



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1567/P2  
TJD:cde

DOA:.....Ames, BB0215 - Repeal implementation of childless adult demonstration waiver

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE PROGRAM**

***1. Repealing implementation of childless adult demonstration waiver***

[2017 Wisconsin Act 370](#) requires by statute DHS to implement the BadgerCare Reform waiver as it relates to childless adults as approved by the federal Department of Health and Human Services effective October 31, 2018. The 2015-17 and 2017-19 biennial budget acts required DHS to submit a waiver request to the federal Department of Health and Human Services authorizing DHS to take certain actions including imposing premiums on, requiring a health risk assessment of, and time-limiting eligibility for recipients of BadgerCare Plus under the childless adults demonstration project waiver. Act 370 requires DHS to implement the childless adults BadgerCare Reform waiver by no later than November 1, 2019. If JCF determines that DHS has not complied with the implementation deadline, has not made sufficient progress in implementing the BadgerCare Reform waiver, or has not complied with other requirements relating to approved waiver implementation, Act 370 allows JCF to reduce from moneys allocated for state operations or administrative functions DHS's appropriation or expenditure authority, whichever is applicable, or change the authorized level of full-time equivalent positions for

DHS related to the Medical Assistance program. This bill eliminates the statutory implementation requirement for the BadgerCare Reform waiver, including the deadline and penalties, eliminates the statutory requirement for DHS to seek the waiver, and allows DHS to modify or withdraw the waiver.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 49.45 (23) (g) of the statutes is repealed.

**SECTION 2.** 49.45 (23b) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 49.45 (23b). This SECTION has been affected by drafts with the following LRB numbers: -1567/P1 and -1566/P1.

**SECTION 3.** 2017 Wisconsin Act 370, Section 44 (2) and (3) are repealed.

**SECTION 9119. Nonstatutory provisions; Health Services.**

(1) CHILDLESS ADULTS DEMONSTRATION PROJECT REFORM WAIVER. The department of health services may submit a request to the federal department of health and human services to modify or withdraw the waiver granted under s. 49.45 (23) (g), 2017 stats.

\*\*\*\*NOTE: This is reconciled SECTION 9119 (1). This SECTION has been affected by drafts with the following LRB numbers: -1567/P1 and -1566/P1.

(END)