

1999 DRAFTING REQUEST

Bill

Received: **12/02/1999**

Received By: **kahlepj**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**

By/Representing: **his office**

This file may be shown to any legislator: NO

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Insurance - health**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Require managed care plans to cover children's cancer clinical trials

Instructions:

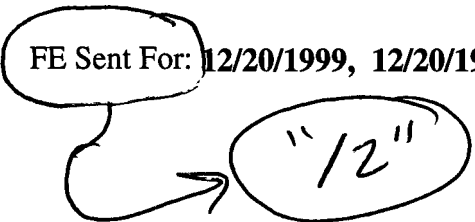
See Attached

Drafting History:

| <u>Vers.</u> | <u>Drafted</u> | <u>Reviewed</u> | <u>Typed</u> | <u>Proofed</u> | <u>Submitted</u> | <u>Jacketed</u> | <u>Required</u> |
|--------------|-----------------------|-----------------------|------------------------|----------------|----------------------------|----------------------------|-----------------|
| /? | kahlepj 12/06/1999 | jgeller 12/07/1999 | | _____ | | | S&L |
| /1 | | | martykr 12/07/1999 | _____ | lrb-docadmin 12/07/1999 | | S&L |
| /2 | kahlepj 12/07/1999 | jgeller 12/08/1999 | jfrantze 12/09/1999 | _____ | lrb-docadmin 12/09/1999 | lrb-docadmin 01/19/2000 | |

FE Sent For: **12/20/1999, 12/20/1999, 12/20/1999, 12/20/1999.**

<END>



1999 DRAFTINGREQUEST

Bill

Received: **12/02/1999**

Received By: **kahlepj**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**

By/Representing: **his office**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Insurance - health**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Require managed care plans to cover children's cancer clinical trials

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>Required</u> |
|--------------|-----------------------|------------------------|------------------------|----------------|----------------------------|-----------------|-----------------|
| I? | kahlepj 12/06/1999 | jgeller 12/07/1999 | | _____ | | | S&L |
| /1 | | | martykr 12/07/1999 | _____ | lrb-docadmin 12/07/1999 | | S&L |
| /2 | kahlepj 12/07/1999 | j geller 12/08/1999 | jfrantze 12/09/1999 | _____ | lrb-docadmin 12/09/1999 | | |

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: 12/02/1999

Received By: kahlepj.

Wanted: As time permits

Identical to LRB:

For: Jon Richards (608) 266-0650

By/Representing: his office

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Alt. Drafters:

Subject: Insurance - health

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Require managed care plans to cover children's cancer clinical trials

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>Required</u> |
|--------------|-----------------------|------------------------|-----------------------|----------------|----------------------------|-----------------|-----------------|
| /? | kahlepj 12/06/1999 | j geller 12/07/1999 | | _____ _____ | | | S&L |
| /1 | | 1/2 12/8 jrg | martykr 12/07/1999 | _____ _____ | lrb_docadmin 12/07/1999 | | |

FE Sent For:

Handwritten signatures and dates: 12/9, J Fine, <END>, 12/9

1999 DRAFTING REQUEST

Bill

Received: **12/02/1999**

Received By: **kahlepj**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Richards (608) 266-0650**

By/Representing: **his office**

This file may be shown to any legislator: **NO**

Drafter: **kahlepj**

May Contact:

Alt. Drafters:

Subject: **Insurance - health**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Require managed care plans to cover children's cancer clinical trials

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>Reaired</u> |
|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|----------------|
| 1/? | kahlepj | 1/12/99 jlg | km 13/7 | JL 12/7 | km 7 | | |

FE Sent For:

<END>

100

100



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Note
gen act

1 AN ACT *relating to*; relating to: coverage by managed care plans of children's cancer
2 clinical trial program costs and prohibiting collective bargaining by the state
3 with respect to the coverage.

Analysis by the Legislative Reference Bureau

Current law requires health insurance policies, including managed care plans, to provide coverage of various health care services and medical procedures, including mammograms, breast reconstruction incident to mastectomy, lead poisoning screening for children and treatment for the correction of temporomandibular disorders. This bill requires managed care plans, which are health care plans that provide incentives for enrollees to obtain health care services from providers that are managed, owned, under contract with or employed by the plans, to provide coverage of health care costs incurred in connection with clinical trial programs for the treatment of children's cancer. Coverage is required for a person enrolled in such a clinical trial program if the clinical trial program is approved by the federal food and drug administration, the person has coverage under the plan, the person was diagnosed with a childhood cancer before the age of 19 years and the person is not eligible for any other benefits that would pay the costs of the program. The coverage may be subject to any limitations, exclusions or cost-sharing provisions that apply generally under the plan.

For further information **see** the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

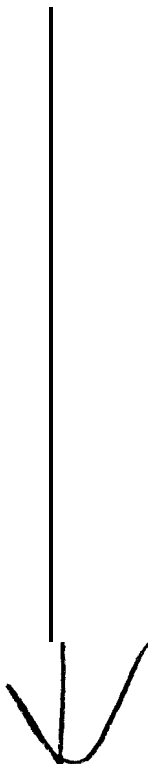
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 111.91 (2) (rm)[✓] of the statutes is created to read:

2 111.91 (2) (rm) The requirements under s. 609.66[✓] related to coverage of
3 children's cancer clinical trials.

4 **SECTION 2.** 609.66[✓] of the statutes is created to read:

5 ~~(END)~~



**ASSEMBLY AMENDMENT 29,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133**

June 29, 1999 - Offered by Representative **RICHARDS**.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1404, line 15: after that line insert:

3 **"SECTION 3037r.** 609.86 of the statutes is created to read:

4 ~~609.86~~ ^{job} **Coverage of children's cancer clinical trials.** (1) A managed care

5 plan shall provide coverage ~~for~~ ^{of} health care costs, including the cost of drugs, incurred

6 in connection with a clinical trial program for the treatment of children's cancer if

7 all of the following apply:

8 (a) The clinical trial program is approved by the federal food and drug
9 administration.

10 (b) The person enrolled in the clinical trial program:

11 1. Has coverage under the plan.

12 2. Was diagnosed with a childhood cancer before the age of 19 years.

that are

*satisfies all of
the following*

managed care ✓

1 3. Is not eligible for any other benefits, payments or reimbursements that
2 would pay the costs of the program.

3 (2) The coverage required under this section may be subject to any exclusions,
4 limitations or cost-share provisions that are generally applicable to other conditions
5 covered or other benefits provided under the plan."

6 ~~2. Page 1592, line 23. after that line insert:~~

7 "(3d) COVERAGE FOR CHILDREN'S CANCER CLINICAL TRIAL PROGRAMS. The treatment
8 of section 609.86 of the statutes first applies to all of the following:

9 (a) Except as provided in paragraph (b), policies and group certificates that are
10 issued or renewed on the effective date of this paragraph.

11 (b) Policies and group certificates covering employees who are affected by a
12 collective bargaining agreement containing provisions inconsistent with ~~the~~
13 ~~provisions of section 609.86 of the statutes~~ that are issued or renewed on the earlier
14 of the following:

- 15 1. The day on which the collective bargaining agreement expires.
- 16 2. The day on which the collective bargaining agreement is extended, modified
17 or renewed."

18 ~~3. Page 1611, line 22. after that line insert:~~

19 "(3d) COVERAGE FOR CHILDREN'S CANCER CLINICAL TRIAL PROGRAMS. The treatment
20 of section 609.86 of the statutes and SECTION 9326 (3d) of this act take effect on the
21 first day of the 6th month beginning after publication."

22 (END)

④ SECTION #, Initial applicability.
④ (#) This act first applies to all of the following:

④ SECTION #, Effective date. # This act takes

D-note

this act

← auto ref

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

LRB-4018/5dn

PJK...:a:...

JLg

✓ This bill draft is based on an amendment that was drafted for the budget, LRBB1291/1. The amendment was limited to managed care plans, Do you want to expand the application of this requirement to all types of health insurance policies?

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**

LRB-4018/1dn
PJK:jl:km

December 7, 1999

This bill draft is based on an amendment that was drafted for the budget, LRBb1291/1. The amendment was limited to managed care plans. Do you want to expand the application of this requirement to all types of health insurance policies?

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

12-7

redraft LRB-4018

to apply to all types of ins. policies (except)

not add to managed care plans



1999 BILL

WFO-check auto refs

Regen

✓ health insurance

- 1 AN ACT to create 111.91 (2) (rm) and 609.66 of the statutes; relating to: coverage
- 2 ~~My managed care plans~~ of children's cancer clinical trial program costs and
- 3 prohibiting collective bargaining by the state with respect to the coverage.

Analysis by the Legislative Reference Bureau

✓ Insert A-1

Current law requires health insurance policies, ~~which do not~~ ~~to provide~~ coverage of various health care services and medical procedures, including mammograms, breast reconstruction incident to mastectomy, lead poisoning screening for children and treatment for the correction of temporomandibular disorders. This bill requires ~~managed care plans, which are health care plans that provide incentives for enrollees to obtain health care services from providers that are managed, owned, under contract with or employed by the plans,~~ to provide coverage of health care costs incurred in connection with clinical trial programs for the treatment of children's cancer. Coverage is required for a person enrolled in such a clinical trial program if the clinical trial program is approved by the federal food and drug administration, the person has coverage under the plan, the person was diagnosed with a childhood cancer before the age of 19 years and the person is not eligible for any other benefits that would pay the costs of the program. The coverage may be subject to any limitations, exclusions or cost-sharing provisions that apply generally under the plan.

Insert A-2

policy or

✓ Insert A-3

BILL

For further information see the **state** and **local** fiscal estimate, which will be printed as an appendix to this bill.

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

Insert 2-6

1 SECTION 1. 111.91 (2) (rm) of the statutes is created to read:

2 111.91 (2) (rm) The requirements under s. 609.66 related to coverage of
3 children's cancer clinical trials.

4 SECTION 2. 609.66 of the statutes is created to read:

5 **609.66 Coverage of children's cancer clinical trials. (1) A managed care**

6 plan shall provide coverage of health care costs, including the cost of drugs, that are

7 incurred in connection with a clinical trial program for the treatment of children's

8 cancer if all of the following apply:

9 ~~1~~ The clinical trial program is approved by the federal food and drug
10 administration.

11 ~~2~~ The person enrolled in the clinical trial program satisfies all of the following:

12 ~~a~~ Has coverage under the ~~managed care~~ plan.

13 ~~b~~ Was diagnosed with a childhood cancer before the age of 19 years.

14 ~~c~~ Is not eligible for any other benefits, payments or reimbursements that
15 would pay the costs of the program.

16 ~~(b)~~ The coverage required under ~~this section~~ may be subject to any exclusions,
17 limitations or cost-share provisions that are generally applicable to other conditions
18 covered or other benefits provided under the plan.

disability insurance policy or self insured health

19 SECTION 3. Initial applicability.

20 (1) This act first applies to all of the following:

Insert 2-18 ✓

BILL

Insert 3-5

1 (a) Except as provided in paragraph (b), policies and group certificates that are
2 issued or renewed on the effective date of this paragraph.
3 (b) Policies and group certificates covering employees who are affected by a
4 collective bargaining agreement containing provisions inconsistent with this act
5 that are issued or renewed on the earlier of the following:

- 6 1. The day on which the collective bargaining agreement expires.
7 2. The day on which the collective bargaining agreement is extended, modified
8 or renewed.

9 **SECTION 4. Effective date.**

10 (1) This act takes effect on the first day of the 6th month beginning after
11 publication.

12 (END)

(1083)

BILL

Insert 2-b

may be subject to any limitations, exclusions or cost-sharing provisions that apply generally under the policy or plan.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 40.51 (8) ^x of the statutes is amended to read:

2 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
3 shall comply with ss. 631.89, 631.90, 631.93(2), 632.72(2), 632.746 (1) to (8) and (10),
4 632.747, 632.748, 632.85, 632.853, 632.855, 632.87 (3) to (5), 632.895 (5m) and (8) to
5 (13) ~~(11)~~ ¹⁴ and 632.896.

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

7 40.51 (8m) Every health care coverage plan offered by the group insurance
8 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747,
9 632.748, 632.85, 632.853, 632.855 and 632.895 (11) to ~~(13)~~ ¹⁴.

10 **SECTION 3.** 60.23 (25) ^x of the statutes is amended to read:

11 **60.23 (25) SELF-INSURED HEALTH PLANS.** Provide health care benefits to its
12 officers and employes on a self-insured basis if the self-insured plan complies with
13 ss. 631.89, 631.90, **631.93 (2)**, 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85,
14 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to ~~(13)~~ ¹⁴ and 632.896.

15 **SECTION 4.** 66.184 ^x of the statutes, as affected by 1999 Wisconsin Act 9, is
16 amended to read:

17 **66.184 'Self-insured health plans.** If a city, including a 1st class city, or a
18 village provides health care benefits under its home rule power, or if a town provides
19 health care benefits, to its officers and employes on a self-insured basis, the
20 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),



BILL

(2003)

1 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
2 632.895 (9) to ~~(13) (15)~~, 632.896 and 767.25 (4m) (d).

3 SECTION 5. 111.91 (2) (n) of the statutes is amended to read:

4 111.91 (2) (n) The provision to employees of the health insurance coverage
5 required under s. 632.895 (11) to ~~(13) (15)~~.

6 SECTION 6. 120.13 (2) (g) of the statutes, as affected by 1999 Wisconsin Act 9,
7 is amended to read:

8 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
9 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
10 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to ~~(13) (15)~~, 632.896 and
11 767.25 (4m) (d).

12 SECTION 7. 185.981 (4t) of the statutes is amended to read:

13 185.981 (4t) A sickness care plan operated by a cooperative association is
14 subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.855,
15 632.87 (2m), (3), (4) and (5), 632.895 (10) to ~~(13) (15)~~ and 632.897 (10) and chs. 149
16 and 155.

17 SECTION 8. 185.983 (1) (intro.) of the statutes is amended to read:

18 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
19 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
20 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (lo), 631.89, 631.93, 632.72
21 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87
22 (2m), (3), (4) and (5), 632.895 (5) and (9) to ~~(13) (15)~~, 632.896 and 632.897 (10) and
23 chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:

24 SECTION 9. 609.86 of the statutes is created to read:

↓ (see insert 2-b cont'd (3003))

INSERT A-1

not called disability insurance policies in the statutes, and self-insured health plans of the state and municipalities

(END OF INSERT A-1)

INSERT A-2

not health insurance policies and self-insured health plans of the state and of counties, cities, villages and school districts

(END OF INSERT A-2)

INSERT A-3

not With some exceptions, the coverage requirement applies to all types of health care policies and plans, including managed care plans and plans of cooperative sickness care associations, and to both individual and group policies and plans. The requirement specifically does not apply to policies that cover only certain specified diseases, to limited service health organizations, to long-term care insurance policies or to medicare replacement or supplement policies.

(END OF INSERT A-3)

Other than cancer

INSERT 2-6 CONTD

(303)

¶ **609.86** ^{*x*} **Coverage of children's cancer clinical trials.** Managed care plans are subject to s. 632.895 (14).^{*✓*}

¶ **SECTION 1.** 632.895 (14) ^{*x*} of the statutes is created to read:

¶ 632.895 (14) ^{*✓*} **CHILDREN'S CANCER CLINICAL TRIALS.** (a) Except as provided in par. (c),^{*✓*} every disability insurance policy, and every self-insured health plan of the state or a county, city, village, town or school district, ^{*NO*} _{*PP*}

(END OF INSERT 2-6)

INSERT 2-18

¶ (c) The coverage requirement under par. (a) ^{*✓*} does not apply to any of the following:

Ins. 2-18 cont'd

- ⑩ 1. A disability insurance policy that covers only certain specified diseases.
- ④ 2. A preferred provider plan, as defined in s. 609.01 (4), that is not a managed care plan, as defined in s. 609.01 (3c) ^{%34fi} ~~plan~~ limited service health organization, as defined in s. 609.01 (3).
- ④ ~~4~~ 3. A long-term care insurance policy, a medicare replacement policy or a medicare supplement policy.

other than cancer

(END OF INSERT Z-18)

INSERT 3-5

④ (a) Except as provided in paragraphs (b) and (c), disability insurance policies that are issued or renewed, and self-insured health plans that are established, extended, modified or renewed, on the effective date of this paragraph.

④ (b) Disability insurance policies covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are issued or renewed on the earlier of the following:

- ④ 1. The day on which the collective bargaining agreement expires.
- ④ 2. The day on which the collective bargaining agreement is extended, modified or renewed.

④ (c) Self-insured health plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are established, extended, modified or renewed on the earlier of the following:

(END OF INSERT 3-5)

remove space if possible

a.k.a.

Please
jacket

LRB-4018 / 2.

Thanks!

Pam