

DRAFT
Council on Worker's Compensation
Meeting Minutes -- Teleconference
201 E. Washington Avenue, Madison, WI
GEF-1 Building, Room B105
Madison, Wisconsin
December 10, 2019

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

Members present in person: Mr. Buchen, Mr. Kent and Mr. Peters (Chair)

Members present by telephone: Ms. Bloomingdale, Ms. Frank, Mr. Fugina, Ms. Johnson, Mr. Nettum, Mr. Reader, Mr. Redman, Mr. Streff, Ms. Thomas and Mr. Tindall

Excused: Mr. Schwanda

Staff Present: Ms. Brown, Mr. Dipko, Ms. Lake, Mr. Moreth and Mr. O'Malley

1. **Call to Order/Introductions:** Mr. Peters convened the Worker's Compensation Advisory Council (WCAC) meeting at approximately 2:00 p.m. in accordance with Wisconsin's open meetings law. Members of the WCAC, the audience, and Worker's Compensation Division (WCD) staff introduced themselves.
2. **Approval of the Minutes:** A motion was made by Ms. Bloomingdale to approve the minutes of the November 12, 2019 meeting. Mr. Reader seconded the motion. The minutes were unanimously approved without correction.
3. **Correspondence:** Mr. O'Malley reviewed the correspondence received since the last meeting.

A letter dated December 5, 2019 was received from Mr. Thomas Moore, Ms. Lisa Ellinger, Mr. HJ Waukau and Ms. Annie Early, the Health Care liaisons to the WCAC. In the letter the liaisons expressed objection to Section 29 of the Agreed Upon Bill regarding billing statements located at page 14 of the draft. In the letter the liaisons requested the proposed legislation to address providing clear identification of the insurer representative, higher fees for copies previously submitted, not requiring paper forms, and reimbursement for health care services.

An e-mail message dated December 6, 2019 was received from Attorney John Edmondson. Atty. Edmondson expressed concerns about the impact of SB-511 as it pertains to licensed psychiatrists and psychologists. He stated there is no specific licensure for psychiatry, and recommended changing the language in the proposed statute to, "psychiatrist or licensed psychologist". Atty. Edmondson also expressed his concerns with extending benefits to a particular class of workers while excluding all others.

A letter dated December 9, 2019 was received from Mr. Andrew Franken, President, Wisconsin Insurance Alliance. Mr. Franken expressed his organization's support for the

proposal creating a dedicated process for accessing medical billing statements that included a timeline for compliance and a penalty for failing to act.

4. **LRB-4699/P1:** Mr. O'Malley explained that the Wisconsin Compensation Rating Bureau (WCRB) had been contacted about the background for this proposed bill. A Wisconsin employer wished to renew its worker's compensation insurance policy early, but decided to end its business before the effective date of the new policy. The worker's compensation insurance policy was canceled before the effect date and the insurance carrier refunded all but \$15.00 of the premium payments to the employer. The employer's insurance agent was concerned the insurance carrier did not fully refund the premium. Senator Chris Kapenga sponsored this proposed bill to remedy the situation. Ms. Bloomingdale and Mr. Reader agreed that it was too late in the process to deal with the bill at this meeting. Mr. Buchen indicated a willingness to speak with Senator Kapenga about the proposed bill.
5. **Agreed Upon Bill:** The draft of the Agreed Upon Bill was reviewed by members of the WCAC. Mr. O'Malley worked with the Legislative Reference Bureau (LRB) to create the draft. Mr. Reader thanked everyone for their work on the bill. Mr. Reader acknowledged that if slight errors were found in the bill, the amendment process would allow for corrections. Ms. Bloomingdale thanked everyone for their work on the bill and stated that the language looked good. A joint letter and press statement would be released by the WCAC in support of the bill. Public hearings before the legislature would be scheduled in the future.

A motion was made by Ms. Bloomingdale to approve the draft of the Agreed Upon Bill. The motion was seconded by Mr. Reader. The motion passed unanimously.

Mr. O'Malley explained that the Agreed Upon Bill would be jacketed for introduction as companion bills in both houses of the legislature. He did not know when public hearings would be held.

Mr. Peters advised that a correction was required on page 76 of the draft Agreed Upon Bill relating to the number of positions that would return to the Department of Workforce Development (DWD). The number of positions to be returned to the DWD is 35.5 rather than 36.5.

6. **Adjournment:** A motion was made by Mr. Buchen to adjourn the meeting. The motion was seconded by Ms. Bloomingdale. The motion passed unanimously. The meeting was adjourned at approximately 2:25 p.m.

The Worker's Compensation Advisory Council's next meeting is scheduled for Tuesday, January 14, 2020.

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