



## 1995 SENATE BILL 71

February 15, 1995 - Introduced by Senator ADELMAN. Referred to Committee on Insurance.

1     **AN ACT to amend** 40.02 (26) (intro.), 40.02 (28), 40.03 (6) (a) 1., 628.36 (4) (b) 1.,  
2             628.36 (4) (b) 2. and 628.36 (4) (b) 3.; and **to create** 20.515 (1) (g), 40.03 (6) (a)  
3             3. and subchapter IX of chapter 40 [precedes 40.95] of the statutes; **relating to:**  
4             the purchase of health care coverage by private employers through the group  
5             insurance board, granting rule-making authority and making an  
6             appropriation.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the group insurance board (board), attached to the department of employe trust funds, is required to contract on behalf of the state for the purpose of providing health care coverage to state employes. Many other public employers may also participate in programs offered by the board to provide health care coverage for their employes.

This bill authorizes the board to enter into contracts on behalf of private employers for the purpose of providing health care coverage to their employes through a program offered by the board. In order to participate in this program, a private employer must provide health care coverage under the program to all of its employes who have a normal work week of 20 or more hours.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

7             **SECTION 1.** 20.515 (1) (g) of the statutes is created to read:

1           20.515 (1) (g) *Benefit and coverage payments; private employers.* All moneys  
2 received from employers, as defined in s. 40.95 (1) (b), and their employes, as defined  
3 in s. 40.95 (1) (a), who elect to be included in health care coverage plans through a  
4 program offered by the group insurance board, for the payment of benefits and the  
5 costs of administering benefits under subch. IX of ch. 40.

6           **SECTION 2.** 40.02 (26) (intro.) of the statutes is amended to read:

7           40.02 (26) (intro.) “Employe” means any person who receives earnings as  
8 payment for personal services rendered for the benefit of any employer including  
9 officers of the employer, except as provided in subch. IX. An employe is deemed to  
10 have separated from the service of an employer at the end of the day on which the  
11 employe last performed services for the employer, or, if later, the day on which the  
12 employe-employer relationship is terminated because of the expiration or  
13 termination of leave without pay, sick leave, vacation or other leave of absence. A  
14 person shall not be considered an employe if a person:

15           **SECTION 3.** 40.02 (28) of the statutes is amended to read:

16           40.02 (28) “Employer” means the state, including each state agency, any  
17 county, city, village, town, school district, other governmental unit or  
18 instrumentality of 2 or more units of government now existing or hereafter created  
19 within the state and any federated public library system established under s. 43.19  
20 whose territory lies within a single county with a population of 500,000 or more,  
21 except as provided under ss. 40.51 (7) and 40.61 (3) and subch. IX, or a local  
22 exposition district created under subch. II of ch. 229. Each employer shall be a  
23 separate legal jurisdiction for OASDHI purposes.

24           **SECTION 4.** 40.03 (6) (a) 1. of the statutes is amended to read:



1           2. Is customarily engaged in an independently established trade, business or  
2 profession providing the same type of services to more than one employer and whose  
3 services to an employer are not compensated for on a payroll of that employer.

4           3. Is a patient or inmate of a hospital, home or institution and performs services  
5 in the hospital, home or institution.

6           (b) "Employer" means any person doing business or operating an organization  
7 in this state other than the state, including each state agency, and any county, city,  
8 village, town, school district, other governmental unit or instrumentality of 2 or more  
9 units of government.

10           **(2)** (a) Subject to par. (b), any employer may offer to all of its employes a health  
11 care coverage plan through a program offered by the group insurance board. The  
12 department may, by rule, establish eligibility standards or contribution  
13 requirements for such employes and employers and may, by rule, limit the category  
14 of employers allowed to be included in any program available under this subchapter.

15           (b) An employer who participates in a program offered by the group insurance  
16 board under par. (a) shall provide health care coverage under that program to all of  
17 its employes who have a normal work week of 20 or more hours.

18           **SECTION 7.** 628.36 (4) (b) 1. of the statutes is amended to read:

19           628.36 **(4)** (b) 1. Assisting the department of employe trust funds in the  
20 development of health care plans under s. 40.51 (7) and subch. IX of ch. 40.

21           **SECTION 8.** 628.36 (4) (b) 2. of the statutes is amended to read:

22           628.36 **(4)** (b) 2. Providing employers and their employes with information  
23 regarding the availability and nature of health care coverage that may be obtained  
24 under s. 40.51 (7) and subch. IX of ch. 40.

25           **SECTION 9.** 628.36 (4) (b) 3. of the statutes is amended to read:

