

1993 Assembly Bill 824

Date of enactment: **April 12, 1994**  
Date of publication\*: **April 26, 1994**

## 1993 WISCONSIN ACT 269

**AN ACT** to create 49.45 (38), 49.46 (1) (a) 14 and 49.47 (4) (as) of the statutes, **relating to:** medical assistance coverage of certain persons who are working and who are disabled.

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

**SECTION 1.** 49.45 (38) of the statutes is created to read:

49.45 (38) HOME OR COMMUNITY-BASED SERVICES FOR DISABLED WORKERS. The department shall request a waiver from the secretary of the federal department of health and human services to authorize federal financial participation for medical assistance coverage of persons described in ss. 49.46 (1) (a) 14. and 49.47 (4) (as).

**SECTION 2.** 49.46 (1) (a) 14. of the statutes is created to read:

49.46 (1) (a) 14. Any person who would meet the financial and other eligibility requirements for home or community-based services under s. 46.27 (11) or 46.277 but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3), if a waiver

under s. 49.45 (38) is in effect or federal law permits federal financial participation for medical assistance coverage of the person and if funding is available for the person under s. 46.27 (11) or 46.277.

**SECTION 3.** 49.47 (4) (as) of the statutes is created to read:

49.47 (4) (as) A person is eligible for benefits under this section if all of the following apply:

1. The person would meet the financial and other eligibility requirements for home or community-based services under s. 46.27 (11) or 46.277 but for the fact that the person engages in substantial gainful activity under 42 USC 1382c (a) (3).

2. A waiver under s. 49.45 (38) is in effect or federal law authorizes federal financial participation for medical assistance coverage of the person.

3. Funding is available for the person under s. 46.27 (11) or 46.277.

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