

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

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1. Do you want the coverage requirement under this bill to apply only to employes and officers who retire or become disabled on or after the effective date of the bill? Alternatively, do you want employes and officers who are already retired or disabled to be able to get this continued coverage? If you want the coverage to apply to already retired or disabled employes or officers, do you want to place any limits on how long ago they retired or became disabled? I assume political subdivisions would have to notify all of the already retired or disabled employes and officers, but how far back would they have to go? And how long would the notified persons have to notify the political subdivisions that they wanted the continued coverage?

2. Section 632.897 already allows persons who lose coverage for various reasons under an employer's group health insurance policy to continue coverage under the group policy for up to 18 months. At that time, the insurer may require the person to convert to an individual policy. I assume s. 632.897 applies to retired or disabled government employes and officers. I see nothing that excludes them. Section 632.897 is based on federal law (COBRA). I'm not sure how far outside the parameters of the federal law we can go.

In addition, because the continued coverage under this bill may apply to persons who are eligible for medicare, I assume this coverage would be considered a supplement to, or a replacement for, medicare. Federal law has some strict requirements related to medicare supplement and replacement policies.

Because of these concerns, I suggest that you share this bill draft with OCI early on, or permit us to contact OCI to find out if the bill conflicts with federal law and would be preempted by it.

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