

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0369/P1dn
TJD:med:jm

February 29, 2012

To Representative Craig:

Please review this preliminary substitute amendment to ensure it complies with your intent. This substitute amendment incorporates 2011 Assembly Bills 530 and 531 along with the changes we discussed in our meeting last week. This substitute amendment retains the general definition of Patient Protection and Affordable Care Act (PPACA), but for the created s. 146.965 (2), the requirements only apply to implementation of Title I and II of PPACA and the corresponding amendments to those titles in Title X of PPACA. Title I contains the insurance reforms and insurance exchange provisions, including the individual mandate. Title II contains the changes to the Medicaid program. This means, for the substitute amendment, that legislation would not be required for an agency to implement items in Titles III through IX of PPACA, and I can provide a table of contents for those titles if you would like. Most of the grant and funding programs listed in the February 21, 2012, memorandum from the Department of Health Services (DHS) are outside of Titles I and II, so this change would allow DHS to request funding for and implement those programs without explicit authorization. For the grant programs listed by DHS related to Medical Assistance and Family Care funding (Title II), this substitute amendment contains an explicit exemption from the requirements for those programs. That exemption also allows DHS to renew grants that were in existence before PPACA became law.

To address the issues brought to you by the Office of the Commissioner of Insurance, the substitute amendment includes s. 146.965 (2) (d), which specifies those actions that do not violate the prohibitions in the substitute amendment. Please review these provisions to confirm they are not too broad or narrow, especially the medical loss ratio provision.

Should you have questions or redraft instructions or to request an introducible amendment, please contact me.

Tamara J. Dodge
Legislative Attorney
Phone: (608) 267-7380
E-mail: tamara.dodge@legis.wisconsin.gov