

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB55)**

Received: 06/15/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Insurance - health

Extra Copies:

Submit via email: NO

Requester's email:

---

**Pre Topic:**

SDC:.....Keckhaver - CN1041,

---

**Topic:**

Requiring timely payment of health care expenses that may be covered under Worker's Compensation

---

**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 06/16/2001	jdye 06/16/2001		_____			
/1			pgreensl 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: kahlepj

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters:

Subject: Insurance - health

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN1041,

Topic:

Requiring timely payment of health care expenses that may be covered under Worker's Compensation

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>
1?	kahlepj	1/18 jld	6/16 pgj	6/16 self.			

FE Sent For:

<END>

Adopt LRB 2182/P1, relating to timely payment of health care expenses that may be covered by worker's compensation insurance.

2001

Date (time)  
needed \_\_\_\_\_

LRB b 0787 / 1

**AMDT TO BUDGET SUB AMDT**

PJK : jld : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**SENATE AMENDMENT  
~~TO SENATE AMENDMENT~~  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55**

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

- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :
- #. Page . . . . , line . . . . :





YES

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

\* # Page 1181, line 3 : after that line insert:

1 **AN ACT to amend 628.46 (1); and to create 628.46 (2c) of the statutes; relating**  
2 **to: timely payment of health care expenses that may be covered by worker's**  
3 **compensation insurance.**

***Analysis by the Legislative Reference Bureau***

Under current law, an insurance claim is overdue if not paid within 30 days after the insurer receives written notice of the loss, unless the insurer has reasonable proof to establish that the insurer is not responsible for payment of the claim. This bill provides that an insurer must pay a claim covered under a health care plan within the 30 days required under current law, even if the claim may be payable under worker's compensation but has not yet been finally determined to be payable under worker's compensation.

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

→ 37.55c ✓

4 **SECTION 4. 628.46 (1) of the statutes is amended to read:**  
5 **628.46 (1) Unless otherwise provided by law, an insurer shall promptly pay**  
6 **every insurance claim. A claim shall be overdue if not paid within 30 days after the**  
7 **insurer is furnished written notice of the fact of a covered loss and of the amount of**

1 the loss. If such written notice is not furnished to the insurer as to the entire claim,  
2 any partial amount supported by written notice is overdue if not paid within 80 days  
3 after such written notice is furnished to the insurer. Any part or all of the remainder  
4 of the claim that is subsequently supported by written notice is overdue if not paid  
5 within 80 days after written notice is furnished to the insurer. ~~Any~~ Except as  
6 provided in sub. (2c), any payment shall not be deemed overdue when the insurer has  
7 reasonable proof to establish that the insurer is not responsible for the payment,  
8 notwithstanding that written notice has been furnished to the insurer. For the  
9 purpose of calculating the extent to which any claim is overdue, payment shall be  
10 treated as being made on the date a draft or other valid instrument which is  
11 equivalent to payment was placed in the U.S. mail in a properly addressed, postpaid  
12 envelope, or, if not so posted, on the date of delivery. All overdue payments shall bear  
13 simple interest at the rate of 12% per year.

→ 3755e<sup>v</sup>

14 SECTION ~~628.46~~ 628.46 (2c) of the statutes is created to read:

15 628.46 (2c) An insurer issuing a health care plan, as defined in s. 628.36 (2)  
16 (a) 1., shall pay a claim that is covered under the health care plan within the time  
17 required under subs. (1) and (2), even if the claim may be payable under ch. 102 but  
18 has not yet been finally determined to be payable under ch. 102. ))

19 (END)

SDC:.....Keckhaver – CN1041, Requiring timely payment of health care expenses that may be covered under Worker’s Compensation

FOR 2001–03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS SENATE AMENDMENT**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

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

2           **1.** Page 1181, line 3: after that line insert:

3           **“SECTION 3755c.** 628.46 (1) of the statutes is amended to read:

4           628.46 (1) Unless otherwise provided by law, an insurer shall promptly pay  
5 every insurance claim. A claim shall be overdue if not paid within 30 days after the  
6 insurer is furnished written notice of the fact of a covered loss and of the amount of  
7 the loss. If such written notice is not furnished to the insurer as to the entire claim,  
8 any partial amount supported by written notice is overdue if not paid within 30 days  
9 after such written notice is furnished to the insurer. Any part or all of the remainder  
10 of the claim that is subsequently supported by written notice is overdue if not paid

1 within 30 days after written notice is furnished to the insurer. ~~Any~~ Except as  
2 provided in sub. (2c), any payment shall not be deemed overdue when the insurer has  
3 reasonable proof to establish that the insurer is not responsible for the payment,  
4 notwithstanding that written notice has been furnished to the insurer. For the  
5 purpose of calculating the extent to which any claim is overdue, payment shall be  
6 treated as being made on the date a draft or other valid instrument which is  
7 equivalent to payment was placed in the U.S. mail in a properly addressed, postpaid  
8 envelope, or, if not so posted, on the date of delivery. All overdue payments shall bear  
9 simple interest at the rate of 12% per year.

10 **SECTION 3755e.** 628.46 (2c) of the statutes is created to read:

11 **628.46 (2c)** An insurer issuing a health care plan, as defined in s. 628.36 (2)  
12 (a) 1., shall pay a claim that is covered under the health care plan within the time  
13 required under subs. (1) and (2), even if the claim may be payable under ch. 102 but  
14 has not yet been finally determined to be payable under ch. 102.”

15 (END)