

**ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 4**

December 21, 1999 – Offered by Representative SCHNEIDER.

1     **AN ACT** *to repeal* 40.53, 111.91 (2) (pm) and 601.415 (13); and *to create* 40.53,  
2           111.91 (2) (pm) and 601.415 (13) of the statutes; **relating to:** requiring coverage  
3           for state employes of diagnosis and treatment of a condition by an  
4           acupuncturist and prohibiting collective bargaining by the state with respect  
5           to the requirement.

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

6           **SECTION 1.** 40.53 of the statutes is created to read:

7           **40.53 Coverage of acupuncturist services. (1)** Every health care coverage  
8           plan offered by the state under s. 40.51 (6) shall provide coverage for diagnosis and  
9           treatment of a condition or complaint by an acupuncturist who is certified under ch.  
10          451, within the scope of the acupuncturist's certificate, if the health care coverage  
11          plan covers diagnosis and treatment of the condition or complaint by a licensed

1 physician or osteopath, even if different nomenclature is used to describe the  
2 condition or complaint. This subsection does not prohibit any of the following:

3 (a) The application of deductibles or coinsurance provisions to acupuncturist  
4 and physician or osteopath charges on an equal basis.

5 (b) The application of cost containment or quality assurance measures to  
6 acupuncturist and physician or osteopath services in a like manner, consistent with  
7 this subsection.

8 (2) A health care coverage plan specified in sub. (1) may not require an  
9 examination by or a referral from a physician as a condition precedent for the receipt  
10 of an acupuncturist's services under sub. (1).

11 **SECTION 2.** 40.53 of the statutes, as created by 1999 Wisconsin Act .... (this act),  
12 is repealed.

13 **SECTION 3.** 111.91 (2) (pm) of the statutes is created to read:

14 111.91 (2) (pm) The provision to employes of coverage of acupuncturist services  
15 under s. 40.53.

16 **SECTION 4.** 111.91 (2) (pm) of the statutes, as created by 1999 Wisconsin Act ....  
17 (this act), is repealed.

18 **SECTION 5.** 601.415 (13) of the statutes is created to read:

19 601.415 (13) STUDY ON COVERAGE OF ACUPUNCTURIST SERVICES. In consultation  
20 with the department of employe trust funds, the commissioner shall study the  
21 impact of the coverage requirement under s. 40.53, considering such issues as the  
22 cost of the coverage, utilization of the coverage, satisfaction with the coverage and  
23 the health and well-being of employes utilizing the coverage, and shall determine  
24 the feasibility and advisability of requiring all insurers offering health care coverage  
25 to provide the coverage required under s. 40.53. On or before May 1, 2005, the

1 commissioner shall report the findings of the study and legislative and other  
2 recommendations to the legislature under s. 13.172 (2).

3 **SECTION 6.** 601.415 (13) of the statutes, as created by 1999 Wisconsin Act ....  
4 (this act), is repealed.

5 **SECTION 7. Initial applicability.**

6 (1) The creation of sections 40.53 and 111.91 (2) (pm) of the statutes first applies  
7 to health care coverage plans that are issued or renewed on January 1, 2001.

8 (2) The repeal of sections 40.53 and 111.91 (2) (pm) of the statutes first applies  
9 to health care coverage plans that are issued or renewed on January 1, 2006.

10 **SECTION 8. Effective dates.** This act takes effect on the day after publication,  
11 except as follows:

12 (1) The repeal of sections 40.53, 111.91 (2) (pm) and 601.415 (13) of the statutes  
13 takes effect on January 1, 2006.

14 (END)