



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 586

Assembly Amendment 1

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Assembly Bill 586

Assembly Bill 586 clarifies the procedure to be followed for a governmental unit (typically a county) to get reimbursed for medical costs it paid on behalf of an injured person receiving public assistance if the injured person receives a workers compensation award for the injury.

Assembly Bill 586 also clarifies the amount that a governmental unit (typically a county) is entitled to receive as reimbursement for medical costs, as follows:

- If the workers compensation award results from a compromise or stipulation, the governmental unit is entitled to the actual amount it paid on behalf of the injured person, or 2/3rds of the workers compensation award, or an amount agreed to by the governmental unit, whichever is less.
- If the workers compensation award results from a hearing or from a default, the governmental unit is entitled to the actual amount it paid on behalf of the injured person, or for the amount of liability of the employer or insurance carrier, whichever is less.

Assembly Bill 586 requires a governmental unit that receives reimbursement to pay the attorney, or other representative of the injured person who obtained the compensation award, 20% of the amount of reimbursement recovered for the governmental unit.

Assembly Amendment 1

Assembly Amendment 1 makes statutory changes necessary to authorize the Department of Health Services to make payments for attorney fees from amounts it receives as reimbursements, as required under the bill.

Legislative History

Assembly Bill 586 was introduced on November 18, 2009 by Representative Sherman; cosponsored by Senator Taylor. Assembly Amendment 1 was introduced on December 15, 2009 by Representative Sherman.

On February 22, 2010, the Assembly Committee on Jobs, the Economy and Small Business recommended adoption of Assembly Amendment 1 on a vote of Ayes, 12; Noes, 0, and passage of the bill, as amended, on a vote of Ayes, 11; Noes, 1.

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