



2011 SENATE BILL 282

November 4, 2011 – Introduced by Senators TAYLOR, ERPENBACH, C. LARSON, RISSER and T. CULLEN, cosponsored by Representatives C. TAYLOR, ROYS, BERCEAU, ZAMARRIPA, SEIDEL, BERNARD SCHABER, BEWLEY, GRIGSBY, HINTZ, KESSLER, MASON, PASCH, POPE-ROBERTS, RICHARDS, RINGHAND, SINICKI, VRUWINK, HEBL, CLARK, E. COGGS, FIELDS, HULSEY, MILROY, POCAN and TOLES. Referred to Joint Committee on Finance.

1 **AN ACT** *to repeal* 253.07 (1) (c) and 253.07 (5); *to amend* 20.435 (1) (f), 253.07
2 (2) (b), 253.07 (2) (c), 253.07 (4) (intro.) and 253.07 (4) (b) to (d); *to repeal and*
3 *recreate* 253.07 (title); and *to create* 253.07 (1) (a) 3m. and 253.07 (1) (b) 3m.
4 of the statutes; **relating to:** family planning services and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, state and federal funds (women's health funds) are appropriated to the Department of Health Services (DHS) to provide the following services: counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed nurse practitioners within the scope of their practice, licensed physicians, or local health departments for consultation, examination, medical treatment, and prescriptions for the purpose of family planning. Under current law, DHS may only distribute women's health funds to public entities. Current law further provides that a public entity that receives women's health funds may provide the funds to other entities but only if the recipient does not provide abortion services, make referral for abortion services, or have an affiliate that provides abortion services or makes referrals for abortion services. The state portion of this funding is referred to as the women's health block grant.

This bill eliminates the restriction that DHS may only distribute funds appropriated for family planning services to public entities and eliminates the

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restriction that a recipient of these funds may only provide the funds to entities that meet specific criteria. This bill also eliminates the term “women’s health block grant.” Finally, this bill increases the funding for family planning services during the 2011–2013 fiscal biennium.

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:

1 **SECTION 1.** 20.435 (1) (f) of the statutes, as affected by 2011 Wisconsin Act 32,
2 is amended to read:

3 20.435 (1) (f) ~~Women’s health block grant~~ Family planning. The amounts in the
4 schedule to provide women’s health family planning services under s. 253.07.
5 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
6 between fiscal years under this paragraph. All funds distributed by the department
7 under s. 253.07 (2) (b) and (4) but not encumbered by December 31 of each year lapse
8 to the general fund on the next January 1 unless transferred to the next calendar
9 year by the joint committee on finance.

10 **SECTION 2.** 253.07 (title) of the statutes, as affected by 2011 Wisconsin Act 32,
11 is repealed and recreated to read:

12 **253.07 (title) Family Planning.**

13 **SECTION 3.** 253.07 (1) (a) 3m. of the statutes is created to read:

14 253.07 (1) (a) 3m. Pregnancy termination.

15 **SECTION 4.** 253.07 (1) (b) 3m. of the statutes is created to read:

16 253.07 (1) (b) 3m. Pregnancy termination.

17 **SECTION 5.** 253.07 (1) (c) of the statutes, as created by 2011 Wisconsin Act 32,
18 is repealed.

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1 **SECTION 6.** 253.07 (2) (b) of the statutes, as affected by 2011 Wisconsin Act 32,
2 is amended to read:

3 253.07 (2) (b) The department shall allocate ~~women's health~~ state and federal
4 family planning funds under its control in a manner which will promote the
5 development and maintenance of an integrated system of community health
6 services. It shall maximize the use of existing community family planning services
7 by encouraging local contractual arrangements.

8 **SECTION 7.** 253.07 (2) (c) of the statutes, as affected by 2011 Wisconsin Act 32,
9 is amended to read:

10 253.07 (2) (c) The department shall coordinate the delivery of family planning
11 services by allocating ~~women's health~~ family planning funds in a manner which
12 maximizes coordination between the agencies.

13 **SECTION 8.** 253.07 (4) (intro.) of the statutes, as affected by 2011 Wisconsin Act
14 32, is amended to read:

15 253.07 (4) (intro.) ~~WOMEN'S HEALTH BLOCK GRANT~~ FAMILY PLANNING SERVICES.
16 From the appropriation under s. 20.435 (1) (f) ~~and subject to sub. (5)~~, the department
17 shall distribute the following amounts for all of the following:

18 **SECTION 9.** 253.07 (4) (b) to (d) of the statutes, as affected by 2011 Wisconsin
19 Act 32, are amended to read:

20 253.07 (4) (b) In each fiscal year, \$67,500 to subsidize the provision of
21 papanicolaou tests to individuals with low income by ~~entities that receive women's~~
22 ~~health funds~~ family planning agencies under this section. In this paragraph, "low
23 income" means adjusted gross income that is less than 200% of the poverty line
24 established under 42 USC 9902 (2).

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1 (c) In each fiscal year, \$54,000 to subsidize the provision of follow-up cancer
2 screening by ~~entities that receive women's health funds~~ family planning agencies
3 under this section.

4 (d) In each fiscal year, \$31,500 as grants to applying family planning agencies
5 under this section for employment in communities of licensed registered nurses,
6 licensed practical nurses, certified nurse-midwives, or licensed physician assistants
7 who are members of a racial minority.

8 **SECTION 10.** 253.07 (5) of the statutes, as created by 2011 Wisconsin Act 32, is
9 repealed.

10 **SECTION 11. Fiscal changes.**

11 (1) FAMILY PLANNING. In the schedule under section 20.005 (3) of the statutes
12 for the appropriation to the department of health services under section 20.435 (1)
13 (f) of the statutes, as affected by the acts of 2011, the dollar amount is increased by
14 \$193,600 for the first fiscal year of the fiscal biennium in which this subsection takes
15 effect to increase funding for providing family planning services. In the schedule
16 under section 20.005 (3) of the statutes for the appropriation to the department of
17 health services under section 20.435 (1) (f) of the statutes, as affected by the acts of
18 2011, the dollar amount is increased by \$193,600 for the second fiscal year of the
19 fiscal biennium in which this subsection takes effect to increase funding for
20 providing family planning services.

21 (END)