



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2539/1
JPC:emw

2023 SENATE BILL 287

May 15, 2023 - Introduced by Senators JACQUE, MARKLEIN, BALLWEG and NASS, cosponsored by Representatives MURSAU, ARMSTRONG, DITTRICH, MURPHY, SUBECK, BEHNKE and SHANKLAND. Referred to Committee on Insurance and Small Business.

1 **AN ACT** *to amend* 40.51 (8), 40.51 (8m), 66.0137 (4), 120.13 (2) (g) and 185.983
2 (1) (intro.); and *to create* 632.851 of the statutes; **relating to:** requiring direct
3 reimbursement of emergency medical services under health insurance policies
4 and plans.

Analysis by the Legislative Reference Bureau

This bill requires any health benefit plan that provides coverage for any emergency medical services to directly reimburse an emergency medical services provider for all emergency medical services that are provided by the emergency medical services provider and covered by the health benefit plan.

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

5 **SECTION 1.** 40.51 (8) of the statutes is amended to read:
6 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
7 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.729, 632.746
8 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.851,

SENATE BILL 287**SECTION 1**

1 632.853, 632.855, 632.861, 632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m)
2 and (8) to (17), and 632.896.

3 **SECTION 2.** 40.51 (8m) of the statutes is amended to read:

4 40.51 **(8m)** Every health care coverage plan offered by the group insurance
5 board under sub. (7) shall comply with ss. 631.95, 632.729, 632.746 (1) to (8) and (10),
6 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.851, 632.853, 632.855,
7 632.861, 632.867, 632.885, 632.89, and 632.895 (11) to (17).

8 **SECTION 3.** 66.0137 (4) of the statutes is amended to read:

9 66.0137 **(4)** SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
10 a village provides health care benefits under its home rule power, or if a town
11 provides health care benefits, to its officers and employees on a self-insured basis,
12 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
13 632.729, 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.851, 632.853,
14 632.855, 632.861, 632.867, 632.87 (4) to (6), 632.885, 632.89, 632.895 (9) to (17),
15 632.896, and 767.513 (4).

16 **SECTION 4.** 120.13 (2) (g) of the statutes is amended to read:

17 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
18 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.729, 632.746 (10) (a) 2. and (b) 2.,
19 632.747 (3), 632.798, 632.85, 632.851, 632.853, 632.855, 632.861, 632.867, 632.87 (4)
20 to (6), 632.885, 632.89, 632.895 (9) to (17), 632.896, and 767.513 (4).

21 **SECTION 5.** 185.983 (1) (intro.) of the statutes is amended to read:

22 185.983 **(1)** (intro.) Every voluntary nonprofit health care plan operated by a
23 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
24 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
25 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,

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1 631.95, 632.72 (2), 632.729, 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798,
2 632.85, 632.851, 632.853, 632.855, 632.861, 632.867, 632.87 (2) to (6), 632.885,
3 632.89, 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630,
4 635, 645, and 646, but the sponsoring association shall:

5 **SECTION 6.** 632.851 of the statutes is created to read:

6 **632.851 Direct reimbursement of emergency medical services.** (1) In
7 this section:

8 (a) "Emergency medical services provider" has the meaning given in s. 256.215
9 (1) (d).

10 (b) "Health benefit plan" has the meaning given in s. 632.745 (11).

11 **(2)** If a health benefit plan provides coverage for any emergency medical
12 services, the health benefit plan shall directly reimburse an emergency medical
13 services provider for all covered emergency medical services provided by the
14 emergency medical services provider.

15 **SECTION 7. Initial applicability.**

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

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

24 **SECTION 8. Effective date.**

