

**ASSEMBLY AMENDMENT 47,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55**

June 29, 2001 – Offered by Representatives HUBLER, MILLER and BERCEAU.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 630, line 23: after “resources” insert “and subject to par. (at)”.

3 **2.** Page 631, line 2: after “resources” insert “and subject to par. (at)”.

4 **3.** Page 631, line 8: after “income” insert “and subject to par. (at)”.

5 **4.** Page 631, line 14: after “income” insert “and subject to par. (at)”.

6 **5.** Page 631, line 21: after “(11)” insert “, as determined under par. (at)”.

7 **6.** Page 632, line 2: after “(ar)” insert “, as determined under par. (at)”.

8 **7.** Page 632, line 7: after “resources” insert “and subject to par. (at)”.

9 **8.** Page 632, line 10: delete lines 10 to 16 and substitute:

10 “**SECTION 1800g.** 49.46 (1) (a) 6. of the statutes, as affected by 2001 Wisconsin

11 Act .... (this act), is amended to read:

1           49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who, without regard  
2 to the individual's resources ~~and subject to par. (at) or income~~, would be considered,  
3 under federal law, to be receiving aid to families with dependent children for the  
4 purpose of determining eligibility for medical assistance and whose income does not  
5 exceed the income limit under par. (ar), as determined under par. (at).”.

6           **9.** Page 632, line 20: after “family” insert “, as determined under par. (at)”.

7           **10.** Page 632, line 24: after “family” insert “, as determined under par. (at)”.

8           **11.** Page 633, line 8: after “family” insert “, as determined under par. (at)”.

9           **12.** Page 633, line 12: after “(11)” insert “, as determined under par. (at)”.

10          **13.** Page 633, line 17: after “(ar)” insert “, as determined under par. (at)”.

11          **14.** Page 633, line 24: after that line insert:

12          “**SECTION 1804p.** 49.46 (1) (at) of the statutes is created to read:

13           49.46 (1) (at) 1. Except as provided in subd. 2. and except to the extent that the  
14 determination is inconsistent with 42 USC 1396a (a) (17), for the purposes of  
15 determining whether an individual under par. (a) 1., 1g., or 6. would qualify for a  
16 grant of aid to families with dependent children under s. 49.19, or whether an  
17 individual meets the income limits under par. (a) 1m., 9., 10., 11., or 12., “income”  
18 includes income that would be used in determining eligibility for aid to families with  
19 dependent children under s. 49.19 and excludes income that would be excluded in  
20 determining eligibility for aid to families with dependent children under s. 49.19.

21           2. Notwithstanding s. 49.19 (5), for purposes of calculating whether an  
22 individual under par. (a) 1., 1g., or 6. would qualify for a grant of aid to families with  
23 dependent children under s. 49.19, or whether an individual meets the income limits  
24 under par. (a) 1m., 9., 10., 11., or 12., (am), or (e), the department shall exclude from

1 the calculation of farm or self–employment income any amounts claimed for  
2 depreciation for income tax purposes.

3 **SECTION 1804r.** 49.46 (1) (at) of the statutes, as created by 2001 Wisconsin Act  
4 .... (this act), is amended to read:

5 49.46 (1) (at) 1. Except as provided in subd. 2. and except to the extent that the  
6 determination is inconsistent with 42 USC 1396a (a) (17), for the purposes of  
7 determining whether an individual under ~~par. (a) 1., 1g., or 6.~~ would qualify for a  
8 ~~grant of aid to families with dependent children under s. 49.19, or whether an~~  
9 ~~individual~~ meets the income limits under par. (a) ~~1m., 9., 10., 11., or 12.~~ (at), “income”  
10 includes income that would be used in determining eligibility for aid to families with  
11 dependent children under s. 49.19 and excludes income that would be excluded in  
12 determining eligibility for aid to families with dependent children under s. 49.19.

13 2. Notwithstanding s. 49.19 (5), for purposes of calculating whether an  
14 individual under ~~par. (a) 1., 1g., or 6.~~ would qualify for a grant of aid to families with  
15 ~~dependent children under s. 49.19, or whether an individual~~ meets the income limits  
16 under par. (a) ~~1m., 9., 10., 11., or 12., (am), or (e)~~ (at), the department shall exclude  
17 from the calculation of farm or self–employment income any amounts claimed for  
18 depreciation for income tax purposes.”.

19 **15.** Page 634, line 3: delete that line and substitute “49.19, as calculated under  
20 par. (at), or meets the income and resource requirements under federal Title XVI or  
21 s.”.

22 **16.** Page 634, line 11: delete that line and substitute “the income limits under  
23 ~~s. 49.19~~ par. (ar), as calculated under par. (at), or meets the income and resource”.

24 **17.** Page 634, line 15: after that line insert:

1           “**SECTION 1805i.** 49.46 (1) (L) of the statutes is repealed.”.

2           **18.** Page 637, line 6: after that line insert:

3           “**SECTION 1814i.** 49.47 (4) (am) 1. of the statutes is amended to read:

4           49.47 **(4)** (am) 1. A pregnant woman whose family income, as determined under  
5 par. (c) 1m., does not exceed 155% of the poverty line for a family the size of the  
6 woman’s family, except that, if a waiver under par. (j) or a change in the approved  
7 state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is 185% of the poverty  
8 line for a family the size of the woman’s family in each state fiscal year after the  
9 1994–95 state fiscal year.

10          **SECTION 1814k.** 49.47 (4) (am) 2. of the statutes is amended to read:

11          49.47 **(4)** (am) 2. A child who is under 6 years of age and whose family income,  
12 as determined under par. (c) 1m., does not exceed 155% of the poverty line for a family  
13 the size of the child’s family, except that, if a waiver under par. (j) or a change in the  
14 approved state plan under s. 49.46 (1) (am) 2. is in effect, the income limit is 185%  
15 of the poverty line for a family the size of the child’s family in each state fiscal year  
16 after the 1994–95 state fiscal year.”.

17          **19.** Page 637, line 14: delete the material beginning with that line and ending  
18 with page 638, line 16, and substitute:

19          “**SECTION 1815d.** 49.47 (4) (c) 1. of the statutes is amended to read:

20          49.47 **(4)** (c) 1. Except as provided in par. (am) and ~~as limited by subd. 3.,~~  
21 ~~eligibility exists if~~ an applicant is eligible to receive medical assistance under this  
22 subsection if the applicant’s income, as determined under subd. 1m., does not exceed  
23 133 1/3% of the maximum aid to families with dependent children payment under  
24 s. 49.19 (11) for the applicant’s family size or if the applicant’s income does not exceed

1 the combined benefit amount available under supplemental security income under  
2 42 USC 1381 to 1383c and state supplemental aid under s. 49.77 whichever is higher.  
3 ~~In this subdivision “income” includes earned or unearned income that would be~~  
4 ~~included in determining eligibility for the individual or family under s. 49.19 or~~  
5 ~~49.77, or for the aged, blind or disabled under 42 USC 1381 to 1385. “Income” does~~  
6 ~~not include earned or unearned income which would be excluded in determining~~  
7 ~~eligibility for the individual or family under s. 49.19 or 49.77, or for the aged, blind~~  
8 ~~or disabled individual under 42 USC 1381 to 1385.~~

9 **SECTION 1815g.** 49.47 (4) (c) 1. of the statutes, as affected by 2001 Wisconsin  
10 Act .... (this act), is repealed and recreated to read:

11 49.47 (4) (c) 1. Except as provided in par. (am) and subd. 3., an applicant is  
12 eligible to receive medical assistance under this subsection if the applicant’s income  
13 does not exceed the greater of the following:

14 a. As determined under subd. 1m., an amount equal to the maximum aid to  
15 families with dependent children payment under s. 49.19 (11) (a) 1. a. for the  
16 applicant’s family size increased by the same percentage as the percentage increase  
17 in the consumer price index, as defined in s. 49.455 (1) (b), between September 2001  
18 and September of the year immediately before the year in which the individual’s  
19 income is being determined and multiplied by 133 1/3%.

20 b. An amount equal to the combined benefit amount available under  
21 supplemental security income under 42 USC 1381 to 1383c and state supplemental  
22 aid under s. 49.77.

23 **SECTION 1815h.** 49.47 (4) (c) 1m. of the statutes is created to read:

24 49.47 (4) (c) 1m. a. Except as provided in subd. 1m. c., for purposes of  
25 determining whether an individual’s income meets the income requirements under

1 subd. 1., “income” includes all of the individual’s earned and unearned income that  
2 would be included in determining eligibility for the individual or family under s.  
3 49.19 or 49.77, or for the aged, blind, or disabled individual under 42 USC 1381 to  
4 1385, and “income” does not include earned and unearned income that would be  
5 excluded in determining eligibility for the individual or family under s. 49.19 or  
6 49.77, or for the aged, blind, or disabled individual under 42 USC 1381 to 1385.

7 **SECTION 1815k.** 49.47 (4) (c) 1m. c. of the statutes is created to read:

8 49.47 (4) (c) 1m. c. Notwithstanding s. 49.19 (5), for purposes of determining  
9 whether an individual under par. (ag) or (am) is eligible for medical assistance, the  
10 department shall exclude from the calculation of farm or self–employment income  
11 any amounts claimed for depreciation for income tax purposes.

12 **SECTION 1815n.** 49.47 (4) (h) of the statutes is renumbered 49.47 (4) (c) 1m. b.  
13 and amended to read:

14 49.47 (4) (c) 1m. b. ~~For~~ Except as provided in subd. 1m. c., for the purposes of  
15 par. (am), “income” includes income that would be used in determining eligibility for  
16 aid to families with dependent children under s. 49.19 and ~~excludes~~ does not include  
17 income that would be excluded in determining eligibility for aid to families with  
18 dependent children under s. 49.19.”.

19 **20.** Page 643, line 3: after that line insert:

20 “**SECTION 1835w.** 49.665 (4) (a) 1. of the statutes is amended to read:

21 49.665 (4) (a) 1. The family’s income does not exceed 185% of the poverty line,  
22 except as provided in par. (at) and except that a family that is already receiving  
23 health care coverage under this section may have an income that does not exceed

1 200% of the poverty line. The Subject to par. (d), the department shall establish by  
2 rule the criteria to be used to determine income.”.

3 **21.** Page 644, line 14: after that line insert:

4 “**SECTION 1837f.** 49.665 (4) (d) of the statutes is created to read:

5 49.665 (4) (d) For purposes of calculating a family’s or child’s income under this  
6 subsection, the department shall exclude from the calculation of farm or  
7 self–employment income any amounts claimed for depreciation for income tax  
8 purposes.”.

9 **22.** Page 1398, line 22: delete “and (e) (by SECTION 1805)” and substitute “(at  
10 (by SECTION 1804p), (e) (by SECTION 1805), and (L))”.

11 **23.** Page 1398, line 23: delete that line and substitute “and 1., (am) 1. and 2.,  
12 (b) 2m. a. and (c) 1. (by SECTION 1815d), 1m. a. and c., and (h) and (6) (a) 7. of the  
13 statutes first applies to eligibility”.

14 **24.** Page 1399, line 4: delete “and 1m.” and substitute “(by SECTION 1815g)”.

15 **25.** Page 1419, line 14: delete “and (e)” and substitute “, (at) (by SECTION  
16 1804p), and (e)”.

17 **26.** Page 1419, line 14: after “1805)” insert “and (L)”.

18 **27.** Page 1419, line 15: delete that line and substitute “ and 1., (am) 1. and 2.,  
19 (b) 2m. a., and (c) 1. (by SECTION 1815d), 1m. a. and c., and (h) and (6) (a) 7. of the  
20 statutes and SECTION 9323 (10c) of this act”.

21 **28.** Page 1419, line 19: after “(ar),” insert “(at) (by SECTION 1804r),”.

22 **29.** Page 1419, line 20: delete “and 1m.” and substitute “(by SECTION 1815g)”.