

2013 DRAFTING REQUEST

Bill

Received: 10/11/2012 Received By: tdodge
 Wanted: As time permits Same as LRB:
 For: Tim Carpenter (608) 266-8535 By/Representing: Stuart Ewy
 May Contact: Drafter: tdodge
 Subject: Health - miscellaneous Addl. Drafters:
 Extra Copies:

Submit via email: YES
 Requester's email: Sen.Carpenter@legis.wisconsin.gov
 Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov
 michael.duchek@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Requiring continuation of SeniorCare waiver and requiring use of excess moneys in program to be used for SeniorCare only

Instructions:

Redraft last session's 2011 SB 78

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> |
|--------------|----------------------|---------------------|------------------------|----------------|-----------------------|----------------------|-----------------|
| /? | tdodge 10/24/2012 | evinz 10/30/2012 | rschluet 10/30/2012 | _____ | | | |
| /1 | | | | _____ | lparisi 10/30/2012 | mbarman 4/15/2013 | State |

FE Sent For:

*at intro
4/25*

<END>

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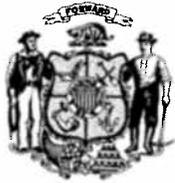
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| /? | tdodge 10/24/2012 | evinz 10/30/2012 | 10/30/2012 | _____ | | | |
| /1 | | | | _____ | lparisi 10/30/2012 | | State |

FE Sent For:

<END>



In 10/24/12

State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-18611
TJD:kff&cs:md

0319

RMINR

2013

2011 SENATE BILL 78

Leev
D-note

April 27, 2011 - Introduced by Senators CARPENTER, HANSEN, WIRCH, HOLPERIN, LASSA, SCHULTZ, MILLER, JAUCH, C. LARSON, ERPENBACH, T. CULLEN, RISSER and S. COGGS, cosponsored by Representatives JORGENSEN, SHILLING, PASCH, BEWLEY, TURNER, ZEPNICK, BERNARD SCHABER, BERCEAU, POPE-ROBERTS, MOLEPSKE JR, KESSLER, RINGHAND, ROYS, YOUNG, E. COGGS, FIELDS, POCAN, STASKUNAS, MASON, GRIGSBY, HEBL, HULSEY, VRUWINK, STEINBRINK, MILROY, CLARK, HINTZ and SINICKI. Referred to Committee on Insurance and Housing.

SAJ
XREF

1 AN ACT ^{rosen} to amend 20.435 (4) (bv), 20.435 (4) (j) and 20.435 (4) (jb); and to create
2 49.688 (13) of the statutes; relating to: waiver for prescription drug assistance
3 for elderly program, use of excess moneys in prescription drug assistance for
4 elderly program, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health Services (DHS) administers the Senior Care program, which provides assistance to the elderly in the purchase of prescription drugs. The program is operated under a waiver of federal Medicaid laws, but DHS is required to implement the program regardless of whether the waiver is received from the federal Department of Health and Human Services. Some of the moneys to administer the Senior Care program derive from the federal government and other moneys come from the state's general purpose revenue (GPR) or from program revenue (PR). Moneys from GPR are used to pay pharmacies and pharmacists under the Senior Care program. Program revenue from rebate payments by manufacturers is used to pay pharmacies and pharmacists and PR from payment of enrollment fees is used for administration of Senior Care. This bill requires DHS to obtain any waiver of federal Medicaid laws necessary to continue administration of Senior Care, and to implement any waiver received for the administration of Senior Care. The bill also requires that any GPR moneys remaining after paying pharmacies and pharmacists, and any PR moneys remaining after paying pharmacies and pharmacists and paying for program administration, be used by DHS for the following purposes: to reduce enrollment costs for seniors

and any federal moneys remaining

SENATE BILL 78

participating in Senior Care, to reduce the prices paid by Senior Care enrollees for prescription drugs, and to enlarge the number of prescription drugs available through the Senior Care program.

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 (4) (bv) of the statutes is amended to read:

2 20.435 (4) (bv) *Prescription drug assistance for elderly; aids.* Biennially, the
3 amounts in the schedule for payment to pharmacies and pharmacists under s. 49.688
4 (7) for prescription drug assistance for elderly persons and, if there are moneys
5 remaining after payments to pharmacies and pharmacists, for the purposes under
6 s. 49.688 (13).

7 SECTION 2. 20.435 (4) (j) of the statutes is amended to read:

8 20.435 (4) (j) *Prescription drug assistance for elderly; manufacturer rebates.*
9 All moneys received from rebate payments by manufacturers under s. 49.688 (6), to
10 be used for payment to pharmacies and pharmacists under s. 49.688 (7) for
11 prescription drug assistance for elderly persons and, if there are moneys remaining
12 after payments to pharmacies and pharmacists, for the purposes under s. 49.688
13 (13).

14 SECTION 3. 20.435 (4) (jb) of the statutes is amended to read:

15 20.435 (4) (jb) *Prescription drug assistance for elderly; enrollment fees.* All
16 moneys received from payment of enrollment fees under s. 49.688 (3), to be used for
17 administration of the program under s. 49.688 and, if there are moneys remaining
18 after paying for program administration, for the purposes under s. 49.688 (13).

19 SECTION 4. 49.688 (13) of the statutes is created to read:

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507 (pg)

1 49.688 (13) If there are moneys available in the appropriation accounts under
 2 s. 20.435 (4) (bv), (j), ~~(or)~~ (jb), the department shall use those moneys to reduce
 3 enrollment costs for individuals participating in the program under this section, to
 4 reduce the prices paid by individuals in the program under this section for
 5 prescription drugs, and to enlarge the number of prescription drugs available under
 6 the program under this section.

SECTION 5. Nonstatutory provisions.

8 (1) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY CONTINUATION. The department
 9 of health services shall request from the federal secretary of health and human
 10 services any waiver of federal medicaid laws necessary to permit the department of
 11 health services to continue administering the program under section 49.688 of the
 12 statutes. The department shall implement any waiver received under this
 13 subsection.

(END)

D-note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0319/1dn

TJD: ...
Leev

date

To Stuart Ewy:

In redrafting 2011 Senate Bill 78 regarding the Senior Care waiver and use of moneys, I noticed that in the original bill I had not included the federal appropriation as a source of moneys to fund the purposes in the draft. In this redraft, I added the federal moneys appropriation, s. 20.435 (4) (pg), to the list of accounts from which, if there is money remaining, the department must pay for the cost reduction and formulary additions. If you want to keep 2011 Senate Bill 78 as it originally read, please contact me and I can draft a version without the federal appropriation.

Should you have any questions or redraft instructions, please contact me.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0319/1dn
TJD:eev:rs

October 30, 2012

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Should you have any questions or redraft instructions, please contact me.

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

Barman, Mike

From: Ewy, Stuart
Sent: Monday, April 15, 2013 10:34 AM
To: LRB.Legal
Subject: Draft Review: LRB -0319/1 Topic: Requiring continuation of SeniorCare waiver and requiring use of excess moneys in program to be used for SeniorCare only

Please Jacket LRB -0319/1 for the SENATE.