

1993 Senate Bill 318

Date of enactment: **April 27, 1994**

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1993 WISCONSIN ACT 448

AN ACT to create 632.797 of the statutes, relating to: requiring insurers to provide health claims experience information to policyholders.

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

SECTION 1. 632.797 of the statutes is created to read:

632.797 Disclosure of group health claims experience. (1) (a) Except as provided in subs. (2) and (3), an insurer shall provide the policyholder of a group or blanket disability insurance policy, or an employer that provides health care coverage to its employes through a multiple-employer trust, with the policyholder's or the employer's aggregate group health claims experience for the current policy period, and for up to 2 policy periods immediately preceding the current policy period if the insurer provided coverage during those periods, upon request from the policyholder or employer.

(b) The insurer shall provide the information under par. (a) no later than 30 days after receiving a request for that information from the policyholder or employer.

(c) The insurer may not charge the policyholder or the employer for providing the information under par. (a) one time in a 12-month period.

(2) An insurer is not required to provide the information under sub. (1) unless the policyholder or employer

requesting the information provides coverage under the policy for at least 50 individuals, exclusive of individuals who have coverage under the policy as a dependent of another individual.

(3) Notwithstanding sub. (1), an insurer is not required to provide health claims experience under sub. (1) for any period of time that is before 18 months before the date on which the information is requested.

(4) Subsection (1) does not require that an insurer provide the policyholder of a group or blanket disability insurance policy, or an employer that provides health care coverage to its employes through a multiple-employer trust, with the health claims experience of an individual employe or insured.

(5) An insurer is not required under sub. (1) to provide information that identifies an individual or that is confidential under s. 146.82.

(6) An insurer that provides aggregate health claims experience information in compliance with this section is immune from civil liability for its acts or omissions in providing such information.