



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-2373/1
JPC:cdc

2023 SENATE BILL 574

October 30, 2023 - Introduced by Senators PFAFF, CARPENTER, HESSELBEIN, L. JOHNSON, LARSON, ROYS, SMITH and SPREITZER, cosponsored by Representatives J. ANDERSON, BILLINGS, SHANKLAND, C. ANDERSON, BARE, CABRERA, CONSIDINE, DONOVAN, EMERSON, JOERS, MOORE OMOKUNDE, ORTIZ-VELEZ, PALMERI, RATCLIFF, SHELTON, SINICKI, STUBBS, SUBECK, CLANCY and JACOBSON. Referred to Committee on Insurance and Small Business.

1 **AN ACT** *to renumber and amend* 632.895 (6); *to amend* 609.83 and 632.895 (6)
2 (title); and *to create* 632.895 (6) (b) of the statutes; **relating to:** cost-sharing
3 cap on insulin.

Analysis by the Legislative Reference Bureau

This bill prohibits every health insurance policy and governmental self-insured health plan that cover insulin and impose cost sharing on prescription drugs from imposing cost sharing on insulin in an amount that exceeds \$35 for a one-month supply. Current law requires every health insurance policy that provides coverage of expenses incurred for treatment of diabetes to provide coverage for specified expenses and items, including insulin. The required coverage under current law for certain diabetes treatments other than insulin infusion pumps is subject to the same exclusions, limitations, deductibles, and coinsurance provisions of the policy as other covered expenses. The bill's cost-sharing limitation on insulin supersedes the specification that the exclusions, limitations, deductibles, and coinsurance are the same as for other coverage.

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

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

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1 **SECTION 1.** 609.83 of the statutes is amended to read:

2 **609.83 Coverage of drugs and devices.** Limited service health
3 organizations, preferred provider plans, and defined network plans are subject to ss.
4 632.853, 632.861, and 632.895 (6) (b), (16t), and (16v).

5 **SECTION 2.** 632.895 (6) (title) of the statutes is amended to read:

6 632.895 **(6)** (title) ~~EQUIPMENT AND SUPPLIES FOR TREATMENT OF DIABETES; INSULIN.~~

7 **SECTION 3.** 632.895 (6) of the statutes is renumbered 632.895 (6) (a) and
8 amended to read:

9 632.895 **(6)** (a) Every disability insurance policy ~~which~~ that provides coverage
10 of expenses incurred for treatment of diabetes shall provide coverage for expenses
11 incurred by the installation and use of an insulin infusion pump, coverage for all
12 other equipment and supplies, including insulin or any other prescription
13 medication, used in the treatment of diabetes, and coverage of diabetic
14 self-management education programs. Coverage Except as provided in par. (b),
15 coverage required under this subsection shall be subject to the same exclusions,
16 limitations, deductibles, and coinsurance provisions of the policy as other covered
17 expenses, except that insulin infusion pump coverage may be limited to the purchase
18 of one pump per year and the insurer may require the insured to use a pump for 30
19 days before purchase.

20 **SECTION 4.** 632.895 (6) (b) of the statutes is created to read:

21 632.895 **(6)** (b) 1. In this paragraph:

22 a. “Cost sharing” means the total of any deductible, copayment, or coinsurance
23 amounts imposed on a person covered under a policy or plan.

24 b. “Self-insured health plan” has the meaning given in s. 632.85 (1) (c).

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1 2. Every disability insurance policy and self-insured health plan that cover
2 insulin and impose cost sharing on prescription drugs may not impose cost sharing
3 on insulin in an amount that exceeds \$35 for a one-month supply of insulin.

4 3. Nothing in this paragraph prohibits a disability insurance policy or
5 self-insured health plan from imposing cost sharing on insulin in an amount less
6 than the amount specified under subd. 2. Nothing in this paragraph requires a
7 disability insurance policy or self-insured health plan to impose any cost sharing on
8 insulin.

9 **SECTION 5. Effective date.**

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

12

(END)