

**2007 DRAFTING REQUEST**

**Senate Amendment (SA-SB178)**

Received: **02/26/2008**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Dan Kapanke (608) 266-5490**

By/Representing: **Rose Smyrski**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kapanke@legis.wisconsin.gov**

Carbon copy (CC:) to: **robin.ryan@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Treatment plan and referral

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**Instructions:**

See Attached

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**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>
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FE Sent For:

<END>

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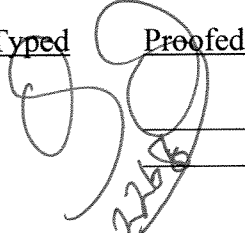
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FE Sent For:

<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Debra:

Rose (Kapanke)

Sect 11

50302

to SB178



(NOW)  
State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBa13880

DAK:.....

Lbjk

D-NOTE

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,  
TO 2007 SENATE BILL 178**

bh ✓

Insert

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

2 **1.** Page 1, line 4: after "disorders" insert "and requiring a treatment plan and  
3 referral when certain diagnoses are made". ✓

4 **2.** Page 3, line 4: after that line insert: ✓

INSERT  
1-4

5 **3.** Page 4, line 25: delete "This act" and substitute "The treatment of sections  
6 40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1)  
7 (intro.), 609.887, and 632.895 (15) of the statutes". ✓

8 (END) ✓

D-NOTE ←

INSERT 1-4

1 parents of autistic children, physicians, and representatives of organizations that  
2 advocate for the interests of children with disabilities. The division shall distribute  
3 the brochure to local educational agencies and physicians.

4 **SECTION 8.** 115.777 (3) (d) of the statutes is amended to read:

5 115.777 (3) (d) At least annually, inform parents and persons required to make  
6 referrals under sub. (1) (a) and (b) about the agency's referral and evaluation  
7 procedures.

8 **SECTION 9.** 115.777 (4) of the statutes is created to read:

9 115.777 (4) Annually the department shall notify each person required to make  
10 referrals under sub. (1) (a) or (b) of his or her responsibility under sub. (1) (a) or (b).

11 **SECTION 10.** 120.13 (2) (g) of the statutes, as affected by 2007 Wisconsin Act 36,  
12 is amended to read:

13 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
14 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
15 632.85, 632.853, 632.855, 632.858, 632.87 (4) and, (5), and (6), 632.895 (9) to (15) (16),  
16 632.896, and ~~767.25 (4m) (d) 767.513 (4).~~

17 **SECTION 11.** 146.85 of the statutes is created to read:

5g ← frz

18 **146.85 Treatment plan and referral required.** (1) Except as provided  
19 under sub. (2), a health care provider, as defined in s. 146.81 (1), who diagnoses a  
20 patient with a condition, injury, or illness, other than alcoholism, drug dependency,  
21 mental illness, or developmental disability, shall provide the patient or, if the patient  
22 is a minor, the patient's parent, guardian, or legal custodian, with a treatment plan  
23 for the patient. For a condition, injury, or illness that requires further treatment or  
24 services, the health care provider shall provide the patient or, if the patient is a



INSERT 1-4  
cont.

1 minor, the patient's parent, guardian, or legal custodian, with any necessary and  
2 appropriate referral for the treatment or services.

3 (2) A health care provider need not provide a treatment plan under sub. (1) for  
4 a condition, injury, or illness that may be successfully treated during the patient visit  
5 at which the diagnosis is made.

6 SECTION 12. 185.981 (4t) of the statutes, as affected by 2007 Wisconsin Act 36,  
7 is amended to read:

8 185.981 (4t) A sickness care plan operated by a cooperative association is  
9 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,  
10 632.853, 632.855, 632.858, 632.87 (2m), (3), (4), and (5), and (6), 632.895 (10) to (15)  
11 (16), and 632.897 (10) and chs. 149 and 155.

12 SECTION 13. 185.983 (1) (intro.) of the statutes, as affected by 2007 Wisconsin  
13 Act 36, is amended to read:

14 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be  
15 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,  
16 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,  
17 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,  
18 632.855, 632.858, 632.87 (2m), (3), (4), and (5), and (6), 632.895 (5) and (9) to (15) (16),  
19 632.896, and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring  
20 association shall:

21 SECTION 14. 609.863 of the statutes is created to read:

22 **609.863 Autism-related coverage.** Defined network plans are subject to ss.  
23 632.858 and 632.895 (16).

24 SECTION 15. 632.858 of the statutes is created to read:

End of INSERT 1-4

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

LRBa1388/?dn

DAK:.....

Lbjk

Date

Because this amendment substantially expands the scope of 2007 Senate Bill 178, it  
may be considered nongermane under Senate Rule 50 (6) (b) 4. ✓

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1388/1dn  
DAK:bjk:rs

February 26, 2008

Because this amendment substantially expands the scope of 2007 Senate Bill 178, it may be considered nongermane under Senate Rule 50 (6) (b) 4.

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