

1989 Assembly Bill 644

Date of enactment: April 27, 1990
Date of publication: May 10, 1990

1989 Wisconsin Act 351 (Vetoed in Part)

AN ACT to repeal 49.46 (1) (i), 49.47 (6) (a) 2 and 3, 49.47 (6) (a) 4, 49.47 (6) (a) 5 and 49.47 (6) (a) 8; to amend 49.45 (25) (am), 49.46 (1) (a) 9 and 10, 49.46 (1) (k), ~~49.46 (2) (b), 49.47 (4) (am) 1, 49.47 (4) (am) 2, 49.47 (4) (g) and 49.47 (6) (a) 7~~; to repeal and recreate 49.47 (6) (a) 1, and to create 49.46 (2) (b) 1 and 49.47 (9) of the statutes, relating to medical assistance coverage of certain women and children, medical assistance coverage of and reimbursement for certain services and making an appropriation.

Vetoed
in Part

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

SECTION 1. 49.45 (25) (am) of the statutes is amended to read:

49.45 (25) (am) Except as provided under sub. (24), case management services under ~~ss. s.~~ 49.46 (2) (b) 9 and ~~49.47 (6) (a) 3~~ are reimbursable under medical assistance only if provided to a medical assistance beneficiary who has a developmental disability, as defined under s. 51.01 (5) (a), chronic mental illness, as defined under s. 51.01 (3g), or Alzheimer's disease, as defined under s. 46.87 (1) (a), is alcoholic, as defined under s. 51.01 (1), or drug dependent, as defined under s. 51.01 (8), is physically disabled, as defined by the department, is a severely emotionally disturbed child,

or is age 65 or over and who receives case management services from or through a certified case management provider in a county which elects, under par. (b), to make the services available.

SECTION 1m. 49.46 (1) (a) 9 and 10 of the statutes, as created by 1989 Wisconsin Act 31, are amended to read:

49.46 (1) (a) 9. Any pregnant woman not described under subd. 1 or 1m whose family income does not exceed ~~100%~~ 133% of the poverty line for a family the size of the woman's family ~~and who meets the limitation under par. (i).~~

10. Any child not described under subd. 1 who is under ~~one year~~ 6 years of age and whose family

income does not exceed ~~100%~~ 133% of the poverty line for a family the size of the child's family ~~and who meets the limitation under par. (i).~~

SECTION 1n. 49.46 (1) (i) of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 1r. 49.46 (1) (k) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:

49.46 (1) (k) If a child eligible for benefits under par. (a) 10 is receiving inpatient services covered under sub. (2) on the day before the birthday on which the child attains the age of ~~one~~ 6 and, but for attaining that age, the child would remain eligible for benefits under par. (a) 10, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

Vetoed in Part

~~SECTION 2. 49.46 (2) (b) 11 of the statutes is created to read:~~

~~49.46 (2) (b) 11. Support services, including care coordination, for pregnant women.~~

~~SECTION 3. 49.46 (2) (be) of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

~~49.46 (2) (be) Benefits for an individual eligible under sub. (1) (a) 9 are limited to those services under par. (a) or (b) that are related to pregnancy, including postpartum and family planning services and services under par. (b) 11, or related to other conditions which may complicate pregnancy.~~

Vetoed in Part

SECTION 4. 49.47 (4) (am) 1 of the statutes, as affected by 1989 Wisconsin Act 31, section 1463gc, is amended to read:

49.47 (4) (am) 1. A pregnant woman whose family income does not exceed ~~135%~~ 105% of the poverty line for a family the size of the woman's family.

SECTION 5. 49.47 (4) (am) 2 of the statutes, as affected by 1989 Wisconsin Act 31, section 1463ic, is amended to read:

Vetoed in Part

49.47 (4) (am) 2. A child who is under ~~one year~~ 6 years of age and whose family income does not exceed ~~133%~~ 105% of the poverty line for a family the size of the child's family.

SECTION 6. 49.47 (4) (g) of the statutes is amended to read:

49.47 (4) (g) If a child eligible for benefits under par. (am) 2 is receiving inpatient services covered under sub. (6) on the day before the birthday on which the child attains the age of ~~one~~ 6 and, but for attaining that age, the child would remain eligible for benefits under par. (am) 2, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

SECTION 7. 49.47 (6) (a) 1 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed and recreated to read:

49.47 (6) (a) 1. Except as provided in subd. 6 and 7, all beneficiaries, for all services under s. 49.46 (2) (a) and (b).

SECTION 8. 49.47 (6) (a) 2 and 3 of the statutes are repealed.

SECTION 9. 49.47 (6) (a) 4 of the statutes, as affected by 1989 Wisconsin Act 31, is repealed.

SECTION 10. 49.47 (6) (a) 5 of the statutes is repealed.

~~SECTION 11. 49.47 (6) (a) 7 of the statutes, as created by 1989 Wisconsin Act 31, is amended to read:~~

Vetoed in Part

~~49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2 or (am) 1 for services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum and family planning services and services under s. 49.46 (2) (b) 11, or related to other conditions which may complicate pregnancy.~~

SECTION 12. 49.47 (6) (a) 8 of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

~~SECTION 13. 49.47 (9) of the statutes is created to read:~~

Vetoed in Part

~~49.47 (9) MONTHLY PREMIUM. The department shall impose a monthly premium for coverage under this section of an individual eligible under sub. (4) (am) whose family income exceeds 150% of the poverty line for a family the size of the individual's family. The monthly premium may not exceed 10% of the amount by which the individual's monthly family income, less child care expenses, exceeds one-twelfth of 150% of the poverty line for a family the size of the individual's family. The department may waive the payment of the premium if it determines that requiring payment would create an undue hardship.~~

SECTION 14. **Nonstatutory provisions.** The department of health and social services shall increase the rate established under section 49.45 of the statutes for reimbursement of a physician for the provision of obstetric care to a recipient of medical assistance by ~~\$416~~ on July 1, 1990.

Vetoed in Part

SECTION 15. **Appropriation changes.** The dollar amount in the schedule under section 20.005 (3) of the statutes for the appropriation to the department of department of health and social services under section 20.435 (1) (b) of the statutes, as affected by the acts of 1989, is increased by \$13,250,200 for fiscal year 1990-91 to fund the cost of providing medical assistance to additional children and pregnant women ~~and medical assistance coverage of support services for pregnant women~~, expanding medical assistance coverage for the medically needy and increasing medical assistance reimbursement for obstetric care.

Vetoed in Part

SECTION 16. **Effective date.** This act takes effect on July 1, 1990, except as follows:

~~(1) The treatment of sections 49.46 (2) (b) 11 and (be) and 49.47 (6) (a) 7 of the statutes takes effect on January 1, 1991.~~

Vetoed in Part