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WC Agreed-Upon Bill

- AB-911 is the WC Agreed-Upon Bill for this session of the legislature.
- Both houses of the Wisconsin State Legislature passed AB-911.
- Gov. Evers is expected to sign the bill soon.


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WC Agreed-Upon Bill

- Clarification that individuals who provide services to elderly and disabled people under long-term care programs are employees, for purposes of worker's compensation, of the entities providing fiscal management services (fiscal agents). (ss. 46.275 (4m), 46.227 (3r), 46.281 (1k), 46.2897(3) & 46. 995 (3))
- The definition of "employer" is amended to clarify that an employer is subject to ch. 102, Wis. Stats., when three (3) or more employees are employed in this state. (s. 102.04 (1) (b) 1 and 2)


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### WC Agreed-Upon Bill

- Farmers will have the same statutory authority to withdraw from subjectivity to ch. 102, Wis. Stats. as other employers who had no employee in the previous two (2) years. (s. 102.05 (3))
- Maximum weekly rate for PPD will increase to \$415 for injuries on and after the effective date and to \$430 for injuries occurring on and after January 1, 2023. (s. 102.11 (1) (intro))
- Wage expansion for part-time employees will be limited to part-time employees who are employed by another employer or who have been employed part-time less than 12 months before the injury. (Repeal of s. 102.11 (1) (am) and (f) 1 and creation of s. 102.11 (1) (ap))



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### WC Agreed-Upon Bill

- Employees who appear at examinations requested by employers and WC insurers will be authorized to have an observer present at the examination. (s. 102.13 (1) (b))
- The WCD will have statutory authority to promulgate administrative rules necessary to carry out its duties and functions. (s. 102.15 (1))
- The WCD will have statutory authority to conduct alternative dispute resolution activities to resolve disputed cases. (s. 102.16 (1) (b))



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### WC Agreed-Upon Bill

- The license to appear process will be transferred from the WCD to the DHA. (s. 102.17 (1) (c), (cg), (cm), (cr), (ct), and s. DWD 80.20 Wis. Admin. Code)
- The WCD will be authorized to release limited confidential information to the Dept. of Health Services and county departments of social services. (s. 102.33 (2) (b) 7)
- The UEF will have the same distribution of proceeds from third party settlements as WC insurers and self-insured employers. (ss. 102.80 (1) (d), 102.81 (4) (b), (c), (5), and 102.82 (1))



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Questions?

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Important Contact Information

Division of Worker's Compensation  
Phone: (608) 266-1340  
Non-litigated Fax: (608) 260-2503  
**Litigated Fax: (608) 260-3053**

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