

1989 Senate Bill 386

Date of enactment: **April 12, 1990**  
Date of publication\*: **April 27, 1990**

## 1989 WISCONSIN ACT 215

AN ACT to *renumber and amend* 628.36 (2m) (a); to *amend* 628.36 (2m) (title), 628.36 (2m) (e) 1 and 628.36 (2m) (e) 2; and to *create* 628.36 (2m) (a) 2 and 3 and 628.36 (2m) (e) 4 of the statutes, **relating to:** participation of pharmacists in limited service health organizations and preferred provider plans.

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

**SECTION 1.** 628.36 (2m) (title) of the statutes is amended to read:

628.36 (2m) (title) PHARMACEUTICAL SERVICES.

**SECTION 2.** 628.36 (2m) (a) of the statutes is renumbered 628.36 (2m) (a) (intro.) and amended to read:

628.36 (2m) (a) (intro.) In this subsection, ~~“health;~~  
1. “Health maintenance organization” has the meaning given in s. 609.01 (2).

**SECTION 3.** 628.36 (2m) (a) 2. and 3. of the statutes are created to read:

628.36 (2m) (a) 2. “Limited service health organization” has the meaning given in s. 609.01 (3).

3. “Preferred provider plan” has the meaning given in s. 609.01 (4).

**SECTION 4.** 628.36 (2m) (e) 1. of the statutes is amended to read:

628.36 (2m) (e) 1. A health maintenance organization, limited service health organization or preferred provider plan that provides coverage of pharmaceutical services when performed by one or more pharmacists who are selected by the organization or plan but who are not full-time salaried employees or partners of the organization or plan shall provide an annual period of at least 30

days during which any pharmacist registered under ch. 450 may elect to participate in the health maintenance organization, limited service health organization or preferred provider plan under its terms as a selected provider for at least one year.

**SECTION 5.** 628.36 (2m) (e) 2. of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

628.36 (2m) (e) 2. Except as provided in subd. 3, subd. 1 applies to health maintenance organizations on and after May 10, 1984. Except as provided in subd. 4, subd. 1 applies to limited service health organizations and preferred provider plans on and after the effective date of this subdivision .... [revisor inserts date].

**SECTION 6.** 628.36 (2m) (e) 4. of the statutes is created to read:

628.36 (2m) (e) 4. If compliance with the requirements of subd. 1 during the period specified in subd. 2 would impair any provision of a contract between a limited service health organization or preferred provider plan and any other person, and if the contract was in existence prior to the effective date of this subdivision .... [revisor inserts date], then immediately after the expiration of all such contract provisions the limited service health organization or preferred provider plan shall comply with the requirements of subd. 1.