



Wisconsin Office of the
COMMISSIONER
OF INSURANCE

2023 AB 766 (LRB-4953/1)

Tony Evers, Governor of Wisconsin
Nathan Houdek, Commissioner of Insurance

December 11, 2023

Mr. Richard Champagne
Acting Senate Chief Clerk
State Capitol
P.O. Box 7882
Madison, WI 53707

Mr. Ted Blazel
Assembly Chief Clerk
17 West Main Street
Room 401
Madison, WI 53703

Re: Social and Financial Impact Report—2023 Assembly Bill 766—relating to coverage of infertility services under self-insured governmental health plans and health policies and plans offered to state employees.

Dear Acting Chief Clerk Champagne and Chief Clerk Blazel:

Pursuant to Wis. Stat. § 601.423, the Office of the Commissioner of Insurance (OCI) is submitting this letter regarding a social and financial impact report on 2023 Assembly Bill 766 relating to coverage of infertility services under self-insured governmental health plans and health policies and plans offered to state employees.

OCI is not intending to prepare a social and financial impact report as allowed under Wis. Stat. §13.0966 (2) (b) since it has been determined the bill:

1. Is providing coverage for self-insured governmental health plans.
2. Health plans offered to state employees.

OCI does not have regulatory authority over self-funded health plans. The federal Employee Retirement Income Security Act of 1974 (ERISA) assigns regulatory authority of most employers' self-funded plans to the U.S. Department of Labor. Secondly, all matters concerning public employee health plans are regulated by the Department of Employee Trust Funds.

Please contact Sarah Smith at (608) 209-6309 or Sarah.Smith2@wisconsin.gov if you have any questions.

Respectfully submitted,

Nathan Houdek
Commissioner

Cc: The Honorable Tony Evers, Governor of Wisconsin