

**DEPARTMENT OF WORKFORCE DEVELOPMENT  
NOTICE OF PROPOSED GUIDANCE DOCUMENTS**

Pursuant to section 227.112 of the Wisconsin Statutes, the Wisconsin Department of Workforce Development is hereby accepting comments on the proposed guidance documents listed below.

**LOCATION OF PROPOSED GUIDANCE**

Proposed guidance documents may be reviewed by accessing:

<https://dwd.wisconsin.gov/gdl/>

**SUBMITTING PUBLIC COMMENTS**

Public comments on proposed or adopted guidance documents may be submitted by accessing:

<https://dwd.wisconsin.gov/gdl/>

**DEADLINE FOR SUBMISSION**

The comments may be submitted to until 21 days after the publication of this document in the Administrative Register.

**AGENCY PUBLICATION**

The below-listed guidance documents contain statements or interpretations of law under the following applicable state statutory or administrative code provisions: Wisconsin Statute Chapter 102, Administrative Code DWD 80, and Administrative Code DWD 81

**CERTIFICATION**

Pursuant to the authority delegated to me by the Secretary, I have reviewed the below-listed guidance documents or proposed guidance documents and I certify that they comply with sections 227.10 and 227.11 of the Wisconsin Statutes. I further certify that the guidance documents or proposed guidance documents contain no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated. I further certify that the guidance documents or proposed guidance documents contain no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.



Steven Peters  
Worker's Compensation Division Administrator

## PROPOSED GUIDANCE DOCUMENTS

1.	<u>DHACOMPF</u> (revised 05/18/2018) - DHA Full Compromise
2.	<u>COMPFULL</u> - DWD Full Compromise
3.	<u>DHACOMPL</u> (revised 05/18/2018) - DHA Limited Compromise - one or more issue(s) remains open
4.	<u>LTDCCOMP</u> - DWD Limited Compromise
5.	<u>DHACOMP10E</u> (revised 05/18/2018) - DHA Limited Compromise 10E - bad faith under sec. 102.18(1)(bp). Employer pays the compromise
6.	<u>COMP10EMP</u> - DWD - Limited Compromise 10EMP - bad faith under sec. 102.18(1)(bp). Employer pays the compromise.
7.	<u>DHACOMP10I</u> (revised 05/18/2018) - DHA Limited Compromise 10I - bad faith under sec. 102.18(1)(bp). Insurance carrier pays the compromise
8.	<u>COMP10INS</u> - DWD Limited Compromise 10I - bad faith under sec. 102.18(1)(bp). Insurance carrier pays the compromise
9.	<u>DHACOMP1</u> (revised 05/18/2018) - DHA approve stipulation
10.	<u>COMP1</u> - DWD approve stipulation
11.	<u>DHACOMP1A</u> (revised 05/18/2018) - DHA compromise affirmed
12.	<u>COMP1A</u> - DWD compromise affirmed
13.	<u>DHACOMP2</u> (revised 05/18/2018) - DHA Compromise - interest credit
14.	<u>COMP2</u> - DWD Compromise - interest credit
15.	<u>DHACOMP3</u> (revised 05/18/2018) - DHA Compromise - disfigurement
16.	<u>COMP3</u> - DWD Compromise - disfigurement
17.	<u>DHACOMP4</u> (revised 05/18/2018) - DHA Compromise - increased compensation
18.	<u>COMP4</u> - DWD Compromise - increased compensation
19.	<u>DHACOMP6</u> (revised 05/18/2018) - DHA Compromise - on the record
20.	<u>COMP6</u> - DHA Compromise - on the record (revised 05/18/2018)
21.	<u>DHACOMP7</u> (revised 05/18/2018) - DHA Compromise - unreasonable refusal to rehire sec. 102.35(3)
22.	<u>COMP7</u> (revised 08/27/2018) - DHA Compromise - unreasonable refusal to rehire sec. 102.35(3)
23.	<u>DHACOMP8</u> (revised 05/18/2018) - DHA Compromise - hearing loss
24.	<u>COMP8</u> - DWD Compromise - hearing loss
25.	<u>DHACOMP9</u> (revised 05/18/2018) - DHA Compromise - vocational rehabilitation
26.	<u>COMP9</u> - DWD Compromise - vocational rehabilitation
27.	<u>DHACOMP11</u> (revised 05/18/2018) - DHA Compromise - restricted account
28.	<u>COMP11</u> - DWD Compromise - restricted account
29.	<u>COMPSFTYVI</u> - DWD Compromise - safety violation 15% increased compensation
30.	<u>CLOSUREORD</u> - DWD Closure Order - company must cease operations until they obtain worker's compensation insurance
31.	<u>DHADICTORD</u> (revised 05/18/2018) - DHA Dictated Order
32.	<u>DICTORD</u> - DWD Dictated Order

33.	<u>DHAMEDIATE</u> (revised 05/18/2018) - DHA Mediated compromise
34.	<u>DHASECINJ</u> (revised 05/18/2018) - DHA Second Injury
35.	<u>SECINJ</u> - DWD Second Injury
36.	<u>BARRED</u> (revised 05/18/2018) - Barred Compromise - State of Wisconsin shall pay from a fund created by sec. 102.65
37.	<u>DISMISS1</u> (revised 05/18/2018) - the application should be dismissed without prejudice because
38.	<u>DISMISS2</u> (revised 05/18/2018) - the application, as it pertains to ... only, should be dismissed without prejudice because...
39.	<u>DISMISS3</u> (revised 05/18/2018) - the application should be dismissed without prejudice because the applicant failed to submit medical support
40.	<u>DISMISS4</u> (revised 05/18/2018) - the application should be dismissed without prejudice because the applicant failed to submit a Certification of Readiness
41.	<u>CHILDRENSAWA</u> - DWD issues the order regarding the children's fund under sec. 102.65
42.	<u>CHILD2X</u> - default order issued by DWD to collect funds that should have been paid into WISBF
43.	<u>CHILD3X</u> - default order issued by DWD to collect funds that should have been paid into WISBF
44.	<u>ADDCOMPMINOR</u> - default order issued by DWD - no child labor permit
45.	<u>DELAY1</u> - the insurance carrier failed to provide an explanation for the delay or pay the penalty
46.	<u>DELAY1A</u> - letter without attachments
47.	<u>DELAY1B</u> - the insurance carrier or self-insured employer did not pay the penalty. Although the insurance carrier or self-insured employer responded to the department's request, the explanation was inadequate as a matter of law
48.	<u>DELAY2A</u> - the insurance carrier or self-insured employer failed to provide an explanation or make payment
49.	<u>DELAY2B</u> - the insurance carrier or self-insured employer did not pay the penalty. Although the insurance carrier or self-insured employer responded to the department's request, the explanation was inadequate as a matter of law
50.	<u>DELAYEA</u> - the employer was late in notifying its insurance carrier in injury which resulted in inexcusable delay in making payments
51.	<u>DELAYEB</u> - the employer was late in notifying its insurance carrier in injury which resulted in inexcusable delay in making payments and the explanation provided was inadequate as a matter of law
52.	<u>DHASTIP1</u> (revised 05/18/2018) - DHA stipulation affirmed
53.	<u>STIP1</u> - DWD stipulation affirmed
54.	<u>DHASTIP2</u> (revised 05/18/2018) - DHA stipulation interest credit
55.	<u>STIP2</u> - DWD stipulation interest credit
56.	<u>DHASTIP5</u> (revised 05/18/2018) - DHA protected occupation stipulation
57.	<u>STIP5</u> - DWD protected occupation stipulation
58.	<u>DHASTIP6</u> (revised 05/18/2018) - DHA stipulation for settlement
59.	<u>STIP6</u> - DWD stipulation for settlement

60.	<u>MDFEECOMP</u> - Application for the reasonableness of fee dispute is dismissed. _____ may bill the employee directly for payment.
61.	<u>MDFEEDFLT</u> (revised 11/29/2018) - Insurer must pay the disputed amount of, less any amount paid after the filing of the reasonableness of fee dispute resolution request.
62.	<u>MD FEE DISNEC</u> - The health cost dispute is hereby dismissed – the insurer responded that treatment was not reasonable and necessary.
63.	<u>MD FEE LBLTY</u> (revised 04/18/2019) - To date, the employee has not taken any action to resolve the issue of liability.
64.	<u>MDFEENOJX</u> (revised 04/18/2019) A health care provider is required to file a written request to resolve a reasonableness of fee dispute within six (6) months
65.	<u>MD FEE CRCER</u> Insurer had 20 days to file an answer to the health cost dispute resolution request
66.	<u>MD FEE NRPRV</u> (revised 11/29/2018) Insurer indicated that payment was made after the filing of the health cost dispute resolution request
67.	<u>MD FEE PPO</u> Insurer must pay the disputed amount of, less any amounts paid subsequent to the provider's dispute resolution request
68.	<u>MD NEC AWD CHIRO</u> Department directs Insurer to pay within 21 days, the sum of and reimburse the Department for the costs of the review
69.	<u>MD NEC COMP</u> Application dismissed because employee agreed to a compromise agreement waiving entitlement to benefits including payment of medical expenses
70.	<u>MD NEC DEF</u> (revised 11/29/2018) Default order because insurer failed to respond to the Department
71.	<u>MD NEF DEFLIAB</u> (revised 04/18/2019) Liability or extent of liability is at issue
72.	<u>MD NEC DEF COMP</u> Liability was disputed but insurer and employee agreed to a compromise, paying the employee a lump sum and waiving entitlement to benefits including payment of medical expenses
73.	<u>MD NEC LIAB</u> (revised 04/18/2019) Liability or the extent of liability is at issue, but employee has not filed an application for hearing or taken other action to resolve the issue of liability
74.	<u>MD NEC NOJUR</u> (revised 04/18/2019) A Health care provider is required to file a written request to resolve a necessity of treatment dispute within nine (9) months
75.	<u>MD NEC NRPRV</u> (revised 11/29/2018) Insurer indicated that payment was made after the filing of the health cost dispute resolution request but failed to respond to the Department confirming satisfactory payment
76.	<u>MD NEC REB</u> The Department adopts the expert's opinion as its own and directs insurer to pay the sum of within 21 days and reimburse the Department for the cost of the review
77.	<u>MD NEC SB FEE</u> Health cost dispute was dismissed because insurer indicated that necessity was not at issue