

	Statute/Rule	Topic	Proposal	Source	Date
1.	1.No Current Statute or Rule 2. 102.42 (2)	1. Medical Fee Schedule 2.Choice of Treating Practitioner	1.Establish a medical fee schedule. 2.Allow employers to select practitioners to treat injured employees.	Bob Juul, President, The Motor Company	e-mail message 12/4/22
2.	102.17 (9)	PTSD Coverage for EMS Personnel	Amend the law to provide the same worker's compensation coverage for PTSD to all EMS providers as for fire fighters and police officers.	Walter Peterson, EMT-B, President, District One EMS Membership Association, Dane County District One EMS	e-mail message 12/8/22
3.	102.17 (9)	PTSD Coverage for EMS Personnel & Volunteer Fire Fighters	Amend the law to provide worker's compensation coverage for PTSD to all EMS personnel and volunteer firefighters.	Mahlon Mitchell, State President, Professional Firefighters of Wisconsin	Public Hearing & Letter 12/15/22
4.	102.17 (9)	PTSD Coverage for EMS Personnel and Others	Provide worker's compensation coverage for PTSD to emergency medical responders, EMS personnel, volunteer fire fighters, correctional officers, emergency dispatchers, coroners, coroner staff members, medical examiners and medical examiner staff that is provided by the amendments included in 2021 SB-680 & 2021 SB-681.	Senator Andre Jacque	Public Hearing 12/15/22
5.	102.17 (9)	PTSD Coverage for EMS Personnel	All EMS personnel should be provided the same worker's compensation coverage for PTSD as full-time firefighters.	Aaron Lipske, Chief, City of Milwaukee Fire Department	Public Hearing 12/15/22

6.	102.17 (9)	PTSD Coverage for EMS Personnel	Volunteer and standalone EMS personnel should have the same worker's compensation coverage for PTSD that full-time fire fighters received in 2021 Wis. Act 29.	Lt. Brent Jones, Milwaukee Fire Department	Public Hearing 12/15/22
7.	102.17 (9)	PTSD Coverage for Volunteer First Responders	Provide the same worker's compensation coverage for PTSD to volunteer first responders that is available to full-time fire fighters.	Bob Salov, Wisconsin Emergency Medical Services Association (WEMSA)	Public Hearing & Letter 12/15/22
8.	102.17 (9)	PTSD Coverage for EMS Personnel	Volunteer EMS personnel should have the same worker's compensation coverage for PTSD as full-time fire fighters.	Robert Fleege, Green County EMS	Public Hearing 12/15/22
9.	102.17 (9)	PTSD Coverage for Volunteer Fire fighters & EMS Personnel	Volunteer fire fighters and EMS personnel should be provided with the same worker's compensation coverage for PTSD that full-time fire fighters received in 2021 Wis. Act 29.	B. J. De Maa, Chief, Waupun Fire and Rescue Department	Public Hearing 12/15/22
10.	102.17 (9)	PTSD Coverage for EMS Personnel	EMS, EMT and EMR personnel should have the same worker's compensation coverage for PTSD that full-time fire fighters received in 2021 Wis. Act 29.	Alan De Young, Executive Director, Wisconsin Emergency Medical Services Association (WEMSA)	Public Hearing 12/15/22
11.	102.17 (9)	PTSD Coverage for Volunteer EMS Personnel	Volunteer EMS personnel should have the same worker's compensation coverage for PTSD as full-time fire fighters.	Donald Richert, Volunteer firefighter and EMS with a small department in Northern Wisconsin	Public Hearing 12/15/22

12.	No Current Statute or Rule	WC Medical Reimbursement Rates	Tie worker's compensation reimbursement rates to a formula based on what private insurers pay the health care facility.	Erik D. Reichertz, CFO, ATACO Steel Products Corp.	e-mail message 12/28/22
13.	102.17 (9)	PTSD Coverage for EMS Personnel and Volunteer Fire Fighters	EMS Personnel and volunteer fire fighter should have the same worker's compensation coverage for PTSD that full-time fire fighters were given in 2021 Wis. Act 29.	Katy Frey, Critical Care Paramedic; Co-Chair Wisconsin Emergency Medical Services Association (WEMSA); Allina Health EMS/River Falls	e-mail message 1/7/23
14.	102.17 (9)	PTSD Coverage for Volunteer Fire Fighters and EMS Personnel	Volunteer fire fighters and EMS personnel should have the same worker's compensation coverage for PTSD that full-time fire fighters were provided.	Tony Lash Paramedic, Captain-Rescue Services, Union Grove Yorkville Fire Department; President, Board of Directors, Wisconsin Emergency Medical Services Association (WEMSA)	e-mail message 1/9/23

15.	102.16 (2m) 102.425 & Ch. DWD 81	Medical Cost Containment	The WCAC should include meaningful medical cost containment strategies in the " WC Agreed Upon Bill" for this legislative session including the following: <ul style="list-style-type: none"> Medical fee schedule Pharmaceutical fee & utilization regulations Limiting provider choice Managed care regulations Utilization review Preauthorization for non-emergency care Treatment limitations Treatment guidelines 	Brian Dake, President, Wisconsin Independent Businesses	Letter 1/9/23
16.	102.17 (9)	PTSD Coverage for EMS Personnel	EMS personnel should have worker's compensation coverage for PTSD.	Ben Toombs, Director, Trauma, Burn & Emergency Surgery Services, UW Hospital and Clinics Thomas Ellison, Manager, Adult Trauma, UW Hospital and Clinics	Letter 1/10/23
17.	102.17 (9)	PTSD Coverage for Emergency Dispatchers & Emergency Services Staff	1.Expanding worker's compensation coverage for PTSD to emergency dispatchers is not warranted. 2.Section 102.17 (9) (a) 2, Wis. Stats., should be amended to add that a mental injury may not be the result of a "good faith investigation" by the employer.	Nilsa Rosado- Jurkiewicz, City of Milwaukee, Department of Employee Relations	Letter 1/11/23

18.	<p>1.No Current Statute or Rule</p> <p>2.No Current Statute or Rule</p> <p>3.No Current Statute or Rule</p> <p>4.No Current Statute or Rule</p> <p>5.No Current Statute or Rule</p> <p>6.No Current Statute or Rule</p>	<p>1.Opioid Prescribing Guidelines</p> <p>2.Limit Morphine Equivalent Dose (MED)</p> <p>3.Physician Dispensing Limitation for Opioids</p> <p>4. Limit Charges for Repackaged Drugs</p> <p>5.Compounded Medications/Co-Packaged Drug Kits/Convenience Packs</p> <p>6.Average Wholesale Price (AWP) Source</p>	<p>1.Codify the Opioid Prescribing Guidelines that were established by the Wisconsin Medical Examining Board in 2018.</p> <p>2.Establish a 50 morphine equivalent dose (MED) threshold limitation for prescribing opioids.</p> <p>3.Permit physician dispensing only during the initial visit within 10 days following a work-related injury; Limit the days' supply for any physician dispensed medication to seven (7) days; and require prior authorization for physician dispensed medication in an outpatient setting.</p> <p>4.Adopt the proposed s. 102.425 (3) (am) covering charges for repackaged drugs using the same or similar language that was used in 2014 AB-71 (2013-2014 WCAC WC Agreed Upon Bill).</p> <p>5.Set reimbursement for compounded drugs, co-packaged drug kits, and convenience packs based on the fee schedule rates applicable to the individual products contained in these. Ingredients with no NDC and supplies that are incidental such as gloves, bandages, and syringes are not considered integral to the package and should not be reimbursed without pre-authorization.</p> <p>6.Amend s. 102.425, Wis. Stats., to reflect the current name and publisher of the Red Book to Merative Micromedex Red Book published by IBM; and add Medi-Span PriceRx published by Wolters Kluwer as another average wholesale price (AWP) drug pricing source.</p>	<p>Tiffany Grzybowski, Analyst, Advocacy & Compliance, Healthsystems, LLC</p>	<p>Letter 1/11/23</p>
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19.	102.125	WC Fraud	<p>Examine s. 102.125, Wis. Stats., related to fraud reporting, investigation and prosecution.</p> <p>Require the Department of Workforce Development Worker's Compensation Division (DWD WCD) to create an annual report focused on worker's compensation fraud.</p> <p>Require the DWD WCD to report how many results of investigation were referred to the Wisconsin Department of Justice or District Attorneys each year.</p> <p>Require worker's compensation insurance carriers to report suspected payroll fraud to the DWD WCD.</p> <p>Require DWD WCD to examine claims data for suspected fraud being committed by medical providers.</p>	Anonymous	Undated Letter Postmarked 1/13/23
20.	102.17 (9)	Non-Traumatic Mental Injuries (PTSD)	<p>Fully reform the compensability standard for mental injuries not accompanied by physical injuries.</p> <p>Extend to all employees the compensability standard for mental injuries not accompanied by physical injuries that currently only applies to law enforcement and full-time firefighters.</p> <p>Conduct a study to identify workplaces where mental injuries not accompanied by physical injuries are common.</p> <p>Do more to make Wisconsin workplaces safer and do more to reduce workplace injuries.</p>	Anonymous	Undated Letter Postmarked 1/14/23
21.	No Current Statute or Rule	WC Hearings	<p>Create a time standard for conducting worker's compensation hearings.</p> <p>Create a faster hearing process for resolving disputed worker's compensation claims</p> <p>Create an online dashboard displaying the current waiting time for a hearing.</p> <p>Create an online dashboard that displays the outcomes of disputed worker's compensation hearings.</p>	Anonymous	Undated Letter Postmarked 1/14/23

22.	No Current Statute or Rule	Uninsured Employers	<p>Conduct a study to identify which businesses and professions frequently fail to satisfy worker's compensation requirements.</p> <p>Conduct a targeted outreach campaign focused on businesses and professions that frequently fail to satisfy worker's compensation requirements.</p> <p>Conduct an outreach campaign focused on educating new businesses about worker's compensation requirements.</p> <p>Create a safe-harbor rule that allows employers during a limited period of time to prospectively put money in a trust for worker's compensation insurance in exchange for avoiding fines.</p>	Anonymous	Undated Letter Postmarked 1/14/23
23.	<p>1. 102.11(1)</p> <p>2.102.44(1) (ag)</p>	<p>1. Automatic Formula for Increasing PPD</p> <p>2. Supplemental Benefits</p>	<p>1. Establish an automatic formula in the statutes for annually increasing permanent partial disability (PPD) benefits.</p> <p>2. Establish an automatic schedule for bringing an additional number of permanently and totally disabled workers into the supplemental benefit program while also providing for regular periodic increases in those benefits.</p>	<p>Attorney John Edmondson, Edmondson Law Office, Appleton, WI</p> <p>Attorney John D. Neal, Stafford, Neal and Soule SC, Madison, WI</p> <p>Attorney Raymond Clausen, Madison, WI</p>	e-mail message 1/16/23

24.	<p>1.DWD 80.32</p> <p>2.102.17(4) (c)</p> <p>3.DWD 80.32 (11)</p> <p>4.No Current Statute or Rule</p> <p>5.102.16 (1) & DWD 80.03</p> <p>6.102.32(6m) & DWD.80.39</p> <p>7.No Current Statute or Rule</p>	<p>1.Minimum PPD Ratings</p> <p>2.Statute of Limitations</p> <p>3.Minimum PPD Rating</p> <p>4. Material Contributory Causative Factor</p> <p>5. Compromise Agreements</p> <p>6.Advancement & Lump Sum Payments</p> <p>7.Employer Directed Care</p>	<p>1.Remove minimum permanent partial disability (PPD) ratings for joint replacements.</p> <p>2. Amend s. 102.17 (4) (c), Wis. Stats., to include "self-insured" before employer to help delineate between when an employer makes payment of wages versus an insurance carrier.</p> <p>3. Clarify in s. DWD 80.32 (11) of the Wisconsin Administrative Code why this rating only pertains to compression fractures and the source of the 5% rating.</p> <p>4. Establish a clear definition of "material contributory causative factor".</p> <p>5.Eliminate the requirement for 100 weeks of permanent disability to be in dispute in a case for approval of a compromise agreement and the compromise agreement approval process should be defined in the statutes.</p> <p>6.Approval from OWCH and DWD should not be required for worker's compensation insurance carriers to make advance or lump sum payments in undisputed claims including an interest credit.</p> <p>7.Amend the statutes to allow for employer directed care for the first 90 days of treatment – not including emergency medical care. The employer may provide a list that includes at least four (4) health care providers in different specialties who are geographically accessible to the injured employee. The employee will be permitted to select a "first choice" treatment provider after the 90 day employer directed care is concluded.</p>	<p>Michael S. Pochowski, President & CEO, Wisconsin Assisted Living Association</p>	<p>e-mail message 1/16/23</p>
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24.	8.102.16(2m) & Ch. DWD 81 9.102.17(1) (d) 1	8. WC Treatment Guidelines 9.Hearing Applications	8.Establish medical treatment guidelines for specific injuries in Wisconsin based upon Official Disability Guidelines (ODG) or another appropriate national model. Health care providers would be mandated to follow these guidelines unless pre-authorization is received by the worker's compensation insurance carrier. 9.Require that a Hearing Application cannot be filed by a claimant's attorney or pro se claimant unless accompanied with a valid WKC-16-B from a treating physician, podiatrist, surgeon, psychologist or chiropractor. Mere certified medical records will not be sufficient medical support to file a Hearing Application.	(Continued) Michael S. Pochowski, President & CEO, Wisconsin Assisted Living Association	(Continued) e-mail message 1/16/23
25.	1.No Current Statute or Rule 2.102.16 (1) & DWD 80.03 3.No Current Statute or Rule 4. No Current Statute or Rule	1.Employer Directed Care 2.Compromise Agreements 3.End Date on Permanent Total Disability (PTD) 4.Utilization of Treatment Review Standards	1.Allow employers and worker's compensation insurance carriers to provide options to injured workers and direct medical care for the first 90 days. 2. When all parties are represented by counsel the Division of Hearings and Appeals (DHA) and the Worker's Compensation Division (WCD) shall approve compromise agreements as submitted by the parties subject to the following: the calculation of accrued benefits; the requirement of a restricted account; and the appropriateness of attorney fees and costs. 3.Set a limitation to the maximum number of weeks of eligibility or set a presumptive age of retirement (such as ending eligibility at "old age" Social Security) for ending payments of compensation for permanent total disability (PTD). 4.Adopt appropriate utilization review of treatment standards to address consistent outliers in the medical provider community. An example is Illinois 820 ILCS 305 s. 8.7 that provides a workable solution.	Andrew J. Franken, President, Wisconsin Insurance Alliance	Letter 1/18/23

26.	1.102.43(9) (a) 2. No Current Statute or Rule 3. No Current Statute or Rule	1. Termination of Compensation Payments for Temporary Disability (TTD & TPD) 2. Third Party Administrators 3. Charges by Doctors for Performing IMEs	1. Amend s. 102.43 (9)(a), Wis. Stats., to require a hearing to be conducted to stop payments of compensation for temporary total disability (TTD) or temporary partial disability (TPD). 2. Change the law to prohibit third party administrators from handling worker's compensation claims. 3. Doctors should not be paid more than their typical office charge for conducting IMEs.	Steve Abrahamson	e-mail message 1/26/23 & WCAC Meeting 2/23/23
27.	102.26(3) & DWD 80.43	Attorney Fees for Medical Expense	Allow attorneys representing employees to collect attorney fees for the recovery of unpaid medical bills.	Attorney Lisa Pierobon Mays, Mays Law Office, LLC, Middleton, WI	e-mail message 2/13/23
29.	102.44 (1) (ag) & 102.59 (1)	Supplemental Benefits	Change the law to authorize employees receiving compensation for permanent total disability (PTD) from the Second Injury Fund under s. 102.59 (1), Wis. Stats., to also receive supplemental benefits under s. 102.44 (1) (ag), Wis. Stats.	Barbara Wasmund & Attorney John D. Neal Stafford, Neal and Soule, Madison, WI	Letter Ms. Wasmund 4/2/23 & Letter Atty. Neal 4/6/23
30.	102.44 (1) (ag)	Supplemental Benefits	Approve cost of living increases for injured employees receiving compensation for permanent total disability (PTD) with automatic cost of living adjustments in any inflationary year.	Robert G. Hurley	e-mail message 8/14/23
31.	No Current Statute or Rule	Children at Hearings	Establish appropriate guidelines for children to be present at worker's compensation hearings.	Chris Segedy	e-mail message 9/18/23
32.	102.44 (1) (ag)	Supplemental Benefits	Approve increases in supplemental benefits for injured employees receiving compensation for permanent total disability (PTD).	Brad Harrell	e-mail message 9/22/23

33.	102.44 (1) (ag)	Supplemental Benefits	Increase supplemental benefit amounts for injured employees receiving compensation for permanent total disability (PTD).	Brad Harrell	Letter 11/1/23
34.	102.17 (9)	PTSD coverage for all EMS & Firefighters	Change the conditions of liability for worker's compensation benefits to recognize PTSD similar to that provided in 2021 Wisconsin Act 29 for all EMS practitioners and firefighters regardless of their level of employment or volunteer status.	Senator Andre Jacque, Senator Van Wanggaard, Senator Kelda Roys & Representative Jeffrey Mursau	Letter 11/15/23