

2011 DRAFTING REQUEST

Bill

Received: **11/07/2011**

Received By: **rchampag**

Wanted: **Soon**

Companion to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Dan Schmidt**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - employee benefits**
Employ Pub - retirement

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Krusick@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Annual verification of duty disability

Instructions:

require annual verification

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L Retire
/1	rchampag 11/21/2011	kfollett 12/09/2011	rschluet 12/09/2011	_____	lparisi 12/09/2011	mbarman 12/21/2011 chasford 02/07/2012	

FE Sent For: **01/05/2012.**
(1/1")

Life jacketed
1/1 sheet lost
original per matt

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/?	rchampag	11/5f 12/19		_____ _____			

FE Sent For:

<END>

per Don Schmidt

Krusick

- annual recertification for
duty disability



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3432/1

RAC: *lgf*

2011 BILL

gen. cat.

1

AN ACT ...; relating to: annual medical examinations for individuals receiving
duty disability benefits under the Wisconsin retirement system.

2

Analysis by the Legislative Reference Bureau

Currently, under the Wisconsin Retirement System (WRS), a WRS participant who is employed as a protective occupation participant is entitled to a duty disability benefit if the individual is injured while performing his or her duty or contracts a disease due to his or her occupation; if the disability is likely to be permanent; and the disability causes the individual to retire from his or her job, the individual's pay or position is reduced or he or she is assigned to light duty, or the individual's promotional opportunities are adversely affected if state or local employer rules, ordinances, policies, or written agreements specifically prohibit promotion because of the disability. A protective occupation participant under the WRS is generally an employee whose principal duties involve active law enforcement or fire suppression.

This bill permits the Department of Employee Trust Funds (DETF) to require that an individual receiving a duty disability benefit be examined by at least one physician approved by DETF, during any calendar year the individual is receiving the benefit. A written report of the examination in a form approved by DETF, which shall indicate whether or not the individual is still disabled, must be filed with DETF. The benefit must be terminated if a determination is made by DETF that the written physician's report indicates that the individual has recovered from the disability so the individual is no longer disabled or if the individual refuses to submit to an examination.

x

BILL

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 40.65 (2) (b) 2m. of the statutes is created to read:

2 40.65 (2) (b) 2m. The department may require that any participant receiving
3 a benefit under this section be examined by at least one physician, as defined in s.
4 448.01 (5), and who is approved by the department, during any calendar year the
5 participant is receiving the benefit. A written report of the examination in a form
6 approved by the department, which shall indicate whether or not the participant is
7 still disabled as specified in sub. (4), shall be filed with the department. The benefit
8 shall be terminated and no payment shall be payable after the first of the month in
9 which a determination is made by the department that the written physician's report
10 indicates that the participant has recovered from the disability so the participant is
11 no longer disabled to the extent required under sub. (4) or the participant refuses to
12 submit to an examination under this subdivision.

13 **SECTION 2.** 40.65 (2) (b) 3. of the statutes is amended to read:

14 40.65 (2) (b) 3. The department shall determine whether or not the applicant
15 is eligible for benefits under this section on the basis of the evidence in subd. 2. or
16 2m. An applicant may appeal a determination under this subdivision to the
17 department of workforce development.

History: 1981 c. 278; 1983 a. 9; 1983 a. 141 s. 20; 1983 a. 191 s. 6; 1983 a. 255; 1985 a. 332 s. 251 (1); 1987 a. 363; 1989 a. 240, 357; 1995 a. 27 s. 9130 (4); 1997 a. 3, 39, 173, 237; 2007 a. 131; 2009 a. 28.

Barman, Mike

From: Barman, Mike
Sent: Thursday, January 05, 2012 11:38 AM
To: Rep.Krusick; Graef, Renee
Subject: Early FE Requests

LRB-0332/1	FE request submitted ... 01/06/2011
LRB-0333/1	FE request submitted ... 01/06/2011
LRB-0334/1	No FE Required
LRB-0341/1	FE request submitted ... 01/06/2011
LRB-0414/1	No FE Required
LRB-0424/2	FE request submitted for "/2" ... 01/05/2012
LRB-1445/1	No FE Required
LRB-2144/2	FE request submitted ... 09/12/2011
LRB-2988/P1	Can't request FE for P-Drafts
LRB-3432/1	FE request submitted for "/1" ... 01/05/2012

Basford, Sarah

From: Hanaman, Cathlene
Sent: Tuesday, February 07, 2012 1:32 PM
To: Duerst, Christina; Godwin, Gigi; Parisi, Lori; Barman, Mike; Basford, Sarah
Subject: Rep Krusick

Misplaced the jacket for -3432. To be kind, could we simply send her a new jacket (for the same number)?

Memo

To: Representative **Krusick**

(The Draft's Requester)

Per your request ... the attached fiscal estimate was prepared for your un-introduced 2011 session draft.

LRB Number: LRB-3432

Version: “/1”

Fiscal Estimate Prepared By: (agency abbr.) ETF

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 01 / 11 / 2012

*** * * * ***

To: LRB – Legal Section PA's

Subject: *Fiscal Estimate Received For An Un-introduced Draft*

> If re-drafted ... please insert this cover sheet and attached early fiscal estimate into the drafting file “guts” ... after the draft's old version (the version that this fiscal estimate was based on), and just before re-draft of the updated version.

> If introduced ... please make sure the attached fiscal estimate is for the **current version** ... write the draft's new introduction number below and give this packet to Mike (or Lori) to re-process the fiscal estimate (w/intro. number included).

THIS DRAFT WAS INTRODUCED AS: 2011 _____

Barman, Mike

From: LRB.Legal
Sent: Wednesday, January 11, 2012 9:47 AM
To: Rep.Krusick
Cc: Graef, Renee
Subject: LRB-3432/1 (un-introduced) (FE by ETF - attached - for your review)

Attachments: FE-3432 ETF.PDF



FE-3432 ETF.PDF
(69 KB)

Subject: Emploment, Public (benefits & retirement)

Mike Barman (Lead Program Assistant)
State of Wisconsin - Legislative Reference Bureau
Legal Section - Front Office
1 East Main Street, Suite 200, Madison, WI 53703
(608) 266-3561 / mike.barman@legis.wisconsin.gov