

Fiscal Estimate - 2013 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 13-0020/1	Introduction Number AB-0247	
Description Limitations on requiring and requesting vaccination against influenza		
Fiscal Effect		
State: <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By DHS/ Elizabeth Hartjes (608) 266-9363	Authorized Signature Andy Forsaith (608) 266-7684	Date 7/8/2013

Fiscal Estimate Narratives

DHS 7/8/2013

LRB Number	13-0020/1	Introduction Number	AB-0247	Estimate Type	Original
Description Limitations on requiring and requesting vaccination against influenza					

Assumptions Used in Arriving at Fiscal Estimate

This bill prohibits any employer, including state and local governments, from demoting, suspending, discharging or otherwise discriminating against an employee, contractor, intern, or volunteer for refusing to be vaccinated against seasonal influenza. (The remainder of this estimate uses "employee" to refer to an employee, contractor, intern, or volunteer and "vaccination" to refer to the vaccination against seasonal influenza.)

More specifically, under this bill, an employer is prohibited from:

1. Refusing to hire an employee (or renew the contract of an employee) on the basis of the individual's vaccination status or refusal to receive a vaccination
2. Requiring any employee to receive a vaccination if the employee declines in writing after receiving certain information
3. Requiring unvaccinated employees or contractors to wear masks in a retaliatory manner
4. Requiring employees in a health care setting to wear masks in a manner that exceeds the requirement for an individual to wear a mask upon entry into the room of a patient who has, or is suspected to have, influenza

This bill requires employers who request vaccination among employees to provide or arrange for vaccination at no cost to the employees. Employers must also provide:

1. A statement of the risks and benefits of receiving the vaccination that is created by the Centers for Disease Control and Prevention
2. A statement that the employee has the right to refuse the vaccination for any reason without risk of discrimination

This bill gives employers the authority to request or require an employee to leave the place of employment if the employee is showing symptoms of seasonal influenza.

This bill is not expected to have a fiscal effect on the Department of Health Services (DHS). This bill would prevent DHS from implementing a mandatory policy instead of the current voluntary policy at DHS facilities. Under this scenario, this bill could increase costs to DHS if the populations at the facilities require additional medical services as a result of higher rates of influenza among the facility populations.

In 2013, the Centers for Medicare and Medicaid Services implemented a new requirement whereby hospitals in the Inpatient Prospective Payment System (IPPS) had to report influenza vaccination rates for healthcare personnel. Similarly, the Wisconsin DHS Medicaid Hospital "Pay for Performance" Program ties reimbursement for Medicaid fee-for-service inpatient and outpatient claims to the hospital's ability to meet specified performance measures, including healthcare personnel vaccination rates. By limiting employee vaccination requirements for any employer, this bill could result in penalties and Medicaid reimbursement changes for hospitals that experience a drop in vaccination compliance rates among hospital personnel. However, these changes would have zero net effect on the total DHS reimbursement for Medicaid fee-for-service hospital claims.

This bill is not expected to have a fiscal effect on local public health departments.

Long-Range Fiscal Implications