

State of Wisconsin



2017 Assembly Bill 876

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 305

AN ACT to amend 609.83; and to create 632.895 (16t) of the statutes; relating to: coverage of prescription eye drop refills.

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

SECTION 1. 609.83 of the statutes is amended to read:

609.83 Coverage of drugs and devices. Limited service health organizations, preferred provider plans, and defined network plans are subject to s. ss. 632.853 and 632.895 (16t).

SECTION 2. 632.895 (16t) of the statutes is created to read:

632.895 (16t) PRESCRIPTION EYE DROPS. Every disability insurance policy and every self-insured health plan of the state or of a county, city, town, village, or school district that provides coverage of prescription eye drops shall cover a refill of the prescription eye drops that satisfies all of the following:

(a) The refill is requested by the insured or plan participant when 75 percent or more of the days have elapsed from the later of the original date the prescription was distributed to the insured or plan participant or the date on which the most recent refill was distributed to the insured or plan participant.

(b) The prescription allows for a refill of the prescription eye drops.

(c) The requested refill does not exceed the number of refills allowed by the prescription.

SECTION 3. Initial applicability.

(1) PRESCRIPTION EYE DROPS.

(a) For policies and plans containing provisions inconsistent with this act, the act first applies to policy or plan years beginning on January 1 of the year following the year in which this paragraph takes effect, except as provided in paragraph (b).

(b) For policies or plans that are affected by a collective bargaining agreement containing provisions inconsistent with this act, this act first applies to policy or plan years beginning on the effective date of this paragraph or on the day on which the collective bargaining agreement is newly established, extended, modified, or renewed, whichever is later.

SECTION 4. Effective date.

(1) This act takes effect on the first day of the 4th month beginning after publication.

* 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."