



1997 ASSEMBLY BILL 358

May 15, 1997 - Introduced by Representatives LORGE, OTTE, BALDWIN, MEYER, AINSWORTH, BOCK, BLACK, BAUMGART, RYBA, KRUSICK, HUBER, HASENOHRL, M. LEHMAN, GRONEMUS, NOTESTEIN, BOYLE, CULLEN and HARSDFORF, cosponsored by Senators C. POTTER, ROSENZWEIG, RISSER, GROBSCHMIDT, PLACHE, BRESKE and WIRCH. Referred to Committee on Managed Care.

1 **AN ACT** *to renumber and amend* 49.45 (7) (a); and *to create* 49.45 (7) (a) 1. of
2 the statutes; **relating to:** income that may be retained by a medical assistance
3 beneficiary who is in an institution.

Analysis by the Legislative Reference Bureau

Under current law, a medical assistance beneficiary who is in an institution may ordinarily retain, each month, \$40 of his or her unearned income or, if greater, the amount of certain veteran's pensions for personal needs. This bill increases the amount of the medical assistance personal needs allowance, for those who do not have a higher qualifying veteran's pension, to \$45 and provides for future annual increases based on the rate of increase in personal income in this state.

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:

4 **SECTION 1.** 49.45 (7) (a) of the statutes is renumbered 49.45 (7) (a) (intro.) and
5 amended to read:

6 49.45 (7) (a) (intro.) A recipient who is a patient in a public medical institution
7 or an accommodated person and has a monthly income exceeding the payment rates

ASSEMBLY BILL 358**SECTION 1**

1 established under 42 USC 1382 (e) may retain \$40 ~~unearned income or the greater~~
2 of the following amounts of unearned income each month for personal needs:

3 2. The amount of any pension paid under 38 USC 3203 (f), whichever is greater,
4 per month for personal needs.

5 (am) Except as provided in s. 49.455 (4) (a), the recipient shall apply income in
6 excess of \$40 ~~or the amount of any pension paid under 38 USC 3203 (f), whichever~~
7 ~~is greater~~ the personal needs allowance under par. (a), less any amount deducted
8 under rules promulgated by the department, toward the cost of care in the facility.

9 **SECTION 2.** 49.45 (7) (a) 1. of the statutes is created to read:

10 49.45 **(7)** (a) 1. Forty-five dollars or, beginning in 1998, such larger amount as
11 is determined annually by the department to provide an increase in the personal
12 needs allowance equal to the same percentage as the percentage increase in per
13 capita income in this state during the preceding year, rounded to the nearest higher
14 whole dollar amount.

15 (END)