

**OUTAGAMIE COUNTY BOARD MEETING
FEBRUARY 25, 2020**

RESOLUTION NO. 150—2019-20

Supervisor Spears moved, seconded by Supervisor N. Thyssen, for adoption.

RESOLUTION NO. 150—2019-20 IS ADOPTED.

2/25/2020 7:48:33 PM RollCall Systems, Inc

Res. No. 150--19-20



Support pending legislation: 2019 Assembly Bill 641 allows for a single payment to not violate prohibitions on making certain fees for health care services

VOTE RESULTS: Passed By Majority Vote

YES: **32** NO: **0** ABSTAIN: **0** ABSENT: **4**

1 - THOMPSON	YES	19 - MARCKS	YES
2 - MILLER	YES	20 - THOMAS	ABSENT
3 - RENTERIA	YES	21 - T. THYSSEN	YES
4 - PATIENCE	YES	22 - HAGEN	YES
5 - GABRIELSON	YES	23 - KLEMP	YES
6 - KONETZKE	YES	24 - IVERSON	YES
7 - HAMMEN	YES	25 - NOOYEN	YES
8 - N. THYSSEN	YES	26 - DAVIDSON	YES
9 - KRUEGER	YES	27 - CULBERTSON	ABSENT
10 - LAMERS	YES	28 - STURN	YES
11 - DILLENBERG	YES	29 - BUCHMAN	YES
12 - MC DANIEL	ABSENT	30 - WOODZICKA	YES
13 - WEGAND	YES	31 - CLEGG	YES
14 - DE GROOT	YES	32 - VANDERHEIDEN	YES
15 - PETERSON	YES	33O' Connor-Schevers	YES
16 - SCHROEDER	ABSENT	34 - RETTLER	YES
17 - CROATT	YES	35 - MELCHERT	YES
18 - SPEARS	YES	36 - SUPRISE	YES

RESOLUTION NO.: 150—2019-20

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Under current state law, a health care provider is prohibited from reducing or offering to
2 reduce coinsurance or a deductible of an individual covered under a health insurance
3 policy that is required under the terms of the policy, unless paying the amount would be
4 an undue financial hardship to the individual.
5

6 There is pending legislation that would specify that discounts for prompt payment of
7 health insurance out-of-pocket costs would not violate prohibitions on reducing certain
8 fees for health care services. The pending legislation would specify as exempt from any
9 other state law prohibitions a discount offered by a health care provider to an individual
10 covered under a health insurance policy if the discount satisfies all of the following:
11

- 12 • The health care provider offers the discount for prompt payment without regard to
13 the reason for the individual seeking the product or service.
- 14 • The amount of the discount bears a reasonable relationship to the amount that the
15 health care provider avoids in collection costs by prompt payment.
- 16 • The health care provider notifies the issuer of the health insurance policy of the
17 prompt payment discount policy but, unless required by law, does not publicly advertise
18 the discount.
- 19 • The health care provider does not shift the cost of the discount to any other payer or,
20 except as allowed by law, include the discount in an agreement with a third-party payer.
21

22 NOW THEREFORE, the undersigned members of the Legislative/Audit and Human Resources
23 Committee recommend adoption of the following resolution.

24 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support pending
25 legislation that would specify as exempt from any other state law prohibitions a discount offered by a
26 health care provider to an individual covered under a health insurance policy if the discount satisfies all
27 of the following: the health care provider offers the discount for prompt payment without regard to the
28 reason for the individual seeking the product or service; the amount of the discount bears a reasonable
29 relationship to the amount that the health care provider avoids in collection costs by prompt payment;
30 the health care provider notifies the issuer of the health insurance policy of the prompt payment
31 discount policy but, unless required by law, does not publicly advertise the discount; the health care

1 provider does not shift the cost of the discount to any other payer or, except as allowed by law, include
2 the discount in an agreement with a third-party payer, and

3 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
4 of this resolution to the Outagamie County Lobbyist for distribution to the Outagamie County
5 Legislatures and the Wisconsin Counties Association.

6 Dated this 25th day of February 2020.

7
8 Respectfully Submitted,
9 LEGISLATIVE/AUDIT & HUMAN RESOURCES
10 COMMITTEE

11
12
13
14 

15 Travis Thyssen

16
17 

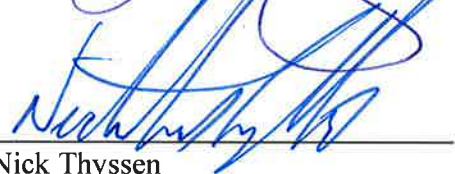
18 Cathy Spears

19
20 

21 Curt Konetzke

22
23
24 

25 Jerry Iverson

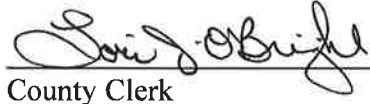
26
27 

28 Nick Thyssen

29 Duly and officially adopted by the County Board on: February 25, 2020

30
31 Signed: 

32 Board Chairperson

33
34 Signed: 

35 County Clerk

36 Approved: 2-28-20

37 Vetoed: _____

38 Signed: 

39 County Executive



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5023/1
TJD:ahe&wlj

2019 ASSEMBLY BILL 841

January 31, 2020 - Introduced by Representatives NYGREN, KOLSTE, MAGNAFICI, HORLACHER, SARGENT, DITTRICH, WICHGERS, SUBECK, SINICKI, CONSIDINE and SPIROS, cosponsored by Senators KOOYENGA, ERPENBACH, FEYEN, MILLER, NASS and OLSEN. Referred to Committee on Health.

1 **AN ACT to renumber and amend** 146.905 (1); **to amend** 146.905 (2); and **to**
2 **create** 146.905 (1g) and 146.905 (3) of the statutes; **relating to:** allowing
3 discounts for prompt payment of health care fees.

Analysis by the Legislative Reference Bureau

This bill specifies that discounts for prompt payment do not violate prohibitions on reducing certain fees for health care services. Under current state law, a health care provider is prohibited from reducing or offering to reduce coinsurance or a deductible of an individual covered under a health insurance policy that is required under the terms of the policy, unless paying the amount would be an undue financial hardship to the individual. This bill specifies as exempt from that and any other state law prohibitions a discount offered by a health care provider to an individual covered under a health insurance policy if the discount satisfies all of the following: the health care provider offers the discount for prompt payment without regard to the reason for the individual seeking the product or service; the amount of the discount bears a reasonable relationship to the amount that the health care provider avoids in collection costs by prompt payment; the health care provider notifies the issuer of the health insurance policy of the prompt payment discount policy but, unless required by law, does not publicly advertise the discount; and the health care provider does not shift the cost of the discount to any other payer or, except as allowed

2019 - 2020 Legislature

- 2 -

LRB-5023/1
TJD:ah&wlj

ASSEMBLY BILL 841

by law, include the discount in an agreement with a third-party payer. Health insurance policies are referred to as disability insurance policies in the bill.

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

1 **SECTION 1.** 146.905 (1) of the statutes is renumbered 146.905 (1r) and amended
2 to read:

3 146.905 (1r) Except as provided in sub. (2), a health care provider, ~~as defined~~
4 ~~in s. 146.81 (1) (a) to (p)~~, that provides a service or a product to an individual with
5 coverage under a disability insurance policy, ~~as defined in s. 632.895 (1) (a)~~, may not
6 reduce or eliminate or offer to reduce or eliminate coinsurance or a deductible
7 required under the terms of the disability insurance policy.

8 **SECTION 2.** 146.905 (1g) of the statutes is created to read:

9 146.905 (1g) In this section:

10 (a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

11 (b) "Health care provider" has the meaning given in s. 146.81 (1) (a) to (p).

12 **SECTION 3.** 146.905 (2) of the statutes is amended to read:

13 146.905 (2) Subsection ~~(1)~~ (1r) does not apply if payment of the total fee would
14 impose an undue financial hardship on the individual receiving the service or
15 product.

16 **SECTION 4.** 146.905 (3) of the statutes is created to read:

17 146.905 (3) It is not a violation of sub. (1r), s. 628.34, or any other provision of
18 state law for a health care provider to discount a fee owed by an individual who is
19 covered under a disability insurance policy if all of the following are satisfied:

20 (a) The health care provider does all of the following:

2019 - 2020 Legislature
ASSEMBLY BILL 841

- 3 -

LRB-5023/1
TJD:ahc&wlj
SECTION 4

- 1 1. Offers the discount for prompt payment for products or services but without
- 2 regard to the individual's reason for seeking the product or service for which the
- 3 payment is being made.
- 4 2. Notifies the issuer of the disability insurance policy of the prompt payment
- 5 discount policy of the health care provider.
- 6 3. Provides a discount in an amount that bears a reasonable relationship to the
- 7 amount that the health care provider avoids in collection costs by prompt payment.
- 8 (b) The health care provider does not do any of the following:
- 9 1. Shift the cost of the discount to any other individual or payer.
- 10 2. Include the discount in a price reduction agreement with a 3rd-party payer,
- 11 except as allowed under state or federal law.
- 12 3. Unless required by law, publicly advertise the discount.
- 13

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5491/1
TJD:ahe/wlj/klm

2019 SENATE BILL 763

January 29, 2020 - Introduced by Senators KOYENGA, ERPENBACH, FEYEN, MILLER, NASS and OLSEN, cosponsored by Representatives NYGREN, KOLSTE, MAGNAFICI, HORLACHER, SARGENT, WICHGERS, DITTRICH and FELZKOWSKI. Referred to Committee on Health and Human Services.

1 **AN ACT** *to renumber and amend* 146.905 (1); *to amend* 146.905 (2); and *to*
2 *create* 146.905 (1g) and 146.905 (3) of the statutes; **relating to:** allowing
3 discounts for prompt payment of health care fees.

Analysis by the Legislative Reference Bureau

This bill specifies that discounts for prompt payment do not violate prohibitions on reducing certain fees for health care services. Under current state law, a health care provider is prohibited from reducing or offering to reduce coinsurance or a deductible of an individual covered under a health insurance policy that is required under the terms of the policy, unless paying the amount would be an undue financial hardship to the individual. This bill specifies as exempt from that and any other state law prohibitions a discount offered by a health care provider to an individual covered under a health insurance policy if the discount satisfies all of the following: the health care provider offers the discount for prompt payment without regard to the reason for the individual seeking the product or service; the amount of the discount bears a reasonable relationship to the amount that the health care provider avoids in collection costs by prompt payment; the health care provider notifies the issuer of the health insurance policy of the prompt payment discount policy but, unless required by law, does not publicly advertise the discount; and the health care provider does not shift the cost of the discount to any other payer or, except as allowed

2019 - 2020 Legislature

- 2 -

LRB-5491/1
TJD:abe/wlj/klm

SENATE BILL 763

by law, include the discount in an agreement with a third-party payer. Health insurance policies are referred to as disability insurance policies in the bill.

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

1 **SECTION 1.** 146.905 (1) of the statutes is renumbered 146.905 (1r) and amended
2 to read:

3 146.905 (1r) Except as provided in sub. (2), a health care provider, as defined
4 in s. 146.81 (1) (a) to (p), that provides a service or a product to an individual with
5 coverage under a disability insurance policy, as defined in s. 632.895 (1) (a), may not
6 reduce or eliminate or offer to reduce or eliminate coinsurance or a deductible
7 required under the terms of the disability insurance policy.

8 **SECTION 2.** 146.905 (1g) of the statutes is created to read:

9 146.905 (1g) In this section:

10 (a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

11 (b) "Health care provider" has the meaning given in s. 146.81 (1) (a) to (p).

12 **SECTION 3.** 146.905 (2) of the statutes is amended to read:

13 146.905 (2) Subsection ~~(1)~~ (1r) does not apply if payment of the total fee would
14 impose an undue financial hardship on the individual receiving the service or
15 product.

16 **SECTION 4.** 146.905 (3) of the statutes is created to read:

17 146.905 (3) It is not a violation of sub. (1r), s. 628.34, or any other provision of
18 state law for a health care provider to discount a fee owed by an individual who is
19 covered under a disability insurance policy if all of the following are satisfied:

20 (a) The health care provider does all of the following:

2019 - 2020 Legislature
SENATE BILL 763

- 3 -

LRB-5491/1
TJD:ahw/wlj/klm
SECTION 4

1 1. Offers the discount for prompt payment for products or services but without
2 regard to the individual's reason for seeking the product or service for which the
3 payment is being made.

4 2. Notifies the issuer of the disability insurance policy of the prompt payment
5 discount policy of the health care provider.

6 3. Provides a discount in an amount that bears a reasonable relationship to the
7 amount that the health care provider avoids in collection costs by prompt payment.

8 (b) The health care provider does not do any of the following:

9 1. Shift the cost of the discount to any other individual or payer.

10 2. Include the discount in a price reduction agreement with a 3rd-party payer,
11 except as allowed under state or federal law.

12 3. Unless required by law, publicly advertise the discount.

13

(END)