
Wisconsin Legislative Council

ACT MEMO



Prepared by: Margit Kelley, Principal Attorney

December 15, 2023

2023 Wisconsin Act 78 [2023 Senate Bill 362]

Electronic Delivery of Documents for Employer- Sponsored Health Insurance

2023 Wisconsin Act 78 specifies that a health maintenance organization or insurer that provides group health benefits for an employer may agree to deliver insurance communications electronically to a person covered by the policy, plan, or contract. Under the act, an employer may consent to electronic delivery of all communications on behalf of a covered person if the employer confirms for each covered person that the person routinely uses electronic communications during the normal course of employment and the person was given an opportunity to opt out of the electronic delivery. An employer must confirm this information for all new covered persons, when added to the insurance policy, plan, or contract.

An employer must give a person covered by the policy, plan, or contract an opportunity on an annual basis to opt out of electronic delivery.

Insurers and health maintenance organizations must document compliance with the act's requirements.

Effective date: December 8, 2023

For a full history of the bill, visit the Legislature's [bill history page](#).

MSK:jal