



1997 SENATE BILL 389

December 30, 1997 - Introduced by Senators MOEN, BURKE and ROESSLER, cosponsored by Representatives KELSO and UNDERHEIM. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

1 **AN ACT to amend** 632.895 (11) (a) (intro.) and 632.895 (12) (b) (intro.); and **to**
2 **create** 632.895 (11) (d) and 632.895 (12) (d) of the statutes; **relating to:**
3 providing exceptions for dental plans from certain mandated coverages.

Analysis by the Legislative Reference Bureau

Under current law, beginning on January 1, 1998, every health insurance policy, and every self-insured plan of the state or a county, city, village, town or school district, that provides coverage of any diagnostic or surgical procedure involving a bone, joint, muscle or tissue must provide coverage for diagnostic procedures and medically necessary surgical or nonsurgical treatment for the correction of temporomandibular disorders. In addition, every health insurance policy, and every self-insured plan of the state or a county, city, village, town or school district, must cover hospital or ambulatory surgery center charges and anesthetics charges that are incurred when dental care is provided in a hospital or ambulatory surgery center to an insured who satisfies certain criteria, such as having a medical condition that requires hospitalization or general anesthesia for dental care. This bill makes exceptions for policies that cover only dental care. Such a policy would not have to provide either type of coverage.

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

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

SENATE BILL 389

1 **SECTION 1.** 632.895 (11) (a) (intro.) of the statutes, as created by 1997 Wisconsin
2 Act 27, is amended to read:

3 632.895 (11) (a) (intro.) ~~Every~~ Except as provided in par. (d), every disability
4 insurance policy, and every self-insured health plan of the state or a county, city,
5 village, town or school district, that provides coverage of any diagnostic or surgical
6 procedure involving a bone, joint, muscle or tissue shall provide coverage for
7 diagnostic procedures and medically necessary surgical or nonsurgical treatment for
8 the correction of temporomandibular disorders if all of the following apply:

9 **SECTION 2.** 632.895 (11) (d) of the statutes is created to read:

10 632.895 (11) (d) This subsection does not apply to a disability insurance policy
11 that covers only dental care.

12 **SECTION 3.** 632.895 (12) (b) (intro.) of the statutes, as created by 1997 Wisconsin
13 Act 27, is amended to read:

14 632.895 (12) (b) (intro.) ~~Every~~ Except as provided in par. (d), every disability
15 insurance policy, and every self-insured health plan of the state or a county, city,
16 village, town or school district, shall cover hospital or ambulatory surgery center
17 charges incurred, and anesthetics provided, in conjunction with dental care that is
18 provided to a covered individual in a hospital or ambulatory surgery center, if any
19 of the following applies:

20 **SECTION 4.** 632.895 (12) (d) of the statutes is created to read:

21 632.895 (12) (d) This subsection does not apply to a disability insurance policy
22 that covers only dental care.

23 **SECTION 5. Initial applicability.**

24 (1) This act first applies to all of the following:

SENATE BILL 389

1 (a) Except as provided in paragraph (b), disability insurance policies that cover
2 only dental care and that are issued or renewed on the effective date of this
3 paragraph.

4 (b) Disability insurance policies that cover only dental care, that cover
5 employees who are affected by a collective bargaining agreement containing
6 provisions inconsistent with this act and that are issued or renewed on the earlier
7 of the following:

8 1. The day on which the collective bargaining agreement expires.

9 2. The day on which the collective bargaining agreement is extended, modified
10 or renewed.

11

(END)