



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3736/1
TJD:jld

2017 ASSEMBLY BILL 876

January 29, 2018 - Introduced by Representatives JAGLER, ROHRKASTE, SPIROS, SKOWRONSKI, ANDERSON, BERCEAU, BILLINGS, FIELDS, KOLSTE, POPE, SPREITZER, SUBECK, HORLACHER and R. BROOKS, cosponsored by Senators ROTH, FEYEN, CARPENTER and VINEHOUT. Referred to Committee on Insurance.

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

Analysis by the Legislative Reference Bureau

This bill requires health insurance policies, known in the bill as disability insurance policies, and self-insured governmental and school district health plans that cover prescription eye drops to cover refills of prescription eye drops that 1) are allowed under the prescription; 2) do not exceed the prescribed number of refills; and 3) are requested by the insured or plan participant when 75 percent or more of the days have elapsed from the later of the original distribution date or the date of the most recent refill.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

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

3 **SECTION 1.** 609.83 of the statutes is amended to read:
4 **609.83 Coverage of drugs and devices.** Limited service health
5 organizations, preferred provider plans, and defined network plans are subject to s.
6 ss. 632.853 and 632.895 (16t).

ASSEMBLY BILL 876**SECTION 2**

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

2 632.895 **(16t)** PRESCRIPTION EYE DROPS. Every disability insurance policy and
3 every self-insured health plan of the state or of a county, city, town, village, or school
4 district that provides coverage of prescription eye drops shall cover a refill of the
5 prescription eye drops that satisfies all of the following:

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

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

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

13 **SECTION 3. Initial applicability.**

14 (1) PRESCRIPTION EYE DROPS.

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

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

23 **SECTION 4. Effective date.**

