

2015 DRAFTING REQUEST

Bill

Received: **10/28/2015** Received By: **gmalaise**
For: **Workforce Development** Same as LRB:
May Contact: By/Representing: **Jim O'Malley**
Subject: **Employ Priv - worker's comp** Drafter: **gmalaise**
Addl. Drafters: **amckean**
Extra Copies:

Submit via email: **YES**
Requester's email: **Jim.OMalley@dwd.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Worker's compensation; various changes

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 11/10/2015	kfollett 11/12/2015	_____			
/P1	gmalaise 11/23/2015		_____	srose 11/12/2015		State S&L
/P2	gmalaise 12/9/2015	kfollett 11/24/2015	_____	chanaman 11/24/2015		State S&L
/P3	gmalaise	kfollett	_____	sbasford		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	12/15/2015	12/11/2015	_____	12/11/2015		S&L
/1		kfollett 12/18/2015	_____	sbasford 12/18/2015	mbarman 12/22/2015	State S&L

FE Sent For:

→ A+
Intro.

<END>

Malaise, Gordon

From: O'Malley, Jim T - DWD <Jim.OMalley@dwd.wisconsin.gov>
Sent: Wednesday, October 28, 2015 10:11 AM
To: Malaise, Gordon
Subject: FW: WCAC AGREED UPON BILL

From: O'Malley, Jim T - DWD
Sent: Wednesday, October 28, 2015 10:08 AM
To: Malaise, Gordon - LEGIS
Subject: WCAC AGREED UPON BILL

The Worker's Compensation Advisory Council (WCAC) reached agreement for statutory changes for the " WC Agreed Upon Bill" for this legislative cycle at the meeting on October 21, 2015.

For additional background I am forwarding instructions for the proposals agreed to by Labor and Management. These include some proposals included in the last " WC Agreed Upon Bill" that did not pass in the last session. The proposals from Management for this session are in the attachment on the left below. The proposals from Labor for this session are in the attachment in the middle below. A modified draft (LRB-3516/P3) for amendments related for the proposal related to financial management services (fiscal agents) is in the attachment on the right below.



WCAC -
MANAGEMENT ...



WCAC - LABOR
PROPOSALS 201...



WCAC - FISCAL
AGENT AMEND...

The WCAC agreed to approve the following proposed amendments to Chapter 102, Stats.

- ✓ s. 102.01 (2) (d) This amendment is to change the definition of "municipality" to "local government unit". The purpose of the amendment is to add to the definition special purpose district, political subdivision and taxing authority of the state. This is the same amendment as was approved in the last session. Refer to 2013 AB-711, Section 3, lines 13-19. There are also some other sections that need to be amended to properly cross reference local governmental unit.

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The WCAC agreed to approve the following proposed amendments to Chapter 102, Stats.

1. s. 102.01 (2) (d) This amendment is to change the definition of "municipality" to "local government unit". The purpose of the amendment is to add to the definition special purpose district, political subdivision and taxing authority of the state. This is the same amendment as was approved in the last session. Refer to 2013 AB-711, Section 3, lines 13-19. There are also some other sections that need to be amended to properly cross reference local governmental unit.

2. s. 102.07 (20) & s. 102.29 (12) Financial management services (fiscal agents) for long term care programs for elderly and disabled people will be permitted to cover all individual receiving services under the WC insurance policy of the fiscal agent. The individuals receiving services (disabled and/or elderly people), who do not have their own WC insurance coverage, will have the individuals providing services covered as employees under the WC insurance policy of the fiscal agent. Employees of the fiscal agents under this amendment will be prohibited from bringing an action in tort against the person who received the long term care services. See the attached modified bill draft (LRB-3516/P3) above on the right the strikethroughs in red for suggested language to use for the amendments. Strikethroughs in red were made in the in the draft bill to delete references to the entity electing under s. 102.078, Stats., to name the individual as an employee and the amendment related to domestic service was deleted. The language for the election by the financial mgt. service was also deleted because it is not necessary and it would generate additional work for fiscal mgt. services and the WCD.
3. s. 102.11 (1) This amendment will increase the permanent partial disability (PPD) weekly by rate by \$20 for injuries occurring in 2016 after the effective date to \$342 and by \$20 to \$362 for injuries occurring on and after January 1, 2017. The Revisor's insert for the effective date for the PPD rate increase in 2016 should be used.
4. s. 102.125 & s.20.445 (1) (ra) This amendment will authorize the Department of Justice (DOJ) to investigate and prosecute fraud involving worker's compensation. The amendment should provide the Worker's Compensation Division (WCD) will provide funding to the DOJ for one (1) FTE position to investigate and prosecute fraud. Funding for this position will be from WCD operations. With this amendment DOJ staff will be authorized to investigate cases of potential worker's compensation fraud and for an assistant attorney general prosecute the case. The amendment will provide that employees, employers, insurance companies and health care providers may be prosecuted for worker's compensation fraud. The current s. 102.125, Stats., provides that prosecutions are made under s. 943.395, Stats. It will be necessary to cross reference other statutory provisions in the criminal code for authority to prosecute employers, insurance companies and health care providers for fraud related to worker's compensation. There should also be an amendment in ch. 20, Stats., for authority for the position and for the Department to fund the position at DOJ. This is the same proposal as was presented in the last session. Refer to 2013 AB-711, Section 1, lines 5-7, and Sections 18 &19, pages 18-19.
5. s. 102.13 (2) (b) This amendment will allow medical providers to charge a fixed rate of \$10 for all medical records in electronic format made per each request. This is based on Management proposal No. 6.
6. s. 102.13 (2) (c) This amendment will clarify that a treating practitioner's final medical report is not required in cases where the claim is completely denied and the injured worker does not contest the denial. The intent is to not require a final treating practitioner's report in cases where there is a complete denial of the claim and the claim is not contested by the employee. The purpose for this amendment is to remedy the situation where a claim is partially denied. An example of a partial denial is when a WC insurance carrier or self-insured employer pays indemnity for more than three (3) weeks discontinues payments stating the claim is denied and that no final medical report is required. The intent is to require the final treating practitioner's report when any of the conditions in

- s. 102.13 (2) (c), Stats., or DWD 80.02 (2) (e) 4 occur even if additional payments are denied. This is the same proposal that was presented in the last session. Refer to 2013 AB-711, Section 21, page 20, line 3.
7. s. 102.13 (2) (c) This amendment is for final medical reports to be provided timely and at a charge of no more than \$100.00. This is based on Management proposal No. 6.
 8. s. 102.17 (4) The statute of limitations for traumatic injuries will be reduced from 12 years to 6 years. The statute of limitations for occupational diseases will remain at 12 years.
 9. s. 102.175 (3) This amendment provides for the apportionment of permanent disability based on causation. This amendment is based on Management proposal No. 2. I am not sure if you would add this as par. (3) to s. 102.175, Stats., or create a new section for this amendment. The intention is for the employer to be responsible or liable only for the extent of injuries that were caused from that work. This amendment will apply to both traumatic and occupational injuries. The proposal includes an employee who claims a work-related injury shall upon request disclose all previous permanent disabilities, physical impairments and records needed to make an apportionment determination. Members of the WCAC suggest using language similar to that used in s. 102.555 (8), Stats., to express the intent that an employer is liable for the permanent disability to which his or her employment contributed, and if previous permanent disability is established the employer is not liable for the previous permanent disability. For this proposal additional drafting instructions may be forwarded to me by the WCAC with suggested language and I will send this to you after it is received.
 10. s. 102.18 (1) (b) This amendment will authorize administrative law judges to have the authority to issue prospective orders for prospective (future) course of vocational rehabilitation training. This is based on Labor proposal No.7. The language for this proposal can be the same as for the amendment in the last session. Refer to 2013 AB-711, Section 27, page 23-24.
 11. s.102.18 (3) This amendment was presented by the Labor and Industry Review Commission (LIRC). The amendment will clarify the language of the standard for LIRC to review late appeals. The standard remains the same; the appeal (petition for review) must be late for a reason beyond the petitioner's control before LIRC can review the appeal. This amendment is part of the same proposal that was presented in the last session. The proposal for appeals of orders awarding or denying compensation to be only filed with LIRC was dropped. Refer to 2013 AB-711, Section 29, page 25, lines 2-6.
 12. s. 102.18 (4) (b) This amendment was presented by LIRC. This amendment is for language to clarify that the time during which LIRC may set aside its decision for further consideration runs from the date of LIRC's decision. The amendment leaves open the option for LIRC to send decisions to the parties other than by mail in the future. This is the same proposal that was presented in the last session. Refer to 2013 AB-711, Section 30, page 25, lines 17-19.
 13. s. 102.23 (1) (a), (c) & (cm) This amendment was proposed by LIRC and is in response to the decision by the Wisconsin Supreme Court in Exel Energy Services Inc. v. LIRC, 339 Wis. 2nd 413

(2013). With this amendment the party who files an appeal of a LIRC decision to the Circuit Court shall be named as the plaintiff and shall name as defendants LIRC and those persons or entities identified by LIRC in its decision as necessary to be named as a party in the appeal to court. The amendment also provides that a court may join other parties not identified by LIRC if the court determines the other party is necessary and joining the other party does not unduly delay the case. The amendment to s. 102.23 (1) (c), Stats., is to delete the "the adverse party" and replace this with "any other defendant". The amendment to s. 102.23 (1) (cm), Stats., is to delete "an adverse party" and replace this with "a defendant". Refer to 2013 AB-2013, Sections 32-34, pages 26-27.

14. s. 102.28 (2) (c), (d), (7) (a), (b) & (bm) These amendments apply to self-insured employers. These are the same proposals from the Self-Insurers Council that were approved by the WCAC in the last session. In Wisconsin both private sector employers and political subdivisions of the state can become self-insured for worker's compensation purposes. Self-insured status for private sector employers and political subdivisions is covered in DWD 80.60 of the Wisconsin Administrative Code. There is a different process for private sector employers and political subdivisions to become self-insured. The WCAC agreed to create a paragraph in s. 102.28 (2) to include in the statutes the process for political subdivisions to become self-insured. We suggest creating a new paragraph, s. 102.28 (2) (bm) for this purpose. Let me know if you want us to forward the suggested language for these amendments that was forwarded to you for drafting instructions last session. These are the same proposals that were presented in the last session. Refer to 2013 AB-711, Sections 35-44, pages 28-33.

The WCAC also agreed to amend the self-insurance revocation process for political subdivisions to eliminate the Self-Insurers Council (SIC) from the process because the SIC is not involved in the approving self-insured status for political subdivisions. The amendment will change the process for a political subdivision wanting to become self-insured again after a revocation of self-insured status. With the amendment a political subdivision will no longer be treated like a private sector employer. After a three (3) year period the political subdivision will be permitted to become self-insured again under the political subdivision process with demonstrating to the Department that it is compliant with the WC Act. We suggest creating another paragraph, s. 102.28 (2) (cm), for this.

The language in the current statute is ambiguous about whether political subdivisions are liable for assessments for insolvent self-insured employers and whether they are covered by the Self-Insured Employers Liability Fund, s. 102.28 (7) & (8), Stats. It has been the long standing interpretation of the law and the practice of the Department that political subdivisions are not assessed to pay claims for insolvent private sector self-insured employers and are not covered by the Self-Insured Employers Liability Fund. The amendment will make clear that only self-insured employers that are assessed are eligible for coverage by the Self-Insured Employers Liability Fund. We suggest creating another paragraph, s. 102.28 (7) (bm), for this amendment.

s. 102.28 (7) (b) This amendment will provide that all assessments against self-insured employers for insolvency will be made on a pro rata basis according to the gross payroll reported to the Department the previous year for unemployment insurance purposes. The assessments are currently based on equal shares for private sector self-insured employers for the first year then on a pro rata basis according to payroll for subsequent assessments.

15. s. 102.425 Reimbursements for medications dispensed outside of a licensed pharmacy shall be limited to the pharmacy fee schedule and the existing dispensing fee. The purpose of this amendment is to address dispensing by health care providers. This amendment is based on part of management proposal No. 4.
16. s. 102.425 (3) (a) 1. With this amendment the Department will have the authority to locate and utilize a successor to the Drug Topics Red Book if this become necessary in the future. This amendment is based on Management proposal No. 5. The intention is to authorize the Department to find and use another nationally recognized pricing source if the Red Book is discontinued and not available in the future. The Department needs to have statutory authorization to use the Red Book until it is no longer available.
17. s. 102.43 (5) (c) This amendment will reinstate, without a sunset, s. 102.43 (5) (c) that provided for no reduction in compensation for temporary disability payable for vocational rehabilitation training based on part-time work up to 24 hours per week during periods of instruction. This amendment is based on Labor Proposal No.6. Section 102.43 (5) (c) sunsetted effective April 30, 2014 due to the last "Agreed Upon Bill" not passing. This proposal was presented in the last session to extend the sunset for two (2) years. This proposal is for the amendment to reinstate s. 102.43 (5) (c) on a permanent basis. Refer to 2013 AB-711, Section 55, page 39, lines 6-18.
18. s. 102.43 (9) (c) With this amendment there shall be no recovery of indemnity benefits when an employee violates an employer's drug and/or alcohol policy where there is direct causation between violating the drug and/or alcohol policy and the workplace injury. I am not sure if this amendment should be included in s. 102.43 (9) (c) or if the amendment should be included in a new paragraph. This amendment is based on Management Proposal No. 10. The language," and causal to the injury" should be added at the end of the first sentence of Management proposal No.10 to state the WCAC's agreement on adopting this proposal.
19. s. 102.43 (9) (e) Compensation for temporary total disability (TTD) will be denied when an employee is released to light duty work and is subsequently terminated for good cause based on Unemployment Insurance (UI) standards. This amendment should probably be included as another paragraph in s. 102.43 (9). This amendment is based on Management proposal No. 11.
20. s. 102.44(1) (ag), (am) & (b) The WCAC agreed to increase supplemental benefits by moving eligibility and benefit rates forward by two (2) years. This amendment will include injury dates occurring in 2001 and 2002. Employees with injury dates occurring before January 1, 2003 will be eligible for supplemental benefits with this amendment. The maximum weekly supplemental benefit rate will be increased from \$582 to \$669 per week. This amendment is from Labor proposal No. 2. This is the same proposal that was presented in the last session. Refer to 2013 AB-711, Sections 56, 58 and 59, pages 39-41. The Revisor's insert for the effective date should be used because the effective date is unknown at this time.
21. s. 20.445 (1) (ra) & Nonstatutory. The WCAC agreed to provide funding authorization for the Department to replace the Uninsured Employer Fund mainframe accounting and collection computer system. The funding will be from the worker's compensation operations fund. Spending

authority is to be increased by \$200,000 in fiscal year 2015-16, and the authorized spending dollar amount is increased by \$796,000 in fiscal year 2016-17.

22. The WCAC also agreed to create a medical advisory committee. The purpose of this committee will be to review the minimum permanent partial disability (PPD) ratings in DWD 80.32 of the Wisconsin Administrative Code. The medical advisory committee is to regularly review and update the minimum PPD ratings as warranted. The medical advisory committee will report to the WCAC. Please wait for further instructions before drafting this provision.

Let me know if you have any questions.

Thank you for your assistance.

Worker's Compensation Advisory Council
Management Proposals
May 27, 2015

1. Reduce the statute of limitations for injuries from twelve (12) years to three (3) years, excepting those injuries caused by exposure to a toxic or hazardous substance. The intention here is to prohibit this obligation from being shifted to the barred claims fund. The claims would simply be denied.
2. Apportionment of permanent disability shall be based on causation. Thus, any physician who prepares a report on the issue of permanent disability shall address the issue of causation of the permanent disability, including a determination of the approximate percentage of permanent disability caused by the direct result of the work-related injury and the percentage attributable to other factors both before and after the injury (including prior injuries). An employee who claims an injury shall, upon request, disclose all previous permanent disabilities or physical impairments.
3. Eliminate the minimum permanent partial disability ratings from the administrative code where certain treatments have made it such that outcomes may result in no permanent disability (e.g., meniscal surgery, joint replacement surgery, etc.). Further, require that all PPD determinations be re-evaluated every three (3) years.
4. Medications dispensed outside of a licensed pharmacy to a workers' compensation claimant may be reimbursed for a period no greater than 15 days from the date of injury. Refills of medications dispensed within 15 days from the date of injury will not be reimbursed. The rate of reimbursement and dispensing fee shall be subject to existing pharmacy fee schedules.
5. (102.425(3)(a)1). The average wholesale price of the prescription drug as of the date on which the prescription drug is dispensed, as quoted in the Drug Topics Red Book, published by Medical Economics Company, Inc. or its successor in a nationally recognized pricing resource.
6. Allow medical providers to charge a fixed rate of \$10 for electronic format for all medical records made in each request. Final medical reports shall be provided timely and at a rate no more than \$100.00.
7. Wage escalation should be eliminated. Disability earning to be based on actual earnings at the time of the injury.
8. For injured workers receiving indemnity benefits, there shall be a rebuttable presumption that when an individual applies for and receives Social Security retirement benefits that they are no longer in the available for work and therefore no further disability payments are payable.
9. There shall be no death benefit in PTD claims when the death is unrelated to the occupational injury or illness.

Summary of Labor Proposals for the Worker's Compensation Agreed Bill - May 27, 2015

Permanent Partial Disability Benefit Rate:

Increase the PPD rate for each of the next two years by \$30 in 2016 and \$15 in 2017. This would increase the weekly maximum PPD rate from \$322 to \$352 for injuries occurring in 2016, and \$367 for injuries beginning 1/1/17.

Supplemental Benefits Rate:

A two year bump in eligible dates/rates. Current law provides supplemental benefits for those with a date of injury occurring before 1/1/2001 with a supplement to a maximum rate of \$582. This would provide supplemental benefits for those injured prior to 01/01/2003 at a maximum rate of \$669.

Supplemental Benefits - Future payments from Division Operating Fund:

Switch responsibility for payment of future SBF payments from the work injury Supplemental Benefit Fund (WISBF) to Division Operating Funds, with carriers to reimburse Division by proportion.

Indexing of Permanent Total Disability Rate:

Indexing with 6 year lag. For injuries beginning 1/1/16, index weekly benefits for permanent total disability or continuous temporary total disability for more than 24 months after the date of injury to the rate in effect at the time the benefit accrues for periods more than six years after the date of injury.

Indexing of Permanent Partial Disability Benefits After 200 Weeks:

An employee receiving PPD benefits after 200 weeks is entitled to the same proportion of the maximum rate of PPD in effect at the time of payment beginning with the 201st week of PPD benefit.

Vocational Retraining - Reinstate no reduction of TTD for Part Time Work During Retraining:

Reinstate Section 102.43(5)(c) (which sunsetted on 04/30/14 for lack of passage of the last agreed bill) that provided for no reduction in TTD benefits for vocational retraining for part time work up to 24 hours per week during periods of instruction.

Vocational Retraining - Prospective Orders:

Allow ALJs to issue prospective orders directing the insurer to pay for a future course of instruction or training.

Continuation of Health Care Coverage:

If an employer fails to continue to maintain group health care coverage for an injured worker during the period of temporary disability, the employee is due an additional benefit equal to 100% of the employer contributions that the employer failed to pay, in addition to any temporary disability benefits under the Act.

Prescription Drugs - Provider Dispensing:

If a prescription drug is dispensed to the patient by the provider, the price is limited to the pharmacy fee schedule.

Electronic Medical Record Costs:

Records provided in electronic format are limited to a flat rate of \$26 per request, regardless of the number of pages of electronic records.

Funding of DOJ Position - Fraud

Provide funding for one position at DOJ for the investigation and prosecution of fraud by employees, employers, insurers or providers.

Malaise, Gordon

From: O'Malley, Jim T - DWD <Jim.OMalley@dwd.wisconsin.gov>
Sent: Tuesday, November 03, 2015 1:18 PM
To: Malaise, Gordon
Subject: [SEND SECURE] ADDITIONAL DRAFTING INSTRUCTIONS FOR WCAC AGREED UPON BILL

I am sending this e-mail with some additional drafting instructions for the amendments to ch. 102, Stats., approved by the WCAC for this session.

Ms. Stephanie Bloomingdale, the lead Labor representatives on the WCAC, forwarded language for the proposal related to apportionment of permanent disability (Management proposal No. 2). The language is as follows: "

Apportionment of permanent partial disability in the case of an accidental injury shall be based on causation. An employer is liable for the entire permanent partial disability directly resulting from the accidental injury, but if previous permanent partial disability is established by competent evidence, the employer is not liable for the permanent partial disability so established. However, if previous permanent partial disability is attributable to occupational exposure with the same employer, the employer is liable for such prior permanent partial disability so established. An employee who claims a work related injury shall, upon request, disclose all previous permanent disabilities to the body parts claimed to be injured in the work related injury."

Mr. Jeff Beiriger, lead Management representative on the WCAC, called me yesterday afternoon. He advised that additional statutory language would be provided for the proposal related to apportionment of permanent disability. I will forward this to you after I receive it.

Tracey Schwalbe, General Counsel for LIRC, called me about the LIRC proposals. She advised me that LIRC may request effective date(s) that are different from the effect date of the bill. She will contact me in a few days if LIRC is requesting any different effective date(s) to be included in bill for the amendments requested by LIRC.

In reviewing the amendments requested by the Self-Insurers Council, there is no specific statutory authority to promulgate rules for the approval process of self-insured status in s. 102.28 (2) and assessments/payments by the Self-Insured Employers Liability Fund in s. 102.28 (7). Currently in the rule making process there is close scrutiny to make sure there is specific statutory authority to promulgate administrative rules. We currently have rules covering assessments to cover insolvent self-injured employers in DWD 80.40 and the process to obtain self-insured status in DWD 80.60. We will need to amend these rules after the amendments in the bill become effective. For this reason we also request that you include statutory authority to promulgate rules for s. 102.28 (2) and (7), Stats.

Following out telephone conversation yesterday I reviewed my notes and the minutes of the WCAC meeting on October 21st for more information about the medical advisory committee. I also had a discussion with Mr. Beiriger. Your suggestion to include the medical advisory committee in a nonstatutory provision is a good idea and what I believe the WCAC intended. The language for this should reflect the department shall establish a medical advisory committee. The role or charge for the medical advisory

committee is to revise and update the minimum PPD ratings that are established in DWD 80.32 of the Wisconsin Administrative Code. The members will be from one or more specialties or treating disciplines. The department shall set the terms and conditions for membership. In making appointments to the medical advisory committee the department shall consider an individual's training and experience, the number of years the individual was in practice in a particular specialty or treating discipline, certification by professional boards or other organizations, recommendations from organizations that regulate or promote professional standards in the specialty or treating discipline the individual is a member and any other factors the department may determine are relevant to an individual's knowledge and ability to serve as a member of the medical advisory committee.

Let me know if you have any questions.

Thank you for your assistance.

Malaise, Gordon

From: O'Malley, Jim T - DWD <Jim.OMalley@dwd.wisconsin.gov>
Sent: Tuesday, November 03, 2015 3:45 PM
To: Malaise, Gordon
Subject: DRAFTING INSTRUCTIONS FOR PROPOSAL FOR APPORTIONMENT OF PERMANENT DISABILITY

Earlier this afternoon I received the following language for the apportionment proposal.

Here is our suggested language that defines the intent of the apportionment proposal. Labor has suggested a distinction between occupational exposure and accidental injuries and we're not sure if that's necessary. We agreed with them that if an employer caused the initial injury they would be responsible for it and the new injury, but we thought that was simply a matter of the law and didn't require any specific language distinguishing between traumatic and occupational injuries. If there is a reason to distinguish, we'd appreciate an explanation.

Management's language....

An employer is only liable for the percentage of disability (PPD) to which his or her employment has contributed to the permanent disability. An employer is not liable for compensating an employee's preexisting disability that arose out of the course of employment with a different employer or any other factors that are not compensable.

- a. Apportionment of permanent disability shall be based on causation.**
- b. The physician who prepares the report on the issue of permanent disability shall address the issue of causation of the permanent disability.**
- c. The physician shall include a determination of the approximate percent of permanent disability caused by the work place injury and the percentage which is attributed to other factors previous to the injury and after the injury**
- d. An apportionment of a permanent partial disability shall be made only if the preexisting disability is clearly evidenced in a medical report or record.**
- e. An employee who claims an injury shall upon request disclose all previous permanent disability or impairments relevant to the injury.**

Let me know if you have any questions.

Thank you for your assistance.

Malaise, Gordon

From: O'Malley, Jim T - DWD <Jim.OMalley@dwd.wisconsin.gov>
Sent: Wednesday, November 04, 2015 1:02 PM
To: Malaise, Gordon
Subject: EFFECTIVE DATE FOR LIRC PROPOSALS IN WC BILL

Tracey Schwalbe from Labor and Industry Review Commission (LIRC) just advised that LIRC is requesting that July 1, 2016 should be the effective date for the amendments to s. 102.18 (3) and (4) (b), Stats., related to administrative review of worker's compensation orders and s. 102.23 (1) (a), (c) and (cm), Stats., related to judicial review.

The reason for this request is that if the "WC Agreed Upon Bill" is enacted early next year, the July 1, 2016 effective date will give LIRC enough time to get its processes and technological changes in place.

Thank you for your assistance.

Let me know if you have any questions.