

# State of Wisconsin

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## Joint Committee on Finance

### MEMORANDUM

To: Members  
Joint Committee on Finance

From: Senator Alberta Darling  
Representative John Nygren

Date: March 18, 2020

Re: 14-Day Passive Review Approval – OCI

Pursuant to s. 655.27(3)(bt), Stats., attached is a 14-day passive review request from the Office of the Commissioner of Insurance, received on March 18, 2020.

Please review the material and notify **Senator Darling** or **Representative Nygren** no later than **Monday, April 6, 2020**, if you have any concerns about the request or if you would like the Committee to meet formally to consider it.

Also, please contact us if you need further information.

Attachments

AD:JN:jm



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Tony Evers, Governor  
Mark V. Afable, Commissioner

Wisconsin.gov

March 18, 2020

Injured Patients and Families Compensation Fund

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THE HONORABLE ALBERTA DARLING  
THE STATE SENATE  
CO-CHAIR, JOINT COMMITTEE ON FINANCE  
317 E STATE CAPITOL  
MADISON, WI 53707-7882

MAR 18 2020

*JA. FINANCE*

THE HONORABLE JOHN NYGREN  
THE STATE ASSEMBLY  
CO-CHAIR, JOINT COMMITTEE ON FINANCE  
309 E STATE CAPITOL  
MADISON, WI 53708

Re: Report of the Injured Patients and Families Compensation Fund Annual Fund Fee and Medical Mediation Panel Fee Changes for Fiscal Year 2021 Beginning July 1, 2020.

Dear Senator Darling and Representative Nygren:

Please allow this letter to serve as the Office of the Commissioner of Insurance (Office) report to the Joint Committee on Finance regarding the Office's request for a change in the Injured Patients and Families Compensation Fund (Fund) annual Fund fees and medical mediation panel (Panel) fees in accordance with Wis. Stat. § 655.27 (3) (bt).

The Fund was established by, and is operated under Wis. Stat. Ch. 655. Pursuant to Wis. Stat. § 655.27 (3) (b), the Commissioner, after approval by the Fund Board of Governors, shall set the Fund fees annually and by Wis. Stat. § 655.61, shall set the Panel fees at a level sufficient to provide the necessary revenue to fund the medical mediation panels. The fees become effective following submission to and review by the Joint Committee on Finance and in accordance with 2015 Wis. Act 90.

**Fund Fees**

For the fiscal year 2021 beginning July 1, 2020 the Commissioner is requesting no change to Fund fees that participating health care providers must pay to the Fund. The Board approved this at its meeting on March 18, 2020, based upon the recommendation of the Board's actuarial and underwriting committee and reports of the Fund's actuaries.

### **Mediation Panel Fees**

The Board is required to set the annual fees for the operation of the medical mediation panel and submit the fees to the Joint Committee on Finance in accordance with Wis. Stat. § 655.27 (3) (bt), based on the recommendation of the Director of State Courts. The Director of State Courts submitted its fiscal year 2021 request on December 11, 2019. The Board's actuarial and underwriting committee met in February 2020 and based upon prior requests from the Director of State Courts recommended to the Board at the March 18, 2020 meeting to request the Board's contracted actuary calculate the Panel fees based on the State Courts request. The Commissioner is setting the 2021 fiscal year Panel fees in accordance with the Board authorization from the March 18, 2020 meeting approved Panel fees at \$9.75 for physicians and \$2.25 per occupied bed for hospitals, representing a decrease of \$3.00 per physician and a decrease of \$0.25 per occupied bed for hospitals from the 2020 fiscal year Panel fees.

The Fund and Panel fees, once reviewed by the Joint Committee on Finance, will be published to the Office's and Fund's website in accordance with Wis. Stat. § 655.27 (3) (bt), and will request the Director of State Courts to also post the rates on its website.

Please do not hesitate to contact our Office if you have further questions or need additional information.

Sincerely,



Nathan Houdek  
Deputy-Commissioner

cc: Brynn Bruijn-Hansen, Fund Director