

1979 Assembly Bill 190

Date published: November 8, 1979

CHAPTER 56, Laws of 1979

AN ACT to amend 619.01 (1) (a) and (c) 1; and to create 619.01 (1) (c) 4 and (9) of the statutes, relating to a mandatory risk sharing plan for foster homes.

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

SECTION 1. 619.01 (1) (a) and (c) 1 of the statutes are amended to read:

619.01 (1) (a) *Establishment of plans.* If the commissioner finds after a hearing that in any part of this state automobile insurance, property insurance, health care liability insurance, municipal liability insurance ~~or~~, worker's compensation insurance or insurance coverage for foster homes is not readily available in the voluntary market, and that the public interest requires such availability, the commissioner may by rule either promulgate plans to provide such insurance coverages for any risks in this state which are equitably entitled to but otherwise unable to obtain such coverage, or may call upon the insurance industry to prepare plans for the commissioner's approval.

(c) 1. Each plan, except a health care liability insurance plan or a foster home protection insurance plan, shall require participation by all insurers doing any business in this state of the types covered by the specific plan and all agents licensed to represent such insurers in this state for the specified types of business, except that the commissioner may exclude classes of persons for administrative convenience or because it is not equitable or practicable to require them to participate in the plan.

SECTION 2. 619.01 (1) (c) 4 and (9) of the statutes are created to read:

619.01 (1) (c) 4. A foster home protection insurance plan shall require participation by all insurers insuring persons in this state under policies described in subchs. I or III of ch. 632 and all agents licensed to represent such insurers in this state except that the commissioner may exclude classes of persons for administrative convenience or because it is not equitable or practicable to require them to participate in the plan.

(9) FOSTER HOME PROTECTION INSURANCE. In this section "foster home protection insurance" means insurance coverage to protect persons who receive a license to operate a foster home as provided in s. 48.62 (1) against the unique risks, determined by the commissioner, to which such persons are exposed. If the persons have insurance which covers any of these risks, the foster home protection insurance may insure against any or all of the other risks, and may provide additional or excess limits coverage for any or all of these risks.
