

1991 Senate Bill 396

Date of enactment: **April 22, 1992**

Date of publication\*: **May 6, 1992**

## 1991 WISCONSIN ACT 232

AN ACT to amend 16.009 (2) (k), (m) and (n) 1 and 71.55 (10) (b) 1. b. and (c) 2 of the statutes, relating to: certain information on voluntary physician acceptance of assignment.

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

**SECTION 1.** 16.009 (2) (k), (m) and (n) 1. of the statutes are amended to read:

16.009 (2) (k) After consulting with the department of regulation and licensing and obtaining from that department a listing of all practicing physicians in this state, by January 1, 1991, and annually thereafter, send an inquiry to each of those physicians as to whether he or she is a full-time physician who practices in this state and who treats beneficiaries of medicare Part B in this state. If the answer is affirmative, the inquiry shall be whether he or she voluntarily accepts, from each of his or her patients in this state who is a beneficiary and who had household income in the beneficiary's taxable year prior to the year in which treatment is received that ~~was within the household income requirements~~ did not exceed the maximum income allowed for claiming the homestead credit, as calculated under s. 71.54 (1) (e) ~~3. for the homestead credit program~~ (d), assignment of the beneficiary's benefits for reimbursement for the provision of medical or other health service authorized under medicare Part B. The inquiry shall also be whether the physician does not require payment of any amount that is in excess of the reasonable charge, as determined by the federal health care financing administration through the insurance carrier for medicare Part B in this state, for the medicare Part B authorized medical or other health service that the physician renders to the beneficiaries in this state.

(m) Inquire of and obtain from the carrier for medicare Part B in this state, by January 1, 1991, and annually

thereafter, information concerning the percentage of the claims in this state for payment of services covered by medicare Part B, for which full-time physicians who practice in this state voluntarily accept, from each of their patients in this state who is a medicare Part B beneficiary and who had household income in the beneficiary's taxable year prior to the year in which treatment is received that ~~was within the household income requirements~~ did not exceed the maximum income allowed for claiming the homestead credit, as calculated under s. 71.54 (1) (e) ~~3. for the homestead credit program~~ (d), assignment of the beneficiary's benefits for reimbursement for the provision of medical or other health service authorized under medicare Part B.

(n) 1. Whether at least 80% of the full-time physicians who practice in this state and who treat beneficiaries of medicare Part B in this state voluntarily accept, from each of their patients in this state who is a beneficiary of medicare Part B and who had household income in the beneficiary's taxable year prior to the year in which treatment is received that ~~was within the household income requirements~~ did not exceed the maximum income allowed for claiming the homestead credit, as calculated under s. 71.54 (1) (e) ~~3. for the homestead credit program~~ (d), assignment of the beneficiaries' benefits and do not require payment of any amount in excess of the reasonable charge. If the percentage determined under this subdivision is less than 80%, the board on aging and long-term care shall determine the applicable percentage.

**SECTION 2.** 71.55 (10) (b) 1. b. and (c) 2. of the statutes are amended to read:

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71.55 (10) (b) 1. b. His or her household income, as defined in s. 71.52 (5) and (6), for the beneficiary's taxable year prior to the year in which treatment is received, did not exceed the household maximum income ~~limitations specified allowed for claiming the homestead credit, as calculated~~ under s. 71.54 (1) ~~(e)~~ (d).

(c) 2. Has a household income, as defined in s. 71.52

(5), if known to the department of revenue, for the individual's taxable year prior to the year in which distribution is made, that does not exceed the household maximum income ~~limitation specified allowed for claiming the homestead credit, as calculated~~ under s. 71.54 (1) ~~(e)~~ (d).

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