

2009 DRAFTING REQUEST

Bill

Received: 12/14/2009

Received By: tdodge

Wanted: As time permits

Identical to LRB: 09-3797/1

For: Ted Zigmunt (608) 266-9870

By/Representing: Jay Ferus

This file may be shown to any legislator: NO

Drafter: tdodge

May Contact:

Addl. Drafters:

Subject: Insurance - health

Extra Copies: PJK

Submit via email: YES

Requester's email: Rep.Zigmunt@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Exempting wellness programs from unfair trade or marketing practices

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>
/?	tdodge 12/15/2009	kfollett 12/16/2009		_____			S&L
/1			mduchek 12/16/2009	_____	cduerst 12/16/2009	lparisi 01/21/2010	

FE Sent For:

<END>

↳ At Intro.

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/?	tdodge	11/5/09 12/14/09	tdodge 12/16/09				

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<END>

12/14/09

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

LRB-3797 called

Sullivan's Mary 6-25/2 -

Zigmunt's office will ask for companion. - OK
Gate permission to show draft to Zigmunt's office

Jay Ferris Ferrus called

LRB-3797 Assembly - Rep Zigmunt's
wants - companion office



State of Wisconsin
2009 - 2010 LEGISLATURE

3992/1

LRB-8797/1
TJD:kjl:rs

In 12/15/09

2009 BILL

Companion
- no changes

Regen

- 1 AN ACT *to create* 628.34 (13) of the statutes; **relating to:** exempting wellness
2 programs from unfair trade or marketing practices.

Analysis by the Legislative Reference Bureau

Under current law, an insurer may not engage in any of the following unfair trade or marketing practices: inducing a person to enter into an insurance contract by offering benefits not specified in the policy; making an agreement of insurance that is not clearly expressed in the policy; unfairly discriminating among insureds by charging different premiums or by offering different terms of coverage except on the basis of classifications related to the nature and degree of risk covered or the expenses involved; attempting to influence an employer to refuse employment of an individual or discharge an employee; or committing any unfair trade practice that the commissioner defines by rule.

This bill allows an insurer to advertise, market, offer, or operate a wellness program without violating an unfair trade or marketing practice. A wellness program is designed to promote health or prevent disease by offering a reward to insured individuals. If a wellness program contains no conditions for obtaining a reward based on an individual satisfying a standard that is related to a health factor, the wellness program is exempt from unfair trade or marketing practice laws if participation in the program is available to all similarly situated individuals. Alternately, a wellness program that is based on an individual satisfying a standard that is related to a health factor is exempt from unfair trade or marketing practice laws if it has all of the following qualities: the reward does not exceed 20 percent of the cost of the coverage under the plan; the program is reasonably designed to

Duerst, Christina

From: Ferus, Jay
Sent: Thursday, January 21, 2010 10:01 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-3992/1 Topic: Exempting wellness programs from unfair trade or marketing practices

Please Jacket LRB 09-3992/1 for the ASSEMBLY.

Thanks,
Jay Ferus
Office of Rep. Ted Zigmunt
420 North
266-9870