



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 365

**Assembly Substitute
Amendment 1**

Memo published: June 22, 2017

Contact: Margit S. Kelley, Senior Staff Attorney

2017 ASSEMBLY BILL 365

Assembly Bill 365 specifies that a health insurance policy or governmental self-insured health plan is prohibited from imposing a lifetime or annual limit on the dollar value of benefits provided under the policy or plan.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 removes that provision and instead specifies that a health insurance policy or governmental self-insured plan is prohibited from imposing a preexisting condition exclusion under the policy or plan. A “preexisting condition exclusion” means a limitation or exclusion of benefits relating to a condition that existed before the date of enrollment for coverage.

The substitute amendment also specifies that if a person has had continuous coverage for the 12 months before the date of enrollment with no breaks in coverage for any period longer than 63 continuous days, a health insurance policy or governmental self-insured plan is prohibited from considering a preexisting condition for the purposes of setting premiums or cost-sharing provisions.

The substitute amendment additionally authorizes the Office of the Commissioner of Insurance to propose a plan to assist individuals who have a preexisting condition, and who have not had continuous coverage, as described above, in purchasing coverage. If the office proposes a plan, it must address certain aspects, including expanded choices of insurance coverage, more affordable options for an individual to purchase coverage, and greater flexibility in portability of coverage. The plan may supersede the statutory provisions included in the substitute amendment and any other statutory insurance provision. The plan may be

implemented only if it is submitted to the Joint Committee on Finance under the passive review process.

BILL HISTORY

Assembly Substitute Amendment 1 to 2017 Assembly Bill 365 was offered by Representatives Petersen and Sanfelippo on June 21, 2017. That same day, the Assembly adopted the substitute amendment on a vote of Ayes, 63; Noes, 34, and passed the bill, as amended, on a vote of Ayes, 62; Noes, 35.

MSK:jal