



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-1658/P2

KMS:cdc

DOA:.....Lessner, BB0375 - Inpatient Mental Health Prior Authorization

**FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**INSURANCE**

***Inpatient mental health prior authorization***

This bill prohibits health insurance policies and governmental self-insured health plans that cover inpatient mental health services from requiring prior authorization for the provision or coverage of those services. Health insurance policies are referred to in the bill as disability insurance policies.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

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

**SECTION 1.** 609.823 of the statutes is created to read:

**609.823 Coverage without prior authorization for inpatient mental health services.** Limited service health organizations, preferred provider plans, and defined network plans are subject to s. 632.891.

**SECTION 2.** 632.891 of the statutes is created to read:

**632.891 Coverage without prior authorization for inpatient mental health services.** A disability insurance policy, as defined in s. 632.895 (1) (a), or self-insured health plan, as defined in s. 632.745 (24), that covers inpatient mental health services may not require prior authorization for the provision or coverage of those services.

**SECTION 9323. Initial applicability; Insurance.**

**BILL****SECTION 9323****(1) INPATIENT MENTAL HEALTH PRIOR AUTHORIZATION.**

(a) For policies and plans containing provisions inconsistent with ss. 609.823 and 632.891, the treatment of ss. 609.823 and 632.891 first applies to policy or plan years beginning on January 1 of the year following the year in which this paragraph takes effect, except as provided in par. (b).

(b) For policies and plans that are affected by a collective bargaining agreement containing provisions inconsistent with ss. 609.823 and 632.891, the treatment of ss. 609.823 and 632.891 first applies to policy or plan years beginning on the effective date of this subsection or on the day on which the collective bargaining agreement is newly established, extended, modified, or renewed, whichever is later.

**SECTION 9423. Effective dates; Insurance.**

(1) INPATIENT MENTAL HEALTH PRIOR AUTHORIZATION. The treatment of ss. 609.823 and 632.891 and SECTION 9323 (1) of this act take effect on the first day of the 4th month beginning after publication.

**(END)**