

2001 DRAFTING REQUEST

Senate Amendment (SA-SB375)

Received: 03/07/2002

Received By: traderc

Wanted: Today

Identical to LRB:

For: Roger Breske (608) 266-2509

By/Representing: Vaughn

This file may be shown to any legislator: NO

Drafter: kahlepj

May Contact:

Addl. Drafters: traderc

Subject: Insurance - health

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

Topic:

Independent review notice

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> |
|--------------|-----------------------|-----------------------|------------------------|----------------|----------------------------|----------------------------|-----------------|
| /? | traderc 03/07/2002 | gilfokm 03/07/2002 | | _____ | | | |
| /1 | | | jfrantze 03/07/2002 | _____ | lrb_docadmin 03/07/2002 | lrb_docadmin 03/07/2002 | |

FE Sent For:

<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /? | traderc | 1-3/7 kmj | 2-3/7 | 3/7 | | | |

FE Sent For:

<END>

2001 - 2002 LEGISLATURE

2/15/28/1
LRB:1508/1
PJK:kmg:jf
↑ ↑

Now

^S
ASSEMBLY AMENDMENT,
^S
TO 2001 ASSEMBLY BILL 870 375

Onate

1 At the locations indicated, amend the bill as follows:

2 ⁴ ^{insurers}
√ 1. Page 2, line 4: after "~~insurers~~," insert "providing notice of the right to
3 independent review,".

4 ⁹
√ 2. Page 10, line 25: after that line insert:

5 ²³
"SECTION 24c. 632.835 (2) (b) of the statutes, as created by 1999 Wisconsin Act
6 155, is amended to read:

7 632.835 (2) (b) ~~Whenever~~ If an adverse determination or an experimental
8 treatment determination is made, the insurer involved in the determination shall
9 provide notice to the insured of the insured's right to obtain the independent review
10 required under this section, how to request the review, and the time within which the
11 review must be requested. The notice shall include a current listing of independent
12 review organizations certified under sub. (4). An independent review under this

1 section may be conducted only by an independent review organization certified
2 under sub. (4) and selected by the insured.

3 SECTION 2³d. 632.835 (2) (bg) of the statutes is created to read:

4 632.835 (2) (bg) Notwithstanding par. (b), an insurer is not required to provide
5 the notice under par. (b) to an insured until the insurer sends notice of the disposition
6 of the internal grievance if all of the following apply:

7 1. The health benefit plan issued by the insurer contains a description of the
8 independent review procedure under this section, including an explanation of the
9 insured's rights under par. (d), how to request the review, the time within which the
10 review must be requested, and how to obtain a current listing of independent review
11 organizations certified under sub. (4).

12 2. The insurer includes on its explanation of benefits form a statement that the
13 insured may have a right to an independent review after the internal grievance
14 process and that an insured may be entitled to expedited independent review with
15 respect to an urgent matter. The statement shall also include a reference to the
16 section of the policy or certificate that contains the description of the independent
17 review procedure as required under subd. 1. The statement shall provide a toll-free
18 telephone number and website, if appropriate, where consumers may obtain
19 additional information regarding internal grievance and independent review
20 processes.

21 3. For any adverse determination or experimental treatment determination for
22 which an explanation of benefits is not provided to the insured, the insurer provides
23 a notice that the insured may have a right to an independent review after the
24 internal grievance process and that an insured may be entitled to expedited,
25 independent review with respect to an urgent matter. The notice shall also include

1 a reference to the section of the policy or certificate that contains the description of
2 the independent review procedure as required under subd. 1. The notice shall
3 provide a toll-free telephone number and website, if appropriate, where consumers
4 may obtain additional information regarding internal grievance and independent
5 review processes.”.

6 ✓ 3. Page ¹¹12, line ¹²13: after that line insert:

7 “SECTION 2⁶m. **Effective dates.** This act takes effect on the day after
8 publication, except as follows:

9 (1x) NOTICE OF INDEPENDENT REVIEW. The treatment of section 632.835 (2) (b)
10 and (bg) of the statutes takes effect on the date stated in the notice published by the
11 commissioner of insurance in the Wisconsin Administrative Register under section
12 632.835 (8) of the statutes.”.

13 (END)

DMote

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

LRBa1508/1dn²
PJK.kmg:jf

March 7, 2002

It would have been preferable just to get rid of s. 632.835 (2) (b) and substitute these new notice requirements, since the notice requirement under s. 632.835 (2) (b) is made irrelevant by all of these alternate requirements.

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

Tradewell, Becky

From: Vance, Vaughn
Sent: Thursday, March 07, 2002 11:49 AM
To: Tradewell, Becky
Subject: FW: IER language

Importance: High

Amendment to SB 375 like

*the amendment to AB870
for Underheim*

-----Original Message-----

From: Lonergan, Sandra
Sent: Thursday, March 07, 2002 9:17 AM
To: Vance, Vaughn
Subject: IER language
Importance: High

IER language:

2. The insurer includes on its explanation of benefits form a statement that the insured may have a right to an independent review after the internal grievance process and that an insured may be entitled to expedited independent review with respect to an urgent matter. the statement shall also include a reference to the section of the policy or certificate that contains the description of the independent review procedure as required by subd. 1. The statement shall provide a toll-free phone number and website, if appropriate, where consumers may obtain additional information regarding internal grievance and independent review processes.
3. The insurer, for any adverse determination or experimental treatment determination for which an explanation of benefits is not provided to the insured, provides a notice that the insured may have a right to an independent review after the internal grievance process and that an insured may be entitled to expedited independent review with respect to an urgent matter. The notice shall also include a reference to the section of the policy or certificate that contains the description of the independent review procedure as required by subd. 1. The notice shall provide a toll-free phone number and website, if appropriate, where consumers may obtain additional information regarding internal grievance and independent review processes.

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

LRBa1528/1dn
PJK:kmg:jf

March 7, 2002

It would have been preferable just to get rid of s. 632.835 (2) (b) and substitute these new notice requirements, since the notice requirement under s. 632.835 (2) (b) is made irrelevant by all of these alternate requirements.

Pamela J. Kahler
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