

1999 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB4)

Received: 11/15/1999

Received By: kahlepj

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Alt. Drafters:

Subject: Insurance - health

Extra Copies: RAC

Pre Topic:

No specific pre topic given

Topic:

Require acupuncture coverage mandate only for state employes for a 5-year trial period; require OCI study and report on feasibility and fiscal impact

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reaured</u>
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/1	kahlepj 12/14/1999	jgeller 12/15/1999	jfrantze 12/15/1999	_____	lrb-docadmin 12/15/1999	lrb-docadmin 1211511999	

FE Sent For:

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FE Sent For:			<i>JG 12/15</i>	<i>JG 12/15</i>			<END>

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/?	kahlepj	1/11/16 jlg	11/11/16	11/11/16			

FE Sent For:

<END>

Judy - Marie Schmidt

6-0215

11-15-99

sub to AB 4
(LRB-0318/1)

require application to state employees only

(pilot project) → for 5 years - have
OCT do study &
report at end of 5 yrs
on fiscal impacts & possibility
of requiring coverage
for all in med



jlq

P1

PRELIMINARY DRAFT – NOT READY FOR INTRODUCTION
ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 4

SOON
(11-16)
D-note

gen cat

1 AN ACT^x; relating to: requiring coverage for state employes of diagnosis and
2 treatment of a condition by an acupuncturist and prohibiting collective
3 bargaining by the state with respect to the requirement.

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

4 SECTION 1. 40.53^x of the statutes is created to read:

5 **40.53 Coverage of acupuncturist services. (1)** (a) Every health care
6 coverage plan offered by the state under s. 40.51 (6)[✓] shall provide coverage for
7 diagnosis and treatment of a condition or complaint by an acupuncturist who is
8 certified under ch. 451[✓], within the scope of the acupuncturist's certificate, if the
9 health care coverage plan covers diagnosis and treatment of the condition or
10 complaint by a licensed physician or osteopath, even if different[✓] nomenclature is

1 used to describe the condition or complaint. This paragraph [✓] does not prohibit any
2 of the following:

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

5 2. 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 paragraph. [✓]

8 (b) A health care coverage plan specified in par. (a) [✓] 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 par. (a). [✓]

11 (2) The office of the commissioner of insurance shall study the impact of the
12 coverage requirement under sub. (1), [✓] considering such issues as the cost of the
13 coverage, utilization of the coverage, satisfaction with the coverage and the health
14 and well-being of employes utilizing the coverage, and shall determine the
15 feasibility and advisability of requiring all insurers, as defined in s. [✓]600.03 (27),
16 offering health care coverage to provide the coverage required under sub. (1). On or
17 before May 1, 2005, the commissioner of insurance shall report the findings of the
18 study and legislative and other recommendations to the legislature under s. [✓]13.172
19 (2).

20 SECTION 2. 40.53 [✓] of the statutes, as created by 1999 Wisconsin Act . . . (this act),
21 is repealed.

22 SECTION 3. 111.91 (2) (pm) [✓] of the statutes is created to read:

23 111.91 (2) (pm) The provision to employes of coverage of acupuncturist services
24 under s. 40.53. [✓]

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0209/7dn

PJK.....

JLg

PI

1. Because the requirement in this substitute amendment ~~also~~ applies ^{only} to state employees, you may wish to have OCI consult with ETF or to require ETF to provide information to and cooperate with OCI. Do you want ETF to provide information to OCI from medical records? If so, s. 40.07 (2) will have to be amended.

2. I used exact dates in the draft so that the coverage requirement would begin at the beginning of a policy term and end at the end of a term. Are these dates okay?

3. Do you want the study to include anything else specifically? Do you want to change the date by which the report must be submitted? Would you prefer that the report be submitted to the appropriate committees instead of to the whole legislature?

(P)

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0209/P1dn
PJK;jlg:hmh

November 16, 1999

1. Because the requirement in this substitute amendment applies only to state employees, you may wish to have OCI consult with ETF or to require ETF to provide information to and cooperate with OCI. Do you want ETF to provide information to OCI from medical records? If so, s. 40.07 (2) will have to be amended.
2. I used exact dates in the draft so that the coverage requirement would begin at the beginning of a policy term and end at the end of a term. Are these dates okay?
3. Do you want the study to include anything else specifically? Do you want to change the date by which the report must be submitted? Would you prefer that the report be submitted to the appropriate committees instead of to the whole legislature?

Pamela J. Kahler
Senior Legislative Attorney
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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1999 ASSEMBLY BILL 4**

SOON
(Tues)

regenerate ↓

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

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

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

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

subsection ✓
↑

1 used to describe the condition or complaint. This ~~paragraph~~ does not prohibit any
2 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 alike manner, consistent with

7 this ~~paragraph~~ → subsection ✓

8 (2) ~~←~~ A health care coverage plan specified in ~~par. (1)~~ 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 ~~par. (1)~~ → sub. (1) ✓

11 ~~the commissioner~~ ^{insert 3-2A} shall study the impact of the

12 coverage requirement under ~~par. (1)~~ → A. 40.53 ✓ considering such issues as the cost of the

13 coverage, utilization of the coverage, satisfaction with the coverage and the health

14 and well-being of employees utilizing the coverage, and shall determine the

15 feasibility and advisability of requiring all insurers ~~as defined in s. 600.03 (2)(b)~~ → A. 40.53 ✓

16 offering health care coverage to provide the coverage required under ~~sub. (1)~~ On or

17 before May 1, 2005, the commissioner ~~shall~~ shall report the findings of the

18 study and legislative and other recommendations to the legislature under s. 13.172
19 (2).

Insert 3-2 ✓

A. 40.53

20 INSERT 3-2B

SECTION 2. 40.53 of the statutes, as created by 1999 Wisconsin Act (this act),

21 is repealed.

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

23 111.91 (2) (pm) The provision to employees of coverage of acupuncturist services

24 under s. 40.53.

Insert 3-2

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

3 **SECTION 5. Initial applicability**

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

6 (2) The repeal 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, 2006.

8 **SECTION 6. Effective dates.** This act takes effect on the day after publication,
9 except as follows:

10 (1) The repeal of sections 40.53 ~~and~~ 111.91 (2) (pm) of the statutes takes effect
11 on January 1, 2006.

and 601.415(13)

12 (END)

INSERT 3-2A

SECTION 1. 601.415 (13)^X of the statutes is created to read:

601.415 (13) **STUDY ON COVERAGE OF ACUPUNCTURIST SERVICES.** In consultation with the department of employe trust funds, [✓] ~~(NO PP)~~

SECTION 2. 601.415 (13)[✓] of the statutes, as created by 1999 Wisconsin Act

(this act), is repealed.

INSERT
3-2B

(END OF INSERT 3-2A)^B
^