

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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August 5, 2011

Please make sure that all of the provisions from 2009 SB 707 that you want to have included in the draft are included. In proposed s. 636.43 (which is much of s. 635.37 from SB 707), I did not retain any of the insurance reform requirements on the assumption that they are now or will be required under federal law.

We have not yet addressed ch. 635 in this draft.

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This version of the draft does not include any financial conflict of interest provision for the authority board members. I sent an email to Linda Kleinschmidt of your office with a couple of examples of such provisions. Please advise what type of conflict of interest provisions you would like included in this draft.

Open records law applies to the authority. The Health Benefit Plan Authority is subject to that provision due to the definition of "authority" in s. 19.32 (1).

There is a specific requirement in this draft that the Legislative Audit Bureau perform financial and performance evaluation of the exchange every two years. The Health Benefit Plan Authority is also subject to the Legislative Audit Bureau provisions because those provisions apply to "any body corporate and politic created by the legislature."

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