

## 2013 DRAFTING REQUEST

### Assembly Amendment (AA-AB40)

Received: **5/21/2013** Received By: **tdodge**  
Wanted: **As time permits** Same as LRB:  
For: **Legislative Fiscal Bureau** By/Representing: **Peck**  
May Contact: Drafter: **tdodge**  
Subject: **Medical Assistance** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Legislative Fiscal Bureau**  
Carbon copy (CC) to: **pam.kahler@legis.wisconsin.gov**  
**tamara.dodge@legis.wisconsin.gov**

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#### Pre Topic:

LFB:.....Peck -

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#### Topic:

Continue BadgerCare Basic appropriation

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#### Instructions:

See attached

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#### 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 5/27/2013			_____			
/P1	tdodge 6/5/2013	wjackson 5/27/2013	phenry 5/28/2013	_____	srose 5/28/2013		
/1		wjackson 6/5/2013	jmurphy 6/5/2013	_____	mbarman 6/6/2013		

FE Sent For:

**<END>**

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FE Sent For:		<i>AWG 6/5</i>	<i>Phenry 6/5</i>	<i>self</i>			

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/?	tdodge						
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1/p1 WLJ 5/27  
5/28 PH K

FE Sent For:

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## **ACA-Related Changes Needed to the Governor's Budget Bill**

*BadgerCare Basic Appropriation.* Modify the Governor's Budget to continue the s. 20.435 (4)(hm) appropriation through FY 15. The bill deletes the appropriation effective January 2014.



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0139/P1

TJD:f:...

WJ

In: 5/27/13

LFB:.....Peck – Continue BadgerCare Basic appropriation

**FOR 2013-2015 BUDGET – NOT READY FOR INTRODUCTION**  
**ASSEMBLY AMENDMENT ,**  
**TO ASSEMBLY BILL 40**

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 1075, line 2: delete “(hm),”.

3 ✓ 2. Page 1075, line 4: after that line insert:

4 “(10) BADGERCARE BASIC. The treatment of section 20.435 (4) (hm) of the  
5 statutes takes effect on June 30, 2015.” ✓

\*\*\*\*NOTE: My understanding of continuing “through FY15” is that the appropriation would be eliminated at the end of FY15. Please confirm that this is what is intended.

6 (END)

## Dodge, Tamara

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**From:** Peck, Eric  
**Sent:** Wednesday, June 05, 2013 9:55 AM  
**To:** Dodge, Tamara  
**Cc:** Morgan, Charlie  
**Subject:** FW: LRB Draft for TMA changes

Tami: I forwarded to DHS several of the drafts you provided to us earlier regarding the changes the Governor recommended to AB 40 (these were the changes we summarized in Discussion Points 2-8 of our paper #321). I thought it would be good to have them review them, particularly since the administration requested these changes to better reflect the Governor's intent.

To date, they have reviewed most of the individual drafts, and they had no changes. There were two exceptions.

First, they had a minor comment on draft 0139 (which would delay the repeal of the BC Basic appropriation). They suggest repealing that appropriation effective July 1, 2015 (rather than June 30, 2015). Although this is one day later than specified in discussion point 7 of paper #320, I think it is a minor technical adjustment which is consistent with the intent expressed in discussion point 7, so I would say we go ahead and change that date, as they requested.

Second, they had more substantive changes to the TMA draft, 0137. See their comments below. I have reviewed their comments and they seem to reflect the intent expressed in discussion point 5 in paper #321, as I understand what was intended. I recommend we make their suggested edits. It is a tricky provision.

I will let you know if we or they have any other suggested changes to the drafts. Thanks again for all your help. Eric

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**From:** Forsaith, Andrew C - DHS [<mailto:Andrew.Forsaith@dhs.wisconsin.gov>]

**Sent:** Tuesday, June 04, 2013 5:53 PM

**To:** Peck, Eric; Morgan, Charlie

**Cc:** LaPhilliph, John O - DHS; Fox, Sabrina - DHS; Malofsky, Shelley F - DHS; Megna, Richard H - DHS; Gauger, Michelle C - DOA; Hitt, Andrew A - DHS; Ignatowski, Alex - DHS; Liedl, Kimberly - GOV; Moore, Kevin E - DHS; Polzin, Cindy M - GOV; Rhoades, Kitty - DHS

**Subject:** RE: LRB Draft for TMA changes

Eric – To accomplish the administration's intent, we think the underlying TMA statute should be first amended to reflect what we expect will be the ongoing federal requirement beginning January 1, 2014 – the 4 month extension. That way, the 4 month requirement would apply under state law without our having to make any further request to CMS.

Current law TMA provisions are contained in s. 49.46(1)(c) and (co). Paragraph (1)(co) actually reflects current policy, reflecting 12 months of continuous eligibility. We recommend merging (c) and (co) to say that we will provide 4 month extension unless federal law requires us to provide up to 12 months. (c)1.a. and b. must be retained because they are federally required conditions of eligibility.

(1)(c) and (1)(co) would be replaced with language that says:

(c) A family who become

ineligible for aid to families with dependent children under s.

49.19 because of increased income from employment or increased

hours of employment ~~or because of the expiration of the time during~~

~~which the disregards under s. 49.19 (5) (a) 4. or 4m. or (am)~~

apply shall receive medical assistance for:

1. Four calendar months, or, if required by federal law up to 12 months, following the month in which the parent, caretaker, or dependent children become ineligible for aid to families with dependent children if all of the following apply:

a. The family is eligible for aid to families with dependent

children for at least 3 of the 6 months immediately preceding the month in which the family becomes ineligible.

b. If federal law requires 12 months of coverage, the family continues to include a child who is, or would be if needy, a dependent child under s. 49.19. **[NOTE: b. only applies to 12-month TMA extensions, not 4 month MA extensions.]**

In addition, effective date/initial applicability language should be added saying that the change to 4 months should apply only to individuals who qualify for TMA after 12/31/13. This provision would allow us to continue coverage for the existing 12 month cohort until their extension period runs out. [As drafted, the draft you sent appears to allow us to cover existing eligible only if the feds approve a request to eliminate TMA completely.] This effective date language would allow us to continue to cover BC+ recipients currently in 4-month child support extensions (cg) until they finish those extensions in 2014 as well.

Regarding the new draft, we recommend changing the new draft to strike reference to 4 months by ending the first sentence after 'federal law' on line 7.

Also, Change the new draft to strike 'during the 4 month period of continued benefits' on line 3 of page 2.

Regarding premiums, it is our intent to only charge premiums to non-disabled, non-pregnant adults above 100% in TMA. The language as drafted would allow us to do that, so we think it's OK to leave it as is.



In: 6/5/13

Stays

LFB:.....Peck – Continue BadgerCare Basic appropriation

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July 1;

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State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBb0139/1  
TJD:wlj:jm

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