

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA(LRBs0315/1)-SB178)**

Received: **02/28/2008**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **James Kreuser (608) 266-5504**

By/Representing: **Lisa Lundquist**

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

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - health**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kreuser@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Insurance coverage of autism treatment

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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>
/?	pkahler 02/28/2008			_____			
/1		kfollett 02/28/2008		_____	sbasford 02/28/2008	sbasford 02/28/2008	

FE Sent For:

<END>

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**Topic:**

Insurance coverage of autism treatment

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**Instructions:**

See Attached

*Lisa - Kreuser → to sub to SB178  
do amend that is SB178 w/ amend to it that passed*

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**Drafting History:**

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/?	pkahler	1/1/08 2/28	1/1/08 cmh	_____	_____	_____	_____

FE Sent For:

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State of Wisconsin  
2007 - 2008 LEGISLATURE

LRBa1471/

PJK...

*Handwritten initials and scribbles*

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**ASSEMBLY AMENDMENT,**

**TO ASSEMBLY SUBSTITUTE AMENDMENT (LRBs0315/1),**

**TO 2007 SENATE BILL 178**

*Now  
S-note*

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 *insert 1-4 →* **3.** Page 2, line 1: delete "SECTION 1i" and substitute "SECTION 1j".

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

*insert 1-6 →*

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

*insert 1-7 →*

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

9 **"SECTION 4c. Initial applicability.**

*Handwritten arrow pointing down*

1 (1) INSURANCE COVERAGE OF AUTISM TREATMENT. The treatment of sections of the  
2 statutes first applies to all of the following:

3 (END)

Insert 2-2 →  
Insert 2-3

40.51(8) and (8m),  
66.0137(9), 111.91(2),  
120.13(2)(g), 185.981  
(4), 185.983(1)(intro.),  
609.87, and  
632.895(16)

Dote

generally under the policy or plan. The requirement does not apply to limited benefit plans, such as vision or dental plans, or to Medicare supplement policies.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

Insert 1-4  
Insert 1-6 10/2

1 SECTION 1. 40.51 (8) of the statutes, as affected by 2007 Wisconsin Act 36, is  
2 amended to read:

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

7 SECTION 2. 40.51 (8m) of the statutes, as affected by 2007 Wisconsin Act 36, is  
8 amended to read:

9 40.51 (8m) Every health care coverage plan offered by the group insurance  
10 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,  
11 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, and 632.895 (11) to (15) (16).

12 SECTION 3. 66.0137 (4) of the statutes, as affected by 2007 Wisconsin Act 36,  
13 is amended to read:

14 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or  
15 a village provides health care benefits under its home rule power, or if a town  
16 provides health care benefits, to its officers and employees on a self-insured basis,  
17 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),  
18 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and,  
19 (5), and (6), 632.895 (9) to (15) (16), 632.896, and 767.25 (4m) (d) 767.513 (4).

20 SECTION 4. 111.91 (2) (n) of the statutes is amended to read:



Insert 1-6 2082

1 111.91 (2) (n) The provision to employees of the health insurance coverage  
2 required under s. 632.895 (11) to (14), and (16).

3 **SECTION 5.** <sup>lw</sup> 120.13 (2) (g) of the statutes, as affected by 2007 Wisconsin Act 36,  
4 is amended to read:

5 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
6 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
7 632.85, 632.853, 632.855, 632.87 (4) and (5), and (6), 632.895 (9) to ~~(15)~~ (16), 632.896,  
8 and ~~767.25 (4m)~~ (d) 767.513 (4).

Insert 1-7 1083

9 **SECTION 6.** <sup>2d</sup> 185.981 (4t) of the statutes, as affected by 2007 Wisconsin Act 36,  
10 is amended to read:

11 185.981 (4t) A sickness care plan operated by a cooperative association is  
12 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,  
13 632.853, 632.855, 632.87 (2m), (3), (4), and (5), and (6), 632.895 (10) to ~~(15)~~ (16), and  
14 632.897 (10) and chs. 149 and 155.

15 **SECTION 7.** <sup>2f</sup> 185.983 (1) (intro.) of the statutes, as affected by 2007 Wisconsin  
16 Act 36, is amended to read:

17 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be  
18 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,  
19 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,  
20 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,  
21 632.855, 632.87 (2m), (3), (4), and (5), and (6), 632.895 (5) and (9) to ~~(15)~~ (16), 632.896,  
22 and 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association  
23 shall:

24 **SECTION 8.** 609.835 of the statutes is created to read:



SENATE BILL 178

1 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
2 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
3 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.895 (9) to (14) (15), 632.896, and  
4 767.513 (4).

5 SECTION 6. 185.981 (4t) of the statutes is amended to read:

6 185.981 (4t) A sickness care plan operated by a cooperative association is  
7 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,  
8 632.853, 632.855, 632.87 (2m), (3), (4), (5), and (6), 632.895 (10) to (14) (15), and  
9 632.897 (10) and chs. 149 and 155.

10 SECTION 7. 185.983 (1) (intro.) of the statutes is amended to read:

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

18 SECTION 8. 609.87 of the statutes is created to read:

19 609.87 Coverage of treatment for autism spectrum disorders. Defined  
20 network plans are subject to s. 632.895 (15).

21 SECTION 9. 632.895 (15) of the statutes is created to read:

22 632.895 (15) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection,  
23 "autism spectrum disorder" means any of the following:

- 24 1. Autism disorder.
- 25 2. Asperger's syndrome.

*Handwritten notes:*  
2h insert 1-7 cont'd 2083  
2m  
16  
16

*Handwritten mark:*  
+

SENATE BILL 178

*Ins 1-7 could 3 of 3*

1 3. Pervasive developmental disorder not otherwise specified.

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

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

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

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

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

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

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 **SECTION 10. Initial applicability.**

25 (1) This act first applies to all of the following:

*(end of Ins 1-7)*

*6. A speech-language pathologist, as defined in*

*A. 459.20(4)*



**SENATE BILL 178**

*Insert 2-2*

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

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

- 8 1. The day on which the collective bargaining agreement expires.
- 9 2. The day on which the collective bargaining agreement is extended, modified,  
10 or renewed.

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

- 15 1. The day on which the collective bargaining agreement expires.
- 16 2. The day on which the collective bargaining agreement is extended, modified,  
17 or renewed.

18 **SECTION 11. Effective date.**

19 (1) This act takes effect on the first day of the 7th month beginning after  
20 publication.

21 (END) *of ins 2-2)*

**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1471/?ins  
PJK:.....

**INSERT 2-3**

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

X (1) **INSURANCE COVERAGE OF AUTISM TREATMENT.** The treatment of sections 40.51 (8) and (8m), 66.0137 (4), 111.91 (2), 120.13 (2) (g), 185.981 (4t), 185.983 (1) (intro.), 609.87, and 632.895 (16) of the statutes and SECTION 4c (1) of this act take effect on the first day of the 7th month beginning after publication.”

**(END OF INSERT 2-3)**

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

LRBs0315/1dn  
PJK:kjf:rs

February 28, 2008

AS ACs 0315/1) to

It may be argued that, because this ~~substitute~~ amendment relates to a different subject and is intended to accomplish a different purpose than that of SB 178, totally alters the nature of SB 178, and substantially expands the scope of SB 178, this ~~substitute~~ amendment is nongermane under Assembly Rule 54 (1) and (3) (f).

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

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

LRBa1471/1dn  
PJK:kjf:cmh

February 28, 2008

It may be argued that, because this amendment relates to a different subject and is intended to accomplish a different purpose than that of ASA (s0315/1) to SB 178, totally alters the nature of ASA (s0315/1) to SB 178, and substantially expands the scope of ASA (s0315/1) to SB 178, this amendment is nongermane under Assembly Rule 54 (1) and (3) (f).

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)