

2017 Senate Bill 319 (LRB -3127)

An Act to repeal 13.0966 (1) (a); to renumber and amend 601.423 (2); to consolidate, renumber and amend 13.0966 (1) (intro.) and (b); to amend 13.0966 (2) (title), 13.0966 (2) (b), 13.0966 (2) (c) 1., 13.0966 (2) (c) 2. and 601.423 (1) (bm); and to create 13.0966 (2) (c) (intro.) and 601.423 (2) (b) of the statutes; relating to: social and financial impact reports on health insurance mandates.

2017

06-23.	S.	Introduced by Senators Kapenga, Vukmir, Craig, Stroebel and Tiffany ; cosponsored by Representatives Jagler, R. Brooks, Horlacher, Hutton, Jacque, Knodl, Quinn, Ripp, Sanfelippo, Spiros and Tusler.	335
06-23.	S.	Read first time and referred to Committee on Insurance, Housing and Trade	335
10-11.	S.	Senate Amendment 1 offered by Senator Kapenga (LRB a1335)	480
10-11.	S.	Public hearing held	
10-20.	S.	Executive action taken	
10-20.	S.	Report adoption of Senate Amendment 1 recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0	498
10-20.	S.	Report passage as amended recommended by Committee on Insurance, Housing and Trade, Ayes 5, Noes 0	498
10-20.	S.	Available for scheduling	
10-27.	S.	Placed on calendar 10-31-2017 pursuant to Senate Rule 18(1)	511
10-31.	S.	Read a second time	519
10-31.	S.	Senate Amendment 1 adopted	519
10-31.	S.	Ordered to a third reading	519
10-31.	S.	Rules suspended	519
10-31.	S.	Read a third time and passed	519
10-31.	S.	Ordered immediately messaged	522
10-31.	A.	Received from Senate	493
11-06.	A.	Read first time and referred to committee on Insurance	517
11-16.	A.	Public hearing held	
12-05.	A.	Executive action taken	

2018

01-05.	A.	Report concurrence recommended by Committee on Insurance, Ayes 15, Noes 0	621
01-05.	A.	Referred to committee on Rules	621
01-11.	A.	Placed on calendar 1-16-2018 by Committee on Rules	
01-16.	A.	Read a second time	
01-16.	A.	Ordered to a third reading	
01-16.	A.	Rules suspended	
01-16.	A.	Read a third time and concurred in	
01-16.	A.	Ordered immediately messaged	
01-16.	S.	Received from Assembly concurred in	

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2017 ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

17- 31271)

Amendments: None or Listed below.

SA 1

Corrections: None or Listed by date below.

Topic: Same as relating clause or other, indicated below.

4/17/18

[Signature]

Date

Enrolling Drafter



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-3127/1
TJD:ahe

2017 SENATE BILL 319

June 23, 2017 - Introduced by Senators KAPENGA, VUKMIR, CRAIG, STROEBEL and TIFFANY, cosponsored by Representatives JAGLER, R. BROOKS, HORLACHER, HUTTON, JACQUE, KNODL, QUINN, RIPP, SANFELIPPO, SPIROS and TUSLER. Referred to Committee on Insurance, Housing and Trade.

1 **AN ACT** *to repeal* 13.0966 (1) (a); *to renumber and amend* 601.423 (2); *to*
2 *consolidate, renumber and amend* 13.0966 (1) (intro.) and (b); *to amend*
3 13.0966 (2) (title), 13.0966 (2) (b), 13.0966 (2) (c) 1., 13.0966 (2) (c) 2. and 601.423
4 (1) (bm); and *to create* 13.0966 (2) (c) (intro.) and 601.423 (2) (b) of the statutes;
5 **relating to:** social and financial impact reports on health insurance mandates.

Analysis by the Legislative Reference Bureau

Generally, this bill clarifies the requirements regarding social and financial impact reports that are required for bills and amendments containing health insurance mandates. Current law requires the Legislative Reference Bureau to submit a copy of a bill or amendment that requires a social and financial impact report to the Office of the Commissioner of Insurance when the bill or amendment is introduced. The bill clarifies, for amendments, that the LRB must submit a copy of an offered amendment to OCI if the amendment creates or alters a health insurance mandate.

Current law requires the commissioner of insurance to submit a report on the social and financial impact of any health insurance mandate contained in a bill or amendment, or, if the office decides not to submit the report, a written statement explaining the reason for not preparing the report. Currently, the commissioner must submit the report or written statement to the presiding officer of the house of the legislature in which the bill or amendment is introduced. The bill requires OCI to submit the report or written statement to the chief clerk of the house in which the

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bill or amendment is introduced or offered within ten working days after receiving a copy of the bill or amendment from the LRB. OCI is not required, however, to prepare or submit a report or statement for an amendment that has failed adoption or failed to be reported out of committee by the end of the next business day after receiving a copy of the amendment.

The bill requires the chief clerk in the house in which the bill or amendment is introduced or offered to ensure, by the end of the next business day after receiving the report or written statement from OCI, that 1) the report or written statement is printed as an appendix to the bill and distributed in the same manner as amendments and 2) the report or written statement is made available to the public. Current law similarly requires the report or written statement to be printed as an appendix, distributed in the same manner as amendments, and made available to the public.

Currently, a statute that requires a particular benefit design under an insurance policy, plan, or contract for the treatment of a particular disease, condition, or other health care need, for a particular type of health care treatment or service, or for the provision of equipment, supplies, or drugs used in connection with a health care treatment or service is a health insurance mandate for which a social and financial impact report must be submitted. The bill clarifies that a statute that imposes conditions on cost sharing under a policy, plan, or contract is also a health insurance mandate for which a social and financial impact report must be submitted.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 13.0966 (1) (intro.) and (b) of the statutes are consolidated,
2 renumbered 13.0966 (1) and amended to read:

3 13.0966 (1) ~~DEFINITIONS~~ DEFINITION. In this section: ~~(b) “Office”, “office”~~ means
4 the office of the commissioner of insurance.

5 **SECTION 2.** 13.0966 (1) (a) of the statutes is repealed.

6 **SECTION 3.** 13.0966 (2) (title) of the statutes is amended to read:

7 13.0966 (2) (title) ~~REPORT ON BILLS ESTABLISHING HEALTH INSURANCE MANDATES.~~

8 **SECTION 4.** 13.0966 (2) (b) of the statutes is amended to read:

9 13.0966 (2) (b) When a bill that requires a report under s. 601.423 is introduced,
10 the legislative reference bureau shall submit a copy of the bill to the office. When an
11 amendment that creates or alters a health insurance mandate requiring a report

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1 under s. 601.423 is offered, the legislative reference bureau shall submit a copy of the
 2 amendment to the office. The office shall prepare the report or, ~~if the office decides~~
 3 ~~not to prepare the report,~~ a written statement that ~~explains the reason for not~~
 4 ~~preparing the report in accordance with s. 601.423.~~ If the office prepares a written
 5 statement, the chairperson of a standing committee to which the bill has been
 6 referred, the presiding officer of either house of the legislature, either cochairperson
 7 of the joint committee on finance, or any other member of the legislature may request
 8 that the office prepare a report instead, in which case the office shall prepare a report.

9 SECTION 5. 13.0966 (2) (c) (intro.) of the statutes is created to read:

10 13.0966 (2) (c) (intro.) By the end of the next business day⁹¹ after receiving the
 11 report or written statement from the office under s. 601.423 (2), the chief clerk of the
 12 house in which the bill or amendment is introduced or offered shall ensure all of the
 13 following:

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14 SECTION 6. 13.0966 (2) (c) 1. of the statutes is amended to read:

15 13.0966 (2) (c) 1. The report or written statement prepared under this section
 16 shall be s. 601.423 is printed as an appendix to the bill and shall be distributed in
 17 the same manner as amendments.

18 SECTION 7. 13.0966 (2) (c) 2. of the statutes is amended to read:

19 13.0966 (2) (c) 2. The report or written statement shall be distributed, and is
 20 made available to the public, before any vote is taken on the bill by either house of
 21 the legislature if the bill is not referred to a standing committee, or before any public
 22 hearing is held before any standing committee or, if no public hearing is held, before
 23 any vote is taken by the committee.

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24 SECTION 8. 601.423 (1) (bm) of the statutes is amended to read:

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SENATE BILL 319**SECTION 8**

1 601.423 (1) (bm) Requires a particular benefit design or imposes conditions on
2 cost sharing under an insurance policy, plan, or contract for the treatment of a
3 particular disease, condition, or other health care need, for a particular type of health
4 care treatment or service, or for the provision of equipment, supplies, or drugs used
5 in connection with a health care treatment or service.

6 **SECTION 9.** 601.423 (2) of the statutes is renumbered 601.423 (2) (a) and
7 amended to read:

8 601.423 (2) (a) ~~The commissioner~~ Subject to par. (b), the office shall, in the
9 ~~manner provided under s. 13.0966,~~ submit a report on the social and financial impact
10 of any health insurance mandate contained in any bill or amendment affecting an
11 insurance policy, plan, or contract, or, if the office decides not to submit a report, a
12 written statement explaining the reason for not preparing the report, to the
13 ~~presiding officer~~ chief clerk of that the house of the legislature in which the bill or
14 amendment is introduced or offered.

15 **SECTION 10.** 601.423 (2) (b) of the statutes is created to read:

16 601.423 (2) (b) 1. The office shall submit the report or written statement for a
17 bill within 10 working days after receiving the copy of the bill from the legislative
18 reference bureau under s. 13.0966 (2) (b).

19 2. The office shall submit the report or written statement within 10 working
20 days after receiving a copy of the amendment from the legislative reference bureau
21 under s. 13.0966 (2) (b). The office is not required to prepare or submit a report or
22 written statement for an amendment if, by the end of the next business day after
23 receiving a copy of the amendment from the legislative reference bureau, the
24 amendment has failed adoption or failed to be reported out of committee.

25

(END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1335/1
TJD:amn

**SENATE AMENDMENT 1,
TO SENATE BILL 319**

October 11, 2017 - Offered by Senator KAPENGA.

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

2 **1.** Page 3, line 10: delete "By the end of the next business day after" and
3 substitute "After".

4 **2.** Page 3, line 19: delete lines 19 to 23 and substitute:

5 "13.0966 (2) (c) 2. The report or written statement shall be is distributed, and
6 is made available to the public, before any vote is taken on the bill by either house
7 of the legislature if the bill is not referred to a standing committee, or before any
8 public hearing is held before any standing committee or, if no public hearing is held,
9 before any vote is taken by the committee. No bill requiring a report under s. 601.423
10 may receive a hearing or be voted on by either house or by a standing committee and
11 no amendment requiring a report under s. 601.423 may be adopted by either house

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1 or recommended by a standing committee before the report or statement on the bill
2 or amendment is distributed under this subdivision”.

3 (END)

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PS 2