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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2019 Assembly Bill 26**

**Assembly  
Amendment 2**

### **2019 ASSEMBLY BILL 26**

Assembly Bill 26 defines a “direct primary care agreement” and states that Wisconsin’s insurance laws (chs. 600 to 655, Stats.) do not apply to any valid direct primary care agreement. Under the bill, a direct primary care agreement is a written agreement between a health care provider and a potential patient (or his or her employer) that requires the health care provider to provide specified primary care services in exchange for a subscription fee.

Under the bill, in selecting patients with whom to enter into a direct primary care agreement, a health care provider may not discriminate on the basis of age, citizenship status, color, disability, gender or gender identity, genetic information, health status, existence of a preexisting medical condition, national origin, race, religion, sex, sexual orientation, or any other protected class.

### **ASSEMBLY AMENDMENT 2**

Assembly Amendment 2 replaces the language relating to discrimination in patient selection with a provision prohibiting discrimination on any basis specified in s. 51.90, Stats., which are age, race, creed, color, sex, or handicap. Additionally, under the amendment, a health care provider may not discriminate on the basis of the existence of a preexisting medical condition or health status, except that a health care provider is not required to enter into an agreement with a patient whose medical condition is such that the health care provider is unable to provide the appropriate level and type of health care services to the patient.

### **BILL HISTORY**

Assembly Amendment 2 was offered by Representative Sanfelippo on January 21, 2020. The amendment was adopted on that same date by the Assembly by a vote of Ayes, 61; and Noes, 36.

PH:jal