

## Addendum – December 2009

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Wisconsin Insurance Security Fund  
2820 Walton Commons West, Suite 135  
Madison, WI 53718-6797

### 2009 Wisconsin Act 28

2009 Wisconsin Act 28 made several changes to insurance regulations. Highlights of the changes are:

**Auto Insurance.** Insurance statutes regarding auto insurance requirements have been amended as follows:

- On January 1, 2010, the motor vehicle liability minimum limits will increase.
- After December 31, 2016, the limits shall be the amounts established by the Department of Transportation and be based on changes to the Consumer Price Index for medical costs.
- Mandatory motor vehicle liability insurance becomes effective June 1, 2010. No person may operate a motor vehicle unless the owner or operator of the vehicle has in effect a motor vehicle liability policy with respect to the vehicle being driven.
- Minimum uninsured motorist coverage limits have increased to \$100,000 per person and \$300,000 per accident.
- Medical payments coverage has increased to at least \$10,000. However, applicants and insureds may still reject medical payments coverage.
- Anti-stacking clauses in auto insurance policies are restricted and reducing clauses are no longer permitted.

Additional information on the auto insurance changes can be found at Frequently Asked Questions on Auto Insurance. Those FAQs can be found at <http://oci.wi.gov/faq/auto.htm>.

**Health Insurance.** There were also a variety of changes made to health insurance requirements under Wisconsin law:

- The independent review process is expanded to include coverage denial determinations, including preexisting condition exclusion denial determinations and rescissions of a policy or certificate. These provisions become effective on January 1, 2010.
- OCI is directed to create a uniform application that all insurers in the individual health insurance market will be required to use.
- Defined network plans will be required to include certain licensed mental health professionals covering the clinical assessment of a dependent student's nervous or mental disorder or alcoholism or other drug abuse.
- Insurers, at the request of the policyholder at the time of renewal of an individual health insurance policy, are now required to offer specific options to change or modify a policy.
- There are now limits on the use of preexisting conditions and waiting periods.

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- Health insurers may not refuse to cover health care services that are provided to an insured and for which there is coverage under the plan on the basis that there may be coverage for such services under a liability insurance policy.
- Insurers that offer health insurance policies and self-insured health plans of state and local government are required to offer, and if requested by an applicant or insured, coverage for an adult child as a dependent of the applicant or insured if the child is over 17 but less than 27 years of age, is not married, and is not eligible for coverage under a group health benefit plan that is offered by the child's employer.
- Coverage is required for the treatment of autism spectrum disorders of at least \$50,000 for intensive-level services per insured per year, with a minimum of 30 to 35 hours of care per week for a minimum duration of 4 years, and at least \$25,000 for nonintensive-level services per insured per year.
- Coverage is required for contraceptives and services in all health insurance policies and self-insured health plans that provide coverage for outpatient health care services, preventive treatments and services, or prescription drugs and devices.