



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-0849/P5  
TJD:kjf/klm/amn

DOA:.....Bollhorst, BB0277 - Public option

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**HEALTH**

***Option to purchase public health coverage***

This bill requires DHS, OCI, or DHS in consultation with OCI to conduct an analysis and actuarial study of the creation of an option to purchase coverage that is publicly provided or administered. In its analysis, DHS or OCI must incorporate input from a variety of interested persons or entities and an analysis of any other health care affordability initiatives. The bill allows DHS or OCI to submit any requests for federal approval, including Medical Assistance state plan amendments and waiver requests, necessary to implement the public option or other health care affordability initiative. If federal approval is not necessary or if federal approval is granted and DHS or OCI determines that the public option or affordability initiative is feasible, DHS or OCI shall implement the public option or other initiative before January 1, 2025, or if the insurance market provisions of the federal Patient Protection and Affordable Care Act are not longer enforceable, by January 1, 2022, or as soon as possible.

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

**SECTION 9119. Nonstatutory provisions; Health Services.**

(1) OPTION TO PURCHASE PUBLICLY ADMINISTERED COVERAGE. During the 2021-23 fiscal biennium, the department of health services, the office of the commissioner of insurance, or the department of health services in consultation with the office of the commissioner of insurance shall conduct an analysis and actuarial study of the creation of an option for individuals to purchase health coverage that is publicly provided or administered. The analysis under this subsection shall incorporate input from a variety of persons and entities, including consumers, that have an interest in health insurance and health coverage, including Medical Assistance program coverage, and an analysis of any other health care affordability initiatives. If the department of health services or the office of the commissioner of insurance determines that the option to purchase public coverage or any other health care affordability initiatives are feasible, the department or office may submit to the federal government any requests for a waiver of federal law or other federal approval necessary to implement the public coverage option or any other health care affordability initiatives. If the department of health services or office of the commissioner of insurance obtains the necessary federal approval or determines that no federal approval is necessary and if the department or office continues to determine that the option to purchase public coverage or any other health care affordability initiative is feasible, the department or office shall implement the option to purchase public coverage or other health care affordability initiative by January 1, 2025, or earlier if possible, except that if the commissioner of insurance determines the provisions of title I of the federal Patient Protection and Affordable Care Act, P.L. [111-148](#), are no longer enforceable, the department or office shall

implement the public option or other affordability initiatives by January 1, 2022, or as soon as possible.

\*\*\*NOTE: This is a conceptual reconciliation of the nonstatutory provision related to the option to purchase publicly administered coverage. This SECTION has been affected by drafts with the following LRB numbers: -0849/P4, -0443/P1, and -0453/P1.

**(END)**