



State of Wisconsin
2011 – 2012 LEGISLATURE



LRB-3673/1
TJD:ktf:jm

2011 ASSEMBLY BILL 474

January 11, 2012 – Introduced by Representatives MASON, GRIGSBY, RINGHAND, C. TAYLOR, MOLEPSKE JR, BERCEAU, BERNARD SCHABER, POCAN, BEWLEY, TOLES and TURNER, cosponsored by Senators VINEHOUT, TAYLOR, HANSEN, LASSA, C. LARSON, S. COGGS and WIRCH. Referred to Committee on Insurance.

1 **AN ACT to amend** 49.45 (2m) (e) 2. of the statutes; **relating to:** changing the
2 deadline for approval of a certain federal law waiver request affecting the
3 Medical Assistance program.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health Services (DHS) administers the Medical Assistance (MA) program, which is a joint federal and state program that pays for health services and long-term care to individuals who have limited resources. In some instances, the current MA program allows individuals who have income levels over 133 percent of the federal poverty line to receive benefits under the program. Current law requires DHS to request a waiver from the federal government to allow the department to implement eligibility standards, methodologies, and procedures under the state MA plan or federal Medicaid law waivers that are more restrictive than those in place on March 23, 2010. If the federal government does not approve the waiver request before December 31, 2011, DHS must reduce, on July 1, 2012, following the procedures under federal law, income eligibility levels to 133 percent of the federal poverty line for adults who are not pregnant or disabled for the purposes of determining eligibility to the extent permitted under federal law. The bill changes the deadline for federal government approval of the waiver request to March 1, 2012.

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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.** 49.45 (2m) (e) 2. of the statutes, as affected by 2011 Wisconsin Act
2 32, section 1423k, is amended to read:

3 49.45 **(2m)** (e) 2. The department shall request a waiver from the secretary of
4 the federal department of health and human services to permit the department to
5 have in effect eligibility standards, methodologies, and procedures under the state
6 Medical Assistance plan or waivers of federal laws related to medical assistance that
7 are more restrictive than those in place on March 23, 2010. If the waiver request does
8 not receive federal approval before ~~December 31, 2011~~ March 1, 2012, the
9 department shall reduce income levels on July 1, 2012, for the purposes of
10 determining eligibility to 133 percent of the federal poverty line for adults who are
11 not pregnant and not disabled, to the extent permitted under 42 USC 1396a (gg), if
12 the department follows the procedures under 42 USC 1396a (gg) (3).

13

(END)