## Assembly

# **Record of Committee Proceedings**

### **Committee on Insurance**

#### Assembly Bill 1039

Relating to: persons to whom liability insurance claim settlement checks must be made payable; independent evaluations for insurance coverage of chiropractic treatment; current procedural terminology codes on health insurance claim forms; and direct payment to a chiropractor.

By Representatives Kestell, Freese, Kreibich, Montgomery, Albers, Loeffelholz, Musser, Towns, Ainsworth, Pettis, Krawczyk, Ott, Ballweg, Petrowski and Bies; cosponsored by Senators Schultz, Zien and Carpenter.

February 20, 2006 Referred to Committee on Insurance.

February 22, 2006

#### PUBLIC HEARING HELD

Present:	(15)	Representatives Nischke, Wieckert,
		Underheim, Montgomery, McCormick,
		Gielow, Van Roy, Ballweg, Moulton, Cullen,
		Lehman, Staskunas, Berceau, Nelson and
		Sheridan.
Absent:	(0)	None.

Appearances For

- Jeff Wilder, Madison Mr., WI Chiropractic Association
- Michael Mc Mahon, Eau Claire Dr
- Wendy Varish, Cleveland Ms.
- Steve Douglas, Milton Dr.
- Jeff Lyne, Sun Praire Mr.
- Leo Bronston, Onalaska Dr.
- Sherry Walker, New Richmond Dr., Wisconsin Chiro Assoc.
- Russ Leaonard, Madison Mr., Wisconsin Chiropractic Association
- Steve Kestell, Madison Representative, Wisconsin State Assembly

Appearances Against

- Kathryne Mc Gowan, Madison Ms., Physicians Plus
- Paul Sicula, Milwaukee Mr., Wisconsin Academy of Trial Lawyers
- Pete Farrow, Altoona Mr., Group Health Cooperative of Eau Claire

• Bernard McCartan, Madison — Mr., Wisconsin Insurance Alliance

#### Appearances for Information Only

• None.

#### Registrations For

• Dale Schultz — Senator, Wisconsin State Senate

#### Registrations Against

- Karen Mayes, Madison Ms., Physicians Plus Insurance Corp.
- Chad Zuleger, Appleton Mr., American Medical Security
- Bob Wagner, Fond du Lac Mr.
- Kevin Kelly, Holmen Mr., State Auto Inc.
- Gary Manke, Madison Mr., Wisconsin Automotive Parts Association
- Dan Schwartzer Mr., Wisconsin Association of Provider Networks; wi Association of Health Underwriters
- Michael Heifetz, Madison Mr., Dean Health Care
- R.J. Pirlot, Madison Mr., Wisconsin Manugacturing & Commerce
- Mark Grapentine Mr., Wisconsin Medical Society
- Peter Hanson Mr., Wisconsin Restaurant Association
- Brandon Schultz Mr., Wisconsin Grocers Association
- Bill G. Smith, Madison Mr., National Federation of Independent Business (NFIB); Wisconsin Coalition for Civil Justice
- Paul Merline, Madison Mr., Wisconsin Association of Health Plans
- Robert Bartlett Mr., Wisconsin Petroleum Marketers and Convience Stores
- Kathryn Ambelang, Madison Ms., WPS
- Vaugh Vance, Madison Mr., WEA Trust
- Pat Osborne, Madison Mr., WPS Insurance Corp.
- Misha Lee, Stevens Point Sentry Insurance
- Beverly Turner, St. Paul Ms., St. Pauls Travelers
- David Kijer, Sun Prairie Mr., WEA Property and Casualty Insurance
- Jeffrey Junkas, Chicago Mr., American Insurance Assoc.
- Joe Thesing Mr., NAMIC
- Louie Schubert, Madison American Family Insurance
- Eric Englund, Madison Mr., Wisconsin Insurance Alliance
- Brad Zweck, Wausau Mr., Wausau Insurance/Liberty Mutual

- David Grow, Bloomington Mr., State Farm Insurance
- David Diercks Mr
- Don Cleasby Mr, Property Casualty Insurance Assn.
- Richard Pike, Buffalo Grove Mr., Allstate Ins. Co.
- William Cilluffo, Lansing Mr., AAA
- Brenda Kistler, Aurora Ms., Farmers Insurance Group of Companies
- John Duwell, West Bend Mr., West Bend Mutual Insurance Company
- Edward Felchner, Sheboygan Mr., Acuity A Mutual Ins. Co.
- Joe Winn, Madison Mr., America's Health Insurance Plans
- Frank Briscoe, Waukesha Mr.
- Katie Boycks, Madison Ms., WALHI
- David Ehner, Onalaska Mr., State Auto Inc
- Gary Manke, Madison Mr., WI Automotive Parts Association; WI Automotive Aftermarket Association; Midwest Equipment Dealers Association

#### April 27, 2006 **EXECUTIVE SESSION HELD**

Present:	(15)	Representatives Nischke, Wieckert,
		Underheim, Montgomery, McCormick,
		Gielow, Van Roy, Ballweg, Moulton, Cullen,
		Lehman, Staskunas, Berceau, Nelson and
		Sheridan.
Absent:	(0)	None.

Moved by Representative Gielow, seconded by Representative Underheim that **Assembly Bill 1039** be recommended for indefinite postponement.

Ayes:	(5) Representatives Underheim, McCormick,
	Gielow, Van Roy and Sheridan.
Noes:	(10) Representatives Nischke, Wieckert,
	Montgomery, Ballweg, Moulton, Cullen,
	Lehman, Staskunas, Berceau, Nelson.

# INDEFINITE POSTPONEMENT NOT RECOMMENDED, Ayes 5, Noes 10

Moved by Representative Staskunas, seconded by Representative Nischke that **Assembly Substitute Amendment 1** be recommended for adoption.

Ayes:	(13)	Representatives Nischke, Wieckert,
		Underheim, Montgomery, Van Roy,
		Ballweg, Moulton, Cullen, Lehman,
		Staskunas, Berceau, Nelson and Sheridan.
Noes:	(2)	Representatives McCormick and Gielow.

ASSEMBLY SUBSTITUTE AMENDMENT 1 ADOPTION RECOMMENDED, Ayes 13, Noes 2

Moved by Representative Staskunas, seconded by Representative Cullen that **Assembly Bill 1039** be recommended for passage as amended.

Ayes:	(11)	Representatives Nischke, Wieckert,
		Montgomery, Ballweg, Moulton, Cullen,
		Lehman, Staskunas, Berceau, Nelson and
		Sheridan.
Noes:	(4)	Representatives Underheim McCormick

Noes: (4) Representatives Underheim, McCormick, Gielow and Van Roy.

PASSAGE AS AMENDED RECOMMENDED, Ayes 11, Noes 4

Tyler Wenzlaff Committee Clerk