

1991 Assembly Bill 99

Date of enactment: **March 5, 1992**  
Date of publication\*: **March 19, 1992**

## 1991 WISCONSIN ACT 113

**AN ACT** to amend 40.05 (4) (ad) and 40.51 (2); and to create 40.02 (25) (b) 6m and 40.51 (16) of the statutes, relating to: allowing any retired state employe and certain other former state employes to purchase coverage under the state employe group health insurance plan by furnishing evidence of insurability satisfactory to the insurer.

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

**SECTION 1.** 40.02 (25) (b) 6m of the statutes is created to read:

40.02 (25) (b) 6m. Beginning on the date specified by the department, but not earlier than the effective date of this subdivision .... [revisor inserts date], and not later than July 1, 1992, any of the following persons who, if eligible, is receiving medicare coverage under both part A and part B of Title XVIII of the federal social security act, 42 USC 1395 to 1395zz, and who has acted under s. 40.51 (16) to elect group health insurance coverage:

a. A retired employe of the state who is receiving a retirement annuity or has received a lump sum payment under s. 40.25 (1).

b. An employe of the state who terminates creditable service after attaining 20 years of creditable service, remains a participant and is not eligible for an immediate annuity.

**SECTION 2.** 40.05 (4) (ad) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

40.05 (4) (ad) For health insurance, each insured retired employe who elects coverage under s. 40.51 (10) ~~or~~ (10m) or (16) shall pay the entire amount of the required premiums, except as provided in par. (bc).

**SECTION 3.** 40.51 (2) of the statutes, as affected by 1991 Wisconsin Act 39, is amended to read:

40.51 (2) Except as provided in subs. (10), (10m) ~~and~~, (11) and (16), any eligible employe may become

covered by group health insurance by electing coverage within 30 days of being hired, to be effective as of the first day of the month which begins on or after the date the application is received by the employer, or by electing coverage prior to becoming eligible for employer contribution towards the premium cost as provided in s. 40.05 (4) (a) to be effective upon becoming eligible for employer contributions. Any employe who does not so elect at one of these times, or who subsequently cancels the insurance, shall not thereafter become insured unless the employe furnishes evidence of insurability satisfactory to the insurer, at the employe's own expense or obtains coverage subject to contractual waiting periods. The method to be used shall be specified in the health insurance contract.

**SECTION 4.** 40.51 (16) of the statutes is created to read:

40.51 (16) Beginning on the date specified by the department, but not earlier than the effective date of this subsection .... [revisor inserts date], and not later than July 1, 1992, any eligible employe, as defined in s. 40.02 (25) (b) 6m, may elect coverage under any health care coverage plan offered under sub. (6) by furnishing, at the employe's expense, evidence of insurability satisfactory to the insurer or by obtaining coverage subject to contractual waiting periods, and by paying the cost of the required premiums, as provided in s. 40.05 (4) (ad). The method to be used shall be specified in the health insurance contract.

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**SECTION 5. Effective date.** This act takes effect on January 1, 1992, or the day after publication, whichever is later.

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