

# State of Wisconsin



2017 Assembly Bill 128

Date of enactment: April 3, 2018  
Date of publication\*: April 4, 2018

## 2017 WISCONSIN ACT 191

AN ACT *to renumber* 40.02 (1); *to amend* 40.03 (6) (a) and 40.03 (6) (b); and *to create* 40.02 (1d), 40.03 (6) (m) and 40.56 of the statutes; **relating to:** prohibiting the group insurance board from contracting for or providing abortion services.

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

**SECTION 1.** 40.02 (1) of the statutes is renumbered 40.02 (1m).

**SECTION 2.** 40.02 (1d) of the statutes is created to read:

40.02 (1d) "Abortion" has the meaning given in s. 253.10 (2) (a).

**SECTION 3.** 40.03 (6) (a) of the statutes is amended to read:

40.03 (6) (a) 1. ~~Shall~~ Except as provided in par. (m), shall, on behalf of the state, enter into a contract or contracts with one or more insurers authorized to transact insurance business in this state for the purpose of providing the group insurance plans provided for by this chapter; or

2. May Except as provided in par. (m), may, wholly or partially in lieu of subd. 1., on behalf of the state, provide any group insurance plan on a self-insured basis in which case the group insurance board shall approve a written description setting forth the terms and conditions of the plan, and may contract directly with providers of hospital, medical or ancillary services to provide insured employees with the benefits provided under this chapter.

**SECTION 4.** 40.03 (6) (b) of the statutes is amended to read:

40.03 (6) (b) ~~May~~ Except as provided in par. (m), may provide other group insurance plans for employees and their dependents and for annuitants and their dependents in addition to the group insurance plans specifically provided under this chapter. The terms of the group insurance under this paragraph shall be determined by contract, and shall provide that the employer is not liable for any obligations accruing from the operation of any group insurance plan under this paragraph except as agreed to by the employer.

**SECTION 5.** 40.03 (6) (m) of the statutes is created to read:

40.03 (6) (m) May not enter into, extend, modify, or renew any contract for a group insurance plan or provide a group insurance plan or other benefit on a self-insured basis that provides coverage or services for an abortion, the performance of which is ineligible for funding under s. 20.927.

**SECTION 6.** 40.56 of the statutes is created to read:

**40.56 Abortion coverage prohibited.** No abortion coverage or services, the performance of which is ineligible for funding under s. 20.927, may be provided in a health insurance plan or health care coverage plan offered under this subchapter.

**SECTION 7. Initial applicability.**

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(1) The treatment of sections 40.02 (1) and (1d), 40.03 (6) (a), (b), and (m), and 40.56 of the statutes first applies to contracts for group health insurance plans that

are entered into, extended, modified, or renewed on the effective date of this subsection.

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