

**1999 DRAFTING REQUEST**

Bill

Received: **03/14/2000**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Gregg Underheim (608) 266-2254**

By/Representing: **Dick Sweet**

This file may be shown to any legislator: NO

Drafter: **kenneda**

May Contact:

Alt. Drafters:

Subject: **Health - miscellaneous**

Extra Copies: **ISR**

**Pre Topic:**

No specific pre topic given

**Topic:**

Repeal prohibition on data purchasers from rereleasing individual data elements of health care data files

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 03/15/2000	csicilia 03/15/2000	jfrantze 03/16/2000	_____	lrb_docadmin 03/16/2000	lrb_docadminS&L 03/21/2000	

FE Sent For: **03/21/2000.**

<END>

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FE Sent For:

<END>

## Kennedy, Debora

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**From:** Sweet, Richard  
**Sent:** Monday, March 13, 2000 5:11 PM  
**To:** Kennedy, Debora  
**cc:** Rep.Underheim; Lonergan, Sandra  
**Subject:** Drafting request

Debora,

Rep. Underheim would like to request a bill draft to repeal 153.45(4), Stats. (This would also necessitate repealing 153.75(1)(s), Stats.) Thanks.

Dick Sweet

Richard Sweet, Senior Staff Attorney  
Wisconsin Legislative Council Staff  
P.O. Box 2536  
(1 East Main Street, Room 401)  
Madison, WI 53701-2536  
Phone (608)266-2982  
Fax (608)266-3830  
E-mail [richard.sweet@legis.state.wi.us](mailto:richard.sweet@legis.state.wi.us)



*J*  
*gjs*

# 1999 BILL

*eliminating the requirement that the department of health and family services prohibit health care information purchasers from rereleasing individual data elements.*

1 AN ACT . . . relating to: ~~??~~

(DHFS)

**Analysis by the Legislative Reference Bureau**

→ Under current law, as affected by 1999 Wisconsin Act 9 (the biennial budget act), the department of health and family services **must** collect health care information from health care providers, including physicians, hospitals and ambulatory surgery centers, and must analyze and disseminate that information in the form of standard reports, public use data files and custom-designed reports. DHFS may only release public use data files that do not permit the identification of specific patients, employers or health care providers; this identification must be protected by all necessary means, including by the deletion of patient identifiers and the use of calculated and aggregated variables. In addition to these restrictions, numerous other restrictions apply to release by DHFS of information that is submitted by health care providers other than hospitals or ambulatory surgery centers. → Lastly, DHFS must prohibit purchasers of data from rereleasing individual data elements of health care data files. DHFS must define "individual data elements" by rule.

This bill eliminates the requirement that DHFS prohibit purchasers of health care information data from rereleasing individual data elements of health care data files.

For further information *see* the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

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



**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU**  
**Legal Section Telephone: 266-3561**  
**5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 03/16/2000

To: Representative Underheim

Relating to LRB drafting number: LRB-4746

**Topic**

*RUSH please*  
~~Repeal prohibition on data purchasers from re-releasing~~ individual data elements of health care data files

**Subject(s)**

Health - miscellaneous

1. JACKET the draft for introduction

*[Signature]*

in the Senate or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. REDRAFT. See the changes indicated or attached

\_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain FISCAL ESTIMATE NOW, prior to introduction

*[Signature]*

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Debora A. Kennedy, Managing Attorney  
Telephone: (608) 266-0137

11/11/11



## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Tuesday, March 21, 2000 2:31 PM  
**To:** Lonergan, Sandra  
**Subject:** LRB 99-4746/1



99 4746/1

*Mike Barman*

Mike Barman - Senior Program Asst. (PH. **608-266-3561**)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: **608-264-6948**)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI **53703**