



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-1727/1  
FFK:amn

## 2017 ASSEMBLY BILL 128

March 7, 2017 - Introduced by Representatives JACQUE, TUSLER, BRANDTJEN, ALLEN, E. BROOKS, R. BROOKS, DUCHOW, EDMING, HORLACHER, HUTTON, KLEEFISCH, KREMER, KULP, LOUDENBECK, MURPHY, PETERSEN, PETRYK, QUINN, SANFELIPPO, SCHRAA, SKOWRONSKI, STEFFEN, THIESFELDT, TITTL and WICHGERS, cosponsored by Senators CRAIG, KAPENGA, LASEE, MARKLEIN, NASS, STROEBEL, VUKMIR and WANGGAARD. Referred to Committee on Health.

1     **AN ACT to renumber** 40.02 (1); **to amend** 40.03 (6) (a) and 40.03 (6) (b); and **to**  
2           **create** 40.02 (1d), 40.03 (6) (m) and 40.56 of the statutes; **relating to:**  
3           prohibiting the group insurance board from contracting for or providing  
4           abortion services.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Group Insurance Board offers health insurance coverage to eligible employees under the Wisconsin Retirement System, which include all state employees and state annuitants and may include local government employees if the local governmental unit elects to participate in a GIB health insurance plan. This bill prohibits GIB from entering into any contract with respect to a group health insurance plan or providing a group health insurance plan on a self-insured basis that provides abortion services, with certain exceptions.

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

5           **SECTION 1.** 40.02 (1) of the statutes is renumbered 40.02 (1m).  
6           **SECTION 2.** 40.02 (1d) of the statutes is created to read:  
7           **40.02 (1d)** "Abortion" has the meaning given in s. 253.10 (2) (a).

**ASSEMBLY BILL 128****SECTION 3**

1           **SECTION 3.** 40.03 (6) (a) of the statutes is amended to read:

2           40.03 (6) (a) 1. ~~Shall Except as provided in par. (m), shall~~, on behalf of the state,  
3 enter into a contract or contracts with one or more insurers authorized to transact  
4 insurance business in this state for the purpose of providing the group insurance  
5 plans provided for by this chapter; or

6           2. ~~May Except as provided in par. (m), may~~, wholly or partially in lieu of subd.  
7 1., on behalf of the state, provide any group insurance plan on a self-insured basis  
8 in which case the group insurance board shall approve a written description setting  
9 forth the terms and conditions of the plan, and may contract directly with providers  
10 of hospital, medical or ancillary services to provide insured employees with the  
11 benefits provided under this chapter.

12           **SECTION 4.** 40.03 (6) (b) of the statutes is amended to read:

13           40.03 (6) (b) ~~May Except as provided in par. (m), may~~ provide other group  
14 insurance plans for employees and their dependents and for annuitants and their  
15 dependents in addition to the group insurance plans specifically provided under this  
16 chapter. The terms of the group insurance under this paragraph shall be determined  
17 by contract, and shall provide that the employer is not liable for any obligations  
18 accruing from the operation of any group insurance plan under this paragraph  
19 except as agreed to by the employer.

20           **SECTION 5.** 40.03 (6) (m) of the statutes is created to read:

21           40.03 (6) (m) May not enter into, extend, modify, or renew any contract for a  
22 group insurance plan or provide a group insurance plan or other benefit on a  
23 self-insured basis that provides coverage or services for an abortion, the  
24 performance of which is ineligible for funding under s. 20.927.

25           **SECTION 6.** 40.56 of the statutes is created to read:

