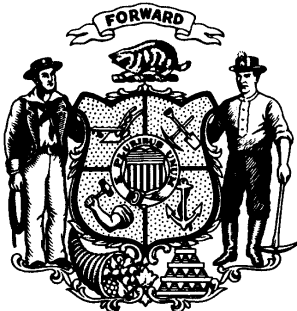


State of Wisconsin



1999 Senate Bill 155

Date of enactment: **April 21, 2000**

Date of publication*: **May 5, 2000**

1999 WISCONSIN ACT 86

AN ACT to repeal 16.009 (2) (k), 16.009 (2) (L), 16.009 (2) (m) and 16.009 (2) (n); and **to amend** 16.009 (4) (e) (intro.) of the statutes; **relating to:** elimination of requirements concerning information about physicians who voluntarily accept assignment for payment of Medicare claims and authorizing release of certain information by the designated representative of the long-term care ombudsman (suggested as remedial legislation by the board on aging and long-term care).

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the board on aging and long-term care and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 16.009 (2) (k) of the statutes is repealed.

SECTION 2. 16.009 (2) (L) of the statutes is repealed.

SECTION 3. 16.009 (2) (m) of the statutes is repealed.

SECTION 4. 16.009 (2) (n) of the statutes is repealed.

NOTE: SECTIONS 1 to 4 eliminate provisions in current law which require the board on aging and long-term care to gather information and report to the legislature on physicians in Wisconsin who accept medicare part B and "accept assignment" of medicare reimbursement as payment in full for services provided to medicare beneficiaries. According to the board on aging and long-term care, this requirement should be repealed because this information is readily available from other sources, and requiring board staff to gather this information is duplicative.

SECTION 5. 16.009 (4) (e) (intro.) of the statutes is amended to read:

16.009 (4) (e) (intro.) Information of the office relating to a client, complaints or investigations under the program may be disclosed only at the discretion of the ombudsman or his or her designated representative. The identity of a client or named witness or of a resident who is not a client may be revealed under this paragraph only if one of the following conditions is met:

NOTE: This SECTION allows the designated representative of the long-term care ombudsman to disclose information relating to a client or to complaints or investigations at the designated representative's discretion. Currently, only the long-term care ombudsman (interpreted to mean the executive director of the board on aging and long-term care) is authorized to make such disclosures. This prevents regional ombudsmen employed by the board from releasing such information. The amendment to this SECTION would permit the regional ombudsman to make decisions regarding the release or withholding of information regarding clients.

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].