

1999 DRAFTING REQUEST

Assembly Amendment (AA-SB136)

Received: 03/15/2000

Received By: kahlepj

Wanted: Today

Identical to LRB:

For: Bonnie Ladwig (608) 266-9171

By/Representing: Judi

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Alt. Drafters:

Subject: Insurance - health

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Exclude certain policies from immunization requirement

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 03/15/2000	jgeller 03/15/2000		_____			
/1			martykr 03/15/2000	_____	lrb_docadmin 03/15/2000	lrb_docadmin 03/15/2000	

FE Sent For:

<END>

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/?	kahlepj	11/3/15 Jg	11/3/15 Jm	11/13/15 HAK			

FE Sent For:

<END>

State Representative
Bonnie L. Ladwig
63rd Assembly District



Assistant Majority Leader

4-8522

To: Pam K.

From: Judi Rhodes

2 pages total

RE: Amendment to SB136

1 other life-threatening condition. Such treatment may, however, be provided on a case-by-case basis if
 2 the treatment is being provided in a Phase I clinical trial for any life-threatening condition other than
 3 cancer.

4 E. The treatment described in subsection D shall be provided by a clinical trial approved by:

- 5 1. One of the National Institutes of Health;
- 6 2. An NIH cooperative group or an NIH center;
- 7 3. The FDA in the form of an investigational new drug application;
- 8 4. The Federal Department of Veterans Affairs; or

9 5. An institutional review board of an institution in the Commonwealth that has a multiple project
 10 assurance contract approved by the Office of Protection from Research Risks of the NIH.

11 F. The facility and personnel providing the treatment shall be capable of doing so by virtue of
 12 their experience, training, and expertise.

13 G. Coverage under this section shall apply only if:

- 14 1. There is no clearly superior, noninvestigational treatment alternative; and
- 15 2. The available clinical or preclinical data provide a reasonable expectation that the treatment
 16 will be at least as effective as the noninvestigational alternative.

17 H. The provisions of this section shall not apply to short-term travel, accident-only, limited or
 18 specified disease policies or contracts designed for issuance to persons eligible for coverage under
 19 Title XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state
 20 or governmental plans or to short-term nonrenewable policies of not more than six months' duration.

21 § 38.2-4319. Statutory construction and relationship to other laws.

22 A. No provisions of this title except this chapter and, insofar as they are not inconsistent with this
 23 chapter, §§ 38.2-100, 38.2-200, 38.2-203, 38.2-210 through 38.2-213, 38.2-218 through 38.2-225,
 24 38.2-229, 38.2-232, 38.2-305, 38.2-316, 38.2-322, 38.2-400, 38.2-402 through 38.2-413, 38.2-500
 25 through 38.2-515, 38.2-600 through 38.2-620, Chapter 9 (§ 38.2-900 et seq.) of this title, 38.2-1057,
 26 38.2-1306.2 through 38.2-1309, Articles 4 (§ 38.2-1317 et seq.) and 5 (§ 38.2-1322 et seq.) of Chapter
 27 13, Article 1 (§ 38.2-1400 et seq.) and 2 (§ 38.2-1412 et seq.) of Chapter 14, §§ 38.2-1800 through
 28 38.2-1836, 38.2-3401, 38.2-3405, 38.2-3405.1, 38.2-3407.2 through 38.2-3407.6, 38.2-3407.9,
 29 38.2-3407.10, 38.2-3407.11, 38.2-3407.12, 38.2-3411.2, 38.2-3414.1, 38.2-3418.1 through ~~38.2-3418.7~~
 30 38.2-3418.8, 38.2-3419.1, 38.2-3430.1 through 38.2-3437, 38.2-3500, 38.2-3514.1, 38.2-3514.2,
 31 38.2-3522.1 through 38.2-3523.4, 38.2-3525, 38.2-3542, 38.2-3543.2, Chapter 53 (§ 38.2-5300 et seq.)
 32 and Chapter 58 (§ 38.2-5800 et seq.) of this title shall be applicable to any health maintenance
 33 organization granted a license under this chapter. This chapter shall not apply to an insurer or health
 34 services plan licensed and regulated in conformance with the insurance laws or Chapter 42
 35 (§ 38.2-4200 et seq.) of this title except with respect to the activities of its health maintenance
 36 organization.

37 B. Solicitation of enrollees by a licensed health maintenance organization or by its representatives
 38 shall not be construed to violate any provisions of law relating to solicitation or advertising by health
 39 professionals.

40 C. A licensed health maintenance organization shall not be deemed to be engaged in the unlawful
 41 practice of medicine. All health care providers associated with a health maintenance organization shall
 42 be subject to all provisions of law.

43 D. Notwithstanding the definition of an eligible employee as set forth in § 38.2-3431, a health
 44 maintenance organization providing health care plans pursuant to § 38.2-3431 shall not be required to
 45 offer coverage to or accept applications from an employee who does not reside within the health
 46 maintenance organization's service area.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1862/1
PJK.....

Jlg

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
ASSEMBLY AMENDMENT ,
TO 1999 SENATE BILL 136

*by 5:00
today
D-vote*

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 5, line 5: before "certain" insert "limited or". ✓

3 **2.** Page 5, line 12: after that line insert:

4 **7.** Short-term travel or accident-only policies. ✓

5 **8.** Short-term nonrenewable policies of not more than 6 months' duration." ✓

6

(END)

D-vote

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1862/jdn

PJK.....

JLg

I did not include in the amendment the language related to contracts designed for issuance to persons eligible for medicare. The bill already excludes medicare replacement and medicare supplement policies. The bill also already excludes specified disease policies. → i

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1862/1dn
PJK:jl:km

March 15, 2000

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Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us