



Wisconsin Office of the  
**COMMISSIONER  
OF INSURANCE**

2023 SB 645 (LRB-0609/2)

Tony Evers, Governor of Wisconsin  
Nathan Houdek, Commissioner of Insurance

November 9, 2023

Mr. Richard Champagne  
Acting Senate Chief Clerk  
State Capitol  
P.O. Box 7882  
Madison, WI 53707

Mr. Ted Blazel  
Assembly Chief Clerk  
17 West Main Street  
Room 401  
Madison, WI 53703

**Re: Social and Financial Impact Report—2023 Senate Bill 645—relating to coverage of routine care related to certain clinical trials by health insurance policies and plans.**

Dear Acting Chief Clerk Champagne and Chief Clerk Blazel:

Pursuant to Wis. Stat. § 601.423, the Office of the Commissioner of Insurance (OCI) is submitting a social and financial impact report on 2023 Senate Bill 645, relating to coverage of routine care related to certain clinical trials by health insurance policies and plans.

**Coverage Mandates**

OCI has determined that 2023 Senate Bill 645 requires a social and financial impact report for the following reasons:

- (3.) Requires a particular benefit design or imposes conditions on cost-sharing 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.

**SB 645**

The bill requires health insurance policies that provide coverage for hospital care to provide coverage for routine patient costs and items or services furnished in connection with participation by a qualified individual in an approved clinical trial. "Qualified individual" is defined under the bill to mean an individual who is eligible to participate in an approved clinical trial according to the trial protocol with respect to treatment of cancer or other life-threatening condition. The bill prohibits health insurance policies from discriminating against any individual based on the individual's participation in an approved clinical trial. Health insurance policies are referred to in the bill as disability insurance policies.

The bill requires limited service health organizations, preferred provider plans, and defined network plans that provide coverage of routine patient costs and items or services furnished in connection with participation by a qualified individual in an approved clinical trial to impose the same cost-sharing requirements to such item or service when provided by a nonparticipating provider that would apply if such item or service were furnished by a participating provider and pay to the nonparticipating provider the amount by which the recognized amount for such item or service exceeds the cost-sharing amount for such item or service.

**Social Impact**

The health insurance provisions outlined in the bill will affect Wisconsin consumers who utilize approved clinical trials through fully insured or non-federal, governmental self-funded plans. OCI cannot determine how many qualified individuals may be impacted.

**Financial Impact**

OCI is unable to quantify the degree to which coverage of approved clinical trials would impact health insurance premiums. Out-of-pocket expenses for some enrollees impacted by the bill may be less than they are today due to the cost-sharing requirement of the bill.

OCI is unable to determine the extent to which this additional requirement could increase administrative and claims costs or how the proposed requirements on insurers may impact premium costs to consumers and employers.

Please contact Sarah Smith at (608) 209-6309 or [Sarah.Smith2@wisconsin.gov](mailto:Sarah.Smith2@wisconsin.gov) if you have any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nathan Houdek', written in a cursive style.

Nathan Houdek  
Commissioner

Cc: The Honorable Tony Evers, Governor of Wisconsin