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State of Wisconsin
Department of Workforce Development

Report From Agency

Rule Analysis for Legislative Review

Proposed Rules Relating to Worker's Compensation
Chapters DWD 80 and 81
CR 007-019

Basis and Purpose of the Proposed Rules

The proposed rules create a new Chapter DWD 81 on treatment guidelines to be used to resolve necessity of treatment disputes. 2005 Wisconsin Act 172 directs the department to promulgate rules establishing standards for determining the necessity of treatment provided to injured employees and provides that the rules establishing the standards shall, to the greatest extent possible, be consistent with Minnesota worker's compensation treatment parameters.

The proposed rules also make various changes to the existing Chapter DWD 80, as agreed to by the Worker's Compensation Advisory Council.

Public Hearing Summary

A public hearing was held on March 22, 2007, from 9:00 a.m. to 12:00 p.m. The public hearing was conducted in Madison at the UW Extension Pyle Center and at 5 other locations simultaneously via video conference. The other locations were Eau Claire, Green Bay, La Crosse, Milwaukee, and Superior. A summary of the hearing comments and the department's responses is attached.

Response to Legislative Council Staff Recommendations

All comments were accepted.

Changes to Analysis Prepared under s. 227.14 (2), Stats.

There are no significant substantive changes to the analysis.

Final Regulatory Flexibility Analysis

The proposed rule affects small businesses but does not have a significant economic impact on a substantial number of small businesses as defined in s. 227.114 (1), Stats.

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