

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

LRB-4193/1dn  
PJK:wlj:km

January 21, 2000

1. I applied the \$1,000 limit just to the hearing aids, themselves. Let me know if you would prefer to have the limit apply to the total of everything listed in s. 632.895 (14) (b) 1. to 4.

2. The language in s. 632.895 (14) (b) 1. to 4. is rather cumbersome because I tried to include in each subdivision all of the persons who, under the statutes, might be qualified or authorized to perform the function specified. I don't know if physicians ever sell or fit hearing aids. Let me know if you want any changes.

3. I removed the exclusion of long-term care insurance policies, medicare supplement policies and medicare replacement policies. The rule, in general, is that we can require medicare supplement policies to cover certain things but not medicare replacement policies. Federal law preempts state law on what medicare replacement policies must or may cover. If a coverage requirement is preempted by federal law, OCI will not enforce the requirement. Therefore, unless you specifically want to exclude any of the three types of policies, it does no harm not to exclude them. By not excluding them, they will in practice be subject to the coverage requirement to the extent that federal law allows. Let me know if you want any of the three types of policies to be excluded specifically from the coverage requirement in this bill.

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