

2013 DRAFTING REQUEST

Senate Amendment (SA-AB270)

Received: 3/17/2014 Received By: tdodge
Wanted: As time permits Same as LRB:
For: Jon Erpenbach (608) 266-6670 By/Representing: Julie
May Contact: Drafter: tdodge
Subject: Insurance - health Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Erpenbach@legis.wisconsin.gov
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Cost-sharing for oral and injected or intravenous chemotherapy

Instructions:

Add 2013 SB 300 to AB 270

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>
/?	tdodge 3/17/2014	jdye 3/18/2014		_____			
/1			jfrantze 3/18/2014	_____	sbasford 3/18/2014	sbasford 3/18/2014	

FE Sent For:

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/?	tdodge	1/3/18 jld	jd	6/3/18 RS			

FE Sent For:

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In: 3/17

Due Tues
Senate Floor

keep RMNR

SENATE AMENDMENT,
TO ASSEMBLY BILL 668

270

Page 1, line 4: delete "program and" and
Substitute "program;".

as shown by assembly substitute
amendment 1,

providers

providers; anc

At the locations indicated, amend the bill as follows:

1. Page 1, line 3: delete "incarceration" and substitute "incarceration;
copayments, deductibles, or coinsurance for oral chemotherapy and injected or
intravenous chemotherapy;".

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

"SECTION 1d. 40.51 (8) of the statutes is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6)
shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855,
632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to (17), and 632.896.

SECTION 1e. 40.51 (8m) of the statutes is amended to read:

40.51 (8m) Every health care coverage plan offered by the group insurance
board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,

1 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.867, 632.885,
2 632.89, and 632.895 (11) to (17).

3 **SECTION 1f.** 66.0137 (4) of the statutes is amended to read:

4 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
5 a village provides health care benefits under its home rule power, or if a town
6 provides health care benefits, to its officers and employees on a self-insured basis,
7 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
8 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.867,
9 632.87 (4), (5), and (6), 632.885, 632.89, 632.895 (9) to (17), 632.896, and 767.513 (4).

10 **SECTION 1g.** 120.13 (2) (g) of the statutes is amended to read:

11 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
12 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
13 632.798, 632.85, 632.853, 632.855, 632.867, 632.87 (4), (5), and (6), 632.885, 632.89,
14 632.895 (9) to (17), 632.896, and 767.513 (4).”

15 **3.** Page ¹2, line ⁷1: delete “SECTION 1” and substitute “SECTION 1r” ✓

16 **4.** Page ⁵2, line ³17: after that line insert:

17 “SECTION 2g. 185.983 (1) (intro.) of the statutes is amended to read:

18 185.983 (1) (intro.) Every voluntary nonprofit health care plan operated by a
19 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
20 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
21 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,
22 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798, 632.85,
23 632.853, 632.855, 632.867, 632.87 (2), (2m), (3), (4), (5), and (6), 632.885, 632.89,

1 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645,
2 and 646, but the sponsoring association shall:

3 **SECTION 2p.** 609.837 of the statutes is created to read:

4 **609.837 Copayment equality for oral and injected chemotherapy.**

5 Limited service health organizations, preferred provider plans, and defined network
6 plans are subject to s. 632.867.

7 **SECTION 2r.** 632.867 of the statutes is created to read:

8 **632.867 Oral and injected chemotherapy.** (1) DEFINITIONS. In this section:

9 (a) "Chemotherapy" means drugs and biologics that kill cancer cells directly,
10 including antineoplastics, biologic response modifiers, hormone therapy, and
11 monoclonal antibodies, and that are used to do any of the following:

- 12 1. Cure a specific cancer.
- 13 2. Control tumor growth when cure is not possible.
- 14 3. Shrink tumors before surgery or radiation therapy.
- 15 4. Destroy microscopic cancer cells that may be present after a tumor is
16 removed by surgery to prevent a cancer recurrence.

17 (b) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

18 (c) "Self-insured health plan" has the meaning given in s. 632.85 (1) (c).

19 (2) COPAYMENT, DEDUCTIBLE, OR COINSURANCE REQUIREMENTS; LIMITATIONS. (a) A
20 disability insurance policy that covers injected or intravenous chemotherapy and
21 oral chemotherapy, or a self-insured health plan that covers injected or intravenous
22 chemotherapy and oral chemotherapy, may not require a higher copayment,
23 deductible, or coinsurance amount for oral chemotherapy than it requires for
24 injected or intravenous chemotherapy, regardless of the formulation or benefit
25 category determination by the policy or plan.

1 (b) A disability insurance policy or a self-insured health plan may not comply
 2 with par. (a) by increasing the copayment, deductible, or coinsurance amount
 3 required for injected or intravenous chemotherapy that is covered under the policy
 4 or plan.

5 **5.** Page 3, line 4: after that line insert:

6 **SECTION 3m. Initial applicability.**

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

8 (a) Except as provided in [✓] paragraphs (a) and (b), disability insurance policies
 9 that are issued or renewed, and governmental or school district self-insured health
 10 plans that are established, extended, modified, or renewed, on the effective date of
 11 this paragraph.

12 (b) Disability insurance policies covering employees who are affected by a
 13 collective bargaining agreement containing provisions inconsistent with this act
 14 that are issued or 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 (c) Governmental or school district self-insured health plans covering
 19 employees who are affected by a collective bargaining agreement containing
 20 provisions inconsistent with this act that are established, extended, modified, or
 21 renewed on the earlier of the following:

- 22 1. The day on which the collective bargaining agreement expires.
- 23 2. The day on which the collective bargaining agreement is extended, modified,
 24 or renewed.

