

## 2009 DRAFTING REQUEST

### Senate Amendment (SA-SB471)

Received: 01/22/2010

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Kelly Becker

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: Sen.Erpenbach@legis.wisconsin.gov

Carbon copy (CC:) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Miscellaneous modifications to bill

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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 01/22/2010	nmatzke 01/25/2010		_____			
/1			phenry 01/25/2010	_____	sbasford 01/25/2010	sbasford 01/25/2010	
/2	pkahler 01/26/2010	nmatzke 01/26/2010	jfrantze 01/26/2010	_____	mbarman 01/26/2010	mbarman 01/26/2010	

FE Sent For:

<END>

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/?	pkahler 01/22/2010	nmatzke 01/25/2010		_____			
/1		1/2 <sup>nwn</sup> 1/26	phenry 01/25/2010	_____	sbasford 01/25/2010	sbasford 01/25/2010	

FE Sent For:

*J 1/26*

<END>

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/?	pkahler	/1 <sup>nwn</sup> 1/25	Y pk pk	Y 25 pk/K			
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FE Sent For:

<END>

## Kahler, Pam

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**From:** Becker, Kelly  
**Sent:** Friday, January 22, 2010 12:32 PM  
**To:** Kahler, Pam  
**Subject:** LRB 3593

**Attachments:** Changes to Coop modernization per OCI.doc

Hi Pam:

OCI requested some changes (see attached memo) to LRB 3593. I'm not sure if it should be a sub or a simple amendment, and leave that up to your judgement!! Can you draft for me?

Thank you!!



Changes to Coop  
modernization ...

### **Kelly Becker**

Office of State Senator  
JON ERPENBACH  
27th District  
Ph: 608-266-6670  
Fax: 608-266-2508

**Kahler, Pam**

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**From:** Becker, Kelly  
**Sent:** Friday, January 22, 2010 12:36 PM  
**To:** Kahler, Pam  
**Subject:** LRB 3593

Sorry Pam—LRB 3593 was given the bill number SB 471 and AB 683. We'd like the changes to both senate and assembly bills.

**Kelly Becker**

Office of State Senator  
JON ERPENBACH  
27th District  
Ph: 608-266-6670  
Fax: 608-266-2508



131 West Wilson Street, Suite 400, Madison, WI 53703-3269  
608.258.4400 fax 608.258.4407  
400 Selby Avenue, Suite Y, St. Paul, MN 55102-4520  
651.228.0213 fax 651.228.1184  
[www.cooperativenetwork.coop](http://www.cooperativenetwork.coop)

Date January 15, 2010

To: Sen. Erpenbach  
Rep. Richards

From: Jim Rabbitt, Director of Government Relations

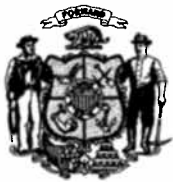
Subject: Amendments to LRB 3593/2 and LRB 4047/2

Following are the changes agreed upon with the Office of the Commissioner of Insurance and Cooperative Network's member Group Health Cooperative of South Central Wisconsin. OCI agreed that these amendments will eliminate the concerns voiced by OCI and the Wisconsin Council of Life Insurers. The changes were intended to be included in your first draft but were not submitted by OCI due to an internal agency communications error.

Cooperative Network hopes that you are willing to amend the current draft to alleviate any potential confusion about the intent of the bill.

These instructions are based on LRB 3593/2.

- ✓ Page 6, line 7 – delete “ and others”.
- ✓ Page 6, line 14 – delete “ or additional programs”.
- ✓ Page 7, line 15 – after (4) insert “(a) Except as provided in par. (b)”
- ✓ Page 7, line 15 through 18 – restore the struck out language beginning with “No contract” and ending with “injury” on line 18.
- ✓ Page 7, line 19 – restore the struck out language “but any such association”.
- ✓ Page 8, line 3 – insert “(b) A cooperative association may make a payment in cash, indemnity or other material benefit for a purpose that is incidental to its plan, including for the purpose of administration of coordination of benefits.”
- ✓ Page 11, line 11 – insert, “The cooperative association is subject to s. 611.26, 623.11, and 623.12 and ch. 620.”



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1345/3

PJK:.....

nwn

~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~  
SENATE AMENDMENT,  
TO 2009 SENATE BILL 471

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

2 1. Page 6, line 6: delete “~~and~~” and substitute “and”.

3 2. Page 6, line 7: delete “, ~~and others~~”.

4 3. Page 6, line 14: delete “~~or additional programs~~” and substitute “<sup>plans</sup>”.

5 4. Page 7, line 14: delete the material beginning with that line and ending with  
6 page 8, line 2 <sup>↑</sup> and substitute:

7 “SECTION 12c. 185.981 (4) of the statutes is renumbered 185.981 (4) (a) and  
8 amended to read:

9 185.981 (4) (a) No Except as provided in par. (b), <sup>↑</sup>no contract by or on behalf of  
10 any such cooperative association shall provide for the payment of any cash,  
11 indemnity, or other material benefit by that association to the subscriber or the  
12 subscriber’s estate on account of death, illness, or injury, ~~nor be in any way related~~



1 to the payment of any such benefit by any other agency, but any such association may  
 2 stipulate in its ~~plan~~ plans that it will pay any nonparticipating physician and  
 3 surgeon, optometrist, chiropractor, dentist ~~or~~, hospital ~~outside of its normal territory~~  
 4 ~~for sickness or~~, or other provider for hospital or other health care rendered to any  
 5 covered member ~~or a member's covered dependent person~~ who is in need of the a  
 6 plan's benefits of ~~such plan when he or she is outside of the territory of such~~  
 7 ~~association in which the benefits of such plan are normally available. Any such plan.~~  
 8 The plans may prescribe monetary limitations with respect to ~~such extraterritorial~~  
 9 the benefits.✓

History: 1971 c. 40 s. 93; 1971 c. 307 s. 118; 1975 c. 98; 1975 c. 223 s. 28; 1975 c. 224 s. 146; 1975 c. 421; 1981 c. 39 s. 22; 1981 c. 205; 1981 c. 391 s. 210; 1985 a. 29; 1985 a. 30 s. 42; 1987 a. 27 ss. 1917e, 3202 (4) (a); 1987 a. 312 s. 17; 1989 a. 121, 129, 200, 201, 336; 1991 a. 39, 123, 269; 1993 a. 27, 450, 481; 1995 a. 27, 118, 289; 1997 a. 27, 155, 237; 1999 a. 95, 115; 2003 a. 321; 2005 a. 194; 2007 a. 36; 2009 a. 14, 28.

10 **SECTION 12f.** 185.981 (4) (b) of the statutes is created to read:

11 185.981 (4) (b) A cooperative association may make a payment in cash,  
 12 indemnity, or other material benefit for a purpose that is incidental to its plans,  
 13 including for the purpose of administering coordination of benefits.”✓

14 **5.** Page 11, line 11: after “(8).” insert “The cooperative health care association  
 15 selling the policy is subject to ss. 611.26, 623.11, and 623.12 and ch. 620.”✓

16 (END)

**Kahler, Pam**

---

**From:** Becker, Kelly  
**Sent:** Tuesday, January 26, 2010 12:07 PM  
**To:** Kahler, Pam  
**Subject:** FW: Co-Op Bill Amendment

Can you please make this change?

---

**From:** Jim Rabbitt [mailto:Jim.Rabbitt@cooperativenetwork.coop]  
**Sent:** Tuesday, January 26, 2010 10:24 AM  
**To:** Becker, Kelly  
**Cc:** Kostelic, Jeff; Guidry, Jim R - OCI; O'Neil, Kathy; Bill Oemichen  
**Subject:** RE: Co-Op Bill Amendment

Kelly,

OCI just contacted me with a concern about the amendment. Instead of Section 5 of the amendment, they request that the numbers from Section 5 "611.26, 623.11 and 623.12 and ch.620" be added into the list where appropriate on page 10 beginning on line 12. With that change they will support the bill.

Sorry to have one more change.

**Jim Rabbitt**  
Director, Government Relations | Cooperative Network  
131 West Wilson Street, Suite 400 | Madison, WI 53703  
608-258-4402 | [cooperativenetwork.coop](http://cooperativenetwork.coop)

---

**From:** Becker, Kelly [mailto:Kelly.Becker@legis.wisconsin.gov]  
**Sent:** Monday, January 25, 2010 3:38 PM  
**To:** Jim Rabbitt  
**Cc:** Kostelic, Jeff  
**Subject:** Co-Op Bill Amendment

Jim:

Please review and let me know if I should jacket the amendment for introduction!

<<Co-Op Amendment.pdf>>

**Kelly Becker**

Office of State Senator

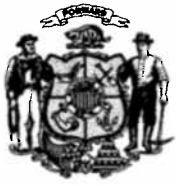
JON ERPENBACH

27th District

Ph: 608-266-6670

Fax: 608-266-2508

01/26/2010



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa1345/2  
PJK:nwn:ph

*r m is nwn*

SENATE AMENDMENT ,  
TO 2009 SENATE BILL 471

*today*

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

2 **1.** Page 6, line 6: delete “and,” and substitute “and”.

3 **2.** Page 6, line 7: delete “, and others”.

4 **3.** Page 6, line 14: delete “plans, or additional programs,” and substitute  
5 “plans.”.

6 **4.** Page 7, line 14: delete the material beginning with that line and ending with  
7 page 8, line 2, and substitute:

8 “**SECTION 12c.** 185.981 (4) of the statutes is renumbered 185.981 (4) (a) and  
9 amended to read:

10 185.981 (4) (a) ~~No~~ Except as provided in par. (b), no contract by or on behalf of  
11 any such cooperative association shall provide for the payment of any cash,  
12 indemnity, or other material benefit by that association to the subscriber or the  
13 subscriber’s estate on account of death, illness, or injury, ~~nor be in any way related~~

1 ~~to the payment of any such benefit by any other agency, but any such association may~~  
 2 ~~stipulate in its plan plans that it will pay any nonparticipating physician and~~  
 3 ~~surgeon, optometrist, chiropractor, dentist or, hospital outside of its normal territory~~  
 4 ~~for sickness or, or other provider for hospital or other health care rendered to any~~  
 5 ~~covered member or a member's covered dependent person who is in need of the a~~  
 6 ~~plan's benefits of such plan when he or she is outside of the territory of such~~  
 7 ~~association in which the benefits of such plan are normally available. Any such plan,~~  
 8 The plans may prescribe monetary limitations with respect to such extraterritorial  
 9 the benefits.

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 13 including for the purpose of administering coordination of benefits.”.

14 **5.** Page 11, line 11: after “(8).” insert “The cooperative health care association  
 15 selling the policy is subject to ss. 611.26, 623.11, and 623.12 and ch. 620.”.

16 (END)

*Insert 2-15*

2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa1345/2ins  
PJK:.....

INSERT 2-15

- 1           **1.** Page 10, line 13: delete "611.67, 619.04," and substitute "611.26,<sup>✓</sup> 611.67,  
2           619.04, 623.11,<sup>✓</sup> 623.12,"<sup>✓</sup>.
- 3           **2.** Page 10, line 16: after "609," insert "620,"<sup>✓</sup>.

(END OF INSERT 2-15)