

**1999 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB195)**

Received: 10/13/1999

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Rodney Moen (608) 266-8546

By/Representing: Melissa (aide)

This file may be shown to any legislator: NO

Drafter: kenneda

May Contact:

Alt. Drafters:

Subject: Health - miscellaneous

Extra Copies: TAY, RPN

**Pre Topic:**

No specific pre topic given

**Topic:**

Fees chargeable for duplicate health care records and X-ray reports

**Instructions:**

Same as SSA 1 to 1997 SB 250

**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>
/?	kenneda 10/14/1999	wjackson 10/14/1999		_____			
/1			jfrantze 10/14/1999	_____	lrb_docadmin 10/14/1999	lrb_docadmin 10/14/1999	

FE Sent For:

<END>

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/?	kenneda	11 WLj	10/14	10/14	10/14		

FE Sent For:

<END>

10/13/99 From Melissa, in response to DAK's question:  
Firm to have eff. date of change be April 1, 2001

1999

Date (time) needed

FRIDAY 10/15

LRB s 0143 / 1

SUBSTITUTE AMENDMENT [TO A BILL]

DAK: WJ

Use the appropriate components and routines developed for substitute amendments.

WFO: Please proof all amended stats. w/stats Also, there is one Autoref.

S A SUBSTITUTE AMENDMENT TO 1999 SB AB 195 (LRB 2 2 2)

AN ACT... [generate catalog] to repeal...; to renumber...; to consolidate and renumber...; to renumber and amend...; to consolidate, renumber and amend...; to amend...; to repeal and recreate...; and to create... of the statutes; relating to:

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

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

SECTION #.

**SENATE SUBSTITUTE AMENDMENT 1,  
TO 1997 SENATE BILL 250**

January 15, 1998 - Offered by COMMITTEE ON HEALTH, HUMAN SERVICES, AGING,  
CORRECTIONS, VETERANS AND MILITARY AFFAIRS.

1 **AN ACT** *Reger* **to amend** 146.83 (1) (b), 908.03 (6m) (d) and 908.03 (6m) (d); and **to**  
2 **create** 146.83 (3m) of the statutes; **relating to:** *uniform uniform* fees chargeable for *certified* duplicate  
3 health care records and X-ray reports and referral of X-rays and granting  
4 rule-making authority.

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

5 **SECTION 1.** 146.83 (1) (b) <sup>↓</sup> of the statutes is amended to read: *2001*  
6 146.83 (1) (b) ~~Receive~~ After March 31, 2001, receive a copy of the patient's  
7 health care records upon payment of ~~reasonable costs~~ fees, as established by rule  
8 under sub. (3m).

9 **SECTION 2.** 146.83 (3m) <sup>↓</sup> of the statutes is created to read:  
10 146.83 (3m) The department shall, by rule, prescribe fees that are based on an  
11 approximation of actual costs. The fees, plus applicable state tax, are the maximum  
12 amount that a health care provider may charge under sub. (1) (b) <sup>↓</sup> for duplicate

1 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the  
2 referral of X-rays to another health care provider of the patient's choice. The rule  
3 shall also permit the health care provider to charge for actual postage or other actual  
4 delivery costs.

5 SECTION 3. 908.03 (6m) (d) of the statutes is amended to read:

6 908.03 (6m) (d) Fees. The Before April 1, 1999, the department of health and  
7 family services shall, by rule, prescribe uniform fees that are based on an  
8 approximation of the actual costs. The fees, plus applicable state tax, are the  
9 maximum amount that a health care provider may charge under par. (c) 3. for  
10 certified duplicate patient health care records. The rule shall also allow the health  
11 care provider to charge for actual postage or other actual delivery costs. The  
12 commencement of an action is not a prerequisite for the application of this  
13 paragraph.

14 SECTION 4. 908.03 (6m) (d) of the statutes, as affected by 1999 Wisconsin Act  
15 .... (this act), is amended to read:

16 908.03 (6m) (d) Fees. Before April 1, 1999 After March 31, 1999, the  
17 department of health and family services shall, by rule, prescribe uniform fees that  
18 are based on an approximation of actual costs. The fees, plus applicable state tax,  
19 are the maximum amount that a health care provider may charge for certified  
20 duplicate patient health care records. The rule shall also allow the health care  
21 provider to charge for actual postage or other actual delivery costs. The  
22 commencement of an action is not a prerequisite for the application of this paragraph  
23 For duplicate patient health care records and duplicate X-ray reports or the referral  
24 of X-rays to another health care provider that are requested prior to commencement  
25 of an action, s. 146.83 (1) (b) and (c) and (3m) applies.

2001 ✓

A.R. (A)

2001 ✓

2001 ✓

?

1           **SECTION 5. Nonstatutory provisions.**

2           (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The department of health and  
3 family services shall submit in proposed form the rules required under section 146.83  
4 (3m)<sup>✓</sup> of the statutes, as created by this act, to the legislative council staff under  
5 section 227.15 (1) of the statutes no later than the first day of the 5th month  
6 beginning after the effective date of this subsection.

7           **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
8 except as follows:

9           (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of section  
10 908.03 (6m) (d) (by SECTION 4)<sup>P.L. 8</sup> of the statutes takes effect on April 1, ~~1999~~ 2001.

11

(END)