

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3240/2dn

DAK:cs:pg

December 7, 2005

To Representative Underheim:

This redraft incorporates the changes to the "trigger" that reinstates the suspended POV rules, as agreed at the meeting of November 29, 2005. Please review s. 253.455 (3), which contains that change and echoes language in current law for the contract between DHFS and WHA, under s. 153.05 (2m) (b), stats. Please note that I have added to s. 153.455 (3) the language "or if a successor contract cannot be achieved." I drafted this in order to make sure that an entirely unqualified organization that is inappropriate for a contract cannot answer the request-for-proposals process and thus paralyze DHFS from reinstating collection under the POV rules.

The redraft also contains changes proposed by DHFS after the November 29, 2005, meeting, as reviewed by Dick Sweet. Because DHFS will continue, under these changes, to analyze and disseminate health care information but not to collect it, I have removed suspension of the rule under s. 153.75 (1) (p), stats. (This rule governs use and dissemination and would continue to be used by DHFS.) Dick Sweet reviewed and approved this change.

I have also expanded the amendment to s. 153.60 (1), stats., to eliminate approval by the Board on Health Care Information of physician assessment amounts as of the effective date of the bill, rather than on July 1, 2006, when the Board is itself eliminated; this change eliminates any conflicting, concurrent assessment amount approval between the Board (which apparently has already approved the \$70 assessment for 2006) and Joint Finance. Dick Sweet reviewed and approved this change.

As always, please let me know if I may provide further assistance with respect to this draft.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)