

Wisconsin Legislature Bipartisan Relief Package



Unemployment & Human Resources Changes

- Waives the one-week waiting period to receive unemployment benefits until February 7, 2021. The waiver is retroactive to March 12.
- Requires DWD to determine if a UI benefit claim is related to the public health emergency, and if so, regular benefits for that claim from March 12, 2020 until December 31, 2020 will not be charged to an employer's UI account.
- Makes numerous changes to the Work Share partial unemployment benefit program to make it much more flexible during the public health emergency. Changes include eligibility for a minimum of 2 employees to participate (instead of 20), all workers being eligible, and an ability to apportion reduced hours differently among all Work Share employees.
- Presumes that all first responders/medical professionals who become infected with COVID-19 during the public health emergency and had contact with a person with COVID-19 during the course of their employment are presumed to have contracted it at work, and is compensable under the Workers Compensation law.
- Employers would not be required to provide employees with personnel records within 7 working days of a request by an employee, as they are currently required to do, during the public health emergency.

Health Insurance Mandates

- Requires every health insurance policy that generally covers testing for infectious diseases to provide coverage of testing for COVID-19 without imposing any copayment or coinsurance on the individual covered under the policy or plan, for any testing done prior to March 13, 2021.
- Prohibits any insurer, pharmacy benefit manager, or self-insured health plan from using a current or past diagnosis, or suspected diagnosis, of COVID-19, as the basis for eligibility for enrollment, continued eligibility to remain enrolled, renewal of coverage, canceling coverage during a contract term, establishing rates for coverage, or refusing to grant a grace period for the payment of premium.
- Prohibits any health insurance policy, or a pharmacy benefit manager acting on behalf of a policy or plan from requiring prior authorization for early refills of a prescription drug or otherwise restrict the period of time in which a prescription drug may be refilled. Also prohibits imposing a limit on the quantity of prescription drugs that may be obtained if the quantity is no more than a 90-day supply. These restrictions apply during the public health emergency.
- During the public health emergency, for services and treatment related to COVID-19, any defined-network or preferred provider health plan may not require an enrollee to pay, including cost sharing, for a service, treatment, or supply rendered by a provider that is not in the plan's network more than the enrollee would pay if the service, treatment, or supply is rendered by an in-network provider.

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Wisconsin Legislature Bipartisan Relief Package (cont'd)

Taxes

- Makes several changes to Wisconsin tax law to conform to the federal Internal Revenue Code for purposes of aligning with tax policy in the CARES Act, including special rules for the use of retirement funds, partial deduction for charitable contributions, and an exclusion for PPP loan forgiveness. On a net basis, it's about a \$52 million tax cut. In addition, the PPP loan forgiveness changes will save small business from a \$216 million tax hike over the next two years.
- Allows the DOR Secretary to waive on a case-by-case basis the interest and penalties for persons that owe, but fail to remit, income, sales or gas taxes by the filing date if, in the Secretary's determination, that person failed to timely remit those taxes due to the effects of the coronavirus outbreak of 2020. This only applies to taxes due and interest that accrues during the public health emergency.
- State income and franchise taxpayers with tax filing due dates between April 1, 2020, and before July 15, 2020, will have until July 15 to file their state income or franchise tax returns for tax year 2019, or make any tax year 2020 estimated payment that would otherwise have been due during that period, without interest, penalty, or underpayment interest applying until that date. This extension is automatic, and requires no filing to request it.
- For any property taxes payable in 2020 that are due after April 1, 2020, allows taxing jurisdictions, after both the county and the local unit of government make a general or case-by-case finding of hardship, to waive any interest charges and penalties for a late installment payment, as long as that the full amount of the payment is received on or before October 1, 2020.

Liability Exemptions

- Exempts from liability any manufacturers, distributors, and sellers of medical supplies or PPE that donate their product to a nonprofit or government unit, or sell the products at cost. The liability exemption covers injury or death caused by the product, and only applies during the public health emergency. This liability exemption falls far short of what is necessary, and what WMC requested.
- Provides immunity from civil liability for every health care professional, health care provider, or their employee, agent, or contractor for the death of or injury to any individual or any damages caused by actions or omissions taken in providing services to address, or in response to, the COVID-19 outbreak during the public health emergency plus 60 days. This immunity does not apply if the actions or omissions involve reckless or wanton conduct or intentional misconduct.

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General Government

- Allows the refinance of up to \$725 million of state debt to take advantage of lower interest rates.
- Allows state and local governments to suspend any deadline in any program it administers or enforces during the public health emergency plus 30 days, and may not charge interest or late fees.
- Similarly, during the public health emergency plus 30 days, a state or local unit of government may suspend any training requirements that are associated with programs the government administers or enforces.
- Creates a public health emergency dashboard, using healthcare emergency preparedness program information collected by the state from acute care hospitals, to help emergency response planning efforts.
- Requires the Wisconsin Economic Development Corporation (WEDC) to submit to the Governor and the Legislature by June 30, 2020 a report that includes a plan for providing support to the major industries in this state that have been adversely affected by the COVID-19 public health emergency, including tourism, manufacturing, agriculture, forest products, construction, retail, and services.

Licensing Flexibility

- Licensed health care provider credentials will not be subject to renewal or continuing education, and will remain valid during the public health emergency plus 60 days.
- Allows former or retired health care providers and health care providers from other states to practice temporarily in the state, without obtaining a Wisconsin credential, during the state public health emergency plus 30 days if certain criteria are met.