

**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 178**

February 28, 2008 – Offered by Representative HIXSON.

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

2 **1.** Page 1, line 4: after “benefit,” insert “health insurance coverage of
3 treatment for autism spectrum disorders,”.

4 **2.** Page 2, line 1: before that line insert:

5 “**SECTION 1c.** 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is
6 amended to read:

7 40.51 **(8)** Every health care coverage plan offered by the state under sub. (6)
8 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
9 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
10 ~~(5)~~ (6), 632.895 (5m) and (8) to ~~(15)~~ (16), and 632.896.

11 **SECTION 1d.** 40.51 (8m) of the statutes, as affected by 2007 Wisconsin Act 36,
12 is amended to read:

1 40.51 **(8m)** Every health care coverage plan offered by the group insurance
2 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
3 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to ~~(15)~~ (16).”.

4 **3.** Page 2, line 1: delete “**SECTION 1**” and substitute “**SECTION 1j**”.

5 **4.** Page 2, line 9: after that line insert:

6 “**SECTION 1m.** 66.0137 (4) of the statutes, as affected by 2007 Wisconsin Act 36,
7 is amended to read:

8 66.0137 **(4)** SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
9 a village provides health care benefits under its home rule power, or if a town
10 provides health care benefits, to its officers and employees on a self-insured basis,
11 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
12 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) ~~and,~~
13 (5), and (6), 632.895 (9) to ~~(15)~~ (16), 632.896, and ~~767.25 (4m) (d)~~ 767.513 (4).

14 **SECTION 1n.** 111.91 (2) (n) of the statutes is amended to read:

15 111.91 **(2)** (n) The provision to employees of the health insurance coverage
16 required under s. 632.895 (11) to (14), and (16).

17 **SECTION 1w.** 120.13 (2) (g) of the statutes, as affected by 2007 Wisconsin Act
18 36, is amended to read:

19 120.13 **(2)** (g) Every self-insured plan under par. (b) shall comply with ss.
20 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
21 632.85, 632.853, 632.855, 632.87 (4) ~~and,~~ (5), and (6), 632.895 (9) to ~~(15)~~ (16), 632.896,
22 and ~~767.25 (4m) (d)~~ 767.513 (4).”.

23 **5.** Page 3, line 3: after that line insert:

1 **SECTION 2d.** 185.981 (4t) of the statutes, as affected by 2007 Wisconsin Act 36,
2 is amended to read:

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

7 **SECTION 2f.** 185.983 (1) (intro.) of the statutes, as affected by 2007 Wisconsin
8 Act 36, is amended to read:

9 185.983 **(1)** (intro.) Every such voluntary nonprofit sickness care plan shall be
10 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
11 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,
12 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,
13 632.855, 632.87 (2m), (3), (4), ~~and (5)~~, and (6), 632.895 (5) and (9) to ~~(15)~~ (16), 632.896,
14 and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association
15 shall:

16 **SECTION 2h.** 609.87 of the statutes is created to read:

17 **609.87 Coverage of treatment for autism spectrum disorders.** Defined
18 network plans are subject to s. 632.895 (16).

19 **SECTION 2m.** 632.895 (16) of the statutes is created to read:

20 632.895 **(16)** TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection,
21 “autism spectrum disorder” means any of the following:

- 22 1. Autism disorder.
- 23 2. Asperger’s syndrome.
- 24 3. Pervasive developmental disorder not otherwise specified.

1 (b) Except as provided in par. (d), every disability insurance policy, and every
2 self-insured health plan of the state or a county, city, town, village, or school district,
3 shall provide coverage for an insured of treatment for an autism spectrum disorder
4 if the treatment is provided by any of the following:

5 1. A psychiatrist, as defined in s. 146.34 (1) (h).

6 2. A person who practices psychology, as described in s. 455.01 (5).

7 3. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed
8 to practice psychotherapy, as defined in s. 457.01 (8m).

9 4. A paraprofessional working under the supervision of a provider listed under
10 subds. 1. to 3.

11 5. A professional working under the supervision of an outpatient mental health
12 clinic certified under s. 51.038.

13 6. A speech-language pathologist, as defined in s. 459.20 (4).

14 (c) The coverage required under par. (b) may be subject to any limitations,
15 exclusions, and cost-sharing provisions that apply generally under the disability
16 insurance policy or self-insured health plan.

17 (d) This subsection does not apply to any of the following:

18 1. A disability insurance policy that covers only certain specified diseases.

19 2. A health care plan offered by a limited service health organization, as defined
20 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not
21 a defined network plan, as defined in s. 609.01 (1b).

22 3. A long-term care insurance policy.

23 4. A medicare replacement policy or a medicare supplement policy.”.

24 **6.** Page 3, line 12: after that line insert:

1 **“SECTION 4c. Initial applicability.**

2 (1) INSURANCE COVERAGE OF AUTISM TREATMENT. The treatment of sections 40.51
3 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1)
4 (intro.), 609.87, and 632.895 (16) of the statutes first applies to all of the following:

5 (a) Except as provided in paragraphs (b) and (c), disability insurance policies
6 that are issued or renewed, and self-insured governmental or school district health
7 plans that are established, extended, modified, or renewed, on the effective date of
8 this paragraph.

9 (b) Disability insurance policies covering employees who are affected by a
10 collective bargaining agreement containing provisions inconsistent with this act
11 that are issued or renewed on the earlier of the following:

- 12 1. The day on which the collective bargaining agreement expires.
13 2. The day on which the collective bargaining agreement is extended, modified,
14 or renewed.

15 (c) Self-insured governmental or school district health plans covering
16 employees who are affected by a collective bargaining agreement containing
17 provisions inconsistent with this act that are established, extended, modified, or
18 renewed on the earlier of the following:

- 19 1. The day on which the collective bargaining agreement expires.
20 2. The day on which the collective bargaining agreement is extended, modified,
21 or renewed.

22 **SECTION 5c. Effective dates.** This act takes effect on the day after publication,
23 except as follows:

24 (1) INSURANCE COVERAGE OF AUTISM TREATMENT. The treatment of sections 40.51
25 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1)

1 (intro.), 609.87, and 632.895 (16) of the statutes and SECTION 4c (1) of this act take
2 effect on the first day of the 7th month beginning after publication.”.

3 (END)