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State of Misconsin 2013 - 2014 LEGISLATURE



2013 ASSEMBLY BILL 608

January 7, 2014 - Introduced by Representatives Thiesfeldt, Jacque, Schraa and T. Larson, cosponsored by Senator Schultz. Referred to Committee on Health.

AN ACT to create 146.77, 609.21 and 632.7465 of the statutes; relating to:

network status or affiliation based on influenza vaccination status.

Analysis by the Legislative Reference Bureau

This bill prohibits certain actions based on the influenza vaccination status of a health care provider. The bill prohibits a health care provider or health care system from refusing to affiliate with another health care provider or from denying to a health care provider the ability to join a provider network or health care system based on the influenza vaccination status of an individual health care provider or based on the percentage of employees of a health care provider who are vaccinated against influenza. Under the bill, a defined network plan, preferred provider plan, or limited services health organization may not exclude a provider from being a participating provider with that plan or organization and an insurer, in offering a network plan, may not refuse to contract to be part of the provider network with a provider based on the influenza vaccination status of an individual provider or based on the percentage of employees of a provider who are vaccinated against influenza.

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

- 3 **Section 1.** 146.77 of the statutes is created to read:
- 4 146.77 Affiliation and influenza vaccination. (1) In this section, "health
- 5 care provider" has the meaning given in s. 146.81 (1) (a) to (q).

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(2) No health care provider or health care system may refuse to affiliate with another health care provider or deny to another health care provider the ability to join a provider network or health care system based on the influenza vaccination status of an individual health care provider or based on the percentage of employees of a health care provider who are vaccinated against influenza.

Section 2. 609.21 of the statutes is created to read:

609.21 Participation and influenza vaccination. A defined network plan, preferred provider plan, or limited services health organization may not exclude a provider from being a participating provider with that plan or organization based on the influenza vaccination status of an individual provider or based on the percentage of employees of a provider who are vaccinated against influenza.

Section 3. 632.7465 of the statutes is created to read:

632.7465 Network participation and influenza vaccination. An insurer in offering a network plan may not refuse to contract with a provider, as defined in s. 609.01 (5m), to be part of the provider network based on the influenza vaccination status of an individual provider or based on the percentage of employees of a provider who are vaccinated against influenza.

18 (END)