

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> July 27, 2018
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> HA 4, Procedure and Practice for Worker's Compensation and Related Cases	
<b>4. Subject</b> Procedure and Practice for Worker's Compensation and Related Cases	
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input checked="" type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b> 20.505(4)(kp) and 20.445(1)(ra)
<b>7. Fiscal Effect of Implementing the Rule</b> <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$0.00	
<b>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>11. Policy Problem Addressed by the Rule</b> 2015 Wisconsin Act 55 (Act 55) transferred the adjudication of disputed worker's compensation claims and related claims from the Department of Workforce Development (DWD) to the Division of Hearings and Appeals (DHA) in the Department of Administration. Act 55 also provided for the direct transfer to DHA of rules in Wis. Admin. Code, ch. DWD 80, that were primarily related to the transferred adjudicatory functions. Those rules are currently in Wis. Admin. Code, ch. HA 4.  This proposed rule order brings HA 4 in compliance with the requirements of Act 55. It makes technical changes necessitated by the transfer of rules under Act 55, including adding non-substantive provisions regarding the statutory authority for the transferred rules, certain definitions for terms used in the rules, the manner which forms, papers and materials may be served on DHA, and the use of stipulations in adjudicatory proceedings before DHA. It states that substantive rules promulgated by DWD apply in the adjudication of disputes before DHA and incorporates by reference DWD rules governing the inspection and copying of records and the review of compromises. It also adds provisions codifying DHA's current procedures for managing its caseload in the adjudication of disputed worker's compensation and related claims, including its current practice for mediation in worker's compensation claims after a hearing application has been filed. It also makes a number of stylistic changes.	
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> None.	
<b>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</b> None.	

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14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

None. Wisconsin Act 55 transferred to DHA procedural rules governing the adjudication of disputed worker's compensation claims. The rules, formerly codified in Wis. Admin. Code, ch. DWD 80, are now codified in Wis. Admin. Code, ch. HA 4. The proposed rule order primarily makes stylistic and technical changes to provisions in the transferred rules. It also codifies DHA's current practice for managing its worker's compensation caseload, including its existing procedure for mediation in worker's compensation claims after a hearing application has been filed. The proposed rule not have any economic and fiscal impact.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

The main benefit of the rule order are technical and stylistic improvements in the procedural rules governing the adjudication of disputed worker's compensation and related claims transferred to DHA by Act 55.

The alternative would be to do nothing.

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16. Long Range Implications of Implementing the Rule

The transfer of of the procedural rules governing the adjudication of disputed worker's compensation and related claims to DHA by Act 55 will be completed.

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17. Compare With Approaches Being Used by Federal Government

Not applicable.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The proposed rules are similar to procedural rules governing worker's compensation procedures in neighboring states.

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19. Contact Name

Jeffrey Shampo

20. Contact Phone Number

608 266 3048

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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

None

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

Not applicable

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

Not applicable

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

Not applicable

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5. Describe the Rule's Enforcement Provisions

Not applicable

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes     No
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