



# Wisconsin Medical Society

TO: Assembly Committee on Health  
Representative Joe Sanfelippo, Chair

FROM: Mark Grapentine, JD – Chief Policy and Advocacy Officer

DATE: January 5, 2021

RE: 2021 Assembly Bill 1

On behalf of more than 10,000 physician members statewide, thank you for this opportunity to testify on 2021 Assembly Bill 1, which responds to the COVID-19 pandemic. Physicians have been on the front lines of this generational event and appreciate all efforts to combat the virus and bolster health care's ability to continue the fight.

The Society **supports** the following provisions of Assembly Bill 1:

- **Civil liability exemption; exposure to the novel coronavirus SARS-CoV-2 or COVID-19** (sec. 59).  
Physicians and others on the health care team have dealt with extraordinary challenges ever since COVID-19 first arrived in early 2020. Health care has continued to learn more about the virus and its transmission, incorporating new treatments and medicines as the science has developed. The Society supports civil liability protections for those health care workers who have acted appropriately based on information known at the time and believe the liability thresholds of reckless or wanton conduct or intentional misconduct are appropriate lines to draw for that immunity. This will protect the public while preventing opportunistic and unfair litigation.
- **Insurance coverage of COVID-19 testing and vaccination with no cost sharing** (sec. 56).  
The Society supports ensuring that vaccination costs are not subject to insurance copays or coinsurance, similar to already-enacted provisions related to COVID-19 testing costs.
- **Coverage of vaccinations under SeniorCare** (sec. 9119, p. 50, line 11).  
With seniors disproportionately affected by the COVID-19 pandemic, it makes good policy sense to ensure the state's SeniorCare program covers and reimburses COVID-19 vaccinations.

The Society **opposes** the following provisions of Assembly Bill 1:

- **Mandatory vaccination for employment prohibited** (sec. 15).  
Employers strive to create a safe working environment for employees and members of the public who interact at that workplace. Health care facilities face special challenges in treating patients while minimizing the potential spread of disease. The current pandemic involves an extremely virulent SARS-CoV-2 virus; health care employers should continue to have the option to decide whether employee and public safety necessitates any vaccine requirement.

- **Government powers to order vaccinations** (secs. 27 and 29).  
One lesson we have learned from the current pandemic is the need to bolster our public health infrastructure. Vaccinations are safe, effective and are often the best tool to combat harmful disease – and in some cases can eliminate those maladies nearly completely. The Society supports current law allowing the Department of Health Services secretary and local public health officials to require vaccinations when necessary to protect the public health.

Thank you again for this opportunity to provide the Society's feedback on various elements of Assembly Bill 1 and prioritizing the fight against COVID-19 as we begin the 2021-22 biennial session. Please feel free to contact the Society with any questions on this or other health care issues.