



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-3621/1
TJD:kjf

2019 SENATE BILL 324

July 23, 2019 - Introduced by Senators ERPENBACH, CARPENTER, WIRCH, L. TAYLOR, LARSON, SHILLING, RISSER, RINGHAND and JOHNSON, cosponsored by Representatives KOLSTE, RIEMER, C. TAYLOR, VINING, HEBL, ZAMARRIPA, L. MYERS, ANDERSON, LOUDENBECK, BILLINGS, CABRERA, BROSTOFF, CONSIDINE, SARGENT, SPREITZER, SINICKI, OHNSTAD, NEUBAUER, STUBBS, VRUWINK, SUBECK, SHANKLAND, BOWEN and HESSELBEIN. Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

1 **AN ACT to amend** 49.46 (1) (a) 1m., 49.46 (1) (j), 49.47 (4) (ag) 2., 49.471 (6) (b)
2 and 49.471 (7) (b) 1.; and **to create** 49.471 (6) (L) of the statutes; **relating to:**
3 extension of eligibility under the Medical Assistance program for post-partum
4 women.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to seek approval from the federal Department of Health and Human Services to extend to women who are eligible for Medical Assistance when pregnant Medical Assistance benefits until the last day of the month in which the 365th day after the last day of the pregnancy falls. Currently, post-partum women are eligible for Medical Assistance benefits until the last day of the month in which the 60th day after the last day of the pregnancy falls.

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:

5 **SECTION 1.** 49.46 (1) (a) 1m. of the statutes is amended to read:
6 49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the
7 standard of need under s. 49.19 (11) and whose pregnancy is medically verified.

SENATE BILL 324**SECTION 1**

1 Eligibility continues to the last day of the month in which the 60th day or, if approved
2 by the federal government, the 365th day after the last day of the pregnancy falls.

3 **SECTION 2.** 49.46 (1) (j) of the statutes is amended to read:

4 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)
5 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and
6 to the last day of the month in which the 60th day or, if approved by the federal
7 government, the 365th day after the last day of the pregnancy falls without regard
8 to any change in the individual's family income.

9 **SECTION 3.** 49.47 (4) (ag) 2. of the statutes is amended to read:

10 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified
11 Eligibility continues to the last day of the month in which the 60th day or, if approved
12 by the federal government, the 365th day after the last day of the pregnancy falls.

13 **SECTION 4.** 49.471 (6) (b) of the statutes is amended to read:

14 49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits
15 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the
16 pregnancy and to the last day of the month in which the 60th day or, if approved by
17 the federal government, the 365th day after the last day of the pregnancy falls
18 without regard to any change in the woman's family income.

19 **SECTION 5.** 49.471 (6) (L) of the statutes is created to read:

20 49.471 (6) (L) The department shall request from the federal department of
21 health and human services approval of a state plan amendment, a waiver of federal
22 Medicaid law, or approval of a demonstration project to maintain eligibility for
23 post-partum women to the last day of the month in which the 365th day after the
24 last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag)
25 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

SENATE BILL 324**SECTION 6**

1 **SECTION 6.** 49.471 (7) (b) 1. of the statutes is amended to read:

2 49.471 **(7)** (b) 1. A pregnant woman whose family income exceeds 300 percent
3 of the poverty line may become eligible for coverage under this section if the
4 difference between the pregnant woman's family income and the applicable income
5 limit under sub. (4) (a) is obligated or expended for any member of the pregnant
6 woman's family for medical care or any other type of remedial care recognized under
7 state law or for personal health insurance premiums or for both. Eligibility obtained
8 under this subdivision continues without regard to any change in family income for
9 the balance of the pregnancy and to the last day of the month in which the 60th day
10 or, if approved by the federal government, the 365th day after the last day of the
11 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this
12 subdivision extends to all pregnant women in the pregnant woman's family.

13

(END)