

Fiscal Estimate - 2007 Session

Original Updated Corrected Supplemental

LRB Number 07-1673/3		Introduction Number AB-0483	
Description Abatement or removal of human health hazards, requirements for certain local health officers, personnel of a local health department, state agency status for certain physicians, community health improvement plans, emergency medical services, requiring the exercise of rule-making authority, and providing penalties			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Decrease Existing Appropriations		<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	5.Types of Local Government Units Affected	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input type="checkbox"/> Counties	<input type="checkbox"/> Others
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By		Authorized Signature	Date
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Fiscal Estimate Narratives

DHFS 8/14/2007

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Assumptions Used in Arriving at Fiscal Estimate

Current statutory provisions regarding emergency medical services are included in Chapter 146 of the statutes, "Miscellaneous Health Provisions." AB 483 creates Chapter 256, "Emergency Medical Services," and moves the provisions related to emergency medical services in Chapter 146 to the new chapter. The bill also renumbers minority health and cooperative American Indian health services provisions and provisions regarding the statewide poison control system and reporting of wounds and burn injuries. None of these changes will have a fiscal effect on the Department or local public health agencies.

The bill also makes some changes related to provisions regarding the abatement and removal of human health hazards, requirements for certain local health officers, and personnel of a local health department. These provisions are not expected to have a fiscal effect on the Department or local public health agencies.

The bill requires local public health departments to involve key policymakers and the general public in determining and developing a community health improvement plan. This provision will not have a fiscal effect on the Department or local public health agencies.

AB 483 provides that anyone who refuses entry to a local health officer can be fined between \$100 and \$300 and anyone who maintains a human health hazard that requires abatement or removal may be fined up to \$1,000 or imprisoned up to 90 days or both. Under the Wisconsin Constitution, revenue from these fines would be deposited in the school fund. It is not possible to estimate the potential revenue these fines could generate.

Finally, this bill gives physicians who are not employees of local health departments and who provide volunteer services to these departments the status of state agents of DHFS. Under current law, a health care provider certified by DOA who provides certain volunteer services becomes a state agent of the Department for the provision of these services. If a civil action arises out of an act committed by the provider during the lawful course of that person's duties, the state provides legal counsel and any judgments against the provider are paid by the state and capped at \$250,000. However, a governmental unit need not provide or pay for legal representation if the provider's malpractice insurance provides representation.

Liability claims against the state are paid from funds administered by the Department of Administration. The Department pays premiums to DOA for liability insurance. The Department paid \$772,686 for liability insurance and \$104,509 for medical malpractice insurance in SFY 06. If these volunteer physicians were added to the Department for liability purposes, and claims were made against them, the Department's liability premiums would also increase. However, the amount by which the premiums will increase as a result of the bill cannot be estimated.

Long-Range Fiscal Implications