

December 7, 2018

SENATOR STEPHEN NASS  
SENATE CO-CHAIRPERSON  
JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES  
ROOM 10 SOUTH, STATE CAPITOL  
MADISON WI 53702

REPRESENTATIVE JOAN BALLWEG  
ASSEMBLY CO-CHAIRPERSON  
JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES  
ROOM 210 NORTH, STATE CAPITOL  
MADISON, WI 53702

Re: Petition for Authorization to Repeal Rule Ins 5.03 (5), and 5.17 (1) (a) 2, Wis. Adm. Code

Dear Senator Nass and Representative Ballweg:

I am petitioning for authorization to repeal s. Ins. 5.03 (5), and 5.17 (1) (a) 2., Wis. Adm. Code, relating to the Wisconsin health insurance risk-sharing plan (HIRSP). A copy of the proposed rule is attached.

The agency lacks authority to administer the rules under s. Ins. 5.03 (5), and 5.17 (1) (a) 2., Wis. Adm. Code, as the statute cited in the code provision references a statute, ch 149, Stats., that was repealed by 2013 Wisconsin Acts 20 and 116 and not replaced. Sections Ins. 5.03 (5) and 5.17 (1) (a) 2., Wis. Adm. Code, provided an administrative review process for the HIRSP board and established an address where the HIRSP board could be served. There are two additional references to the HIRSP board within s. Ins 5.01 (1) and 5.17 (5) that should be amended to strike the references to the HIRSP board.

Therefore, I request authorization to repeal this rule by utilizing the expedited process under s. 227.26(4), Wis. Stat.

Sincerely,

Theodore K. Nickel  
Commissioner