

2005 DRAFTING REQUEST

Bill

Received: **12/07/2004**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Jennifer Shilling (608) 266-5780**

By/Representing: **Liz Stephens (aide)**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Shilling@legis.state.wi.us**

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Property taxes as a deduction to annaual household income for determining eligibility and deductible amounts for Senior Care

Instructions:

Same as 2003 AB 896

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 12/14/2004	lkunkel 01/06/2005		_____			State
/1			jfrantze 01/06/2005	_____	lnorthro 01/06/2005	mbarman 02/01/2005	

FE Sent For:

→ **AT Intro.**

<END>

2005 DRAFTING REQUEST

Bill

Received: 12/07/2004

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Jennifer Shilling (608) 266-5780**

By/Representing: **Liz Stephens (aide)**

This file may be shown to any legislator: **NO**

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Shilling@legis.state.wi.us**

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Property taxes as a deduction to annual household income for determining eligibility and deductible amounts for Senior Care

Instructions:

Same as 2003 AB 896

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 12/14/2004	lkunkel 01/06/2005		_____			State
/1			jfrantze 01/06/2005	_____	Inorthro 01/06/2005		

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: 12/07/2004

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Jennifer Shilling (608) 266-5780

By/Representing: Liz Stephens (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Shilling@legis.state.wi.us

Carbon copy (CC:) to: robin.ryan@legis.state.wi.us

Pre Topic:

No specific pre topic given

Topic:

Property taxes as a deduction to annual household income for determining eligibility and deductible amounts for Senior Care ✓

Instructions:

Same as 2003 AB 896

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy	1/1 mk 1/6	JST/6	<u> </u> RS <u> </u> 16			

FE Sent For:

<END>

Kennedy, Debora

From: Stephens, Liz
Sent: Tuesday, December 07, 2004 3:59 PM
To: Kennedy, Debora
Subject: Redraft of 2003 AB 896

Ms. Kennedy,

If possible, Rep. Shilling would like 2003 AB 896 redrafted for introduction in the upcoming session.

Please do not hesitate to contact me should you require additional information.

Thank you,

Liz

Liz Stephens

Office of State Representative Jennifer Shilling
State Capitol
P.O. Box 8953
Madison, WI 53708
Toll Free: 888-534-0095
Fax: 608-282-3695

2003 ASSEMBLY BILL 896

February 23, 2004 - Introduced by Representatives SHILLING, CULLEN, HINES, KRUSICK, KREIBICH, ZEPNICK, SINICKI, M. LEHMAN, TURNER, J. LEHMAN, GRONEMUS, POCAN, MILLER, BERCEAU, GUNDERSON, BLACK, PLOUFF, HEBL, MOLEPSKE, MUSSER, STASKUNAS, POPE-ROBERTS, VAN AKKEREN and J. WOOD, cosponsored by Senators HANSEN, BRESKE, ROBSON, LASSA, CARPENTER, ERPENBACH, CHVALA, COGGS, WIRCH, A. LASEE and SCHULTZ. Referred to Committee on Health.

Relcen
d-n

1 AN ACT to create 49.688 (4r) of the statutes; relating to: treating property taxes
2 as a deduction to annual household income for purposes of determining
3 eligibility and deductible amounts under the prescription drug assistance
4 program for the elderly. ✓

Analysis by the Legislative Reference Bureau

Under current law, elderly persons may purchase prescription drugs at reduced amounts under a program commonly known as "Senior Care." ✓ A person is eligible for Senior Care if he or she is a state resident, ✓ is at least 65 years of age, ✓ is not a medical assistance (MA) recipient ✓ or does not receive prescription drug coverage as an MA recipient, ✓ and his or her annual household income, as determined by the Department of Health and Family Services (DHFS), ✓ does not exceed 240 percent of the federal poverty line. ✓ A person must pay an annual \$30 fee to enroll in Senior Care. ✓ An enrollee pays the "program payment rate" for prescription drugs (105 percent of the MA prescription drug payment rate plus a dispensing fee) ✓ until the enrollee has met an annual deductible, if applicable, and thereafter pays only a copayment of \$5 for generic prescription drugs and a copayment of \$15 for nongeneric prescription drugs. ✓ A person whose annual household income is 160 percent or less of the federal poverty line pays no deductible; ✓ if the person's annual household income is more than 160 percent but not more than 200 percent of the federal poverty line, the deductible is \$500; ✓ and if the person's annual household income exceeds 200 percent of the federal poverty line, the deductible is \$850. ✓ Other persons who meet all of the requirements except the income limitation are also eligible to purchase

is more than

but not more than 240 percent

ASSEMBLY BILL 896

prescription drugs for the \$5 and \$15[✓] copayment amounts for the time remaining in a 12[✓]-month period after spending the difference between their annual household income and 240[✓] percent of the federal poverty line by paying for prescription drugs at the retail price and satisfying the \$850 deductible by purchasing prescription drugs at the program payment rate.[✓]

This bill requires that in determining a person's annual household income for purposes of Senior Care eligibility,[✓] DHFS[✓] must deduct the amount that the person paid in property taxes on his or her primary residence in the previous 12[✓] months.[✓] DHFS must also use the annual household income adjusted for property taxes to determine the appropriate deductible amount for persons who are enrolled in Senior Care.[✓]

[✓]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.** 49.688 (4r) of the statutes is created to read:

2 49.688 (4r) In determining a person's annual household income under sub. (2)[✓]

3 (a) 4. and (b) for purposes of determining eligibility for prescription drug assistance

4 and under sub. (3) (b) 1. and 2. a. for purposes of establishing the required deductible

5 amount, the department shall deduct the amount of ^(any) property taxes that the person

6 or any member of his or her household paid on the person's primary residence in the

7 12-month period before the department makes an eligibility determination under

8 sub. (4).[✓]

9 **SECTION 2. Initial applicability.**

10 (1) DEDUCTIBLE. The treatment of section 49.688 (4r)[✓] of the statutes first applies

11 to eligibility determinations made and deductible amounts paid on the effective date

12 of this subsection.[✓]

13 **SECTION 3. Effective date.**

ASSEMBLY BILL 896

1 (1) This act takes effect on the first day of the 2nd month beginning after
2 publication.

3

(END)

d-n

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-4180/1dn
DAK:kjf:pg

lmk

February 3, 2004

(date)

Representative Schilling

~~Karla Walter:~~

This bill is effective on the first day of the second month beginning after publication of the bill as an act. ✓ DHFS will have to recalculate the required deductibles for people who are already enrolled on the effective date. ✓ The change in the deductible first applies to deductible amounts paid on the effective date of the bill. ✓ This means that if an enrollee's deductible is decreased as a result of the bill and the enrollee has already paid more than the revised deductible but less than his or her current deductible, the person will not receive a refund. ✓ Please let me know if you would like the bill changed so that DHFS must pay refunds in those cases in which an enrollee's deductible is decreased and the person has already paid more than the revised deductible. ✓

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1164/1dn
DAK:lmk:jf

January 6, 2005

Representative Schilling:

This bill is effective on the first day of the second month beginning after publication of the bill as an act. DHFS will have to recalculate the required deductibles for people who are already enrolled on the effective date. The change in the deductible first applies to deductible amounts paid on the effective date of the bill. This means that if an enrollee's deductible is decreased as a result of the bill and the enrollee has already paid more than the revised deductible but less than his or her current deductible, the person will not receive a refund. Please let me know if you would like the bill changed so that DHFS must pay refunds in those cases in which an enrollee's deductible is decreased and the person has already paid more than the revised deductible.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

Barman, Mike

From: Stephany, Jason
Sent: Monday, January 31, 2005 6:19 PM
To: LRB.Legal
Subject: Draft review: LRB 05-1164/1 Topic: Property taxes as a deduction to annual household income for determining eligibility and deductible amounts for Senior Care

It has been requested by <Stephany, Jason> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-1164/1 Topic: Property taxes as a deduction to annual household income for determining eligibility and deductible amounts for Senior Care