

2003-04 SESSION  
COMMITTEE HEARING  
RECORDS

Committee Name:

Senate Committee on  
Health, Children,  
Families, Aging and  
Long Term Care  
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR\_RCP\_pt01a
- 03hrAC-EdR\_RCP\_pt01b
- 03hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ 03hr\_sb0243b\_pt03

➤ Miscellaneous ... Misc

➤ \*\*

➤ Record of Comm. Proceedings ... RCP

➤ \*\*

NO DATE

**2003 SENATE BILL 243**w/o  
insurance A  
in vol  
hc provider

September 10, 2003 – Introduced by Senators ROESSLER, BROWN, CARPENTER, SCHULTZ, ZIEN, CHVALA, DARLING, DECKER, ELLIS, S. FITZGERALD, HARSDORF, LASSA, LAZICH, MOORE, RISSER and ROBSON, cosponsored by Representatives WIECKERT, KAUFERT, ALBERS, BERCEAU, BIES, COGGS, FRISKE, GOTTLIEB, GRONEMUS, GROTHMAN, GUNDERSON, HAHN, HUNDERTMARK, JENSEN, KRAWCZYK, KREIBICH, LADWIG, J. LEHMAN, M. LEHMAN, LOEFFELHOLZ, LOTHIAN, MCCORMICK, MILLER, MUSSER, NASS, OTT, OWENS, PETROWSKI, PETTIS, PLOUFF, RHOADES, SERATTI, STASKUNAS, VAN ROY, VRAKAS, J. WOOD, YOUNG and TAYLOR. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

- 1 AN ACT *to amend* 146.89 (1), 146.89 (3) (a), 146.89 (3) (b) 8. and 146.89 (3) (d) 2.;
- 2 and *to create* 146.89 (3m) of the statutes; **relating to:** provision of dental and
- 3 dental hygiene services to Medical Assistance recipients by a volunteer health
- 4 care provider.

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***Analysis by the Legislative Reference Bureau***

Under the Volunteer Health Care Provider Program in current law, health care services of a volunteer health care provider and a nonprofit agency whose joint application is approved by the Department of Administration must be provided without charge primarily to low-income persons who are uninsured and are not recipients of Medical Assistance (MA) or Medicare Program benefits. Volunteer health care providers include physicians, dentists, registered nurses, licensed practical nurses, nurse-midwives, optometrists, and physician assistants.

This bill expands the definition of "volunteer health care provider" to include dental hygienists. The bill authorizes a volunteer health care provider who is a dentist or dental hygienist to provide dental or dental hygiene services to MA recipients if the volunteer health care provider is a certified provider of MA services, has received a waiver from the Department of Health and Family Services of the certification requirement, or is not required to be certified. The nonprofit agency with which such a volunteer health care provider is joined in an approved application may charge fees for these services to all persons served, but the agency must accept discounted payments, based on ability to pay, from the persons who are not MA recipients.

**SENATE BILL 243**

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:*

1           **SECTION 1.** 146.89 (1) of the statutes is amended to read:

2           146.89 (1) In this section, “volunteer health care provider” means an individual  
3 who is licensed as a physician under ch. 448, dentist or dental hygienist under ch.  
4 447, registered nurse, practical nurse or nurse–midwife under ch. 441, optometrist  
5 under ch. 449, or physician assistant under ch. 448 or who is certified as a dietitian  
6 under subch. V of ch. 448 and who receives no income from the practice of that health  
7 care profession or who receives no income from the practice of that health care  
8 profession when providing services at the nonprofit agency specified under sub. (3).

9           **SECTION 2.** 146.89 (3) (a) of the statutes is amended to read:

10           146.89 (3) (a) The volunteer health care provider shall provide services under  
11 par. (b) without charge, except as provided in sub. (3m), at the nonprofit agency, if  
12 the joint application of the volunteer health care provider and the nonprofit agency  
13 has received approval under sub. (2) (a).

14           **SECTION 3.** 146.89 (3) (b) 8. of the statutes is amended to read:

15           146.89 (3) (b) 8. Dental services, including simple tooth extractions and any  
16 necessary suturing related to the extractions, performed by a dentist who is a  
17 volunteer health provider; and dental hygiene services, performed by a dental  
18 hygienist who is a volunteer health provider.

19           **SECTION 4.** 146.89 (3) (d) 2. of the statutes is amended to read:

20           146.89 (3) (d) 2. Medical assistance Except as provided in sub. (3m), Medical  
21 Assistance under subch. IV of ch. 49.

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1 SECTION 5. 146.89 (3m) of the statutes is created to read:

2 146.89 (3m) A volunteer health care provider who is a dentist may provide  
3 dental services or a volunteer health care provider who is a dental hygienist may  
4 provide dental hygiene services, to persons who are recipients of Medical Assistance,  
5 if all of the following apply:

6 (a) The nonprofit agency's fees for these services apply to the recipients and to  
7 persons who are not recipients of Medical Assistance.

8 (b) The agency accepts discounted payments, based on ability to pay, from the  
9 persons who are not Medical Assistance recipients.

10 (c) The volunteer health care provider is certified under s. 49.45 (2) (a) 11. a.,  
11 the department has waived the requirement for certification, or the volunteer health  
12 care provider is not required to be certified under s. 49.45 (2) (a) 11. a.

13 (END)



**Carol Roessler**  
STATE SENATOR

**FOR IMMEDIATE RELEASE**

Contact: Senator Carol Roessler (888) 736-8720

**ROESSLER WORKS TO INCREASE DENTAL CARE AVAILABILITY**

**MADISON**—Senator Carol Roessler (R-Oshkosh) today introduced a bill to allow dentists and dental hygienists to voluntarily provide dental care to low income individuals while covered under the state’s liability policy. “Insufficient availability of dental care for low-income individuals is a problem that has faced Wisconsin for many years. This bill will increase the opportunities available for low-income patients to receive dental care,” explained Roessler.

Under this proposal, dentists could voluntarily provide dental care at dental clinics that charge patients on a sliding scale based on income, while protected for malpractice. “This is an expansion upon the Volunteer Health Care Provider Program I worked on years ago,” said Roessler. “Dental clinics need this legislation to attract volunteers to work. In particular, retired dentists who no longer carry malpractice insurance.”

This bill, if passed, will directly affect many clinics statewide including a new clinic in the Fox Valley. “The Tri-County Community Dental Clinic is currently under construction and when complete will serve low income individuals in Calumet, Outagamie and Winnebago Counties. It is anticipated that this clinic will serve up to 30,000 low-income patient,” said Roessler. “Retired dentists who may have been deterred from offering volunteer dental services to low-income and Medicaid eligible individuals will now have the opportunity to help clinics like this one succeed.”

(more)

“Good oral health is critical to good overall health. Without proper dental care, a person’s health deteriorates, leading to other and often more serious health problems,” said Roessler. “By creating new opportunities for dentists to provide free care, Wisconsin is reducing the number of individuals on waiting lists for dental care.”

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SB 243

**Senate Committee on Health, Children, Families, Aging and Long Term Care**

**KEEP IN MIND WE HAVE ANOTHER HEARING AT 10:00 ☺**

**Attendance of Members**

The following members will be at the hearing: Senators Brown, Carpenter, Chvala Jauch, Kanavas, Robson and Schultz.

Not attending: Senator Welch (excused).

**Voting**

The hearing notice states, "An Executive Session may be held on any of the other items before the Committee."

If there are no major concerns raised relating to SB 243 and AB 37, you should hold an Executive session.

If you choose to go into Executive Session, the roll will be held open until 5 p.m.

**Agenda**

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**Senate Bill 243 (Roessler, Wieckert)**

- Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.
- **You have testimony prepared.**
- **Mara Brooks, WI Dental Association, told me they would have a dentist who is part of the Tri County Community Dental Clinic.**
- **I called Dr. Swanson to make him aware of the hearing. He was not sure if he would be able to attend.**

**Senate Bill 204 (Harsdorf, Gielow)**

**Details**

- Relates to authorizing a health benefit purchasing cooperative pilot project.
- The bill authorizes a pilot project in which one nonstock health benefit purchasing cooperative may be organized in each of five geographic areas of the state that are designated by the Commissioner of Insurance by rule.
- A Cooperative may be formed by one or more persons, defined by the bill as: any type of business, an association, a trade or labor organization, a municipality, or a self-employed individual.

X

- The purpose of the cooperatives is to provide health care benefits to the employees, members and officers of the members of each cooperative and to their dependents through a 3-year contract with a defined network plan.
- The health insurance risk of all cooperative members is pooled; the members are actively involved in designing the health care benefit options offered by the defined network plan; and all members purchase their health care benefits from the defined network plan (however, a person can choose a point of service option and pay the difference between what the provider charges and what the defined network plan would pay a participating provider).
- **Melissa Duffy (She used to work for Sen. Moen) from the WI Federation of Cooperatives will testify in favor with her co-worker Steve Rudolff. Both are new to the Federation.**
- **Melissa has organized for a Dairy farmer to testify and Senator Harsdorf will also testify in favor.**
- **Melissa informed me that the authority to form a nonstock health benefit purchasing cooperative currently exists. However, legislative support/authority to do so will help leverage federal funding.**
- **WI Federation of Cooperatives is working on a few amendments to the bill that will address an OCI concern relating to contracting with HMOs and language relating to "self-employed."**

#### Assembly Bill 73 (Ladwig, Stepp)

- Relating to termination of parental rights and adoptive placement of a newborn child whose custody has been relinquished by his or her parent.
- A substitute amendment was adopted 8-0 by the Assembly Committee on Children and Families (Kestell, Ladwig, Albers, Jeskewitz, Vukmir, Sinicki, Miller and Krug). The bill passed as amended 8-0. **There is a Legislative Council memo in your binder which explains the substitute amendment.**
- The Substitute Amendment does the following:
  - \*Specifies that the juvenile court has jurisdiction over the appointment and removal of a guardian for a child found to be in protection or services because custody of the child has been relinquished.
  - \*Provides that venue for juvenile court proceedings relating to the relinquishment of a newborn child is the county in which the relinquishment occurred. (Under current law, the venue is the county where the child resides or is present.)
  - \*Requires the court to include in the guardianship and custody order (described in the Leg. Council memo) a finding that there is probable cause to believe that a parent of the child has relinquished custody of the child.
  - \*Provides that the DA, corporation counsel, or other appropriate official, not an agency, must file or join the TPR petition. In addition, the petition must be filed no later than 60 days after the date on which the juvenile court found probable cause to believe that the child was relinquished.
- **Representative Ladwig and DHFS will be testifying in favor.**