

WISCONSIN STATE  
LEGISLATURE  
COMMITTEE HEARING  
RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on  
Insurance  
(AC-In)

File Naming Example:

Record of Comm. Proceedings ... RCP

- 05hr\_AC-Ed\_RCP\_pt01a
- 05hr\_AC-Ed\_RCP\_pt01b
- 05hr\_AC-Ed\_RCP\_pt02

COMMITTEE NOTICES ...

- Committee Hearings ... CH (Public Hearing Announcements)
- \*\*

- Committee Reports ... CR
- \*\*

- Executive Sessions ... ES
- \*\*

- Record of Comm. Proceedings ... RCP
- \*\*

-----

INFORMATION COLLECTED BY COMMITTEE  
CLERK FOR AND AGAINST PROPOSAL

- Appointments ... Appt
- \*\*

Name:

- Clearinghouse Rules ... CRule
- \*\*

- Hearing Records ... HR (bills and resolutions)

➤ **05hr\_ab0789\_AC-In\_pt01**

- Miscellaneous ... Misc
- \*\*



# STEVE WIECKERT

STATE REPRESENTATIVE

Comments:  
FILE ON BELL FILE

November 21, 2005

The Honorable Ann Nischke  
State Representative  
Room 8 North; State Capitol

*Thanks Ann*

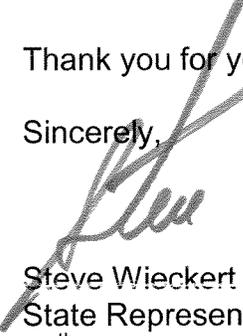
Dear Ann,

I would like to request that you and the members of the Committee on Insurance consider a bill I have authored that is in your committee.

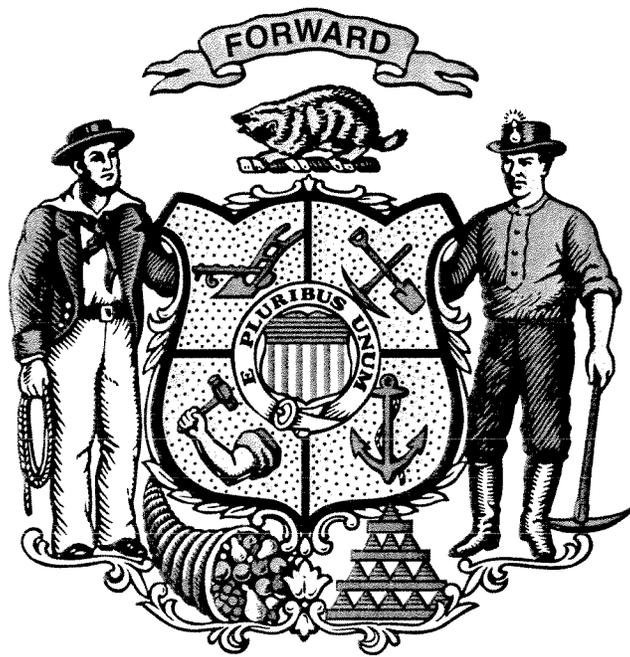
AB 789 deals with health care providers such as doctors that volunteer their services at free medical clinics. This bill clarifies current practice and would help encourage doctors to volunteer at these free clinics for our low-income citizens. This bill was assigned to the committee on October 31, 2005.

Thank you for your assistance and consideration of this bill.

Sincerely,

  
Steve Wieckert  
State Representative  
57<sup>th</sup> Assembly District

**IDEALS, PRINCIPLES, PATRIOTISM**



## **Testimony of State Representative Steve Wieckert**

### **Assembly Bill 789 – Promoting Doctor’s Services at Free Health Care Clinics** *Assembly Committee on Insurance* *328 Northwest – February 9, 2006*

Good morning Chairwoman Ann Nischke and committee members. Thank you for holding a hearing today on Assembly Bill 789, which will promote Doctor’s services at free healthcare clinics in Wisconsin.

Healthcare is a challenge for many Wisconsin citizens, especially low-income individuals. Wisconsin has numerous free clinics around the state where these low-income individuals can go to receive some basic healthcare services. The free clinics provide an invaluable service to our communities, and numerous doctors around the state are willing to volunteer their time to work at them.

Currently, the Department of Health & Family Services (DHFS) has a program that allows certain medical professionals to be covered by the state for medical malpractice purposes. However, it is unclear under current law whether this protection is extended to doctors who currently have their own medical malpractice insurance. This puts active doctors at a disadvantage and acts as a disincentive for them to volunteer at free clinics.

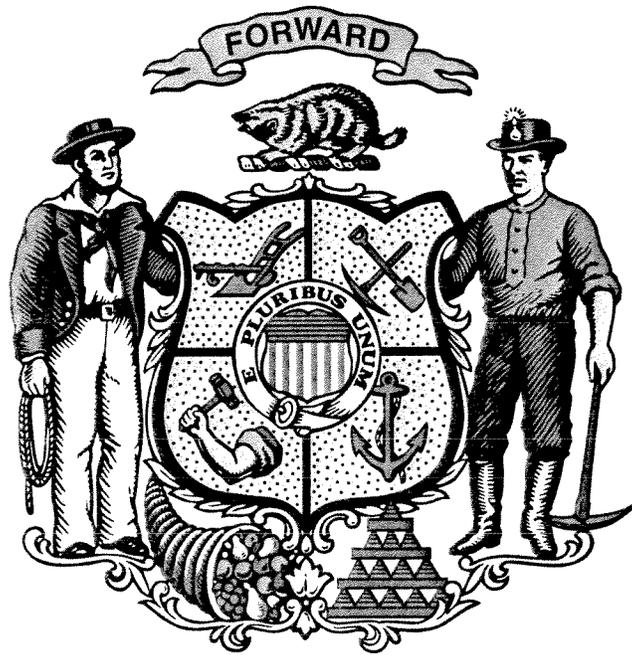
In addition, I have personally been contacted by a number of Doctors in Appleton, who have stopped, or are strongly considering not volunteering at free clinics in the area because of concerns over malpractice coverage.

This legislation makes it clear that doctors practicing at free medical clinics are serving as agents of the state and are granted state coverage regardless of whether the doctors have an active practice or are retired. This bill covers all volunteer healthcare providers including: doctors, dentists, registered nurses, optometrists, and physician assistants.

This bill will help insure there are enough medical professionals to provide healthcare to low-income individuals in Wisconsin. We should not allow bureaucratic red tape and ambiguities in the statutes prevent willing volunteers from providing medical assistance to those in need in Wisconsin.

Assembly Bill 789 is supported by the Wisconsin Academy of Family Physicians.

Thank you. At this time I would be happy to answer any questions of the committee.





# Wisconsin Academy of Family Physicians

142 North Main Street • Thiensville, Wisconsin 53092  
Phone: (262) 512-0606 • Toll Free (WI): 1-800-272-WAFP • Fax: (262) 242-1862  
E-Mail: [academy@wafp.org](mailto:academy@wafp.org) Web site: [www.wafp.org](http://www.wafp.org)

## OFFICERS

**President**  
Erik A. Gunderson, M.D.  
Onalaska

**President Elect**  
Alan K. David, M.D.  
Milwaukee

**First Vice President**  
John R. Brit, M.D.  
Milwaukee

**Second Vice President**  
Russell G. Robertson, M.D.  
Mecum

**Secretary-Treasurer**  
Amy Helwig, M.D.  
Brookfield

**DIRECTORS**  
Jean M. Riquelme, M.D. (Chair) '05  
Green Bay

Sharon Anderson (Student) '05  
Madison

Andrea M. Gavin, M.D. '05  
Plymouth

Thomas J. Grau, M.D. (Edm Pres) '05  
LaCrosse

Dean Grath '05 (CAC Rep)  
Madison

Barbara A. Hummel, M.D. '06  
New Berlin

Brian Inices '05 (CAC Rep)  
Delafield

Kevin D. Izard, M.D. '07  
Milwaukee

Lowell H. Koppel, M.D. '06  
Brookfield

Muej Lo, M.D. (Resident) '05  
LaCrosse

Glenn A. Loomis, M.D. '07  
Janesville

Thomas J. Lubrow, M.D. '05  
Watertown

Rebecca Lundh (Student) '05  
Milwaukee

Lori L. Neumann, M.D. '05  
Darlington

Russell G. Robertson, M.D. '06  
Mecum

Ronald E. Schulgit, M.D. '07  
Racine

Paul D. Smith, M.D. '06  
Madison

Nicholee Theiss, M.D. (Resident) '05  
Madison

**AAFP Delegates**  
Bradley J. Fedderty, M.D. '06  
South Milwaukee

Daniel R. Sherry, M.D. '05  
Ellsworth

**AAFP Alternate Delegates**  
Susan Karast-Porier, M.D. '05  
Monroe

David C. Olson, M.D. '06  
Brookfield

**WMS Delegates**  
George I. Gay, Jr., M.D. '05  
Cambridge

**WMS Alternate Delegate**  
Glenn A. Loomis, M.D. '05  
Janesville

**Executive Director**  
Larry Pfeifer  
Thiensville

## Memo

**TO:** Chairperson Nischke; Assembly Insurance Committee members  
**FROM:** Wisconsin Academy of Family Physicians  
**DATE:** February 9, 2006  
**RE:** Support for Assembly Bill 789

---

The Wisconsin Academy of Family Physicians strongly supports Assembly Bill 789, which could help increase the availability of health care services for the uninsured. On behalf of our 2,200 physician members, we respectfully request your support for AB 789 and would ask you to pass it out of committee without delay.

Under Wisconsin's Volunteer Health Care Provider Program (VHCPP), physicians are considered *agents of the state* when in the course of providing free health care services to low-income, uninsured individuals. Any judgments against a state agent physician for malpractice committed in the course of their volunteer duties may not exceed \$250,000 and may not include punitive damages. However, any judgment must first be drawn from a physician's private liability insurance coverage.

Assembly Bill 789 would provide state agent status to volunteer physicians under VHCPP, regardless of whether the physician has medical malpractice insurance coverage that extends to the provision of their volunteer services. In addition, the bill specifies any medical liability insurance policy providing coverage for a physician's services may exclude coverage for services that the physician provides as a volunteer.

Again, the Wisconsin Academy of Family Physicians would ask you to support Assembly Bill 789. If you have any questions please do not hesitate to contact our government affairs consultants, Tim Hoven or Michael Welsh, at (608) 310-8833.