



2003 ASSEMBLY BILL 362

May 28, 2003 - Introduced by Representatives JOHNSRUD, HAHN, SUDER, LOEFFELHOLZ, MUSSER, SERATTI, OWENS, FREESE, BIES, AINSWORTH, PETTIS, HINES, HUNDERTMARK, NISCHKE, GRONEMUS, BERCEAU and POCAN, cosponsored by Senators ROBSON, HANSEN, COWLES and BRESKE. Referred to Committee on Insurance.

1 **AN ACT** *to renumber and amend* 40.52 (1) (b) and 632.895 (6); and *to create*
2 40.52 (1) (b) 2. and 632.895 (6) (b) of the statutes; **relating to:** health insurance
3 coverage of prescription medication for the treatment of diabetes.

Analysis by the Legislative Reference Bureau

Under current law, health insurance policies that cover expenses for the treatment of diabetes, including those offered by the state, and the self-insured plan of the state are required to provide coverage for the installation and use of an insulin infusion pump, for all other equipment and supplies used in the treatment of diabetes, including insulin and other prescription medication, and for diabetic self-management education programs. The required coverage may be subject to any exclusions, limitations, deductibles, and coinsurance provisions that apply generally under the policy or plan, with the exception that insulin infusion pump coverage may be limited to the purchase of one pump per year. This bill adds another exception: that coverage of insulin and other prescription medication for diabetes treatment may not be subject to any deductibles, copayments, or coinsurance under the policy or plan.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 362**SECTION 1**

1 **SECTION 1.** 40.52 (1) (b) of the statutes is renumbered 40.52 (1) (b) (intro.) and
2 amended to read:

3 40.52 (1) (b) (intro.) Coverage for expenses incurred by the installation and use
4 of an insulin infusion pump, coverage for all other equipment and supplies used in
5 the treatment of diabetes, including any prescription medication used to treat
6 diabetes, and coverage of diabetic self-management education programs. Coverage
7 required under this paragraph shall be subject to the same exclusions, limitations,
8 deductibles, and coinsurance provisions of the plan as other covered expenses, except
9 that insulin as follows:

10 1. Insulin infusion pump coverage may be limited to the purchase of one pump
11 per year and the plan may require the covered person to use a pump for 30 days before
12 purchase.

13 **SECTION 2.** 40.52 (1) (b) 2. of the statutes is created to read:

14 40.52 (1) (b) 2. Coverage of insulin and other prescription medication may not
15 be subject to any deductibles, copayments, or coinsurance under the plan.

16 **SECTION 3.** 632.895 (6) of the statutes is renumbered 632.895 (6) (intro.) and
17 amended to read:

18 632.895 (6) **EQUIPMENT AND SUPPLIES FOR TREATMENT OF DIABETES.** (intro.) Every
19 disability insurance policy ~~which~~ that provides coverage of expenses incurred for
20 treatment of diabetes shall provide coverage for expenses incurred by the
21 installation and use of an insulin infusion pump, coverage for all other equipment
22 and supplies, including insulin or any other prescription medication, used in the
23 treatment of diabetes, and coverage of diabetic self-management education
24 programs. Coverage required under this subsection shall be subject to the same

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1 exclusions, limitations, deductibles, and coinsurance provisions of the policy as other
2 covered expenses, except that ~~insulin~~ as follows:

3 (a) Insulin infusion pump coverage may be limited to the purchase of one pump
4 per year and the insurer may require the insured to use a pump for 30 days before
5 purchase.

6 **SECTION 4.** 632.895 (6) (b) of the statutes is created to read:

7 632.895 (6) (b) Coverage of insulin and other prescription medication may not
8 be subject to any deductibles, copayments, or coinsurance under the policy.

9 **SECTION 5. Initial applicability.**

10 (1) This act first applies to all of the following:

11 (a) Except as provided in paragraphs (b) and (c), disability insurance policies
12 that are issued or renewed, and self-insured health plans that are established,
13 extended, modified, or renewed, on the effective date of this paragraph.

14 (b) Disability insurance policies covering employees who are affected by a
15 collective bargaining agreement containing provisions inconsistent with this act
16 that are issued or renewed on the earlier of the following:

17 1. The day on which the collective bargaining agreement expires.

18 2. The day on which the collective bargaining agreement is extended, modified,
19 or renewed.

20 (c) Self-insured health plans covering employees who are affected by a
21 collective bargaining agreement containing provisions inconsistent with this act
22 that are established, extended, modified, or renewed on the earlier of the following:

23 1. The day on which the collective bargaining agreement expires.

24 2. The day on which the collective bargaining agreement is extended, modified,
25 or renewed.

