

2001 DRAFTING REQUEST**Assembly Amendment (AA-ASA1-SB55)**Received: **06/21/2001**Received By: **kahlepj**Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**By/Representing: **Susan McMurray**This file may be shown to any legislator: **NO**Drafter: **kahlepj**

May Contact:

Addl. Drafters:

Subject: **Insurance - health**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Black@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Number 29; mental health parity (health insurance coverage)

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kahlepj 06/21/2001	hhagen 06/22/2001		_____			
/1			jfrantze 06/26/2001	_____	lrb_docadmin 06/26/2001	lrb_docadmin 06/26/2001	

FE Sent For:

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1?	kahlepj	1 hmk 6/22/01	6/26/01	6/15/01 6/22/01			

FE Sent For:

<END>

Assembly Democrat Budget Amendment Requests

Request Number: 29
(not LRB number)

Agency: DHFS

1399/1

Description: Mental Health Parity

Attachments: SB 157

Cost (if known): NA

Contact person: Susan McMurray, 266-7521, Representative Black's Office

PJK

2001

Date (time) needed soon

LRB b 13 26 / 1

**ADC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

PJK : hnh : _____

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page [✓]534, line [✓]23: *after that line insert:*

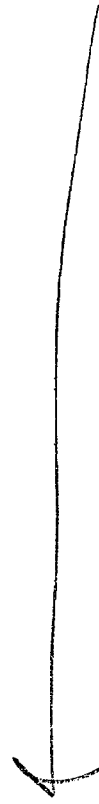
#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :



SENATE BILL 157

1 → " SECTION 1. 40.51 (8) of the statutes is amended to read:

2 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
3 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
4 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
5 (5), 632.89, 632.895 (5m) and (8) to (14), and 632.896.

6 SECTION 2. 40.51 (8m) of the statutes is amended to read:

7 40.51 (8m) Every health care coverage plan offered by the group insurance
8 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
9 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.89, and 632.895 (11) to (14)."

10 → " SECTION 3. 46.10 (8) (d) of the statutes is amended to read:

11 46.10 (8) (d) After due regard to the case and to a spouse and minor children
12 who are lawfully dependent on the property for support, compromise or waive any
13 portion of any claim of the state or county for which a person specified under sub. (2)
14 is liable, but not any claim payable by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or
15 by any other 3rd party.

16 → " SECTION 4. 46.10 (14) (a) of the statutes is amended to read:

17 46.10 (14) (a) Except as provided in pars. (b) and (c), liability of a person
18 specified in sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons
19 under 18 years of age at community mental health centers, a county mental health
20 complex under s. 51.08, the centers for the developmentally disabled, Mendota
21 mental health institute, and Winnebago mental health institute or care and
22 maintenance of persons under 18 years of age in residential, nonmedical facilities
23 such as group homes, foster homes, treatment foster homes, child caring institutions,
24 and juvenile correctional institutions is determined in accordance with the
25 cost-based fee established under s. 46.03 (18). The department shall bill the liable

1398s

1398+

1491r

1493b

#. Page 563, line 13: after that line insert:

#. Page 563, line 17: after that line insert:

SENATE BILL 157

SECTION 4

1 person up to any amount of liability not paid by an insurer under s. 632.89 (2) or ~~(2m)~~
 2 ~~(4m)~~ or by other 3rd party benefits, subject to rules which include formulas governing
 3 ability to pay promulgated by the department under s. 46.03 (18). Any liability of the
 4 patient not payable by any other person terminates when the patient reaches age 18,
 5 unless the liable person has prevented payment by any act or omission." ←

6 SECTION 5. 60.23 (25) of the statutes is amended to read:

7 60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its
 8 officers and employees on a self-insured basis if the self-insured plan complies with
 9 ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (8), 632.85,
 10 632.853, 632.855, 632.87 (4) and (5), 632.89, 632.895 (9) and (11) to (14), and 632.896.

#. Page 676, line 9: after that line insert:

11 " SECTION 6. 66.0137 (4) of the statutes is amended to read:

12 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
 13 a village provides health care benefits under its home rule power, or if a town
 14 provides health care benefits, to its officers and employees on a self-insured basis,
 15 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
 16 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
 17 632.89, 632.895 (9) to (14), 632.896, and 767.25 (4m) (d). ←

→ #. Page 913, line 2: after that line insert:

18 " SECTION 7. 111.91 (2) (qm) of the statutes is created to read:

19 111.91 (2) (qm) The requirements under s. 632.89 related to coverage of
 20 treatment for nervous and mental disorders and alcoholism and other drug abuse
 21 problems." ←

→ #. Page 924, line 22: after that line insert:

22 " SECTION 8. 120.13 (2) (g) of the statutes is amended to read:

23 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
 24 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),

SENATE BILL 157

1 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.89, 632.895 (9) to (14), 632.896, and

2 767.25 (4m) (d).)) ←

→ #. Page 985, line 20: after that line insert =

3 " SECTION 185.981 (4t) of the statutes is amended to read:

4 185.981 (4t) ^{2936h} A sickness care plan operated by a cooperative association is

5 subject to ss. 252.14, 631.17, 631.89, 631.95, 632.72 (2), 632.745 to 632.749, 632.85,

6 632.853, 632.855, 632.87 (2m), (3), (4), and (5), 632.89, 632.895 (10) to (14), and

7 632.897 (10) and chs. 149 and 155.

8 SECTION ~~18~~ ²⁹³⁶ⁱ 185.983 (1) (intro.) of the statutes is amended to read:

9 185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be

10 exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,

11 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.17, 631.89, 631.93,

12 631.95, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853,

13 632.855, 632.87 (2m), (3), (4), and (5), 632.89, 632.895 (5) and (9) to (14), 632.896, and

14 632.897 (10) and chs. 609, 630, 635, 645, and 646, but the sponsoring association

15 shall:)) ←
→ #. Page 1070, line 9 : after that line insert:

16 " SECTION ~~18~~ ^{3334r} 301.12 (8) (d) of the statutes is amended to read:

17 301.12 (8) (d) After due regard to the case and to a spouse and minor children

18 who are lawfully dependent on the property for support, compromise or waive any

19 portion of any claim of the state or county for which a person specified under sub. (2)

20 is liable, but not any claim payable by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or

21 by any other 3rd party.

22 SECTION ~~18~~ ^{3334s} 301.12 (14) (a) of the statutes is amended to read:

23 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person

24 specified in sub. (2) or s. 301.03 (18) for care and maintenance of persons under 17

25 years of age in residential, nonmedical facilities such as group homes, foster homes,

SENATE BILL 157

SECTION 12

1 treatment foster homes, child caring institutions, and juvenile correctional
 2 institutions is determined in accordance with the cost-based fee established under
 3 s. 301.03 (18). The department shall bill the liable person up to any amount of
 4 liability not paid by an insurer under s. 632.89 (2) or ~~(2m)~~ (4m) or by other 3rd-party
 5 benefits, subject to rules which include formulas governing ability to pay
 6 promulgated by the department under s. 301.03 (18). Any liability of the resident not
 7 payable by any other person terminates when the resident reaches age 17, unless the

8 liable person has prevented payment by any act or omission." ←

→ #, Page 1180, line 21 : after that line insert:

9 " SECTION ~~18~~ 609.86 of the statutes is created to read:

→ 374/p.

10 609.86 Coverage of alcoholism and other diseases. Managed care plans

11 are subject to s. 632.89." ←

→ #, Page 1181, line 3 : after that line insert:

12 " SECTION ~~18~~ 632.89 (title) of the statutes is amended to read:

→ 3760/p

13 632.89 (title) ~~Required coverage of~~ Coverage of mental disorders,

14 alcoholism, and other diseases.

15 SECTION ~~18~~ 632.89 (1) (b) of the statutes is created to read:

→ 3760/s ✓

16 632.89 (1) (b) "Health benefit plan" has the meaning given in s. 632.745 (11).

17 SECTION ~~18~~ 632.89 (1) (em) of the statutes is repealed.

→ 3761/c x

18 SECTION ~~18~~ 632.89 (1) (er) of the statutes is created to read:

→ 3761/d ✓

19 632.89 (1) (er) "Self-insured health plan" has the meaning given in s. 632.745

20 (24).

21 SECTION ~~18~~ 632.89 (2) (title) of the statutes is amended to read:

→ 3761/e x

22 632.89 (2) (title) REQUIRED COVERAGE FOR GROUP PLANS.

23 SECTION ~~18~~ 632.89 (2) (a) 1. of the statutes is renumbered 632.89 (2) (a) and

→ 3761/f ✓

24 amended to read:

SENATE BILL 157

1 632.89 (2) (a) *Conditions covered.* A group ~~or blanket disability insurance~~
2 ~~policy issued by an insurer~~ health benefit plan and a self-insured health plan shall
3 provide coverage of nervous and mental disorders and alcoholism and other drug
4 abuse problems if required by pars. (c) to (dm) and as provided in pars. (b) (c) to (e)
5 (dm) and sub. (3).

6 SECTION ~~20~~ ^{3761 fm} 632.89 (2) (a) 2. of the statutes is repealed.

7 SECTION ~~21~~ ^{3761 g} 632.89 (2) (b) of the statutes is repealed.

8 SECTION ~~22~~ ^{3761 gm} 632.89 (2) (c) 1. of the statutes is renumbered 632.89 (2) (c) and
9 amended to read:

10 632.89 (2) (c) ~~Minimum coverage~~ Coverage of inpatient hospital services. If a
11 group ~~or blanket disability insurance policy issued by an insurer~~ health benefit plan
12 or a self-insured health plan provides coverage of any inpatient hospital treatment,
13 the ~~policy plan~~ shall provide coverage for inpatient hospital services for the
14 treatment of conditions under par. (a) ~~1. as provided in subd. 2.~~

15 SECTION ~~23~~ ^{3761 h} 632.89 (2) (c) 2. of the statutes is repealed.

16 SECTION ~~24~~ ^{3761 hm} 632.89 (2) (d) 1. of the statutes is renumbered 632.89 (2) (d) and
17 amended to read:

18 632.89 (2) (d) ~~Minimum coverage~~ Coverage of outpatient services. If a group ~~or~~
19 ~~blanket disability insurance policy issued by an insurer~~ health benefit plan or a
20 self-insured health plan provides coverage of any outpatient treatment, the ~~policy~~
21 plan shall provide coverage for outpatient services for the treatment of conditions
22 under par. (a) ~~1. as provided in subd. 2.~~

23 SECTION ~~25~~ ^{3761 i} 632.89 (2) (d) 2. of the statutes is repealed.

24 SECTION ~~26~~ ^{3761 im} 632.89 (2) (dm) 1. of the statutes is renumbered 632.89 (2) (dm)

25 and amended to read:

SENATE BILL 157

SECTION 26

1 632.89 (2) (dm) ~~Minimum coverage~~ Coverage of transitional treatment
 2 arrangements. If a group or blanket disability insurance policy issued by an insurer
 3 health benefit plan or a self-insured health plan provides coverage of any inpatient
 4 hospital treatment or any outpatient treatment, the ~~policy~~ plan shall provide
 5 coverage for transitional treatment arrangements for the treatment of conditions
 6 under par. (a) 1. ~~as provided in subd. 2.~~

7 SECTION ~~27~~ ^{376ls}. 632.89 (2) (dm) 2. of the statutes is repealed.

8 SECTION ~~28~~ ^{376ljm}. 632.89 (2) (e) of the statutes is renumbered 632.89 (5) (b) and
 9 amended to read:

10 632.89 (5) (b) ~~Exclusion~~ Certain health care plans. This ~~subsection~~ section does
 11 not apply to a health care plan offered by a limited service health organization, as
 12 defined in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4),
 13 that is not a managed care plan, as defined in s. 609.01 (3c).

14 SECTION ~~29~~ ^{376lk}. 632.89 (2m) of the statutes is renumbered 632.89 (4m).

15 SECTION ~~30~~ ^{376lkm}. 632.89 (3) of the statutes is created to read:

16 632.89 (3) EQUAL COVERAGE REQUIREMENT. (a) *Group plans.* A group health
 17 benefit plan or a self-insured health plan that provides coverage for the treatment
 18 of nervous and mental disorders and alcoholism and other drug abuse problems shall
 19 provide the same coverage for that treatment that it provides for the treatment of
 20 physical conditions.

21 (b) *Individual plans.* If an individual health benefit plan provides coverage for
 22 the treatment of nervous or mental disorders or alcoholism or other drug abuse
 23 problems, the individual health benefit plan shall provide the same coverage for that
 24 treatment that it provides for the treatment of physical conditions.

SENATE BILL 157

(c) *All coverage components.* The requirements under this subsection apply to all coverage-related components, including rates; exclusions and limitations; deductibles; copayments; coinsurance; annual and lifetime payment limits; out-of-pocket limits; out-of-network charges; day, visit, or appointment limits; duration or frequency of coverage; and medical necessity definitions.

SECTION 31. 632.89 (3m) of the statutes is repealed.

SECTION 32. 632.89 (5) (title) of the statutes is amended to read:

632.89 (5) (title) ~~MEDICARE EXCLUSION~~ EXCLUSIONS.

SECTION 33. 632.89 (5) of the statutes is renumbered 632.89 (5) (a).

SECTION 34. 632.89 (5) (a) (title) of the statutes is created to read:

632.89 (5) (a) (title) *Medicare.*

~~SECTION 35. Initial applicability.~~

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

(a) Except as provided in paragraphs (b) and (c), health benefit plans that are issued or renewed, and self-insured health plans that are established, extended, modified, or renewed, on the effective date of this paragraph.

(b) Health benefit plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are issued or renewed on the earlier of the following:

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

(c) Self-insured health plans covering employees who are affected by a collective bargaining agreement containing provisions inconsistent with this act that are established, extended, modified, or renewed on the earlier of the following:

Insert 9-13

3761L

3761Lm

3761m

3761mm

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SENATE BILL 157

SECTION 35

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

2 2. The day on which the collective bargaining agreement is extended, modified,

3 or renewed.)'. ←

4 SECTION 36. Effective date. #. Page 1421, line 4 = after that

5 ~~insert 10-5~~ effect on the first day of the 6th month beginning after ^{line} insert:

6 ~~insert 10-5~~)'.

7 (END)

the effective date of this subsection

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1326/?ins
PJK:.....

INSERT 9-13

1 1. Page 1399, line 25: after that line insert:

2 "~~(1m)~~^g HEALTH INSURANCE COVERAGE OF MENTAL DISORDERS. The treatment of
3 sections 40.51 (8) and (8m), 46.10 (8) (d) and (14) (a), 66.0137⁽⁴⁾, 111.91 (2) (qm), 120.13
4 (2) (g), 185.981 (4t), 185.983 (1) (intro.), 301.12 (8) (d) and (14) (a), 609.86, and 632.89
5 (title), (1) (b), (em), and (er), (2) (title), ~~(a)~~ (a) 1. and 2., (b), (c) 1. and 2., (d) 1. and 2.,
6 (dm) 1. and 2., and (e), (2m), (3), and (3m) of the statutes, the renumbering of section
7 632.89 (5) of the statutes, the amendment of section 632.89 (5) (title) of the statutes,
8 and the creation of section 632.89⁽⁵⁾ (a) (title) of the statutes first apply to all of the
9 following:

(END OF INSERT 9-13)

INSERT 10-5

10 H "~~(1m)~~^g HEALTH INSURANCE COVERAGE OF MENTAL DISORDERS. The treatment of
11 sections 40.51 (8) and (8m), 46.10 (8) (d) and (14) (a), 66.0137⁽⁴⁾, 111.91 (2) (qm), 120.13
12 (2) (g), 185.981 (4t), 185.983 (1) (intro.), 301.12 (8) (d) and (14) (a), 609.86, and 632.89
13 (title), (1) (b), (em), and (er), (2) (title), ~~(a)~~ (a) 1. and 2., (b), (c) 1. and 2., (d) 1. and 2.,
14 (dm) 1. and 2., and (e), (2m), (3), and (3m) of the statutes, the renumbering of section
15 632.89 (5) of the statutes, the amendment of section 632.89 (5) (title) of the statutes,
16 the creation of section 632.89⁽⁵⁾ (a) (title) of the statutes, and SECTION 9327 (~~1m~~^g) of this
17 act take

(END OF INERT 10-5)