

STATE OF WISCONSIN



Department of Workforce Development

Legal Updates

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Reunification

- Worker's compensation adjudicatory functions and hearings were returned to Worker's Compensation Division (WCD) from the Department of Administration as of January 1, 2026



Reunification Successes

- Orders approving settlements are being issued soon
- Fewer mistakes on orders that require amendments
- WCD is promptly closing more cases and claims
- Significant reduction in the number of pre-hearing conferences in cases where the parties are represented by attorneys
- Improved communications with stakeholders



Reunification Ongoing Work

- Assimilating the workload for support staff
- Filling vacant positions



2025 Wisconsin Act 145

- Increase the maximum weekly permanent partial disability (PPD) rate to \$454 for injuries in 2026 on and after the effective date and to \$462 for injuries in 2027 s. 102.11(1)
- Insurance fraud will include making false applications for coverage and that misclassify employees ss. 102.125 & 943.395 (1) (e)



2025 Wisconsin Act 145

- Eliminate the requirement for compromise proceeds to be deposited in a restricted bank account s. 102.16 (1) (e)
- The WCD will only accept hearing applications when there is a justiciable controversy s. 102.17 (1) (a) 1m



2025 Wisconsin Act 145

- WCD will dismiss pending hearing applications when there are no disputed issues for which the parties seek a determination s.102.17 (1) (a) 5
- APRNs & PAs will be authorized to give opinions on cause and extent of disability s. 102.17 (1) (d) 1



2025 Wisconsin Act 145

- Audiologists will be authorized to give opinions on diagnosis, necessity of treatment, cause and extent of disability in hearing loss cases s. 102.17 (1) (d) 1
- Division of Vocational Rehabilitation (DVR) records may be admitted into evidence at hearings without requiring the presence of DVR counselor for authentication s. 102.17 (1) (i)



2025 Wisconsin Act 145

- The statute of limitations is tolled while a hearing application is pending and is not extended by the filing of an application s. 102.17 (4) (a) 1
- Shoulder replacements and reverse shoulder replacements are included as serious injuries for which there is no statute of limitations s. 102.17 (4) (b)



2025 Wisconsin Act 145

- All emergency medical service practitioners and all firefighters will have the same post-traumatic stress disorder (PTSD) coverage previously provided to law enforcement officers and full-time firefighters s. 102.17 (9)



2025 Wisconsin Act 145

- Orders approving compromise settlements will include dismissal of pending application subject to the compromise. Cases will be closed when compromise settlements are approved s. 102.18 (1) (a) and (b) 1 d
- Consideration paid for compromise agreements shall not be an advance payment of compensation s. 102.32 (6m)



2025 Wisconsin Act 145

- Case management personnel cannot be restricted from access to records in addition to care and discharge planning s. 102.42 (10)



2025 Wisconsin Act 145

- Supplemental benefits will be increased for existing claims with injury dates before January 1, 2020, based on the maximum rate for injuries occurring in 2020. Rates will be increased yearly thereafter. Permanent total disability (PTD) recipients from the Second Injury Fund (SIF) will also receive supplemental benefits. ss. 102.44 (1) (ag) & 102.59 (4)



2025 Wisconsin Act 145

- WC insurance carriers will be required to send requests to claim reimbursement for supplemental benefits to the updated Insurer Pending Report Portal s. 102.44 (1) (c) 1m



2025 Wisconsin Act 145

- Prohibit "stacking" of PPD for injuries to the limbs based on the minimum ratings in s. DWD 80.32. PPD ratings will be assessed by medical experts s. 102.44 (4o)
- Expenses for the Unemployed Ensures Fund (UEF) to retain a third-party administrator (TPA) will be transferred from the WCD's operations fund to the UEF S. 102.81 (2)



2025 Wisconsin Act 145

- Assessments will be increased for employers who repeatedly continue business operations without having required WC insurance coverage s. 102.82 (2)
 - The greater of three (3) times the insurance premium or \$3,000 for third violation
 - The greater of four (4) times the insurance premium or \$4,000 for fourth and subsequent violations



2025 Wisconsin Act 145

- Forfeitures will be increased for employers who repeatedly violate s. 102.16 (3) or continue business operations without WC insurance coverage s. 102.85 (1)



2025 Wisconsin Act 145

- Employers will not be permitted to give false information about WC insurance coverage to employees, the WCD, or any other person who contracts with the employer. Employers cannot fail to notify a person who contracts with the employer that WC insurance coverage was cancelled. Employer will be subject to increased forfeitures for repeat violations. s. 102.85 (2)



Questions?

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