

2013 DRAFTING REQUEST

Senate Amendment (SA-SB648)

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

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

Pre Topic:

No specific pre topic given

Topic:

Add SB 300; Copayments, deductibles, or coinsurance for oral chemotherapy and injected or intravenous chemotherapy

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>
/?	chanaman 3/18/2014	jdyer 3/18/2014	jmurphy 3/18/2014	_____			
/1				_____	mbarman 3/18/2014	mbarman 3/18/2014	

FE Sent For:

<END>

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/?	chanaman	3/18 JLD	gm 3/18	gm + JB 3/18			

FE Sent For:

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Keep

SENATE AMENDMENT,

TO SENATE BILL 100

648

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

2 1. Page 1, line ⁴ ~~7~~: after "~~incident~~" insert "^{State} and copayments, deductibles, or
3 coinsurance for oral chemotherapy and injected or intravenous chemotherapy". ✓

4 ^{Fix component} 2. Page 2, line ¹ ~~8~~: ^{before} ~~insert~~ that line insert:

5 "SECTION ¹⁹ ~~14~~. 40.51 (8) of the statutes is amended to read:

6 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
7 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
8 and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855,
9 632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to (17), and 632.896.

10 SECTION ^{1h} ~~14~~. 40.51 (8m) of the statutes is amended to read:

11 40.51 (8m) Every health care coverage plan offered by the group insurance
12 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 **3.** Page 3, line 4: after that line insert:

4 ~~SECTION 3a.~~ ^{ij ← (B)} 66.0137 (4) of the statutes is amended to read:

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

11 ~~SECTION 3p.~~ ^{ik ← (B)} 120.13 (2) (g) of the statutes is amended to read:

12 120.13 (2) (g) ^{ik ← (B)} Every self-insured plan under par. (b) shall comply with ss.
13 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
14 632.798, 632.85, 632.853, 632.855, 632.867, 632.87 (4), (5), and (6), 632.885, 632.89,
15 632.895 (9) to (17), 632.896, and 767.513 (4)."

16 **4.** Page 4, line 17: after that line insert:

17 ~~SECTION 3m.~~ ^{lm ← (B)} 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,

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TJD:jld&eev:rs
Section 1

Page 2, line 1 delete "Section 1" and substitute
Page 4, line 21 after that line insert:

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 ~~8a~~ 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 ~~8p~~ ^{2p} 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 ⁵ ~~7~~, line ¹³ ~~3~~: after that line insert:

6 **"SECTION ~~14~~n. Initial applicability.**

7 (1c) The treatment of sections 40.51 (8) and (8m), 66.0137 (4), 120.13 (2) (g),
8 185.983 (1) (intro.), 609.837, and 632.867 of the statutes first applies to all of the
9 following:

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

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

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

20 (c) Governmental or school district self-insured health plans covering
21 employees who are affected by a collective bargaining agreement containing
22 provisions inconsistent with this act that are established, extended, modified, or
23 renewed on the earlier of the following:

- 24 1. The day on which the collective bargaining agreement expires.

