



1995 SENATE BILL 242

June 1, 1995 – Introduced by Senators LEEAN, ELLIS and RUDE, by request of Governor Tommy G. Thompson. Referred to Committee on Health, Human Services and Aging.

1 **AN ACT to amend** 146.89 (1), 146.89 (2) (a) 2., 146.89 (2) (c), 146.89 (2) (d) and
2 146.89 (3) (a) 2. of the statutes; **relating to:** changing requirements for
3 approval of certain applications for participation in the volunteer health care
4 provider program.

Analysis by the Legislative Reference Bureau

Currently, under the volunteer health care provider program, licensed physicians, dentists, optometrists, registered nurses, practical nurses or nurse-midwives or certified physician assistants who provide services without charge at certain nonprofit agencies are state agents of the department of health and social services for the purposes of representation by the department of justice in any court actions arising from the health care services that they provide. Amounts that are recoverable by civil suit against these health care providers are limited and judgments against them in these suits are payable by the state. The health care providers may not receive income from the practice of their professions when providing services at the nonprofit agency; they are limited in the types of services that they may provide; and they must provide services to certain low-income, uninsured persons. To participate in the volunteer health care provider program, the health care providers must submit jointly with the nonprofit agency an application to the department of administration (DOA). DOA may approve an application submitted for the provision of services in Brown, Dane, Dodge, Fond du Lac, Kenosha, La Crosse, Milwaukee, Outagamie, Racine, Rock or Sheboygan county. For all other counties in the state, however, the application must first be approved by the joint committee on finance (JCF) before DOA may approve it. Approval by DOA is valid for one year and may be renewed.

This bill changes the requirement that applications for participation in the volunteer health care provider program that are submitted from counties other than Brown, Dane, Dodge, Fond du Lac, Kenosha, La Crosse, Milwaukee, Outagamie,

Racine, Rock or Sheboygan county be approved by JCF before DOA may approve them; under the bill, the applications must be submitted to JCF and, if JCF does not schedule a meeting for application review within 14 days after submittal, may be approved.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 146.89 (1) of the statutes is amended to read:

2 146.89 (1) In this section, “volunteer health care provider” means an individual
3 who is licensed as a physician under ch. 448, dentist under ch. 447, registered nurse,
4 practical nurse or nurse-midwife under ch. 441 or optometrist under ch. 449 or
5 certified as a physician’s assistant under ch. 448 and ~~who receives no income from~~
6 ~~the practice of that health care profession or~~ who receives no income from the practice
7 of that health care profession when providing services at the nonprofit agency
8 specified under sub. (3).

9 **SECTION 2.** 146.89 (2) (a) 2. of the statutes is amended to read:

10 146.89 (2) (a) 2. A volunteer health care provider may participate under this
11 section only if he or she submits a joint application with a nonprofit agency in a
12 county that is specified under sub. (3) (a) 2. to the department of administration and
13 ~~that department approves the application after first submitting~~ and the application
14 is approved by the department. Before the department of administration may
15 approve an application, it shall submit the application to the joint committee on
16 finance for review ~~under the procedures specified in s. 13.10, and obtaining approval~~
17 ~~from the joint committee on finance for the application.~~ The department of
18 administration shall disapprove the application if the joint committee on finance has
19 disapproved it. If the cochairpersons of the joint committee on finance do not notify

1 the department of administration that the committee has scheduled a meeting for
2 the purpose of reviewing the application within 14 working days after the date of the
3 submittal, the department of administration may approve the application. If, within
4 14 working days after the date of the submittal, the cochairpersons of the committee
5 notify the department of administration that the committee has scheduled a meeting
6 for the purpose of reviewing the application, the department of administration may
7 approve the application only with the approval of the committee. The department
8 of administration shall provide application forms for use under this subdivision.

9 **SECTION 3.** 146.89 (2) (c) of the statutes is amended to read:

10 146.89 (2) (c) The department of administration shall notify the volunteer
11 health care provider ~~and~~, the nonprofit agency and the department of health and
12 social services of the department's decision to approve or disapprove the application.

13 **SECTION 4.** 146.89 (2) (d) of the statutes is amended to read:

14 146.89 (2) (d) Approval of an application of a volunteer health care provider is
15 valid for one year. If a volunteer health care provider wishes to renew approval, he
16 or she shall submit a joint renewal application with a nonprofit agency to the
17 department of administration for review. The department of administration need
18 not submit the renewal application to the joint committee on finance before
19 approving or disapproving the application. The department of administration shall
20 provide renewal application forms that are developed by the department of health
21 and social services and that include questions about the activities that the individual
22 has undertaken as a volunteer health care provider in the previous 12 months.

23 **SECTION 5.** 146.89 (3) (a) 2. of the statutes is amended to read:

24 146.89 (3) (a) 2. The volunteer health care provider shall provide services under
25 par. (b) without charge in any county, other than those counties specified in subd. 1.,

1 at the nonprofit agency, if the joint application of the volunteer health care provider
2 and the nonprofit agency in that county has received approval under sub. (2) (a) 2.

3 (END)