# STATUTORY CHANGES APPROVED BY WCAC FOR 2014

1. Definition of "municipality" will be amended to include special purpose district, political subdivision and taxing authority of the state. s. 102.01 (2) (d)

2. Authorize technical colleges defined under ch. 38, Stats., colleges defined under ch. 36, Stats, higher education institutions and post secondary education institutions to accept WC liability for students performing services in work training and work experience. Exclusive remedy protection will be extended to employers who provide the work training or work experience. ss. 102.07 (12m) and 102.077 (1) & (2)

3. The weekly PPD rate will increase by $15 to $337 for injuries in 2014 after effective date and to $352 for injuries occurring in 2015. s. 102.11 (1)

4. The Department of Justice (DOJ) will be authorized to prosecute fraudulent activities by employees, employers, insurance carriers and health care providers. s. 102.125

5. Fees for providing medical records in electronic format will be limited to $26 per request. s. 102.13 (2) (b)

6. A treating practitioner's final report will not be required in cases where the claim is completely denied. s. 102.13 (2) (c)

7. The formula amount used to determine reasonableness of fee disputes is reduced from 1.2 standard deviations above the mean to .7 standard deviations above the mean. s. 102.16 (2) (d)

8. The Department will establish a medical fee schedule by June 30, 2015. The fee schedule will be based on group health average rates plus 10 percent, with five (5) geographic regions in the state. The fee schedule will be adjusted annually based on the medical CPI and will be reviewed each two (2) years by the WCAC. Data for the group heath payments will be from the Wisconsin Health Information Office (WHIO), Workers Compensation Research Institute (WCRI), group health insurers and plans and other credible sources.

9. The statute of limitations will be reduced to 9 years for traumatic injuries and remain at 12 years for occupational diseases. s. 102.17 (4)

10. ALJs will be authorized to issue prospective orders for vocational rehabilitation training for employees whose permanent restrictions cannot be accommodated to 85% of pre-injury earnings. s. 102.18 (1) (a)

11. Appeals of orders awarding or denying compensation are to be filed only with LIRC and the standard for LIRC to review late appeals is clarified. s. 102.18 (3)

12. The time during which LIRC may set aside an order for further consideration runs from the date of LIRC's order. LIRC may send orders to the parties other than by mail in the future. s. 102.18 (4)

13. The party who files an appeal of a LIRC decision to the Circuit Court shall be named as the plaintiff and shall name as defendants LIRC and those persons or entities identified by LIRC in its decision as necessary to be named as a party for the appeal to court. s. 102.23 (1)

14. The process for political subdivisions of the state to become self-insured for WC purposes will be included in the statute. This change will clarify the Self-Insurers Council (SIC) is not involved with the self-insured status of political subdivisions. Political subdivisions will not be assessed for insolvent private sector self-insured employers and are not entitled to payments from the Self-Insured Employers Liability Fund. s. 102.28 (2)

15. All assessments made against private sector self-insured employers for insolvencies will be made on pro rata basis according to payroll. s. 102.28 (7)

16. The Department will have and maintain on its staff a medical expert.

17. When a prescription drug is dispensed outside of a retail, mail order or institutional pharmacy the maximum reimbursement amount shall be calculated using the average wholesale price (AWP) set by the original manufacturer of the underlying drug which may not be the manufacturer of the repackaged drug. If the National Drug Code (NDC) of the underlying drug cannot be determined from the billing the maximum reimbursement amount shall be calculated using the lowest cost therapeutically equivalent drug. s. 102.425

18. The sunset will be extended for two (2) additional years on the provision that permits employees to work at part-time employment up to 24 hours per week while attending instruction for vocational rehabilitation training without an offset on retraining benefits. s. 102.43 (5) (c)

19. Supplemental benefits will be moved forward two (2) years to include injuries occurring in 2001 & 2002 with the maximum weekly benefit rate increased to $669. Reimbursement for supplemental benefits will be permanently suspended. The Management members of the WCAC will recommend a means of providing funding for outstanding supplemental benefit reimbursement requests. s. 102.44 (1)

20. There will be indexing for compensation for permanent total disability (PTD) after six (6) years that will be paid by insurance carriers and self-insured employers for injuries occurring on and after July 1, 2015.

21. There will be indexing of payments for permanent partial disability (PPD) after 200 weeks.

22. Beginning July 1, 2015 employers who provide health insurance coverage for employees at the time of injury will be required to maintain that coverage under the same conditions for the duration of an employee's healing period.

23. An added measure of solvency is created for the Uninsured Employers Fund (UEF) to make up for large claims in excess of $1,000,000 that are not covered by excess or stop-loss insurance.

24. The WCAC will create a committee to review and evaluate treatment outcomes from health care providers.