

2009 DRAFTING REQUEST

Assembly Amendment (AA-AB512)

Received: 12/15/2009

Received By: **pkahler**

Wanted: **Today**

Identical to LRB:

For: **Sandy Pasch (608) 266-7671**

By/Representing: **Fred Ludwig**

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.Pasch@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Remove screening requirement, allow small employers to be exempt, allow exemption for cost increase, exclude autism treatment

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>
/?	pkahler 12/15/2009	bkraft 12/15/2009		_____			
/1			phenry 12/15/2009	_____	lparisi 12/15/2009	lparisi 12/15/2009	

FE Sent For:

<END>

01-19-2010
(see attached)

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/?	pkahler 12/15/2009	lrb_editor	<i>D/S</i>	<i>JA</i>			

1/bjk 12/15

FE Sent For:

<END>

12-15 Aid by Fred

complete also 4 amendments:

- 1) exclude autism treatment (a 1192)
- 2) allow small employers to be exempt (a 1200 +
a 1219)
- 3) allow exemption for cost increase (a 1173)
- 4) remove screening (a 1218)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1218/1
PJK:.....
bjk ✓ in not run

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO 2009 ASSEMBLY BILL 512

SA -
*ref -
bh

today, please

Insert 1-1

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 5, line 22: delete "screening and".
- 3 **2.** Page 8, line 7: delete "(2p) and (3)" and substitute "(3) to (3f)".
- 4 **3.** Page 9, line 17: delete lines 17 to 25.
- 5 **4.** Page 10, line 1: delete lines 1 to 5.
- 6 **5.** Page 10, line 21: delete the material beginning with "and for" and ending
- 7 with "(2p)" on line 22.

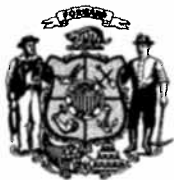
(END)

8

Insert 7-A

Insert 7-B

Insert 7-C



**ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 512**

Insert 1-1

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

2 **1.** Page 1, line 11: after "problems" insert "and granting rule-making
3 authority".

4 **2.** Page 8, line 7: ~~delete "and (3)" and substitute "to (3c)".~~

5 **3.** Page 10, line 22: after that line insert:

6 "SECTION 31m. 632.89 (3c) of the statutes is created to read:

7 632.89 (3c) EXEMPTION FOR COST INCREASE. (a) Notwithstanding sub. (3), a

8 group health benefit plan or a self-insured health plan that provides coverage of the
9 treatment of nervous and mental disorders and alcoholism and other drug abuse
10 problems may elect to be exempt from the requirements under sub. (3) during the
11 plan year following any plan year in which, as a result of the requirements under sub.

12 (3), there is an increase under the plan in the total cost of coverage for the treatment

Insert 7-A 1083



August 7 - A ^{contd} 2003

1 of physical conditions and nervous and mental disorders and alcoholism and other
2 drug abuse problems by a percentage that exceeds either of the following:

3 1. Two percent in the first plan year in which the requirements apply.

4 2. One percent in any plan year after the first plan year in which the
5 requirements apply.

6 (b) A cost increase specified under par. (a) may not be determined until the
7 group health benefit plan or self-insured health plan has complied with the
8 requirements under sub. (3) for at least the first 6 months of the plan year for which
9 the increase is to be determined. The cost increase shall be determined, and certified,
10 by a qualified actuary, as defined in s. 623.06 (1c). A copy of the actuary's
11 determination, and all underlying documentation that the actuary relied on in
12 making the determination, shall be filed with the commissioner and shall be
13 available for public inspection.

14 (c) A group health benefit plan or a self-insured health plan that qualifies for
15 an exemption under par. (a) and elects to be exempt from the requirements under
16 sub. (3) during a plan year shall promptly notify the commissioner and all enrollees
17 under the plan. The commissioner shall promulgate rules specifying the information
18 that must be provided in the notice and the manner in which the notice must be
19 given.

20 (d) Regardless of a cost increase as specified in par. (a), a group health benefit
21 plan or self-insured health plan may elect to continue to be subject to the
22 requirements under sub. (3). If a group health benefit plan or a self-insured health
23 plan elects to be exempt from the requirements under sub. (3), during the plan year

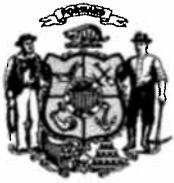


1 in which it is exempt the group health benefit plan or self-insured health plan shall
2 comply with the coverage requirements under s. 632.89 (2) (a) to (dm), 2007 stats.?

3

(END) of ins 7-A)





ASSEMBLY AMENDMENT,
TO 2009 ASSEMBLY BILL 512

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

2 1. Page 1, line 11: after "problems" insert "and granting rule-making
3 authority".

4 2. Page 8, line 7: delete "and (3)" and substitute "to (3f)".

5 3. Page 10, line 22: after that line insert:

Insert 7-B 102

6 → SECTION 31r. 632.89 (3f) of the statutes is created to read:

7 632.89 (3f) EXEMPTION FOR SMALL EMPLOYERS. (a) Notwithstanding sub. (3), an
8 employer that provides health care coverage for its employees through a group
9 health benefit plan may elect to be exempt from the requirements under sub. (3)
10 during a plan year if, on the first day of the plan year, the employer will have fewer
11 than 10 eligible employees, as defined in s. 632.745 (5).

12 (b) An employer that qualifies for the exemption under par. (a) and elects to be
13 exempt from the requirements under sub. (3) during a plan year shall promptly



Insert 7-B cont'd 2/2

1 notify the commissioner and all enrollees under the employer's group health benefit
2 plan. During the plan year in which the employer is exempt from the requirements
3 under sub. (3), the group health benefit plan shall comply with the coverage
4 requirements under s. 632.89 (2) (a) to (dm), 2007 stats.

5 (c) The commissioner shall promulgate rules specifying the information that
6 must be provided in the notice under par. (b) and the manner in which the notice must
7 be given.”.

8

(END of ins 7-B)



ASSEMBLY AMENDMENT ,
TO 2009 ASSEMBLY BILL 512

Insert 7-C

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

2 **1.** Page 11, line 21: after that line insert:

3 **"SECTION 36m.** 632.89 (5) (c) of the statutes is created to read:

4 632.89 (5) (c) *Coverage of autism treatment.* This section does not apply to
5 coverage of treatment for autism spectrum disorder, as defined in s. 632.895 (12m)
6 (a) 1., to which s. 632.895 (12m) applies."

7 (END) of wis 7-C)

Barman, Mike

From: Barman, Mike
Sent: Tuesday, January 19, 2010 10:49 AM
To: Lundquist, Lisa
Subject: RE: Supplemental FE for AB512 & AA1 to AB512

Thank Lisa ... I'll go ahead and submit a request to DOA to have a FE prepared on AB 512 as affected by AA 1 (LRBa1218).

Mike Barman (Lead Program Assistant)

State of Wisconsin - Legislative Reference Bureau

Legal Section - Front Office

1 East Main Street, Suite 200, Madison, WI 53703

(608) 266-3561 / mike.barman@legis.wisconsin.gov

From: Lundquist, Lisa
Sent: Tuesday, January 19, 2010 10:40 AM
To: 'fes@doa.state.wi.us'; LRB.Legal
Subject: Supplemental FE for AB512 & AA1 to AB512

Vicky and Mike,

I am told that in order for Rep. Pasch to get an updated FE for her bill, you need to hear from our office. Please send Rep. Pasch an updated FE for AB512/ LRB 3406/2 based on the language of the amendment-AA1 to AB 512/ LRB 1218/1.

Let me know if you need anything else. Thank you for your help!

Lisa
Office of Speaker Sheridan
266-3387

From: Ludwig, Frederic
Sent: Tuesday, January 12, 2010 9:44 AM
To: Pfohl, Mike
Subject: re: updated FE

Hi Mike,

Under Joint Rule 41 (3) (b), the primary author of an introduced bill may request that the presiding officer of either house of the Legislature may request through DOA or LRB that a state agency prepare a "supplemental" fiscal estimate on a bill or on a bill as affected by a proposed amendment or substitute amendment. Sandy has introduced an amendment to AB 512 relating to mental health coverage that eliminated screening coverage within the bill's requirements. In our discussions with ETF, they believe this change will significantly lessen the impact our legislation could potentially have on their agency. Therefore, we would like to request ETF to prepare a "supplemental" FE to reflect changes made within Assembly Amendment 1 to AB 512 (attached).

However, LRB said that we'd have to have your office send an email to the fiscal estimate coordinator at DOA (fes@doa.state.wi.us) (Attn: Vicky LaBelle) and the LRB (lrb.legal@legis.wisconsin.gov) (Attn: Mike

01/19/2010

Barman) noting the introduction and LRB number of the bill (AB 512, LRB 3406/2) and amendment (AA1 To AB 512, LRB 1218/1) the updated FE is to be based on.

Please let me know if you need any further information.

Fred

--
Fred Ludwig

Office of Representative Sandy Pasch

608.266.7671 (Office)

888.534.0022 (Toll-free)

608.282.3622 (Fax)



ACTIVE

LRB Number: 09a1218/1
Introduction Number: AA1-AB512
Comment: Supplemental FE requested b
Request Date: 1/19/2010 10:51:21 AM
Description:
Subject: Supplemental FE requested per Joint Rule 41 (3)
(b)
PUBLIC DRAFT/BILL and Assignments

[Edit the Request](#)

Draft/Bill: Not attached