCD has nondiscretionary expenses that are anticipated to increase this year and in future years, such as salary and fringe costs for other agencies' staff whose costs are billed to WCD. Administering operations under a continuing appropriation will provide new budgeting options to support the WCD to efficiently allocate existing revenues to cover all fiscal year costs, including newly identified priorities. With the continuing appropriation

structure, WCD could allocate available current revenues to cover needed costs, rather than the current practice to stay within a capped annual spending authority limit of implementing cost reduction measures such as holding vacancies or delaying IT projects, to cover nondiscretionary increases.

This proposal does not permit or authorize the WCD to incur more expenditures than the revenue available in the Worker's Compensation Operations Fund. The proposal does not change the oversight of the WCD by the WCAC and the legislature but allows for the improved administrative responsiveness for the delivery of services.

Mr. Mike Holland, Section Chief, Department of Workforce Development Office of Policy and Budget, attended the meeting and provided additional information about the current funding of operations for the WCD and the benefits of changing to a continuing appropriation. Mr. Holland responded to questions from some members of the WCAC about funding of the WCD.

5. **Motion to Caucus:** A motion was made by Ms. Bloomingdale to go into a closed session under s. 19.85 (1) (eg), Wis. Stats., to deliberate items on the agenda. The motion was seconded by Ms. Ver Velde. The motion passed unanimously. Mr. Peters announced the closed session, statutory authority, and the nature of business to be considered. The open session of the meeting was adjourned at approximately 10:22 a.m. The open session of the meeting reconvened at 3:14 p.m.
6. **Labor and Management Proposals:** The WCAC members indicated their intent to adjourn for the day and return to caucus and deliberate on November 15, 2023. It was agreed that the meeting noticed for November 3, 2023, should be canceled.
7. **Adjournment:** A motion was made by Mr. Tindall to adjourn the meeting for the day. The motion was seconded by Ms. Bloomingdale. The motion passed unanimously. The meeting was adjourned at approximately 3:16 p.m. The WCAC's next meeting is scheduled for November 15, 2023.