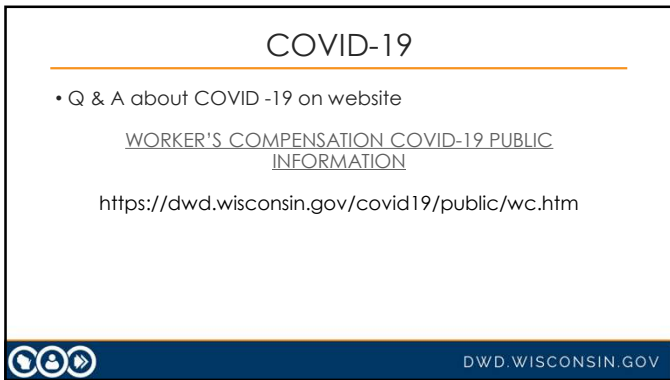
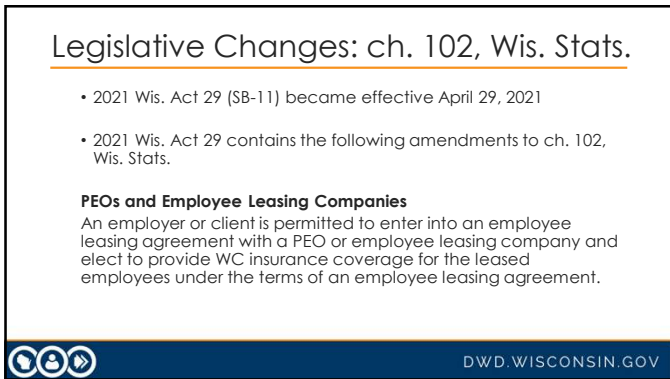




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3

Legislative Changes: ch. 102, Wis. Stats.

Medical Billing Format

- Health care providers are required to provide WC insurance carriers and their representatives with a copy of a complete itemized billing statement on a standard billing format required by the federal government within 30 days after a request. (102.13 (2))

Statute of Limitations

- The statute of limitations was amended to clarify that it applies to all parties to a WC claim including employers, insurance carriers and other entities. (102.17(4))



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Legislative Changes: ch. 102, Wis. Stats.

Work Injury Supplemental Benefit Fund (WISBF)

- WC insurance carriers and self-insured employers are authorized to make advance or lump sum payments into the Work Injury Supplemental Benefit Fund (WISBF).
- The WISBF is not permitted to collect death benefits when there is a violation of the employer's drug/alcohol policy that was casual to the employee's death and there are no surviving dependents.



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Legislative Changes: ch. 102, Wis. Stats.

PTSD

- Law enforcement officers and full-time firefighters may now receive WC benefits based on PTSD where there is no physical injury without establishing the condition was caused by unusual stress.
- An employee will no longer be required to show the PTSD is based on unusual stress of greater dimensions than the day-to-day emotional strain and tension experienced by similarly situated employees.



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Legislative Changes: ch. 102, Wis. Stats.

PTSD (cont.)

- The PTSD is to be diagnosed by a licensed psychiatrist or psychologist.
- The conditions of liability are to be proven by a preponderance of the evidence and the mental injury cannot be the result of or first reported during a good faith employment action on the part of an employer.



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Legislative Changes: ch. 102, Wis. Stats.

PTSD (cont.)

- Liability for disability and treatment is limited to no more than 32 weeks and an employee cannot make a claim for PTSD more than three (3) times during his or her lifetime.
- The PTSD amendments became effective for injuries reported on and after October 1, 2021.



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Proposed Legislative Changes: ch. 102, Wis. Stats.

AB-487 and SB-485 were recently introduced

- Provide that if certain conditions were met, delivery network couriers/drivers for delivery/transportation network companies are not employees of the companies for purposes of worker's compensation, insurance, minimum wage and hour, and unemployment insurance.




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Proposed Legislative Changes: ch. 102, Wis. Stats.

- The bills provide that application-based drivers are not employees for worker's compensation purposes if the network company does not engage in **all** of the following:
 - Prescribe specific dates, times of day, or minimum number of hours during which the driver must be logged into the network company's on-line application, software, or system.
 - Terminate driver's contract for not accepting a specific request for transportation or delivery service.
 - Prohibit driver from performing services through other network companies except while performing services through that network company.
 - Restrict driver from working in any other lawful occupation or business.




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Other Legal Updates


- Worker's Compensation Advisory Council and WC Agreed Upon Bill
- DWD 80.32 Wis. Admin. Code minimum PPD ratings
- DWD 81 Wis. Admin. Code WC Treatment Guidelines



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Questions?



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