

WISCONSIN STATE  
LEGISLATURE  
COMMITTEE HEARING  
RECORDS

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on  
Insurance  
(AC-In)

(Form Updated: 11/20/2008)

**COMMITTEE NOTICES ...**

➤ Committee Reports ... CR  
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➤ Executive Sessions ... ES  
\*\*

➤ Public Hearings ... PH  
\*\*

➤ Record of Comm. Proceedings ... RCP

**05hr\_AC-In\_RCP\_pt01**

**INFORMATION COLLECTED BY COMMITTEE  
FOR AND AGAINST PROPOSAL ...**

➤ Appointments ... Appt  
\*\*

Name:

➤ Clearinghouse Rules ... CRule  
\*\*

➤ Hearing Records ... HR (bills and resolutions)  
\*\*

➤ Miscellaneous ... Misc  
\*\*

## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Informational Hearing: Health Insurance Risk Sharing Pool (HIRSP)**

The Wisconsin Health Insurance Risk Sharing Plan (HIRSP) offers health insurance to Wisconsin residents who either are unable to find adequate health insurance coverage in the private market due to their medical conditions or who have lost their employer-sponsored group health insurance. The purpose of this hearing is to provide background information to committee members.

March 24, 2005

##### **PUBLIC HEARING HELD**

Present: (10) Representatives Nischke, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Cullen, Lehman, Sheridan.  
Absent: (5) Representatives Wieckert, Moulton, Staskunas, Berceau and Nelson.

##### Appearances For

- None.

##### Appearances Against

- None.

##### Appearances for Information Only

- Eileen Mallow, Madison — Assistant Deputy, Office of the Commissioner of Insurance
- Mark Moody, Madison — Division Administrator, DHFS
- Nancy Wenzel, Madison — Executive Director, Wisconsin Association of Health Plans

##### Registrations For

- None.

##### Registrations Against

- None.

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Mary Jan Rosenak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

**Committee on Insurance**

**Clearinghouse Rule 04-121**

Relating to medicare supplement, replacement, cost-sharing, select, advantage and medicare D prescription drug plans.

Submitted by Insurance Commissioner.

April 04, 2005      Referred to Committee on Insurance.

May 4, 2005      No action taken.



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Mary Jan Resonak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

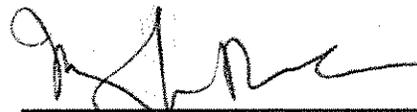
**Committee on Insurance**

**Clearinghouse Rule 04-131**

Relating to administrative hearing procedures for OCl.  
Insurance Commissioner

March 03, 2005      Referred to Committee on Insurance.

April 3, 2005      No action taken.



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Mary Jan Rosenak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

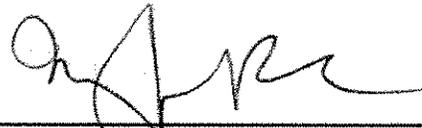
**Committee on Insurance**

**Clearinghouse Rule 04-133**

Relating to vehicle protection plans.  
Insurance Commissioner

March 03, 2005      Referred to Committee on Insurance.

April 3, 2005      No action taken.



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Mary Jan Rosehak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

**Committee on Insurance**

**Clearinghouse Rule 05-023**

Relating to mortgage guaranty insurance.  
Submitted by Insurance Commissioner.

August 02, 2005      Referred to Committee on Insurance.

September 2, 2005      No action taken.

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Mary Jan Rosenak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

**Committee on Insurance**

**Clearinghouse Rule 05-028**

Relating to annual patients compensation fund and mediation fund fees for the fiscal year beginning July 1, 2005.

Submitted by Insurance Commissioner.

June 28, 2005            Referred to Committee on Insurance.

July 28, 2005            No action taken.

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Mary Jan Rosenak  
Committee Clerk

**Assembly**

**Record of Committee Proceedings**

**Committee on Insurance**

**Clearinghouse Rule 05-047**

Relating to operation of the health insurance risk-sharing plan (HIRSP).  
Submitted by Department of Health and Family Services.

August 02, 2005      Referred to Committee on Insurance.

September 2, 2005      No action taken.

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Mary Jan Rosenak  
Committee Clerk

## Assembly

### Record of Committee Proceedings

#### Committee on Insurance

##### Clearinghouse Rule 05-059

Relating to revising requirements for insurers offering defined network plans, preferred provider plans, and limited service health organization plans in order to comply with recent changes in state laws and affecting small businesses.

Submitted by Insurance Commissioner.

September 07, 2005 Referred to Committee on Insurance.

October 13, 2005 **EXECUTIVE SESSION HELD**

Present: (11) Representatives Nischke, Wieckert, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Berceau, Nelson and Sheridan.

Absent: (4) Representatives Underheim, Cullen, Lehman and Staskunas.

Moved by Representative Gielow, seconded by Representative Montgomery that **Clearinghouse Rule 05-059** be recommended for **MOVED**, that the Assembly Committee on Insurance, pursuant to s. 227.19 (4) (b) 2., Stats., requests the Commissioner of Insurance to consider making modifications to Clearinghouse Rule 05-59, relating to revising requirements for insurers offering defined network plans, preferred provider plans, and limited service health organizations in order to comply with recent changes in state laws.

**FURTHER MOVED**, that if the Commissioner fails to notify the Chair of the Assembly Committee on Insurance in writing by 5:00 p.m. on November 7, 2005, that the Commissioner will agree to consider making modifications to Clearinghouse Rule 05-59, the Assembly Committee objects to the promulgation of Clearinghouse Rule 05-59 under s. 227.19 (4) (d) 3., 4., and 6., Stats., on the concerns that the rule may overreach legislative intent, may have portions in conflict with state law, and may impose undue hardship on patients and providers.

Ayes: (9) Representatives Nischke, Wieckert,  
Montgomery, McCormick, Gielow, Van Roy,  
Ballweg, Moulton and Berceau.  
Noes: (2) Representatives Nelson and Sheridan.  
Absent: (4) Representatives Underheim, Cullen, Lehman  
and Staskunas.

MOVED, THAT THE ASSEMBLY COMMITTEE ON  
INSURANCE, PURSUANT TO S. 227.19 (4) (B) 2., STATS.,  
REQUESTS THE COMMISSIONER OF INSURANCE TO  
CONSIDER MAKING MODIFICATIONS TO  
CLEARINGHOUSE RULE 05-59, RELATING TO REVISING  
REQUIREMENTS FOR INSURERS OFFERING DEFINED  
NETWORK PLANS, PREFERRED PROVIDER PLANS, AND  
LIMITED SERVICE HEALTH ORGANIZATIONS IN ORDER  
TO COMPLY WITH RECENT CHANGES IN STATE LAWS.

FURTHER MOVED, THAT IF THE COMMISSIONER FAILS  
TO NOTIFY THE CHAIR OF THE ASSEMBLY COMMITTEE  
ON INSURANCE IN WRITING BY 5:00 P.M. ON NOVEMBER  
7, 2005, THAT THE COMMISSIONER WILL AGREE TO  
CONSIDER MAKING MODIFICATIONS TO  
CLEARINGHOUSE RULE 05-59, THE ASSEMBLY  
COMMITTEE OBJECTS TO THE PROMULGATION OF  
CLEARINGHOUSE RULE 05-59 UNDER S. 227.19 (4) (D) 3.,  
4., AND 6., STATS., ON THE CONCERNS THAT THE RULE  
MAY OVERREACH LEGISLATIVE INTENT, MAY HAVE  
PORTIONS IN CONFLICT WITH STATE LAW, AND MAY  
IMPOSE UNDUE HARDSHIP ON PATIENTS AND  
PROVIDERS.

RECOMMENDED, Ayes 9, Noes 2

October 13, 2005

#### **PUBLIC HEARING HELD**

Present: (14) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Berceau, Nelson and Sheridan.  
Absent: (1) Representative Staskunas.

#### Appearances For

- Jorge Gomez — Hon., Office of the Commissioner of  
Insurance

#### Appearances Against

- Daniel Schwartz — Mr., Wisconsin Association of Provider  
Networks

- Josh Watson — Mr., Golden Rule Insurance Company
- J.P. Wiestke, Alexandria — Mr., Council for Affordable Health Insurance
- Paul Sabin, Brookfield — Mr., HealthEOS by Multiplan

Appearances for Information Only

- Patrick Osborne, Madison — Mr., Wisconsin Association of Life & Health Insurers (WALHI)
- Bill G. Smith, Madison — Mr., National Federation of Independent Business (NFIB)

Registrations For

- Kathryn Ambelaing, Madison — Ms., WPS
- Allan Patek, Green Bay — Mr., Humana
- Vaughn Vance, Madison — Mr., WEA Trust
- Christine Russell, Madison — Ms., WPS Health Insurance
- Karen Geiger, Milwaukee — Ms., Blue Cross & Blue Shield of Wisconsin

Registrations Against

- Lee Bauman, Madison — Mr., Wisconsin Auto & Truck Dealers Association
- Jim Wrocklage, Brookfield — Mr., HealthEOS by MultiPlan
- Greg Horstman, Madison — Mr., Wisconsin Association of Health Underwriters
- Thomas Witter, West Allis — Mr., Vision Insurance Plan of America
- Dana Witter, Milwaukee — Ms., Vision Insurance Plan of America
- Jim Bawaya, Onalaska — Mr., Midwest Security Insurance
- Pat Phillips, DuPere — Mr., HealthEOS by MultiPlan
- Dennis Peterson, Stevens Point — Mr., Delta Dental
- Dana Cook, Onalaska — Ms., Midwest Security Insurance
- Chad Zuleger, Appleton — Mr., American Medical Security
- Jim Yahnke, Milwaukee — Mr., Wausau Benefits

  
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 Adam Peer  
 Committee Clerk

## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Clearinghouse Rule 05-099**

Relating to small employer uniform employee application for group health insurance.

Submitted by Insurance Commissioner.

December 08, 2005 Referred to Committee on Insurance.

January 8, 2006 No action taken.

February 22, 2006 **PUBLIC HEARING HELD**

Present: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Absent: (0) None.

##### Appearances For

- None.

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- None.

##### Registrations Against

- None.

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Adam Peer  
Committee Clerk

## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Clearinghouse Rule 05-111**

Relating to agent licensing procedure changes which will affect small business.  
Submitted by Insurance Commissioner.

April 11, 2006 Referred to Committee on Insurance.

April 27, 2006 **PUBLIC HEARING HELD**

Present: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Absent: (0) None.

##### Appearances For

- Ron Kuehn, Madison — Mr., IIAW, PIAW, and NAIIA
- Eileen Mallow, Madison — Assistant Deputy, Office of the  
Commissioner of Insurance
- Susan Esalarab, Madison — Office of the Commissioner of  
Insurance

##### Appearances Against

- None.

##### Appearances for Information Only

- Dan Schwartzer — Mr., Wisconsin Association of Provider  
Networks;wi Association of Health Underwriters

##### Registrations For

- None.

##### Registrations Against

- None.

April 27, 2006 **EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,

Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative  
Lehman that **Clearinghouse Rule 05-111** be recommended for  
modifications requested.

Ayes: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Noes: (0) None.

**MODIFICATIONS REQUESTED RECOMMENDED, Ayes 15,  
Noes 0**

July 12, 2006

**EXECUTIVE SESSION HELD**

Present: (14) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Lehman,  
Staskunas, Berceau, Nelson and Sheridan.

Absent: (1) Representative Cullen.

Moved by Representative Nischke, seconded by Representative  
Montgomery that **Clearinghouse Rule 05-111** be recommended  
for objection.

Ayes: (13) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton,  
Lehman, Berceau, Nelson and Sheridan.

Noes: (1) Representative Staskunas.

Absent: (1) Representative Cullen.

**OBJECTION RECOMMENDED, Ayes 13, Noes 1**

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Adam Peer  
Committee Clerk



- Carmen Dickinson, Milwaukee — SEIU Local 150
- Linda Farley, Verona — Dr., Physicians for a National Health Plan; Coalition for Wisconsin Health; Wisconsin Citizen Action

#### Appearances for Information Only

- Eileen Mallow — Assistant Deputy, Office of the Commissioner of Insurance

#### Registrations For

- Mark Wadium, Appleton — Outagamie County
- Pat Osborne, Madison — Wi Association Of Life and Health Insurers
- Chad Zuleger, Appleton — American Medical Security
- Kathryn Sheahan, Madison — UW Nursing Student
- Louie Schubert, Madison — American Family Insurance
- Mike Semmann, Madison — Wisconsin Bankers Association
- Michael Theo, Madison — Wisconsin Realtors Association

#### Registrations Against

- Tim Carpenter, Madison — Senator, Wisconsin State Senate
- Katherine Wenban, Madison — Coalition for Wisconsin Health
- Jon Peacock, Madison — Wisconsin Council on Children and Families
- Darcy Haber, Madison — Wisconsin Citizen Action
- Joe Oswald, DeForest — Wisconsin Laborers District Council
- Ross Reykdal, Madison — UW Madison Student Labor Action Coalition
- Ann McNeary, Sun Prairie — CWA Wi Political Council
- Melody Evans-Hailey, Milwaukee — SEIU Local 150
- Doris Gillisipe, Milwaukee — SEIU
- Cain Onlahan, Milwaukee — SEIU
- Michael Thomas, Milwaukee — SEIU Local 150
- Ted Kraig, Milwaukee — SEIU 1199
- Claiborne Hill, Monona — SEIU
- Joseph Schirmer, Madison — SEIU 1199 WUP
- Acam Donabedian, Madison — SEIU
- Kevin A. Coray, Milwaukee — SEIU
- Larry Ward, Milwaukee — SEIU
- Anita Blue, Milwaukee — SEIU Local 150
- Walter Ormes, Lacrosse — SEIU
- Laura Berger, Madison — SEIU
- Janette Latham, Mount Horeb — SEIU
- Renee Crawford, Shorewood — SEIU Local 150
- Joanne Augsburg, Winneconne — SEIU

- Ethel Gates, Racine — SEIU
- Lynn Santoni, Nekoosa — SEIU Local 150
- Kathy Hansen, Madison — SEIU District 1199 w/lp
- Jean Muehlakaun, Camp Orla — SEIU Local 150
- Melissa Froemming, Madison — SEIU
- Sally Loushin, Monona — SEIU 1199
- Scott Holmes, Madison — SEIU Local 150
- Tracy Suprise, Madison — SEIU 1199
- Diane Ryan, Onalaska — SEIU Local 150
- Lyn Mussallum, Madison — SEIU 1199
- Mary Randall — SEIU
- Alicia Treadwell, Milwaukee
- Carol A. Vian, Milwaukee
- Janice Culver, Milwaukee
- Edna Wright, Milwaukee
- Debbie Timko, Milwaukee
- Paul Sickel, Milwaukee
- Leonila Vego, South Milwaukee
- Ann Gates, Beloit
- Scott Hanson, Madison
- Lorenzo Camacla, Madison

January 25, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative Montgomery that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.

Noes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

**ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION  
RECOMMENDED, Ayes 9, Noes 6**

Moved by Representative Nischke, seconded by Representative Underheim that **Assembly Bill 4** be recommended for passage.

- Ayes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.
- Noes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

PASSAGE RECOMMENDED, Ayes 9, Noes 6



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Mary Jan Rosenak  
Committee Clerk



- Eric Englund, Madison — Wisconsin Insurance Alliance
- Michael Cohen — Attorney, Meissner, Tierney, Fisher & Nichols, S.C.
- Laura Foggan — Attorney, Wiley Rein & Fielding, LLP
- David Dybdahl — CPCU, ARM, MBA, American Risk Management Resources
- Gordon Baldwin, Madison — Attorney, Evjue-Bascom Emeritus Professor of Law, University of Wisconsin
- James Friedman — Attorney, Godfey and Kahn
- Don Haldeman, Madison — CEO, Rural Mutual Insurance Company
- Terry Wendorf, Madison — CEO, Wisconsin Reinsurance Corp
- Gerald Mueller — President, Wisconsin Association of Mutual Insurance Companies
- Bill Thielmann, Sun Prairie — General Casualty Insurance Companies
- Jim Pauly, West Bend — West Bend Mutual Insurance
- Scott Huiras, Appleton — Secura Mutual Insurance
- Dave Cristan, Stevens Point — Sentry Insurance
- Peder Larson — Former Commissioner, Minnesota Pollution Control Agency
- Connie O'Connell — Former Wisconsin Insurance Commissioner
- Misha Lee, Stevens Point — Sentry Insurance

#### Appearances for Information Only

- Bruce Baker, Madison — Department of Natural Resources

#### Registrations For

- Carol Roessler, Madison — Senator, Wisconsin State Senate
- Carol Owens, Madison — Representative, Wisconsin State Assembly
- Curt Witynski, Madison — League of Wisconsin Municipalities
- Phil Uekert — Wisconsin Public Service Corporation
- Russel Retzack, West Allis — self

#### Registrations Against

- Glenn Grothman, Madison — Senator, Wisconsin State Senate
- Louis Schubert, Madison — American Family
- Melissa Duffy — Wisconsin Federation of Cooperatives
- Scott Stenger, Madison — AIG
- Dianna Dean Lorenz, Chicago — AIG
- Sean McManamy — American Insurance Association

- Dan Schwartz — Wisconsin Association of Health Underwriters

June 21, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Staskunas, seconded by Representative McCormick that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes: (5) Representatives McCormick, Cullen, Lehman, Staskunas and Molepske.

Noes: (10) Representatives Nischke, Friske, Underheim, Montgomery, Gielow, Van Roy, Ballweg, Moulton, Nelson, Sheridan.

**ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION NOT RECOMMENDED, Ayes 5, Noes 10**

Moved by Representative Montgomery, seconded by Representative Friske that **Assembly Amendment 1** be recommended for introduction.

Ayes: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Noes: (0) None.

**INTRODUCTION OF ASSEMBLY AMENDMENT 1 RECOMMENDED, Ayes 15, Noes 0**

Moved by Representative Montgomery, seconded by Representative Underheim that **Assembly Amendment 1** be recommended for adoption.

Ayes: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Noes: (0) None.

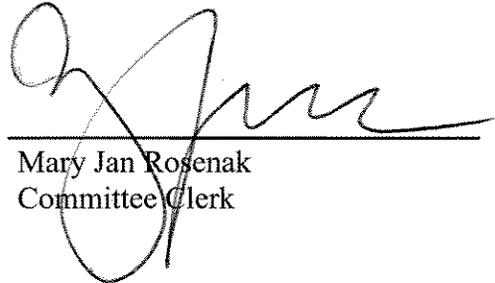
ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED,  
Ayes 15, Noes 0

Moved by Representative Montgomery, seconded by  
Representative Van Roy that **Assembly Bill 222** be recommended  
for passage.

Ayes: (9) Representatives Nischke, Friske, Underheim,  
Montgomery, McCormick, Gielow, Van Roy,  
Nelson and Sheridan.

Noes: (6) Representatives Ballweg, Moulton, Cullen,  
Lehman, Staskunas and Molepske.

PASSAGE RECOMMENDED, Ayes 9, Noes 6



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Mary Jan Rosenak  
Committee Clerk

## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Assembly Bill 294**

Relating to: prohibiting legislation to change the purpose of the injured patients and families compensation fund.

By Representatives Wieckert, Montgomery, Gard, Kreibich, Nischke, Black, Hines, Pettis, Ainsworth, Vos, Bies, Freese, Owens, F. Lasee, Musser, Davis, Pridemore, Hahn and Petrowski; cosponsored by Senators Kanavas, Stepp, Breske, Olsen, Reynolds and Grothman.

April 04, 2005            Referred to Committee on Insurance.

May 19, 2005            **PUBLIC HEARING HELD**

Present:    (14)    Representatives Nischke, Wieckert,  
   Underheim, McCormick, Gielow, Van Roy,  
   Ballweg, Moulton, Cullen, Lehman, Staskunas,  
   Berceau, Nelson and Sheridan.

Absent:     (1)     Representative Montgomery.

##### Appearances For

- Theodore Kanavas — Senator, Wisconsin State Senate
- Steve Wieckert — Representative, Wisconsin State Assembly
- Mark Grapentine, Madison — Wisconsin Medical Society

##### Appearances Against

- None.

##### Appearances for Information Only

- Paul E. Sricula, Milwaukee — Attorney, Wisconsin Academy of Trail Lawyers

##### Registrations For

- Curt Witynski, Madison — League of Wisconsin Municipalities
- Michael Welsh, Madison — Wisconsin Academy of Family Physicians
- Dan Schwartzer, Madison — Wisconsin Association of Provider Networks
- Dan Schwartzer, Madison — Wisconsin Association of Health Underwriters

Registrations Against

- None.

June 21, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative Underheim that **Assembly Bill 294** be recommended for passage.

Ayes: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Noes: (0) None.

PASSAGE RECOMMENDED, Ayes 15, Noes 0

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Mary Jan Rosenak  
Committee Clerk



Absent: (0) None.

Moved by Representative Nischke, seconded by Representative Underheim that **Assembly Bill 329** be recommended for passage.

Ayes: (15) Representatives Nischke, Friske, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Molepske, Nelson and Sheridan.

Noes: (0) None.

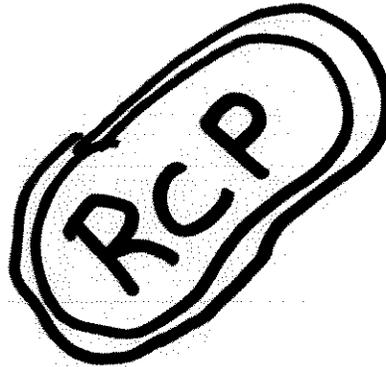
PASSAGE RECOMMENDED, Ayes 15, Noes 0

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Mary Jan Rosenak  
Committee Clerk

ANN   
**Nischke**

www.RepNischke.com



TO: INTERESTED PARTIES

From: Adam Peer, Clerk  
Assembly Committee on Insurance

Date: October 19, 2005

**RE: Unofficial Committee Reports for 2005 AB 764, 765, 766, and 769**

For your information, please find attached the *draft unofficial committee* reports for 2005 AB 764, 765, 766, and 769. These reports are subject to further proofing and change by the chairperson and the Assembly Chief Clerk.

If you have any questions, please feel free to contact me. Other committee documents including audio is available online at ([www.RepNischke.com](http://www.RepNischke.com)).

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## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Assembly Bill 764**

Relating to: awards to persons suffering damages as the result of medical malpractice and evidence of compensation for those damages.

By Representatives Gielow, Huebsch, Nischke, Gard and Nerison; cosponsored by Senator S. Fitzgerald.

October 17, 2005 Referred to Committee on Insurance.

October 18, 2005 **PUBLIC HEARING HELD**

Present: (13) Representatives Nischke, Wieckert,  
Underheim, Montgomery, Gielow, Ballweg,  
Moulton, Cullen, Lehman, Staskunas, Berceau,  
Nelson and Sheridan.

Absent: (2) Representatives McCormick and Van Roy.

##### Appearances For

- None.

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Nick George, Madison — Mr., Wisconsin Manufacturing & Commerce
- Ralph Topinka, Janesville — Mr., Mercy Health Systems
- Eric Borgerding — Mr., Wisconsin Hospital Association
- Maureen McNally, Milwaukee — Ms., Froedtert & Community Health
- Elizebeth Schumacher, Madison — Ms., Meriter Health Services
- Mark Grapentine — Mr., Wisconsin Medical Society
- Mark Adams, Verona — Mr.
- Bill G. Smith, Madison — Mr., National Federation of Independent Business (NFIB)
- Jaime Hook, Madison — UW Medical Students
- Jim Hough, Madison — Mr., WCCJ, CTCU, and WEDA

- Kathryn Kuhn, Milwaukee — Ms., Medical College of Wisconsin
- Barbara Connelly, Brookfield — Ms., Medical College of Wisconsin, Affiliated Hospitals
- Kevin Kortsch, Waukesha — Mr., Wisconsin Society of Podiatric Medicine
- John Buonora, Madison — Mr., Wisconsin Association of Nurse Anesthetists
- Ron Kuehn, Madison — Insurance and Financial Association; Professional Insurance Agents; Independent Insurance Agents
- Curt Gielow — Representative

Registrations Against

- Lisa Roys, Madison — Ms., State Bar of Wisconsin
- Daniel Rottier, Madison — Attorney, Wisconsin Academy of Trial Lawyers
- Don Garner-Gerhardt, Wausau — Mr., Teamsters Union

October 19, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative Gielow that **Assembly Substitute Amendment LRBs0261** be recommended for introduction.

Ayes: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Noes: (0) None.

**INTRODUCTION OF ASSEMBLY SUBSTITUTE  
AMENDMENT LRBS0261 RECOMMENDED, Ayes 15, Noes 0**

Moved by Representative Gielow, seconded by Representative McCormick that **Assembly Substitute Amendment s0261** be recommended for adoption.

Ayes: (9) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg and Moulton.  
Noes: (6) Representatives Cullen, Lehman, Staskunas,  
Berceau, Nelson and Sheridan.

ASSEMBLY SUBSTITUTE AMENDMENT S0261 ADOPTION  
RECOMMENDED, Ayes 9, Noes 6

Moved by Representative Gielow, seconded by Representative  
Underheim that **Assembly Bill 764** be recommended for passage  
as amended.

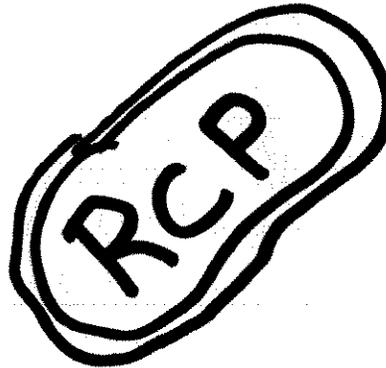
Ayes: (9) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg and Moulton.  
Noes: (6) Representatives Cullen, Lehman, Staskunas,  
Berceau, Nelson and Sheridan.

PASSAGE AS AMENDED RECOMMENDED, Ayes 9, Noes 6

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Adam Peer  
Committee Clerk

ANN   
**Nischke**  
www.RepNischke.com



TO: INTERESTED PARTIES

From: Adam Peer, Clerk  
Assembly Committee on Insurance

Date: October 19, 2005

**RE: Unofficial Committee Reports for 2005 AB 764, 765, 766, and 769**

For your information, please find attached the draft unofficial committee reports for 2005 AB 764, 765, 766, and 769. These reports are subject to further proofing and change by the chairperson and the Assembly Chief Clerk.

If you have any questions, please feel free to contact me. Other committee documents including audio is available online at ([www.RepNischke.com](http://www.RepNischke.com)).

ASP

## Assembly

### Record of Committee Proceedings

#### Committee on Insurance

##### Assembly Bill 765

Relating to: coverage under the injured patients and families compensation fund of medical school graduates engaged in postgraduate training.

By Representatives Gielow, Huebsch, Nischke and Gard; cosponsored by Senators S. Fitzgerald and Kapanke.

October 17, 2005      Referred to Committee on Insurance.

October 18, 2005      **PUBLIC HEARING HELD**

Present:    (13)    Representatives Nischke, Wieckert,  
   Underheim, Montgomery, Gielow, Ballweg,  
   Moulton, Cullen, Lehman, Staskunas, Berceau,  
   Nelson and Sheridan.

Absent:     (2)     Representatives McCormick and Van Roy.

##### Appearances For

- Barbara Connelly, Brookfield — Ms., Medical College of Wisconsin, Affiliated Hospitals
- Curt Gielow — Representative

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- Nick George, Madison — Mr., WMC
- Kathryn Kuhn, Milwaukee — Ms., Medical College of Wisconsin
- Jim Hough, Madison — Mr., WCCI, CTCY, WEDA
- Mark Adams, Verona — Mr.
- Elizebeth Schumacher, Madison — Ms., Meriter Health Services
- Mark Grapentine — Mr., Wisconsin Medical Society
- Eric Borgerding — Mr., Wisconsin Hospital Association
- Maureen McNally, Milwaukee — Ms., Froedtert & Community Health
- Ralph Topinka, Janesville — Mr., Mercy Health Systems

Registrations Against

- Don Garner-Gerhardt, Wausau — Mr., Teamsters Union

October 19, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Gielow, seconded by Representative Underheim that **Assembly Bill 765** be recommended for passage.

Ayes: (13) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Lehman, Staskunas, Berceau and Nelson.

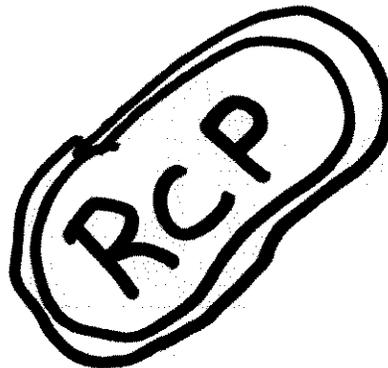
Noes: (2) Representatives Cullen and Sheridan.

PASSAGE RECOMMENDED, Ayes 13, Noes 2

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Adam Peer  
Committee Clerk

ANN   
**Nischke**  
www.RepNischke.com



TO: INTERESTED PARTIES

From: Adam Peer, Clerk  
Assembly Committee on Insurance

Date: October 19, 2005

**RE: Unofficial Committee Reports for 2005 AB 764, 765, 766, and 769**

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## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Assembly Bill 766**

Relating to: recovery of noneconomic damages in medical malpractice cases.

By Representatives Gielow, Huebsch, Nischke, Gard, Freese, Gottlieb, Gundrum, Hahn, Honadel, Hundertmark, Jensen, Jeskewitz, Kerkman, Kestell, Kreibich, Lamb, Loeffelholz, McCormick, Moulton, Mursau, Rhoades, Strachota, Van Roy, Vos, M. Williams, Wieckert, Nerison, Underheim, Suder, Friske, Owens and Petrowski; cosponsored by Senators S. Fitzgerald, Kapanke, Brown, Darling, Ellis, Grothman, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Reynolds, Roessler, Schultz, Stepp and Zien.

October 17, 2005      Referred to Committee on Insurance.

October 18, 2005      **PUBLIC HEARING HELD**

Present:    (13)    Representatives Nischke, Wieckert,  
   Underheim, Montgomery, Gielow, Ballweg,  
   Moulton, Cullen, Lehman, Staskunas, Berceau,  
   Nelson and Sheridan.

Absent:     (2)     Representatives McCormick and Van Roy.

##### Appearances For

- Curt Gielow — Representative
- Scott Fitzgerald — Senator
- Eric Borgerding — Mr., Wisconsin Hospital Association
- Mark Grapentine — Mr., Wisconsin Medical Society
- Rob Walling, Bloomington — Mr., Wisconsin Hospital Association and Wisconsin Medical Society
- Charles Sammis, MD, Madison — Mr., Wisconsin Academy of Family Physicians
- Meetul Shah, MD, Madison — Mr., Wisconsin Academy of Family Physicians
- Claudine Taub, Nekoosa — Ms., Ministry Health Care
- Robert Phillips, MD, Madison — Mr., Marshfield Clinic

##### Appearances Against

- Daniel Rottier, Madison — Attorney, Wisconsin Academy of Trial Lawyers
- Michael Riley, Madison — Mr., State Bar of Wisconsin
- Cindi Ferdon, Abrams — Ms.

- Dennis Ferson, Abrams — Mr.
- Kim Zak, Crivitz — Mrs.
- Elizabeth Morrison, Madison — Ms.
- Eric Rice, Middleton — Mr., Wisconsin Family Justice Network

Appearances for Information Only

- None.

Registrations For

- Nick George, Madison — Mr., WMC
- Ron Kuehn, Madison — Mr., IIAW, PIAW, and NAIIA
- Maureen McNally, Milwaukee — Ms., Froedtert & Community Health
- Elizebeth Schumacher, Madison — Ms., Meriter Health Services
- Barbara Connelly, Brookfield — Ms., Medical College of Wisconsin, Affiliated Hospitals
- Mark Adams, Verona — Mr.
- Tim McGinn, Madison — Mr., Wisconsin Health Care Association
- Kenyon Kies, Madison — Mr., Wisconsin Utility Investors, Inc.
- Bill G. Smith, Madison — Mr., National Federation of Independent Business (NFIB)
- Joe Leibham — Senator
- Jaime Hook, Madison — UW Medical Students
- Michael Welsh, Madison — Mr., Wisconsin Academy of Family Physicians
- Kathryn Kuhn, Milwaukee — Ms., Medical College of Wisconsin
- Jerry Deschane, Madison — Mr., Wisconsin Builders Association
- Kevin Kortsch, Waukesha — Mr., Wisconsin Society of Podiatric Medicine
- John Buonora, Madison — Mr., Wisconsin Association of Nurse Anesthetists
- Jim Hough, Madison — Mr., WCCJ, CTCU, and WEDA
- Carol Gilles, MD, Oak Creek — Ms.
- Ralph Topinka, Janesville — Mr., Mercy Health Systems

Registrations Against

- Linda Kleinschmidt — Ms., Wisconsin Council on Children & Families
- Dave Zak, Crivitz — Mr.

- Lisa Roys, Madison — Ms., State Bar of Wisconsin
- Don Garner-Gerhardt, Wausau — Mr., Teamsters Union
- Joanne Ricca, Milwaukee — Ms., WI State AFL-CIO
- Darcy Haber, Madison — Ms., Wisconsin Citizen Action

October 19, 2005

**EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Absent: (0) None.

Moved by Representative Cullen, seconded by Representative Lehman that **Assembly Amendment LRBA1202** be recommended for introduction.

Ayes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Noes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.

**INTRODUCTION OF ASSEMBLY AMENDMENT LRBA1202 NOT RECOMMENDED, Ayes 6, Noes 9**

Moved by Representative Gielow, seconded by Representative Van Roy that **Assembly Bill 766** be recommended for passage.

Ayes: (9) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg and Moulton.

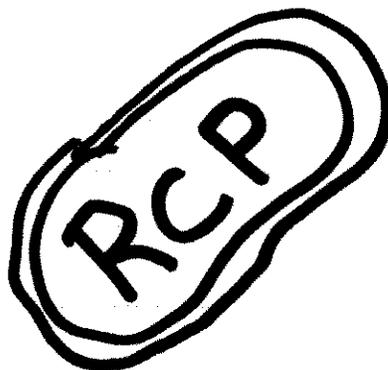
Noes: (6) Representatives Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

**PASSAGE RECOMMENDED, Ayes 9, Noes 6**

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Adam Peer  
Committee Clerk

ANN   
**Nischke**  
www.RepNischke.com



TO: INTERESTED PARTIES

From: Adam Peer, Clerk  
Assembly Committee on Insurance

Date: October 19, 2005

**RE: Unofficial Committee Reports for 2005 AB 764, 765, 766, and 769**

For your information, please find attached the *draft unofficial committee* reports for 2005 AB 764, 765, 766, and 769. These reports are subject to further proofing and change by the chairperson and the Assembly Chief Clerk.

If you have any questions, please feel free to contact me. Other committee documents including audio is available online at ([www.RepNischke.com](http://www.RepNischke.com)).

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## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Assembly Bill 769**

Relating to: requiring actuarial audits of the injured patients and families compensation fund and authorizing the fund's board of governors to organize an insurance corporation.

By Representative Ziegelbauer.

October 17, 2005 Referred to Committee on Insurance.

October 18, 2005 **PUBLIC HEARING HELD**

Present: (13) Representatives Nischke, Wieckert,  
Underheim, Montgomery, Gielow, Ballweg,  
Moulton, Cullen, Lehman, Staskunas, Berceau,  
Nelson and Sheridan.

Absent: (2) Representatives McCormick and Van Roy.

##### Appearances For

- Bob Ziegelbauer — Representative, 25th Assembly District

##### Appearances Against

- None.

##### Appearances for Information Only

- None.

##### Registrations For

- None.

##### Registrations Against

- None.

October 19, 2005 **EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Absent: (0) None.

Moved by Representative Gielow, seconded by Representative Lehman that **Assembly Amendment LRBA1197** be recommended for introduction and adoption.

Ayes: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF ASSEMBLY AMENDMENT LRBA1197 RECOMMENDED, Ayes 15, Noes 0

Moved by Representative Gielow, seconded by Representative Underheim that **Assembly Bill 769** be recommended for passage as amended.

Ayes: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen, Lehman, Staskunas, Berceau, Nelson and Sheridan.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 15, Noes 0

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Adam Peer  
Committee Clerk

## Assembly

### Record of Committee Proceedings

#### **Committee on Insurance**

##### **Assembly Bill 1055**

Relating to: creating a development zone credit for the license fees paid by certain insurers.

By Representatives Nischke, Stone, Honadel and Richards; cosponsored by Senators Schultz, Kapanke, Kanavas, Lazich and Plale.

February 20, 2006 Referred to Committee on Insurance.

February 22, 2006 **PUBLIC HEARING HELD**

Present: (0) None.

Absent: (0) None.

##### Appearances For

- Aaron Oliver — Mr., Wisconsin Department of Commerce

##### Appearances Against

- None.

##### Appearances for Information Only

- Sherrie Gates-Hendrix — Ms., Wisconsin Department of Revenue

##### Registrations For

- Steve Raolce, Milwaukee — Mr., Northwestern Mutual
- Katie Boycks, Madison — Ms., WALHI
- Dale Schultz — Senator, Wisconsin State Senate
- Amy Boyer — Ms., WI Economic Development Assn.
- Pepi Randolph, Madison — Mr., Forward Wisconsin
- Eric Englund, Madison — Mr., Wisconsin Insurance Alliance

##### Registrations Against

- None.

February 23, 2006 **EXECUTIVE SESSION HELD**

Present: (15) Representatives Nischke, Wieckert, Underheim, Montgomery, McCormick, Gielow, Van Roy, Ballweg, Moulton, Cullen,

Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Absent: (0) None.

Moved by Representative Nischke, seconded by Representative  
Wieckert that **Assembly Substitute Amendment 1** be  
recommended for introduction.

Ayes: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Noes: (0) None.

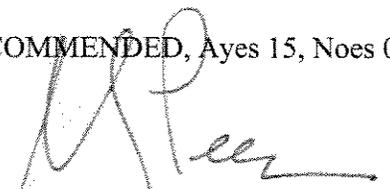
INTRODUCTION OF ASSEMBLY SUBSTITUTE  
AMENDMENT 1 RECOMMENDED, Ayes 15, Noes 0

Moved by Representative Nischke that **Assembly Bill 1055** be  
recommended for passage as amended.

Ayes: (15) Representatives Nischke, Wieckert,  
Underheim, Montgomery, McCormick,  
Gielow, Van Roy, Ballweg, Moulton, Cullen,  
Lehman, Staskunas, Berceau, Nelson and  
Sheridan.

Noes: (0) None.

PASSAGE AS AMENDED RECOMMENDED, Ayes 15, Noes 0



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Adam Peer  
Committee Clerk