



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-5753/1  
TJD:cdc

## 2021 SENATE BILL 1072

March 9, 2022 - Introduced by Senators AGARD, LARSON, L. TAYLOR, RINGHAND and SMITH, cosponsored by Representatives POPE, ANDERSON, HEBL, SHELTON, SPREITZER, CONLEY, HESSELBEIN, ANDRACA, SUBECK, BALDEH, STUBBS, SINICKI and S. RODRIGUEZ. Referred to Committee on Insurance, Licensing and Forestry.

1     **AN ACT** *to create* 609.803 and 632.895 (13m) of the statutes; **relating to:**  
2             coverage of tests for sexually-transmitted diseases by health policies and  
3             plans.

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***Analysis by the Legislative Reference Bureau***

This bill requires health insurance policies and self-insured governmental health plans to cover home test kits for sexually transmitted diseases, including any laboratory costs for processing the kits. Under the bill, a home test kit must be a test recommended by the federal Centers for Disease Control and Prevention guidelines or the U.S. Preventive Services Task Force must have been given a waiver of a specific federal law, approved or cleared by the federal Food and Drug Administration, or is developed by a laboratory in accordance with established regulations and quality standards. The policies and plans are required to cover the home test kit if the use of the kit is determined to be medically necessary or appropriate and is ordered by a health care provider or furnished through a standing order. Health insurance policies are known in the bill as disability insurance policies.

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

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

**SENATE BILL 1072****SECTION 1**

1           **SECTION 1.** 609.803 of the statutes is created to read:

2           **609.803 Coverage of sexually transmitted disease testing.** Preferred  
3 provider plans and defined network plans are subject to s. 632.895 (13m).

4           **SECTION 2.** 632.895 (13m) of the statutes is created to read:

5           **632.895 (13m) SEXUALLY TRANSMITTED DISEASE TESTS.** (a) In this subsection,  
6 “home test kit” means a product used as a test recommended by the federal centers  
7 for disease control and prevention guidelines or the U.S. preventive services task  
8 force and that satisfies all of the following:

9           1. The product allows individuals to self-collect specimens for sexually  
10 transmitted diseases, including HIV, outside of a clinical setting.

11           2. The product has been given a waiver of the federal clinical laboratory  
12 improvement amendments, is approved or cleared by the federal food and drug  
13 administration, or is developed by a laboratory in accordance with established  
14 regulations and quality standards.

15           (b) Every disability insurance policy, and every self-insured health plan of the  
16 state, or a county, city, village, town, or school district, that provides coverage of  
17 primary care or preventive services shall provide coverage of a home test kit for  
18 sexually transmitted diseases, including any laboratory costs of processing the home  
19 test kit, if the home test kit meets all of the following criteria:

20           1. The use of the home test kit is determined to be medically necessary or  
21 appropriate.

22           2. The home test kit is ordered directly by a health care provider or furnished  
23 through a standing order for patient use based on clinical guidelines and individual  
24 patient needs.

25           **SECTION 3. Initial applicability.**

