

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date January 28, 2025
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) DWD 80 - Worker's Compensation	
4. Subject Minor and technical changes to the worker's compensation program.	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input checked="" type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected 20.445 (1) (ra), (rb), and (s)
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$There will be no cost of implementation and compliance to businesses, local government units or individuals.	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule The current rules do not conform to the relevant statutes. If the Department does not promulgate the proposed rules, the current rules will not conform to current state statutes. This will result in confusion in administering the law.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. The Department provided an opportunity for the public, including the above entities, to submit comments on the economic impact for 14 days. The Department did not receive any comments.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA. As noted above, the Department did not receive any comments from local government units.	
14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) The rule will have no economic or fiscal impact on specific businesses, business sectors, public utility rate payers, local governmental units and the state's economy as a whole. There will be no costs for implementation and compliance.	
15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule The policy alternative is to do nothing. The current rules do not conform to the relevant statutes. If the Department does not move forward with promulgating the proposed rules, the current rules will not conform to current state statutes. This will result in confusion in administering the law.	
16. Long Range Implications of Implementing the Rule The long range implications of implementing the rule are to have the language in the rule conform with current statutes.	
17. Compare With Approaches Being Used by Federal Government N/A	
18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)	

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Illinois: There is a similar rule in Illinois for determining whether a private self-insured employer is unable to pay benefits and for the initial and further assessments by a state fund responsible for payments on behalf of insolvent self-insured employers. There are no rules applicable to the approval process for self-insurance of the state and local government units, registration with the agency regulating financial institutions and reasonableness of fee dispute resolution process.

Iowa: The rules provide for additional requirements and a more regulated process compared to Wisconsin for political subdivisions to become and remain self-insured for worker's compensation liability. There are no rules applicable to a state fund responsible for payments on behalf of insolvent self-insured employers, registration with the agency regulating financial institutions and reasonableness of fee dispute resolution process.

Michigan: The rule pertaining to a fund that is responsible to pay worker's compensation obligations of insolvent private self-insured employers is similar to rules in Wisconsin. The Michigan rule covering the self-insurance approval process for private employers and political subdivisions provides for a more regulated process for political subdivisions to become self-insured compared to rules in Wisconsin. There are no rules related to registration with agency regulating financial institutions and reasonableness of fee dispute resolution process.

Minnesota: There are no rules for the operation and assessments of a fund that provides payments on behalf of insolvent self-insured employers, the self-insurance approval process for political subdivisions, registration with the agency regulating financial institutions and reasonableness of fee dispute resolution process.

19. Contact Name

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20. Contact Phone Number

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- ☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No
