

**1999 DRAFTING REQUEST**

**Assembly Substitute Amendment (ASA-SB195)**

Received: 03/03/2000

Received By: kenneda

Wanted: As time permits

Identical to LRB:

For: Frank Lasee (608) 266-9870

By/Representing: Gordon Anderson

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:**

Uniform fees for cuplicate health care records and X-ray reports and referral of X-rays

**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>
/?	kenneda 03/03/2000	csicilia 03/03/2000		_____			
/1			haugeca 03/06/2000	_____	lrb_docadmin 03/06/2000	lrb_docadmin 03/06/2000	
/2	kenneda 03/07/2000	csicilia 03/07/2000	jfrantze 03/07/2000	_____	lrb_docadmin 03/07/2000	lrb_docadmin 03/07/2000	

FE Sent For:

<END>

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/?	kenneda 03/03/2000	csicilia 03/03/2000		_____			
/1		1/2 cjs 3/7 00	haugeca 03/06/2000	_____	lrb_docadmin 03/06/2000	lrb_docadmin 03/06/2000	

FE Sent For:

*haugeca*  
*03/7*  
*3/7*  
*<END>*

**1999 DRAFTING REQUEST**

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1?	kenneda	TCS 3/3 oo	CH 3-6	CH 3-6 JK			

FE Sent For:

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBs0143/1  
DAK:wljif

*Lassoe*

*ASSEMBLY*  
~~SENATE~~ SUBSTITUTE AMENDMENT #,  
TO 1999 SENATE BILL 195

October 26, 1999 - Offered by COMMITTEE ON HEALTH, UTILITIES, VETERANS AND  
MILITARY AFFAIRS

1 AN ACT 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 fees chargeable for  
3 certified duplicate health care records and X-ray reports and referral of X-rays  
4 and granting 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) of the statutes is amended to read:

6 146.83 (1) (b) Receive <sup>June 30</sup> 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) 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

A →



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBa0905/1  
DAK:cmh:km

SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 195

November 2, 1999 - Offered by Senator MOEN.

A

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 1, line 8: after that line insert:
- 3 "SECTION 1m. 146.83 (1) (c) of the statutes is amended to read:
- 4 146.83 (1) (c) ~~Receive~~ After March 31, 2001, receive a copy of the health care
- 5 provider's X-ray reports or have the X-rays referred to another health care provider
- 6 of the patient's choice upon payment of reasonable costs fees, as established by rule
- 7 under sub. (3m)."

8

(END)

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

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

7 908.03 (6m) (d) Fees. <sup>July 1</sup> The ~~Before April 1, 2001~~, the department of health and  
8 family services shall, by rule, prescribe uniform fees that are based on an  
9 approximation of the actual costs. The fees, plus applicable state tax, are the  
10 maximum amount that a health care provider may charge ~~under par. (e) 3.~~ for  
11 certified duplicate patient health care records. The rule shall also allow the health  
12 care provider to charge for actual postage or other actual delivery costs. The  
13 commencement of an action is not a prerequisite for the application of this  
14 paragraph.

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

17 908.03 (6m) (d) Fees. <sup>June 30</sup> ~~Before April 1, 2001~~ After March 31, 2001, the  
18 department of health and family services shall, by rule, prescribe uniform fees that  
19 are based on an approximation of actual costs. The fees, plus applicable state tax,  
20 are the maximum amount that a health care provider may charge for certified  
21 duplicate patient health care records. The rule shall also allow the health care  
22 provider to charge for actual postage or other actual delivery costs. The  
23 commencement of an action is not a prerequisite for the application of this paragraph  
24 For duplicate patient health care records and duplicate X-ray reports or the referral

and late payment or nonpayment of the fees and charges

The rules shall be periodically revised, not less frequently than  
once in every 3 years to reflect actual costs.

1 of X-rays to another health care provider that are requested prior to commencement  
2 of an action, s. 146.83 (1) (b) and (c) and (3m) applies.

3 **SECTION 5. Nonstatutory provisions.**

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

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

11 (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of section  
12 908.03 (6m) (d) (by SECTION 4) of the statutes takes effect on <sup>July 1</sup>~~April 1~~, 2001.

13

(END)

1999

Date (time) needed

MONDAY

LRB s 0373/1

SUBSTITUTE AMENDMENT [TO A BILL]

DAK: Y

gjs

Use the appropriate components and routines developed for substitute amendments.

§ A SUBSTITUTE AMENDMENT

TO 1999 SB AB 195 (LRB 2 21)

WPOs: check auto-rebs

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 1999 SENATE BILL 195**

October 26, 1999 - Offered by COMMITTEE ON HEALTH, UTILITIES, VETERANS AND  
MILITARY AFFAIRS.

*regenerate*

1 **AN ACT 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 fees chargeable for  
3 certified duplicate health care records and X-ray reports and referral of X-rays  
4 and granting rule-making authority.

*June 30*

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

5 **SECTION 1.** 146.83 (1) (b) of the statutes is amended to read:

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).

INSERT  
1-8

9 **SECTION 2.** 146.83 (3m) 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

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

6 SECTION ~~9~~ 908.03 (6m) (d) of the statutes is amended to read:

7 908.03 (6m) (d) Fees. ~~The~~ Before ~~April~~ <sup>July</sup> 1, 2001, the department of health and  
8 family services shall, by rule, prescribe uniform fees that are based on an  
9 approximation of ~~the~~ actual costs. The fees, plus applicable state tax, are the  
10 maximum amount that a health care provider may charge ~~under par. (e) 3.~~ for  
11 certified duplicate patient health care records. The rule shall also allow the health  
12 care provider to charge for actual postage or other actual delivery costs. The  
13 commencement of an action is not a prerequisite for the application of this  
14 paragraph. a.r.

15 SECTION ~~9~~ 908.03 (6m) (d) of the statutes, as affected by 1999 Wisconsin Act  
16 .... (this act), is amended to read:

17 908.03 (6m) (d) Fees. ~~Before ~~April~~ <sup>July</sup> 1, 2001~~ ~~After ~~March~~ <sup>June 30</sup> 31, 2001,~~ the  
18 department of health and family services shall, by rule, prescribe uniform fees that  
19 are based on an approximation of actual costs. The fees, plus applicable state tax,  
20 are the maximum amount that a health care provider may charge for certified  
21 duplicate patient health care records. The rule shall also allow the health care  
22 provider to charge for actual postage or other actual delivery costs. ~~The~~  
23 ~~commencement of an action is not a prerequisite for the application of this paragraph~~  
24 For duplicate patient health care records and duplicate X-ray reports or the referral

WFO: Strike through the period

INSERT 2-22

1 of X-rays to another health care provider that are requested prior to commencement  
2 of an action, s. 146.83 (1) (b) and (c) and (3m) applies.

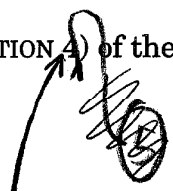
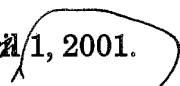

3 ~~SECTION 5.~~ **Nonstatutory provisions.**

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

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

11 (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of section  
12 908.03 (6m) (d) (by SECTION 4) of the statutes takes effect on April 1, 2001.

13

a.r.  (END)   


**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 1999 SENATE BILL 195**

November 2, 1999 - Offered by Senator MOEN.

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 8: after that line insert:

3 ~~SECTION 146.83~~ 146.83 (1) (c) of the statutes is amended to read:

4 146.83 (1) (c) ~~Receive~~ After March 30, 2001, receive a copy of the health care  
5 provider's X-ray reports or have the X-rays referred to another health care provider  
6 of the patient's choice upon payment of ~~reasonable costs~~ fees, as established by rule

7 under sub. (3m). *te*

8 (END)

June 30

WPO:  
un-freeze  
number

WD #

and late payment or nonpayment of the fees

and charges. The department shall revise the

rules at least once every 3 years to reflect

actual costs.

WD: scored  
period

WEDNESDAY a.m.

1999 - 2000 LEGISLATURE

LRBs0373/2

DAK:cjs:cb

**ASSEMBLY SUBSTITUTE AMENDMENT,  
TO 1999 SENATE BILL 195**

1 **AN ACT to amend** 146.83 (1) (b), 146.83 (1) (c), 908.03 (6m) (d) and 908.03 (6m)  
2 (d); and **to create** 146.83 (3m) of the statutes; **relating to:** uniform fees  
3 chargeable for certified duplicate health care records and X-ray reports and  
4 referral of X-rays and granting 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) of the statutes is amended to read:  
6 146.83 (1) (b) ~~Receive~~ After June 30, 2001, receive a copy of the patient's health  
7 care records upon payment of ~~reasonable costs~~ fees, as established by rule under sub.  
8 (3m).

9 **SECTION 2.** 146.83 (1) (c) of the statutes is amended to read:  
10 146.83 (1) (c) ~~Receive~~ After June 30, 2001, receive a copy of the health care  
11 provider's X-ray reports or have the X-rays referred to another health care provider

1 of the patient's choice upon payment of ~~reasonable costs~~ fees, as established by rule  
2 under sub. (3m).

3 SECTION 3. 146.83 (3m) of the statutes is created to read:

4 146.83 (3m) The department shall, by rule, prescribe fees that are based on an  
5 approximation of actual costs. The fees, plus applicable state tax, are the maximum  
6 amount that a health care provider may charge under sub. (1) (b) for duplicate  
7 patient health care records and under sub. (1) (c) for duplicate X-ray reports or the  
8 referral of X-rays to another health care provider of the patient's choice. The rule  
9 shall also permit the health care provider to charge for actual postage or other actual  
10 delivery costs.

*and late payment or nonpayment of the fees and charges. The department shall revise the rules at*

11 SECTION 4. 908.03 (6m) (d) of the statutes is amended to read:

12 908.03 (6m) (d) Fees. Before July 1, 2001, the department of health and  
13 family services shall, by rule, prescribe uniform fees that are based on an  
14 approximation of the actual costs. The fees, plus applicable state tax, are the  
15 maximum amount that a health care provider may charge under par. (e) 3. for  
16 certified duplicate patient health care records. The rule shall also allow the health  
17 care provider to charge for actual postage or other actual delivery costs. The  
18 commencement of an action is not a prerequisite for the application of this  
19 paragraph.

*least once every 3 years to reflect actual costs*

20 SECTION 5. 908.03 (6m) (d) of the statutes, as affected by 1999 Wisconsin Act  
21 .... (this act), is amended to read:

22 908.03 (6m) (d) Fees. ~~Before July 1, 2001~~ After June 30, 2001, the department  
23 of health and family services shall, by rule, prescribe uniform fees that are based on  
24 an approximation of actual costs. The fees, plus applicable state tax, are the  
25 maximum amount that a health care provider may charge for certified duplicate

1 patient health care records. The rule shall also allow the health care provider to  
2 charge for actual postage or other actual delivery costs. ~~The commencement of an~~  
3 ~~action is not a prerequisite for the application of this paragraph and late payment~~  
4 or nonpayment of the fees and charges. The department shall revise the rules at least  
5 once every 3 years to reflect actual costs. For duplicate patient health care records  
6 and duplicate X-ray reports or the referral of X-rays to another health care provider  
7 that are requested prior to commencement of an action, s. 146.83 (1) (b) and (c) and  
8 (3m) applies.

9 **SECTION 6. Nonstatutory provisions.**

10 (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The department of health and  
11 family services shall submit in proposed form the rules required under section 146.83  
12 (3m) of the statutes, as created by this act, to the legislative council staff under  
13 section 227.15 (1) of the statutes no later than the first day of the 5th month  
14 beginning after the effective date of this subsection.

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

17 (1) FEES FOR PATIENT HEALTH CARE RECORDS; RULES. The treatment of section  
18 908.03 (6m) (d) (by SECTION 5) of the statutes takes effect on July 1, 2001.

19 (END)