
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Senate Bill 889

Senate Amendment 1

2021 SENATE BILL 889

2021 Senate Bill 889 sets forth the criteria that must be satisfied for a direct primary care (DPC) agreement¹ to be considered valid under state law. Under the bill, the state's insurance laws (chs. 600 to 655, Stats.) do not apply to any valid DPC agreement. The bill also specifies the reasons for which a DPC provider may decline to accept a patient for a DPC agreement or terminate a DPC agreement. Specifically, with respect to termination, a DPC provider may only terminate a DPC agreement with a patient for one or more of the following reasons:

- The patient fails to pay the subscription fee or repeatedly fails to adhere to the treatment plan recommended by the DPC provider.
- The patient has performed an act of fraud.
- The patient is abusive and presents an emotional or physical danger to the **staff or other patients of the DPC provider**.
- The DPC provider discontinues operation as a provider under DPC agreements.
- The DPC provider believes that the relationship is no longer therapeutic for the patient due to a dysfunctional relationship between the DPC provider and the patient.

SENATE AMENDMENT 1

Senate Amendment 1 allows a DPC provider to terminate a DPC agreement if the patient is abusive and presents an emotional or physical danger to the DPC provider. Specifically, the amendment allows a DPC provider to terminate the DPC agreement if the patient is abusive and presents an emotional or physical danger to **the DPC provider, staff, or other patients of the DPC provider**.

BILL HISTORY

Senate Amendment 1 was introduced on February 3, 2022, by Senator Bernier. On February 11, 2022, the Senate Committee on Government Operations, Legal Review, and Consumer Protection voted to recommend adoption of the amendment by a vote of Ayes, 3; Noes, 2; and passage of the bill, as amended, by a vote of Ayes, 3; Noes, 2.

MS:ksm

¹ The bill defines “direct primary care agreement” as “a contract between a health care provider and an individual patient or his or her legal representative or an employer in which the health care provider agrees to provide primary care services to the individual patient or employee for an agreed-upon subscription fee and period of time.”