



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Scott Walker, Governor
Theodore K. Nickel, Commissioner

Wisconsin.gov

April 25, 2011

Legal Unit
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Report From Agency

REPORT ON Section Ins 1701(3).7.28(3)(c) and 17.28(6),
Wis. Adm. Code, relating to annual Injured Patients and
Families Compensation Fund fees, mediation panel fees,
and provider classifications

Clearinghouse Rule No. 11-015
Submitted Under s. 227.19 (3), Stats.

(The proposed rule-making order is attached.)

- (a) A detailed statement of basis for the proposed rule and how the rule advances relevant statutory goals or purposes:

Pursuant to s. 655.27 (3) (b) and s. 655.61, Wis. Stat., the commissioner of insurance, with approval of the injured patients and families compensation fund (fund) board of governors, is required to establish by administrative rule the annual fees for the fund and for the mediation system operated by the director of state courts. This rule establishes those fees for fiscal year 2011-2012.

- (b) Summary of the public comments and the agency's responses to those comments:

A letter was received from Michael Richards on behalf of Gundersen Lutheran stating that while the assessment increase is justified, Gundersen Lutheran strongly encourages the fund to remain solvent, and abstain from any transfers outside of the fund's intended purpose. No response was necessary.

- (c) An explanation of any modifications made in proposed rule as a result of public comments or testimony received at a public hearing:

Not applicable.

- (d) Persons who appeared or registered regarding the proposed rule:

Appearances for:

None

Appearances against:

None

Appearances for information:

None

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Registrations for:

None

Registrations against:

None

Registrations neither for nor against:

None

Letters received:

None

- (e) An explanation of any changes made to the plain language analysis of the rule under s. 227.14 (2), Stats., or to any fiscal estimate prepared under s. 227.14 (4), Stats.

None

- (f) The response to the Legislative Council staff recommendations indicating acceptance of the recommendations and a specific reason for rejecting any recommendation:

All comments were complied with and corrected.

- (g) The response to the report prepared by the small business regulatory review board:

The small business regulatory review board did not prepare a report.

- (h) Final Regulatory Flexibility Analysis

A Final Regulatory Flexibility Analysis is Not Required because the rule will not have a significant economic impact on a substantial number of small businesses.

- (i) Fiscal Effect

See fiscal estimate attached to proposed rule.