



**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 1088**

February 22, 2024 - Offered by Representative SCHRAA.

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

2 **1.** Page 1, line 5: delete “and”.

3 **2.** Page 1, line 6: after “program” insert “, regulating pharmacy benefit
4 managers, and making an appropriation”.

5 **3.** Page 8, line 15: after that line insert:

6 “**SECTION 10g.** 632.865 (2) (b) 1. of the statutes is amended to read:

7 632.865 (2) (b) 1. A ~~21-day~~ 7-business-day limit on the right to appeal
8 following the initial claim.

9 **SECTION 10n.** 632.865 (2) (b) 2. of the statutes is amended to read:

10 632.865 (2) (b) 2. A requirement that the appeal be investigated and resolved
11 within ~~21~~ 7 business days after the date of the appeal.

12 **SECTION 10w.** 632.865 (8) of the statutes is created to read:

1 632.865 (8) VIOLATIONS. A pharmacy or pharmacist may request that the office
2 review any allegations that a pharmacy benefit manager has violated any provision
3 of this section. Within 14 days after receiving such a request, the office shall initiate
4 an investigation to determine whether there is probable cause to take action against
5 the pharmacy benefit manager.”.

6 **4.** Page 14, line 12: after that line insert:

7 **“SECTION 12. Fiscal changes.**

8 (1) In the schedule under s. 20.005 (3) for the appropriation to the office of the
9 commissioner of insurance under s. 20.145 (1) (g), the dollar amount for fiscal year
10 2023-24 is increased by \$450,000 to increase the authorized FTE positions for the
11 division of the office of the commissioner of insurance that is responsible for market
12 regulation and enforcement by 4.0 PR positions on the effective date of this
13 subsection, to help that division fulfill its responsibilities in new areas of regulation,
14 including enforcement of pharmacy benefit manager regulations enacted by 2021
15 Wisconsin Act 9 and enforcement of any other laws or regulations that apply to
16 pharmacy benefit managers. In the schedule under s. 20.005 (3) for the
17 appropriation to the office of the commissioner of insurance under s. 20.145 (1) (g),
18 the dollar amount for fiscal year 2024-25 is increased by \$450,000 to provide funding
19 for the positions authorized under this subsection.

20 **SECTION 13. Effective dates.** This act takes effect on the day after publication,
21 except as follows:

22 (1) The treatment of s. 632.865 (2) (b) 1. and 2. and (8) of this act takes effect
23 on the first day of the 7th month beginning after publication.”.

24 **(END)**