

Senate Health Committee Hears Testimony on Health Care Reform

By: Jordan K. Lamb, DeWitt Ross & Stevens S.C.

On April 13, 2007, the Senate Committee on Health and Human Services will hold a public hearing in Bristol, Wisconsin to take testimony on several proposed health care reform measures. The Committee has already held public hearings on these proposals in Green Bay and Eau Claire and additional hearings held in Northern Wisconsin are expected later this spring. Please note that not all of these proposals have been formally introduced as legislation at this time. The proposals that the Committee is currently evaluating include the following plans:

- **BadgerCare Plus** proposed by Governor Jim Doyle as a part of his biennial budget bill. This proposal has four goals: (1) cover all children; (2) provide coverage and enhanced benefits for pregnant women; (3) simplify the program; and (4) promote prevention and healthy behaviors. BadgerCare Plus will merge Family Medicaid, BadgerCare, and Healthy Start to form a comprehensive health insurance program for low income children and families. For more information, go to <http://dbfs.wisconsin.gov/badgercareplus/>.
- **Senate Bill 51** authored by Senator Mark Miller (D-Monona). Senate bill 51 creates a health care plan for each resident of Wisconsin regardless of age beginning July 1, 2010. The plan would be administered by a newly created Department of Health Planning and Finance. The Department will be supervised by an

11-member Health Policy Board, which will determine what will be covered by the plan. According to the proposed legislation, the plan would provide “reasonable medical service necessary to maintain health, enable diagnosis, or provide treatment or rehabilitation for an injury, condition, disability, or disease.” The plan would be funded through a combination of employer and employee taxes, federal funds and other revenues. Insurance companies could offer policies to cover cosmetic surgery and other non-essential services, but would otherwise not provide health insurance policies. A copy of the legislation is available online at <http://www.legis.state.wi.us/2007/data/SB-51.pdf>.

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- **Wisconsin Health Plan** proposed by David Reimer and introduced last session as 2005 AB 1140 by former Representative Curt Gielow (R-Mequon) and Representative Jon Richards (D-Milwaukee). This plan would cover most Wisconsin residents under age 65 and would offer basic preventative services. The plan would be financed through a system of employer and employee fees based on a percentage of social security wages and gross payroll. The fees would be collected by the Wisconsin Department of Revenue. Insurance companies could continue to offer policies, but the variety of policies would potentially be reduced due to the uniform benefits package. Companies could offer supplemental or Medigap policies. For more information, go to <http://www.wisconsinhealthproject.org/plan/index.htm>.

- **Wisconsin Health Care Partnership Plan** proposed by David Newby of the AFL-CIO. The plan would cover all employees or Wisconsin employers and their dependents. Unemployed, self-employed and early retirees could purchase access to the plan. The plan would provide coverage of all medically

necessary treatment. A labor-management commission will be established to define the coverage parameters. Insurance companies could offer policies to cover supplemental benefits and Medigap policies. For additional information, go to <http://www.wisaficio.org/>.

- **Smart Medicine** proposed by Senators Carol Roessler (R-Oshkosh) and Alberta Darling (R-River Hills). This proposal is based on an evidence-based medicine model. The goals of this plan are: (a) access to affordable, quality health care services for everyone in Wisconsin; (b) a reduction in the cost of health care; (c) attainable health insurance coverage for the 7% of uninsured whose costs are currently shifted to taxpayers and the private market; (d) greater focus on evidence-based, value added solutions; (e) greater activity in the area of prevention, wellness and disease management; (f) strong investment in Pay for Performance to improve the quality of care; and (g) implement incentives and disincentives to encourage results. For more information on this plan go to <http://www.thewheelerreport.com/releases/Jan07/jan25/0125darlingbrochure.pdf>. ♦

Regulation of Air Emissions Associated with Agricultural Waste

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Wisconsin Administrative Code § NR 445, Control of Hazardous Pollutants, which was originally adopted in 1988, establishes emission standards for each hazardous air contaminant that is emitted from a facility in order to protect public health from inhalation exposure to the substance.

In the spring of 2004, NR 445 was revised to address, among other issues, concerns raised by the potential application of the rule to air emissions from Wisconsin livestock operations. The rule was amended to include a three-year exemption from air permitting requirements for emissions associated with agricultural waste. This three-year period ends on July 1, 2007.

At the time the agricultural waste revisions were made, the rationale for providing the three-year exemption was that there were initiatives underway at both the federal and state levels to develop a regulatory approach for emissions associated with agricultural waste. Although much work has been done to further the understanding of air emissions associated with agricultural waste since the three-year exemption was adopted, neither the United States EPA nor the Wisconsin DATCP have finalized the air emissions studies on livestock operations. As a result, best management practices that will address

air emissions associated with agricultural waste are still in development at both the state and federal level. It is unclear whether the DNR will extend the implementation date currently in place in NR 445 while these best management practices are developed, but it is expected that this rulemaking will be re-examined by the DNR as this deadline approaches. ♦

In The Next Issue

In the next issue of PDPW *Capitol Link*, look for updates on the State budget process as well as information on other recently introduced legislation and administrative rules.

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