



2017 SENATE BILL 92

March 2, 2017 - Introduced by Senators JOHNSON, SHILLING, CARPENTER, ERPENBACH, VINEHOUT, RISSER, C. LARSON, RINGHAND, HANSEN and BEWLEY, cosponsored by Representatives C. TAYLOR, ZAMARRIPA, KOLSTE, RIEMER, GOYKE, ANDERSON, BERCEAU, SINICKI, SARGENT, WACHS, HINTZ, ZEPNICK, BOWEN, CONSIDINE, POPE, BROSTOFF, SUBECK, BILLINGS, FIELDS, SPREITZER, GENRICH, MASON, STUCK, VRUWINK, CROWLEY, HESSELBEIN and OHNSTAD. Referred to Committee on Health and Human Services.

1 **AN ACT** *to repeal* 253.07 (5) and 253.075; *to amend* 20.435 (1) (f), 253.07 (1) (c),
2 253.07 (2) (b), 253.07 (2) (c), 253.07 (4) (intro.) and 253.07 (4) (b) to (d); *to repeal*
3 **and recreate** 253.07 (title); and *to create* 253.07 (1) (a) 3m. and 253.07 (1) (b)
4 3m. of the statutes; **relating to:** family planning services and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

This bill eliminates the restriction that the Department of Health Services may distribute funds appropriated for family planning services, including federal funds received under Title V of the federal Social Security Act and Title X of the federal Public Health Service Act, only to public entities and eliminates the restriction that a recipient of these funds may provide the funds only to entities that meet specific criteria. This bill also eliminates the term “women’s health block grant.” Finally, this bill increases the funding for family planning services during the 2017-19 fiscal biennium.

Under current law, women’s health funds, which include state moneys and federal funds received under Title V of the federal Social Security Act, are appropriated to DHS to provide the following services: counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed nurse practitioners within the scope of their practice, licensed physicians, or local health departments for consultation, examination, medical treatment, and prescriptions for the purpose of family

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planning. Under current law, DHS may distribute women's health funds only to public entities. Current law further provides that a public entity that receives women's health funds may provide the funds to other entities but only if the recipient does not provide abortion services, make referrals for abortion services, or have an affiliate that provides abortion services or makes referrals for abortion services. The state portion of this funding is referred to as the women's health block grant.

Current law requires DHS to apply for grant funds under Title X of the federal Public Health Service Act and to distribute funds received to public entities and the Wisconsin Well-Woman Program and, if funds remain, to nonpublic hospitals and federally qualified health centers. A public entity that receives funds may provide some or all of those funds to other public or private entities that do not provide abortion services or have an affiliate that provides abortion services.

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:

1 **SECTION 1.** 20.435 (1) (f) of the statutes is amended to read:

2 20.435 (1) (f) *Women's health block grant Family planning*. The amounts in the
3 schedule to provide ~~women's health~~ family planning services under s. 253.07.
4 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
5 between fiscal years under this paragraph. All funds distributed by the department
6 under s. 253.07 (2) (b) and (4) but not encumbered by December 31 of each year lapse
7 to the general fund on the next January 1 unless transferred to the next calendar
8 year by the joint committee on finance.

9 **SECTION 2.** 253.07 (title) of the statutes is repealed and recreated to read:

10 **253.07 (title) Family planning.**

11 **SECTION 3.** 253.07 (1) (a) 3m. of the statutes is created to read:

12 253.07 (1) (a) 3m. Pregnancy termination.

13 **SECTION 4.** 253.07 (1) (b) 3m. of the statutes is created to read:

14 253.07 (1) (b) 3m. Pregnancy termination.

SENATE BILL 92**SECTION 5**

1 **SECTION 5.** 253.07 (1) (c) of the statutes is amended to read:

2 253.07 (1) (c) “Women’s health State and federal family planning funds” means
3 includes state funds appropriated under s. 20.435 (1) (f) ~~or~~, federal funds received by
4 the state under Title V of the federal Social Security Act, 42 USC 701 to 713, and
5 federal funds received by the state under Title X of the federal Public Health Service
6 Act, 42 USC 300 to 300a-6, that are allocated for the purposes described in this
7 section.

8 **SECTION 6.** 253.07 (2) (b) of the statutes is amended to read:

9 253.07 (2) (b) The department shall allocate ~~women’s health state and federal~~
10 family planning funds under its control in a manner which will promote the
11 development and maintenance of an integrated system of community health
12 services. It shall maximize the use of existing community family planning services
13 by encouraging local contractual arrangements.

14 **SECTION 7.** 253.07 (2) (c) of the statutes is amended to read:

15 253.07 (2) (c) The department shall coordinate the delivery of family planning
16 services by allocating ~~women’s health state and federal family planning~~ funds in a
17 manner which maximizes coordination between the agencies.

18 **SECTION 8.** 253.07 (4) (intro.) of the statutes is amended to read:

19 253.07 (4) ~~WOMEN’S HEALTH BLOCK GRANT~~ FAMILY PLANNING SERVICES. (intro.)
20 From the appropriation under s. 20.435 (1) (f) ~~and subject to sub. (5)~~, the department
21 shall distribute the following amounts for all of the following:

22 **SECTION 9.** 253.07 (4) (b) to (d) of the statutes are amended to read:

23 253.07 (4) (b) In each fiscal year, \$67,500 to subsidize the provision of
24 papanicolaou tests to individuals with low income by ~~entities that receive women’s~~
25 ~~health funds~~ family planning agencies under this section. In this paragraph, “low

SENATE BILL 92**SECTION 9**

1 income” means adjusted gross income that is less than 200 percent of the poverty line
2 established under 42 USC 9902 (2).

3 (c) In each fiscal year, \$54,000 to subsidize the provision of follow-up cancer
4 screening by ~~entities that receive women’s health funds~~ family planning agencies
5 under this section.

6 (d) In each fiscal year, \$31,500 as grants to applying family planning agencies
7 under this section for employment in communities of licensed registered nurses,
8 licensed practical nurses, certified nurse-midwives, or licensed physician assistants
9 who are members of a racial minority.

10 **SECTION 10.** 253.07 (5) of the statutes is repealed.

11 **SECTION 11.** 253.075 of the statutes is repealed.

12 **SECTION 12. Fiscal changes.**

13 (1) FAMILY PLANNING. In the schedule under section 20.005 (3) of the statutes
14 for the appropriation to the department of health services under section 20.435 (1)
15 (f) of the statutes the dollar amount for fiscal year 2017-18 is increased by \$193,600
16 to increase funding for providing family planning services. In the schedule under
17 section 20.005 (3) of the statutes for the appropriation to the department of health
18 services under section 20.435 (1) (f) of the statutes the dollar amount for fiscal year
19 2018-19 is increased by \$193,600 to increase funding for providing family planning
20 services.

21 (END)