



**PRESS RELEASE
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September 15, 2011

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ABC for Health Opposes AB 210, an Insurance Bill Rolling Back Consumer Protections

Madison, WI – ABC for Health, a Madison-based public interest law firm submitted written testimony today opposing a misleading insurance industry bill. Assembly Bill 210, touted as the bill to “bring Wisconsin into compliance with the Affordable Care Act,” instead abandons the progress Wisconsin has made to create a transparent process for consumers. “It is not in the interest of consumers to roll back and water down the consumer protections in Wisconsin law that better promote an efficient, competitive marketplace,” says Bobby Peterson, public interest attorney and director of ABC for Health.

In its testimony, ABC for Health identified concerning elements of this bill, beginning with an unwarranted delegation of rule-making authority to Wisconsin’s Commissioner of Insurance (OCI) to create and disseminate rules as “emergency rules” that may remain in effect for decades. The emergency rules may be promulgated without the usual finding of emergency required under current law, and extend the reach of the Commissioner, without the legislature, to create policy. Similarly, the bill unnecessarily includes language that directs a repeal of all health reform insurance law changes should the law [Affordable Care Act] be held unconstitutional." In such an instance, OCI contends, the agency will draft exemptions for the insurance industry that they deem are impacted by the change, instead of waiting for the legislature to create new Wisconsin law. Among other changes, AB 210 gives OCI wide powers to roll back the improvements made to Wisconsin's existing internal claims and appeals processes and external review.

Peterson continues, “OCI and the Office of Free Market Health Care developed by the Walker administration promised to act in an open, transparent manner. However, AB210, reminiscent of other recent power grabs, gives the Commissioner of Insurance extraordinary power to craft health reform regulations that mostly serve insurance industry interests. For the OCI processes to be “truly” transparent, consumers and their representatives must be invited to the table and have their concerns addressed.” Unfortunately, under Insurance Commissioner Nickel, industry insiders are invited guests to meetings while the public and real consumer representatives have been excluded from the health reform implementation planning process.

ABC for Health, Inc. is a Wisconsin-based, nonprofit, public interest law firm dedicated to linking children and families, particularly those with special health care needs, to health care benefits and services. ABC for Health’s mission is to provide information, advocacy tools, legal services and expert support needed to obtain, maintain, and finance health care coverage and services.

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