



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 189
[2011 Senate Bill 487]

**Third Party Liability for Medical
Assistance Coverage**

2011 Wisconsin Act 189 relates to the provision of information regarding health care benefits provided to certain assistance program recipients.

The Act modifies the definition of a health benefits coverage provider known as a “third-party” that must provide information to the Department of Health Services (DHS) about coverage or benefits provided to a person who also receives Medical Assistance or other health care assistance. Specifically, the Act corrects a federal law citation, redefines a pharmacy benefits manager to more broadly include a prescription-only drug benefit plan, and adds to the definition a self-insured plan and a third-party administrator of a benefit plan.

The Act also:

- Allows an employer to withhold its name in providing coverage and benefits information to DHS, unless required by DHS in obtaining a third-party liability payment.
- Specifies that DHS must first seek coverage and benefits information from a third-party administrator of a benefit plan, or from a pharmacy benefits manager, before seeking that information directly from an employer providing a self-insured plan.
- Specifies that coverage and benefits information obtained by DHS may only be used for purposes of determining and enforcing third-party liability.

Effective date: 2011 Wisconsin Act 189 is effective November 1, 2012.

Prepared by: Margit Kelley, Staff Attorney

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.