



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2096/1
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2023 ASSEMBLY BILL 311

June 9, 2023 - Introduced by Representatives WITKE, RETTINGER, ARMSTRONG, O'CONNOR and WICHGERS, cosponsored by Senators TESTIN and BALLWEG. Referred to Committee on Insurance.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 448.95 (7) and 632.87 (1); and **to create** 632.87 (4s) of the
2 statutes; **relating to:** athletic training and coverage of the services of athletic
3 trainers under health insurance policies and plans.

Analysis by the Legislative Reference Bureau

Current law prohibits health insurance policies, plans, or contracts from excluding coverage of the services of various types of health care providers within the scope of their licenses, including chiropractors, dentists, optometrists, and nurse practitioners, if those services are covered when provided by another type of health care provider. This bill prohibits a health insurance policy, plan, or contract from excluding or refusing to cover services provided by an athletic trainer within the scope of the athletic trainer's license if the policy, plan, or contract covers those services when provided by another type of health care provider. The bill also amends the definition of "physical activity" for purposes of defining the scope of athletic training to mean participation in exercise, sports, games, recreation, wellness, fitness, or employment activities.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

For further information see the state 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:

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1 **SECTION 1.** 448.95 (7) of the statutes is amended to read:

2 448.95 (7) “Physical activity” means vigorous participation in exercise, sports,
3 games, recreation, wellness, fitness, or employment activities.

4 **SECTION 2.** 632.87 (1) of the statutes is amended to read:

5 632.87 (1) No insurer may refuse to provide or pay for benefits for health care
6 services provided by a licensed health care professional on the ground that the
7 services were not rendered by a physician as defined in s. 990.01 (28), unless the
8 contract clearly excludes services by such practitioners, but no contract or plan may
9 exclude services in violation of sub. (2), (2m), (3), (4), (4m), (4s), (5), or (6).

10 **SECTION 3.** 632.87 (4s) of the statutes is created to read:

11 632.87 (4s) (a) In this subsection:

12 1. “Athletic trainer” means an individual who is licensed as an athletic trainer
13 under subch. VI of ch. 448.

14 2. “Health care provider” has the meaning given in s. 146.81 (1).

15 (b) No policy, plan, or contract may exclude or refuse to provide coverage for
16 services provided by an athletic trainer within the scope of the athletic trainer’s
17 license if the policy, plan, or contract covers those services when provided by another
18 health care provider.

19 **SECTION 4. Initial applicability.**

20 (1) For policies and plans containing provisions inconsistent with this act, the
21 act first applies to policy or plan years beginning on January 1 of the year following
22 the year in which this subsection takes effect, except as provided in sub. (2).

23 (2) For policies and plans that are affected by a collective bargaining agreement
24 containing provisions inconsistent with this act, this act first applies to policy or plan
25 years beginning on the effective date of this subsection or on the day on which the

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1 collective bargaining agreement is newly established, extended, modified, or
2 renewed, whichever is later.

3 **SECTION 5. Effective date.**

4 (1) This act takes effect on the first day of the 4th month beginning after
5 publication.

6 (END)