

1999 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB133)

Received: **06/18/99**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus 266-1452**

By/Representing: **Dake**

This file may be shown to any legislator: **NO**

Drafter: **kenneda**

May Contact:

Alt. Drafters:

Subject: **Health - public health
Health - miscellaneous**

Extra Copies: **TAY, GMM**

Pre Topic:

ARC:.....Dake - Amendment #78

Topic:

Eliminate family planning services and prohibit expenditure of funds for family planning; add funding for childrens' oral health programs

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 06/22/99	chanaman 06/24/99	mclark 06/24/99	_____	lrb_docadmin 06/24/99		
/2	kenneda 06/26/99	chanaman 06/26/99	jfrantze 06/26/99	_____	lrb_docadmin 06/26/99		
	kenneda 06/26/99	chanaman 06/26/99		_____			

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/1	kenneda 06/22/99	chanaman 06/24/99	mclark 06/24/99	_____	lrb_docadmin 06/24/99		

FE Sent For:

cm4
e/26
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Jo
6/26

Jo/END
6/26
<END>

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1/1	kenneda	cm H 6/22 /1	MRE 6/24	MRE/JF 6/24			

FE Sent For:

<END>

Budget Amendments 1999- 2000

Statement of Intent

Legislator

Suder & Gundrum

Amendment#

78

Staff contact

Anne & Jolene

Status

Agency

Tax Relief - Spending Cut Package #1

Tax Cut

Summary

Tax Relief- Spending Cut Package #1 (see attached)

DAK
#9
#10
#12

Fiscal Impact

ARC Analyst

Brian Dake

Request#

3670

Provision #11

Agency:

Budget and Compensation Reserves (Budget Reserve)

JTK

JFC Action

The Joint Committee on Finance approved the Governor's recommendation to increase the 1% statutory balance as follows:

<u>Fiscal Year</u>	<u>Percent</u>
2000-01	1.1%
2001-02	1.2
2002-03	1.4
2003-04	1.6
2004-05	1.8
2005-06 (and thereafter)	2.0

Motion:

The motion returns the 1.1% statutory balance in 2000-01 to 1% and does not increase the statutory balance in the subsequent years.

Fiscal Effect:

The motion would reduce GPR expenditures by \$11.1 million.

Provision #12

Agency:

Department of Health & Family Services (Appropriation Restructuring)

DAK

JFC Action:

Under current law, four separate appropriations fund the following programs in the DHFS – Division of Public Health: a) women's health; b) family planning; c) pregnancy counseling; and d) pregnancy outreach and infant health. The Governor's budget recommended consolidating these separate appropriations into a modified appropriation to support women and infant health services. The Joint Finance Committee maintained current law. In the 1999-2001 biennium, DHFS currently allocates \$1,955,200 GPR annually from the DHFS "family planning" appropriation.

Motion:

The motion would eliminate funding for the DHFS "family planning" appropriation and delete this appropriation in the chapter 20 schedule. Furthermore, specify that no state or federal matching funds can be expended for "family planning" services by any state or local unit of government, with the exception of medical assistance.

For maternal and child health services, the state can receive federal Title V matching grants in the amount of \$11.6 million. To receive these monies, the federal government requires a \$4.7 million base maintenance of effort. By eliminating \$3.9 million in family planning, we need to allocate additional GPR revenues toward maternal and child health programs to ensure that the state maintains its maintenance of effort requirement for Title V funding.

b 0773

The motion specifies providing an additional \$350,000 GPR in the biennium for oral health programs for children. The Joint Finance Committee approved funding oral health programs at \$110,000 in 2000-01.

Fiscal Effect:

According to the Legislative Fiscal Bureau, the elimination of the "family planning" appropriation would reduce GPR spending by \$3,910,400. The oral health program would increase GPR spending by \$350,000. The net effect of the motion would be to reduce GPR spending by \$3,560,400.

From Amie Goldman 6/21

Add 99-00

00-01

\$ 250,000

40,000

20,435 (5) (de)





SOON - credit 6/23
State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0773/1
DAK.....
cmj

D-NOTE

ARC:.....Dake - Amendment ^b ~~No.~~ 78 Eliminate family planning services and prohibit expenditure of funds for family planning; add funding for childrens' oral health programs #

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 1999 ASSEMBLY BILL 133 AND 1999 SENATE BILL 45

W.P.O. please fix topic line on request cover sheet

INSERT 1-1

- 1 At the locations indicated, amend the substitute amendment as follows: ✓
- 2 **1.** Page 201, line 20: delete that line. ✓
- 3 **2.** Page 351, line 4: after that line insert: ✓
- 4 "SECTION 430g. 20.435 (5) (f) of the statutes is repealed." ✓
- 5 **3.** Page 418, line 25: after that line insert: ✓
- 6 "SECTION 650d. 20.9273 of the statutes is created to read: ✓
- 7 **20.9273 Prohibitions on funding for family planning services.** (1) In ✓
- 8 this section, "family planning services" has the meaning given in s. 49.001 (1s). ✓
- 9 (2) Except for the provision of family planning services under ss. 49.43 to ✓
- 10 49.499, no state agency or local governmental unit may authorize payment of funds

1 of this state, of any local governmental unit or of federal funds passing through the
2 state treasury for the provision of family planning services.”.

3 4. Page 419, line 4: after that line insert:

4 “SECTION 651d. 20.9275 (1) (e) of the statutes is amended to read:

5 20.9275 (1) (e) “Pregnancy program, project or service” means a program,
6 project or service of an organization that provides services for pregnancy prevention,
7 family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001 (1r), pregnancy testing,
8 pregnancy counseling, prenatal care, pregnancy services and reproductive health
9 care services that are related to pregnancy.”.

History: 1997 a. 27, 237.

10 5. Page 559, line 24: delete the material beginning with “, 252.11 (7)” on that
11 line and ending with “(c)” on line 25 and substitute “, and 252.11 (7) and 253.07 (3)
12 (e)”.

13 6. Page 561, line 8: delete the material beginning with “, 253.07” on that line
14 and ending with “(c)” on line 9 and substitute “, 253.07 (3) (e)”.

15 7. Page 563, line 18: delete the material beginning with “, 253.07” on that line
16 and ending with “(c)” on line 19 and substitute “, 253.07 (3) (e)”.

17 8. Page 564, line 25: delete the material beginning with “, 253.07” on that line
18 and ending with “(c)” on page 565, line 1, and substitute “, 253.07 (3) (e)”.

INSERT 2-18

19 9. Page 648, line 18: after that line insert:

20 “SECTION 1138r. 48.551 (2) (a) of the statutes is renumbered 48.55 (2) (a) and
21 amended to read:

22 48.55 (2) (a) Training persons who provide counseling to adolescents including
23 school counselors, county or department employees providing child welfare services

1 under s. 48.56 or 48.561 and employes of a clinic providing family planning services,
2 as defined in s. 253.07 (1) (b) 49.001 (1s)."

History: 1985 a. 56, 176; 1989 a. 31 ss. 1283, 1284; Stats. 1999 s. 48.551; 1995 a. 27, 443; 1997 a. 27.

3 10. Page 648, line 19: on lines 19 and 20, delete "(a)".

add comma inside quotation mark

4 11. Page 655, line 23: after that line insert:

5 "SECTION 1201p. 49.001 (1r) of the statutes is created to read:

6 49.001 (1r) "Family planning" means voluntary action by individuals to
7 prevent or aid conception. "Family planning" does not include the performance,
8 promotion, encouragement or counseling in favor of, or referral either directly or
9 through an intermediary for, voluntary termination of pregnancy, but may include
10 the providing of nondirective information explaining any of the following:

- 11 (a) Prenatal care and delivery.
- 12 (b) Infant care, foster care or adoption.
- 13 ~~(c) Pregnancy termination.~~

promotion, encouragement or counseling in favor of, or referral directly or through an intermediary for

14 SECTION 1201q. 49.001 (1s) of the statutes is created to read:

15 49.001 (1s) "Family planning services" mean counseling by trained personnel
16 regarding family planning; distribution of information relating to family planning;
17 and referral to licensed nurse practitioners within the scope of their practice,
18 licensed physicians or local health departments for consultation, examination,
19 medical treatment and prescriptions for the purpose of family planning.. "Family

20 planning" does not include the performance, promotion, encouragement or
21 counseling in favor of, or referral either directly or through an intermediary for,
22 voluntary termination of pregnancy, but may include the providing of nondirective
23 information explaining any of the following:

- 24 (a) Prenatal care and delivery.

1 ~~(b) Infant care, foster care or adoption~~

2 ~~(c) Pregnancy termination~~

3 **12.** Page 676, line 21: after that line insert:

4 **"SECTION 1274m.** 49.159 (2) of the statutes is amended to read:

5 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.

6 A custodial parent who is under the age of 18 is eligible, regardless of that
7 individual's or that individual's parent's income or assets, to meet with a financial
8 and employment planner. The financial and employment planner may provide the
9 individual with information regarding Wisconsin works eligibility, available child
10 care services, employment and financial planning, family planning services, as
11 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other
12 food and nutrition programs."

History: 1995 a. 289; 1997 a. 27.

13 **13.** Page 691, line 6: after that line insert:

14 **"SECTION 1335g.** 49.19 (11s) (d) of the statutes is amended to read:

15 49.19 (11s) (d) From the appropriation under s. 20.445 (3) (a), the department
16 may award grants to county departments under ss. 46.215, 46.22 and 46.23 for
17 providing education services relating to family planning, as defined in s. 253.07 (1)
18 (a), to persons who are subject to par. (b)."

History: 1971 c. 125, 215, 217; 1973 c. 90, 147, 186, 328, 333; 1975 c. 39, 82, 94, 224, 307, 422; 1977 c. 29, 203, 271, 418, 449; 1979 c. 32 s. 92 (4); 1979 c. 34, 206, 221, 352; 1981 c. 1, 20, 93, 314, 317, 391; 1983 a. 27, 161, 192, 245, 310, 430, 447; 1985 a. 29, 120, 176, 281, 332; 1987 a. 27, 307, 399; 1989 a. 31, 107, 122, 359; 1991 a. 39, 178, 269, 313, 315, 316, 322; 1993 a. 16, 99, 326, 395, 437, 446, 481; 1995 a. 12; 1995 a. 27 ss. 2852 to 2871, 2876 (19); 1995 a. 77, 198, 225, 289, 295; 1997 a. 27, 35, 39, 252.

19 **14.** Page 717, line 2: after that line insert:

20 **"SECTION 1419r.** 49.45 (18) (b) 5. of the statutes is amended to read:

21 49.45 (18) (b) 5. Family planning services, as defined in s. 253.07 (1) (b).

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 353; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293.

*W.P.O.
please eliminate
extra space*

1 **15.** Page 717, line 21: after that line insert:

2 “**SECTION 1426d.** 49.45 (24r) of the statutes is amended to read:

3 **49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT.** The department shall
4 request a waiver from the secretary of the federal department of health and human
5 services to permit the department to conduct a demonstration project to provide
6 family planning services, as defined in s. ~~253.07 (1) (b)~~, under medical assistance to
7 any woman between the ages of 15 and 44 whose family income does not exceed 185%
8 of the poverty line for a family the size of the woman’s family. If the waiver is granted
9 and in effect, the department shall implement the waiver no later than July 1, 1998,
10 or on the effective date of the waiver, whichever is later.”

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w, 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (1), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293.

11 **16.** Page 723, line 3: after that line insert:

12 “**SECTION 1434p.** 49.46 (2) (a) 4. f. of the statutes is amended to read:

13 **49.46 (2) (a) 4. f.** Services and supplies for family planning, as defined in s.
14 ~~253.07 (1) (a).~~”

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237.

15 **17.** Page 723, line 20: after that line insert:

16 “**SECTION 1437g.** 49.46 (2) (be) of the statutes is amended to read:

17 **49.46 (2) (be)** Benefits for an individual eligible under sub. (1) (a) 9. are limited
18 to those services under par. (a) or (b) that are related to pregnancy, including
19 postpartum services and family planning services, as defined in s. ~~253.07 (1) (b)~~, or
20 related to other conditions which may complicate pregnancy.”

History: 1971 c. 125, 211, 215; 1973 c. 90, 147; 1975 c. 39; 1977 c. 29 ss. 592m, 1656 (18); 1977 c. 389, 418; 1979 c. 34, 221; 1981 c. 20, 93, 317; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 245 ss. 10, 15; 1983 a. 538; 1985 a. 29, 120, 176, 253; 1987 a. 27, 307, 339, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1454d to 1460 and 2909g, 2909i; 1989 a. 122, 173, 333, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 99, 269, 277, 446, 450, 491; 1995 a. 27, 77, 164, 289, 303, 457; 1997 a. 27, 35, 105, 237.

1 **18.** Page 724, line 5: after that line insert:

2 **“SECTION 1439g.** 49.47 (6) (a) 7. of the statutes is amended to read:

3 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
4 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum
5 services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or related to
6 other conditions which may complicate pregnancy.”.

History: 1971 c. 125; 1971 c. 213 s. 5; 1971 c. 215; 1973 c. 90, 147, 333; 1977 c. 29 ss. 593, 1656 (18); 1977 c. 105 s. 59; 1977 c. 273, 418; 1979 c. 34; 1981 c. 20, 93; 1981 c. 314 s. 144; 1983 a. 27, 245; 1985 a. 29; 1987 a. 27, 307, 399, 413; 1989 a. 9; 1989 a. 31 ss. 1462k to 1466d, 2909c to 2909i; 1989 a. 173, 336, 351; 1991 a. 39, 178, 269, 316; 1993 a. 16, 269, 277, 437; 1995 a. 27 ss. 3026 to 3028, 9126 (19); 1995 a. 225, 289, 295; 1997 a. 27.

7 **19.** Page 757, line 11: delete the material beginning with “, 253.07” on that line

8 and ending with “(c)” on line 12 and substitute “, ~~253.07 (3) (e)~~”.

9 **20.** Page 759, line 3: delete “, 253.07 (3) (c)” and substitute “, ~~253.07 (3) (e)~~”.

10 **21.** Page 1101, line 16: after that line insert:

11 **“SECTION 2063p.** 115.92 (1) of the statutes is amended to read:

12 115.92 (1) Any school board may establish a program for school age parents
13 who are residents of the school district. The program shall be designed to provide
14 services and instruction to meet the needs of school age parents, including education
15 on the skills required of a parent; ~~family planning, as defined in s. 253.07 (1) (a),~~
16 ~~including natural family planning;~~ and instruction on adoption and adoption
17 services. The instruction provided on adoption and adoption services shall include
18 instruction on the options available and the procedures followed in independent and
19 agency adoptions, including current practices regarding a birth parent’s
20 involvement in the selection of an adoptive home and the sharing of information
21 between birth parents and adoptive parents, instruction on the impact of adoption
22 on birth parents and children who have been adopted and an explanation that the
23 adoption process may be initiated even after a child has been born and has left the

1 hospital. The program shall be coordinated with existing vocational and job training
2 programs in the school district.”.

History: 1983 a. 374; 1985 a. 56; 1987 a. 158; 1991 a. 39; 1995 a. 27 s. 9145 (1); 1997 a. 27, 104, 240, 290.

3 **22.** Page 1102, line 25: after that line insert:

4 “SECTION 2067n. 118.019 (2) (e) of the statutes is amended to read:

5 118.019 (2) (e) Human sexuality; reproduction; ~~family planning, as defined in~~
6 ~~s. 253.07 (1) (a), including natural family planning;~~ human immunodeficiency virus
7 and acquired immunodeficiency syndrome; prenatal development; childbirth;
8 adoption; available prenatal and postnatal support; and male responsibility.”.

History: 1985 a. 56; 1987 a. 399; 1989 a. 203; 1995 a. 27; 1997 a. 27.

9 **23.** Page 1214, line 4: after that line insert:

10 “SECTION 2432d. 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:

11 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
12 department shall promote public awareness of the risk of contracting acquired
13 immunodeficiency syndrome and measures for acquired immunodeficiency
14 syndrome protection by development and distribution of information through clinics
15 providing family planning services, as defined in s. ~~253.07 (1) (b)~~ 49.001 (1s), offices
16 of physicians and clinics for sexually transmitted diseases and by newsletters, public
17 presentations or other releases of information to newspapers, periodicals, radio and
18 television stations and other public information resources. The information would
19 be targeted at individuals whose behavior puts them at risk of contracting acquired
20 immunodeficiency syndrome and would encompass the following topics:”.

History: 1987 a. 27, 70, 399; 1989 a. 31, 201, 326; 1991 a. 39, 80; 1993 a. 16; 1993 a. 27 ss. 318, 319, 322, 323; Stats. 1993 s. 252.12; 1995 a. 27; 1997 a. 27, 79.

21 **24.** Page 1215, line 4: after that line insert:

22 “SECTION 2435d. 253.02 (2) (a) of the statutes is amended to read:

1 253.02 (2) (a) Reproductive health services, including health services prior to
2 conception and family planning services, as defined in s. ~~253.07 (1) (b)~~ 49.001 (1s).”

History: 1993 a. 27; 1997 a. 27, 164.

3 **25.** Page 1215, line 22: after that line insert:

4 “**SECTION 2435qg.** 253.07 of the statutes is repealed.

5 **SECTION 2438p.** 253.10 (3) (c) 2. g. of the statutes is amended to read:

6 253.10 (3) (c) 2. g. That the printed materials described in par. (d) contain
7 information on the availability of public and private agencies and services to provide
8 the woman with information on family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001
9 (1r), including natural family planning information.”

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27, 278; Stats 1993 s. 253.10; 1995 a. 309; 1997 a. 27.

10 **26.** Page 1216, line 2: delete “~~253.07 (1) (a)~~” and substitute “~~253.07 (1) (a)~~
11 49.001 (1r)”.

12

(END)

D-NOTE

1999

INSERT 1-1

AMENDMENTS

LRB _____/____

_____:____:_____

\$\$\$ INCREASE/DECREASE

In the component bar, for a "regular" amendment item:

For the item text, execute: create -> item: -> m: -> \$inc-dec

#. Page 201, line 6: in(de)crease the dollar amount for fiscal year 1999-00 by \$ 250,000 and in(de)crease the dollar amount for fiscal year 2000-01 by \$ 40,000 [to ...crease funding for the [purpose] [purposes] for which the appropriation is made] to in.crease funding for dental services for minors under section 250.100 of the Statutes]*

#. Page, line: in(de)crease the dollar amount for fiscal year 1999-00 by \$, and in(de)crease the dollar amount for fiscal year 2000-01 by \$ [to ...crease funding for the [purpose] [purposes] for which the appropriation is made] [to ...crease funding for]*

In the component bar, for a "frozen" amendment item (used in amendments to amendments):

For the item text, execute: create -> item: -> afterline [or the applicable item]

For the "frozen" item text, execute: . create -> item: -> frz: -> m: -> \$inc-dec

#. Page, line: Page, line: in(de)crease the dollar amount for fiscal year 1999-00 by \$, and in(de)crease the dollar amount for fiscal year 2000-01 by \$ [to ...crease funding for the [purpose] [purposes] for which the appropriation is made] [to ...crease funding for]*

* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.

✓ ✓ ✓
. Page 595, line 8: delete " , 253.07(3)(c) " .

✓ ✓ ✓
. Page 603, line 18: delete " , 253.07(3)(c) " .

✓ ✓ ✓
. Page 620, line 16: delete " , 253.07(3)(c) " .

End of WS 2-18

1999
LRB 0872

PHK/CMT

D-NOTE

To Brian Dake:

This amendment repeals the definitions of "family planning" and "family planning services" in 3.253.07 and creates the definitions in 5.49.001 (1r) and (1s). The definitions are changed to pre-reconcile Amendment #82, which

deletes reference to pregnancy termination and substitutes promotion, encouragement, counseling and referral for the provision of nondirective

information. Further, I have deleted an explanation of what "family planning"

does not include from the definition of "family planning services", because it is redundant to the same language in the definition of "family planning".

they also occur in Amendment #82 1999 (LRB-0859/2) and Amendment #87 (LRB-0861).

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0773/1dn
DAK:cmh:mrc

June 24, 1999

To Brian Dake:

This amendment repeals the definitions of "family planning" and "family planning services" in s. 253.07 and creates the definitions in s. 49.001 (1r) and (1s). The definitions are changed to pre-reconcile them with the changes under Amendment #82 (1999 LRBb0872), which deletes reference to pregnancy termination and substitutes promotion, encouragement, counseling and referral for the provision of nondirective information; they also occur, in Amendment #82 (1999 LRB-0859/2) and Amendment #87 (1999 LRB-0867). Further, I have deleted an explanation of what "family planning" does not include from the definition of "family planning services", because it is redundant to the same language in the definition of "family planning".

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137

ALBERS

1999 - 2000 LEGISLATURE

LRBb0773/1
DAK:cmh:mrc

ARC:.....Dake - Amendment #78 Eliminate family planning services and prohibit expenditure of funds for family planning; add funding for childrens' oral health programs

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

SEE " ← " FOR LINES WITH CHANGES NEEDED - CHANGES WRITTEN IN

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 1. Page 201, line 6: increase the dollar amount for fiscal year 1999-00 by
- 3 \$250,000 and increase the dollar amount for fiscal year 2000-01 by \$40,000 to
- 4 increase funding for mental services for minors under section 250.10 of the statutes.
- 5 2. Page 201, line 20: delete that line.
- 6 3. Page 351, line 4: after that line insert:
- 7 "SECTION 430g. 20.435 (5) (f) of the statutes is repealed."
- 8 4. Page 418, line 25: after that line insert:
- 9 "SECTION 650d. 20.9273 of the statutes is created to read:

*needs appro;
def from 49.001 (1s)*

1 **20.9273 Prohibitions on funding for family planning services. (1)** In
2 this section, "family planning services" has the meaning given in s. ~~49.001 (1s)~~.

3 **(2)** Except for the provision of family planning services under ss. 49.43 to
4 49.499, no state agency or local governmental unit may authorize payment of funds
5 of this state, of any local governmental unit or of federal funds passing through the
6 state treasury for the provision of family planning services."

7 **5.** Page 419, line 4: after that line insert:

8 "SECTION 651d. 20.9275 (1) (e) of the statutes is amended to read:

9 20.9275 (1) (e) "Pregnancy program, project or service" means a program,
10 project or service of an organization that provides services for pregnancy prevention,
11 family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001 (1r), pregnancy testing,
12 pregnancy counseling, prenatal care, pregnancy services and reproductive health
13 care services that are related to pregnancy."

14 **6.** Page 559, line 24: delete the material beginning with ", 252.11 (7)" and
15 ending with "(c)" on line 25 and substitute ", and 252.11 (7) and ~~253.07 (3) (e)~~".

16 **7.** Page 561, line 8: delete the material beginning with ", 253.07" and ending
17 with "(c)" on line 9 and substitute ", ~~253.07 (3) (e)~~".

18 **8.** Page 563, line 18: delete the material beginning with ", 253.07" and ending
19 with "(c)" on line 19 and substitute ", ~~253.07 (3) (e)~~".

20 **9.** Page 564, line 25: delete the material beginning with ", 253.07" and ending
21 with "(c)" on page 565, line 1, and substitute ", ~~253.07 (3) (e)~~".

22 **10.** Page 595, line 8: delete ", 253.07 (3) (c)".

23 **11.** Page 603, line 18: delete ", 253.07 (3) (c)".

1 12. Page 620, line 16: delete ", 253.07 (3) (c)".

2 13. Page 648, line 18: after that line insert:

3 "SECTION 1138. 48.551 (2) (a) of the statutes is renumbered 48.55 (2) (a) and
4 amended to read:

5 48.55 (2) (a) Training persons who provide counseling to adolescents including
6 school counselors, county or department employes providing child welfare services
7 under s. 48.56 or 48.561 and employes of a clinic providing family planning services,
8 as defined in s. 253.07 (1) (b) 49.001 (1s)."
↑ repeal all this language.

9 14. Page 648, line 19: on lines 19 and 20, delete "(a)".

10 15. Page 655, line 23: after that line insert:

11 "SECTION 1201p. 49.001 (1r) of the statutes is created to read:

12 49.001 (1r) "Family planning" means voluntary action by individuals to
13 prevent or aid conception. "Family planning" ~~includes~~ the performance,
14 promotion, encouragement or counseling in favor of, or referral either directly or
15 through an intermediary for, voluntary termination of pregnancy, but ~~does not~~ include
16 the promotion, encouragement or counseling in favor of, or referral directly or
17 through an intermediary for any of the following:

18 (a) Prenatal care and delivery.

19 (b) Infant care, foster care or adoption.

20 SECTION 1201q. 49.001 (1s) of the statutes is created to read:

21 49.001 (1s) "Family planning services" mean counseling by trained personnel
22 regarding family planning; distribution of information relating to family planning;
23 and referral to licensed nurse practitioners within the scope of their practice.

pre-natal care and delivery services, infant care, foster care, or adoption.

no; do not do this

↑ repeal all this language.

1 licensed physicians or local health departments for consultation, examination,
2 medical treatment and prescriptions for the purpose of family planning.”

3 **16.** Page 676, line 21: after that line insert:

4 “SECTION 1274m. 49.159 (2) of the statutes is amended to read:

5 49.159 (2) MINOR CUSTODIAL PARENTS: FINANCIAL AND EMPLOYMENT COUNSELING.

6 A custodial parent who is under the age of 18 is eligible, regardless of that
7 individual's or that individual's parent's income or assets, to meet with a financial
8 and employment planner. The financial and employment planner may provide the
9 individual with information regarding Wisconsin works eligibility, available child
10 care services, employment and financial planning, [redacted] as
11 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other
12 food and nutrition programs.”

13 **17.** Page 691, line 6: after that line insert:

14 “SECTION 1335g. 49.19 (11s) (d) of the statutes is ^{repealed} [redacted]

15 ~~49.19 (11s) (d) From the appropriation under s. 20.145 (3) (a), the department~~
16 ~~may award grants to county departments under ss. 46.215, 46.22 and 46.23 for~~
17 ~~providing education services relating to family planning, as defined in s. 253.07 (1)~~
18 ~~(c), to persons who are subject to par. (b).”~~

19 **18.** Page 717, line 2: after that line insert:

20 “SECTION 1419r. 49.45 (18) (b) 5. of the statutes is amended to read:

21 49.45 (18) (b) 5. Family planning services, as defined in s. 253.07 (1) (b).”

22 **19.** Page 717, line 21: after that line insert:

23 “SECTION 1426d. 49.45 (24r) of the statutes is amended to read:

1 **49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT.** The department shall
2 request a waiver from the secretary of the federal department of health and human
3 services to permit the department to conduct a demonstration project to provide
4 family planning services, ~~as defined in s. 253.07 (1) (b)~~, under medical assistance to
5 any woman between the ages of 15 and 44 whose family income does not exceed 185%
6 of the poverty line for a family the size of the woman's family. If the waiver is granted
7 and in effect, the department shall implement the waiver no later than July 1, 1998,
8 or on the effective date of the waiver, whichever is later."

9 **20.** Page 723, line 3: after that line insert:

10 "SECTION 1434f. **49.46 (2) (a) 4. f.** of the statutes is amended to read:

11 **49.46 (2) (a) 4. f.** Services and supplies for family planning, ~~as defined in s.~~
12 ~~253.07 (1) (a)~~."

13 **21.** Page 723, line 20: after that line insert:

14 "SECTION 1437g. **49.46 (2) (be)** of the statutes is amended to read:

15 **49.46 (2) (be)** Benefits for an individual eligible under sub. (1) (a) 9. are limited
16 to those services under par. (a) or (b) that are related to pregnancy, including
17 postpartum services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or
18 related to other conditions which may complicate pregnancy."

19 **22.** Page 724, line 5: after that line insert:

20 "SECTION 1439g. **49.47 (6) (a) 7.** of the statutes is amended to read:

21 **49.47 (6) (a) 7.** Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
22 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum
23 services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or related to
24 other conditions which may complicate pregnancy."

1999 - 2000 Legislature

- 6 -

LRBb0773/1
DAK:cmh:mrc

1 **23.** Page 757, line 11: delete the material beginning with ", 253.07" and ending
2 with "(c)" on line 12 and substitute "~~, 253.07 (3) (e)~~".

3 **24.** Page 759, line 3: delete ", 253.07 (3) (c)" and substitute "~~, 253.07 (3) (e)~~".

4 **25.** Page 1101, line 16: after that line insert:

5 "SECTION 2063p. 115.92 (1) of the statutes is amended to read:

6 115.92 (1) Any school board may establish a program for school age parents
7 who are residents of the school district. The program shall be designed to provide
8 services and instruction to meet the needs of school age parents, including education
9 on the skills required of a parent; ~~family planning, as defined in s. 253.07 (1) (a),~~
10 ~~including natural family planning;~~ and instruction on adoption and adoption
11 services. The instruction provided on adoption and adoption services shall include
12 instruction on the options available and the procedures followed in independent and
13 agency adoptions, including current practices regarding a birth parent's
14 involvement in the selection of an adoptive home and the sharing of information
15 between birth parents and adoptive parents, instruction on the impact of adoption
16 on birth parents and children who have been adopted and an explanation that the
17 adoption process may be initiated even after a child has been born and has left the
18 hospital. The program shall be coordinated with existing vocational and job training
19 programs in the school district."

20 **26.** Page 1102, line 25: after that line insert:

21 "SECTION 2067n. 118.019 (2) (e) of the statutes is amended to read:

22 118.019 (2) (e) Human sexuality; reproduction; ~~family planning, as defined in~~
23 ~~s. 253.07 (1) (a), including natural family planning;~~ human immunodeficiency virus

1 and acquired immunodeficiency syndrome; prenatal development; childbirth;
2 adoption; available prenatal and postnatal support; and male responsibility.”

3 **27.** Page 1214, line 4: after that line insert:

4 “SECTION 2432d. 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:
5 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
6 department shall promote public awareness of the risk of contracting acquired
7 immunodeficiency syndrome and measures for acquired immunodeficiency
8 syndrome protection by development and distribution of information through clinics
9 providing family planning services, as defined in s. ~~253.07 (1) (b)~~ 49.001 (1s), offices
10 of physicians and clinics for sexually transmitted diseases and by newsletters, public
11 presentations or other releases of information to newspapers, periodicals, radio and
12 television stations and other public information resources. The information would
13 be targeted at individuals whose behavior puts them at risk of contracting acquired
14 immunodeficiency syndrome and would encompass the following topics:”

15 **28.** Page 1215, line 4: after that line insert:

16 “SECTION 2435d. 253.02 (2) (a) of the statutes is ~~amended to read~~ **repealed.** ✓ ←
17 ~~253.02 (2) (a) Reproductive health services, including health services prior to~~ ←
18 ~~conception and family planning services, as defined in s. 253.07 (1) (b) 49.001 (1s).”~~ ←

19 **29.** Page 1215, line 22: after that line insert:

20 “SECTION 2435qg. 253.07 of the statutes is repealed.
21 SECTION 2438p. 253.10 (3) (c) 2. g. of the statutes is ~~amended to read~~ **repealed.** ✓ ←
22 ~~253.10 (3) (c) 2. g. That the printed materials described in par. (d) contain~~ ←
23 ~~information on the availability of public and private agencies and services to provide~~ ←

1 ~~the woman with information on family planning, as defined in s. 252.07 (1) (a) 10.001~~ ←

2 ~~(1), including natural family planning information." ←~~

3 30. Page ¹²¹⁵ ~~1216~~, line ²⁵ 2. delete "~~252.07 (1) (a)~~" and substitute "~~252.07 (1) (a)~~" ←

4 ~~10.001 (1)~~ the material beginning with "and" and ending with ←
"information" on page 1216; line 2.

5 (END)

[NOTE: the ",and" refers to the
2nd "and" in the sentence
at the very end of the
line/page.]

SOON - In edit 6/26

1999 - 2000 LEGISLATURE

LRBb0773/2

DAK:cmh:rtg

D-NOTE

ARC:.....Dake – Amendment #78 Eliminate family planning services and prohibit expenditure of funds for family planning; add funding for childrens' oral health programs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 201, line 6: increase the dollar amount for fiscal year 1999-00 by
3 \$250,000 and increase the dollar amount for fiscal year 2000-01 by \$40,000 to
4 increase funding for dental services for minors under section 250.10 of the statutes.

5 **2.** Page 201, line 20: delete that line.

6 **3.** Page 351, line 4: after that line insert:

7 "SECTION 430g. 20.435 (5) (f) of the statutes is repealed."

8 **4.** Page 418, line 25: after that line insert:

9 "SECTION 650d. 20.9273 of the statutes is created to read:

1 **20.9273 Prohibitions on funding for family planning services.** (1) In

2 this section, ~~“family planning services” has the meaning given in s. 49.001 (1r)~~ ;

3 **INSERT 2-2**

3 (2) Except for the provision of family planning services under ss. 49.43 to
4 49.499, no state agency or local governmental unit may authorize payment of funds
5 of this state, of any local governmental unit or of federal funds passing through the
6 state treasury for the provision of family planning services.”.

7 **5.** Page 419, line 4: after that line insert:

8 “**SECTION 651d.** 20.9275 (1) (e) of the statutes is amended to read:

9 20.9275 (1) (e) “Pregnancy program, project or service” means a program,
10 project or service of an organization that provides services for pregnancy prevention,
11 family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001 (1r), pregnancy testing,
12 pregnancy counseling, prenatal care, pregnancy services and reproductive health
13 care services that are related to pregnancy.”.

14 **6.** Page 559, line 24: delete the material beginning with “, 252.11 (7)” and
15 ending with “(c)” on line 25 and substitute “, and 252.11 (7) and 253.07 (3) (e)”.

16 **7.** Page 561, line 8: delete the material beginning with “, 253.07” and ending
17 with “(c)” on line 9 and substitute “, ~~253.07 (3) (e)~~”.

18 **8.** Page 563, line 18: delete the material beginning with “, 253.07” and ending
19 with “(c)” on line 19 and substitute “, ~~253.07 (3) (e)~~”.

20 **9.** Page 564, line 25: delete the material beginning with “, 253.07” and ending
21 with “(c)” on page 565, line 1, and substitute “, ~~253.07 (3) (e)~~”.

22 **10.** Page 595, line 8: delete “, 253.07 (3) (c)”.

23 **11.** Page 603, line 18: delete “, 253.07 (3) (c)”.

1 **12.** Page 620, line 16: delete “, 253.07 (3) (c)”.

2 **13.** Page 648, line 18: after that line insert:

3 “**SECTION 1138r.** 48.551 (2) (a) of the statutes is renumbered 48.55 (2) (a) and
4 amended to read:

5 48.55 (2) (a) Training persons who provide counseling to adolescents including
6 school counselors, county or department employes providing child welfare services
7 under s. 48.56 or 48.561 and employes of a clinic providing family planning services,
8 as defined in s. 253.07 (1) (b) ~~49.001 (1a)~~.”

*prenatal care and delivery
services or infant care,
foster care or
adoption services*

9 **14.** Page 648, line 19: on lines 19 and 20, delete “(a),”.

10 **15.** Page 655, line 23: after that line insert:

11 “**SECTION 1201p.** 49.001 (1r) of the statutes is created to read:

12 49.001 (1r) “Family planning” means voluntary action by individuals to
13 prevent or aid conception. “Family planning” does not include the performance,
14 promotion, encouragement or counseling in favor of, or referral either directly or
15 through an intermediary for, voluntary termination of pregnancy, but may include
16 the promotion, encouragement or counseling in favor of, or referral directly or
17 through an intermediary for any of the following:

- 18 (a) Prenatal care and delivery.
- 19 (b) Infant care, foster care or adoption.

20 **SECTION 1201q.** 49.001 (1s) of the statutes is created to read:

21 49.001 (1s) “Family planning services” mean counseling by trained personnel
22 regarding family planning; distribution of information relating to family planning;
23 and referral to licensed nurse practitioners within the scope of their practice,

1 licensed physicians or local health departments for consultation, examination,
2 medical treatment and prescriptions for the purpose of family planning.”.

3 **16.** Page 676, line 21: after that line insert:

4 “SECTION 1274m. 49.159 (2) of the statutes is amended to read:

5 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.

6 A custodial parent who is under the age of 18 is eligible, regardless of that

7 individual's or that individual's parent's income or assets, to meet with a financial

8 and employment planner. The financial and employment planner may provide the

9 individual with information regarding Wisconsin works eligibility, available child

10 care services, employment and financial planning, ~~family planning services~~, as

11 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other

12 food and nutrition programs.”.

INSERT 4-12

13 **17.** Page 691, line 6: after that line insert:

14 “SECTION 1335g. 49.19 (11s) (d) of the statutes is ~~amended to read~~ repealed.”

WFO please fix component

15 49.19 (11s) (d) From the appropriation under s. 20.445 (3) (a), the department

16 may award grants to county departments under ss. 46.215, 46.22 and 46.23 for

17 providing education services relating to family planning, as defined in s. 253.07 (1)

18 (a), to persons who are subject to par. (b).”.

19 **18.** Page 717, line 2: after that line insert:

20 “SECTION 1419r. 49.45 (18) (b) 5. of the statutes is amended to read:

21 49.45 (18) (b) 5. Family planning services, as defined in s. 253.07 (1) (b).”.

22 **19.** Page 717, line 21: after that line insert:

23 “SECTION 1426d. 49.45 (24r) of the statutes is amended to read:

1 **49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT.** The department shall
2 request a waiver from the secretary of the federal department of health and human
3 services to permit the department to conduct a demonstration project to provide
4 family planning services, ~~as defined in s. 253.07 (1) (b)~~, under medical assistance to
5 any woman between the ages of 15 and 44 whose family income does not exceed 185%
6 of the poverty line for a family the size of the woman's family. If the waiver is granted
7 and in effect, the department shall implement the waiver no later than July 1, 1998,
8 or on the effective date of the waiver, whichever is later.”.

9 **20.** Page 723, line 3: after that line insert:

10 **“SECTION 1434p.** 49.46 (2) (a) 4. f. of the statutes is amended to read:

11 49.46 (2) (a) 4. f. Services and supplies for family planning, ~~as defined in s.~~
12 ~~253.07 (1) (a)~~.”.

13 **21.** Page 723, line 20: after that line insert:

14 **“SECTION 1437g.** 49.46 (2) (be) of the statutes is amended to read:

15 49.46 (2) (be) Benefits for an individual eligible under sub. (1) (a) 9. are limited
16 to those services under par. (a) or (b) that are related to pregnancy, including
17 postpartum services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or
18 related to other conditions which may complicate pregnancy.”.

19 **22.** Page 724, line 5: after that line insert:

20 **“SECTION 1439g.** 49.47 (6) (a) 7. of the statutes is amended to read:

21 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
22 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum
23 services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or related to
24 other conditions which may complicate pregnancy.”.

1 **23.** Page 757, line 11: delete the material beginning with “, 253.07” and ending
2 with “(c)” on line 12 and substitute “, ~~253.07 (3) (e)~~”.

3 **24.** Page 759, line 3: delete “, 253.07 (3) (c)” and substitute “, ~~253.07 (3) (e)~~”.

4 **25.** Page 1101, line 16: after that line insert:

5 “**SECTION 2063p.** 115.92 (1) of the statutes is amended to read:

6 115.92 (1) Any school board may establish a program for school age parents
7 who are residents of the school district. The program shall be designed to provide
8 services and instruction to meet the needs of school age parents, including education
9 on the skills required of a parent; ~~family planning, as defined in s. 253.07 (1) (a),~~
10 ~~including natural family planning;~~ and instruction on adoption and adoption
11 services. The instruction provided on adoption and adoption services shall include
12 instruction on the options available and the procedures followed in independent and
13 agency adoptions, including current practices regarding a birth parent’s
14 involvement in the selection of an adoptive home and the sharing of information
15 between birth parents and adoptive parents, instruction on the impact of adoption
16 on birth parents and children who have been adopted and an explanation that the
17 adoption process may be initiated even after a child has been born and has left the
18 hospital. The program shall be coordinated with existing vocational and job training
19 programs in the school district.”.

20 **26.** Page 1102, line 25: after that line insert:

21 “**SECTION 2067n.** 118.019 (2) (e) of the statutes is amended to read:

22 118.019 (2) (e) Human sexuality; reproduction; ~~family planning, as defined in~~
23 ~~s. 253.07 (1) (a), including natural family planning;~~ human immunodeficiency virus

1 and acquired immunodeficiency syndrome; prenatal development; childbirth;
2 adoption; available prenatal and postnatal support; and male responsibility.”

~~UNSUBMITTED~~

3 **27.** Page 1214, line 4: after that line insert:

4 “SECTION 2432d. 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:
5 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
6 department shall promote public awareness of the risk of contracting acquired
7 immunodeficiency syndrome and measures for acquired immunodeficiency
8 syndrome protection by development and distribution of information through clinics
9 providing family planning services, as defined in s. 253.07 (1) (b) 49.001 (1s), offices
10 of physicians and clinics for sexually transmitted diseases and by newsletters, public
11 presentations or other releases of information to newspapers, periodicals, radio and
12 television stations and other public information resources. The information would
13 be targeted at individuals whose behavior puts them at risk of contracting acquired
14 immunodeficiency syndrome and would encompass the following topics:”

15 **28.** Page 1215, line 4: after that line insert:

16 “SECTION 2435d. 253.02 (2) (a) of the statutes is ~~amended to read~~ ^{repealed.}
17 253.02 (2) (a) Reproductive health services, including health services prior to
18 conception and family planning services, as defined in s. 253.07 (1) (b) 49.001 (1s).”

WFO please fix component

19 **29.** Page 1215, line 22: after that line insert:

20 “SECTION 2435qg. 253.07 of the statutes is repealed.

(INSERT 7-18)

21 SECTION 2438p. 253.10 (3) (c) 2. g. of the statutes is ~~amended to read~~ ^{repealed.}
22 253.10 (3) (c) 2. g. That the printed materials described in par. (d) contain
23 information on the availability of public and private agencies and services to provide

WFO please fix component

1 the woman with information on family planning, as defined in s. ~~253.07(1)(a)~~ 49.001
 2 (1r), including natural family planning information.”.

INSECT 8-2
 3 ~~30~~ Page 1216, line 2: delete “253.07(1)(a)” and substitute “~~253.07(1)(a)~~
 4 49.001(1r)”.
 5

✓
(END)

INSECT
8-5

D-NOTE

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0773/2ins
DAK:cmh:mrc

1 **INSERT 2-2**

2 (a) "Family planning" means voluntary action by individuals to prevent or aid
3 conception. "Family planning" includes the performance, promotion,
4 encouragement or counseling in favor of, or referral either directly or through an
5 intermediary for, voluntary termination of pregnancy, but does not include the
6 providing of nondirective information explaining any of the following:

- 7 1. Prenatal care and delivery.
8 2. Infant care, foster care or adoption.

9 (b) "Family planning services" mean counseling by trained personnel
10 regarding family planning; distribution of information relating to family planning;
11 and referral to licensed nurse practitioners within the scope of their practice,
12 licensed physicians or local health departments for consultation, examination,
13 medical treatment and prescriptions for the purpose of family planning.

14 **INSERT 4-12**

15 1. Page 691, line 4: delete "to (d)" and substitute "to (d) and (c)".

16 **INSERT** ~~2-2~~ ⁸⁻⁵ W.P.O. - inserts are out of order

17 2. Page 121~~8~~, line ~~20~~ after that line insert:

18 "SECTION 243~~1g~~g. 253.10 (7) of the statutes is amended to read:

19 253.10 (7) AFFIRMATIVE DEFENSE. No person is liable under sub. (5) or (6) or

20 under s. 441.07 (1) (f), 448.02 (3) (a) or 457.26 (2) (gm) for failure under sub. (3) (c)

21 2. d. to provide the printed materials described in sub. (3) (d) to a woman or for failure

22 under sub. (3) (c) 2. d., e., or f. or g. to describe the contents of the printed materials

23 if the person has made a reasonably diligent effort to obtain the printed materials



1 under sub. (3) (e) and s. 46.245 and the department and the county department under
2 s. 46.215, 46.22 or 46.23 have not made the printed materials available at the time
3 that the person is required to give them to the woman. @

please fix
please check font

History: 1985 a. 56, 176; 1991 a. 263; 1993 a. 27 s. 378; Stats. 1993 s. 253.10; 1995 a. 309; 1997 a. 27.

4 **INSERT 7-18**

5 **SECTION 2435e.** 253.02 (2) (g) of the statutes is amended to read:

6 253.02 (2) (g) Maternal and child health system coordination services that
7 promote coordination of public and private sector activities in areas of the maternal
8 and child health program described in pars. (a) (b) to (f)."

History: 1993 a. 27; 1997 a. 27, 164.

9 **INSERT 8-2**

10 **3.** Page 1215, line 25: delete “, and”.

11 **4.** Page 1216, line 1: delete “information on family planning, as defined in”.

12 **5.** Page 1216, line 2: delete that line.

CM1

D-NOTE

To Brian Dake:

① 1. Among other things, this redraft repeals all of s. 49.19 (1)(s), which is no longer effective (it is a part of AFDC, for which no recipients continue to receive benefits).

~~TOP~~

② 2. This amendment will affect the provision of family planning services under BadgerCare.

It is my understanding that the waiver

obtained from the federal Health Care Financing

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this amendment does not permit that to

happen.

DJK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0773/2dn
DAK:cmh:jf

June 26, 1999

To Brian Dake:

1. Among other things, this redraft repeals all of s. 49.19 (11s), which is no longer effective (it is a part of AFDC, for which no recipients continue to receive benefits).

2. This amendment will affect the provision of family planning services under BadgerCare. It is my understanding that the waiver obtained from the federal Health Care Financing Administration included assurances that the benefits offered under BadgerCare would be identical to those under medical assistance; this amendment does not permit that to happen.

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Phone: (608) 266-0137



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBb0773/2
DAK:cmh:jf

ARC:.....Dake - Amendment #78 Eliminate family planning services and prohibit expenditure of funds for family planning; add funding for childrens' oral health programs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 201, line 6: increase the dollar amount for fiscal year 1999-00 by
3 \$250,000 and increase the dollar amount for fiscal year 2000-01 by \$40,000 to
4 increase funding for dental services for minors under section 250.10 of the statutes.

5 **2.** Page 201, line 20: delete that line.

6 **3.** Page 351, line 4: after that line insert:

7 "SECTION 430g. 20.435 (5) (f) of the statutes is repealed."

8 **4.** Page 418, line 25: after that line insert:

9 "SECTION 650d. 20.9273 of the statutes is created to read:

1 **20.9273 Prohibitions on funding for family planning services.** (1) In
2 this section:

3 (a) “Family planning” means voluntary action by individuals to prevent or aid
4 conception. “Family planning” includes the performance, promotion,
5 encouragement or counseling in favor of, or referral either directly or through an
6 intermediary for, voluntary termination of pregnancy, but does not include the
7 providing of nondirective information explaining any of the following:

- 8 1. Prenatal care and delivery.
- 9 2. Infant care, foster care or adoption.

10 (b) “Family planning services” mean counseling by trained personnel
11 regarding family planning; distribution of information relating to family planning;
12 and referral to licensed nurse practitioners within the scope of their practice,
13 licensed physicians or local health departments for consultation, examination,
14 medical treatment and prescriptions for the purpose of family planning.

15 (2) Except for the provision of family planning services under ss. 49.43 to
16 49.499, no state agency or local governmental unit may authorize payment of funds
17 of this state, of any local governmental unit or of federal funds passing through the
18 state treasury for the provision of family planning services.”

19 **5.** Page 419, line 4: after that line insert:

20 “**SECTION 651d.** 20.9275 (1) (e) of the statutes is amended to read:

21 20.9275 (1) (e) “Pregnancy program, project or service” means a program,
22 project or service of an organization that provides services for pregnancy prevention,
23 family planning, as defined in s. ~~253.07 (1) (a)~~ 49.001 (1r), pregnancy testing,

1 pregnancy counseling, prenatal care, pregnancy services and reproductive health
2 care services that are related to pregnancy.”

3 **6.** Page 559, line 24: delete the material beginning with “, 252.11 (7)” and
4 ending with “(c)” on line 25 and substitute “, and 252.11 (7) and 253.07 (3) (e)”.

5 **7.** Page 561, line 8: delete the material beginning with “, 253.07” and ending
6 with “(c)” on line 9 and substitute “, ~~253.07 (3) (e)~~”.

7 **8.** Page 563, line 18: delete the material beginning with “, 253.07” and ending
8 with “(c)” on line 19 and substitute “, ~~253.07 (3) (e)~~”.

9 **9.** Page 564, line 25: delete the material beginning with “, 253.07” and ending
10 with “(c)” on page 565, line 1, and substitute “, ~~253.07 (3) (e)~~”.

11 **10.** Page 595, line 8: delete “, 253.07 (3) (c)”.

12 **11.** Page 603, line 18: delete “, 253.07 (3) (c)”.

13 **12.** Page 620, line 16: delete “, 253.07 (3) (c)”.

14 **13.** Page 648, line 18: after that line insert:

15 “**SECTION 1138r.** 48.551 (2) (a) of the statutes is renumbered 48.55 (2) (a) and
16 amended to read:

17 48.55 (2) (a) Training persons who provide counseling to adolescents including
18 school counselors, county or department employes providing child welfare services
19 under s. 48.56 or 48.561 and employes of a clinic providing ~~family planning services,~~
20 ~~as defined in s. 253.07 (1) (b) prenatal care and delivery services or infant care, foster~~
21 care or adoption services.”

22 **14.** Page 648, line 19: on lines 19 and 20, delete “(a),”.

23 **15.** Page 655, line 23: after that line insert:

1 **SECTION 1201p.** 49.001 (1r) of the statutes is created to read:

2 49.001 (1r) "Family planning" means voluntary action by individuals to
3 prevent or aid conception. "Family planning" does not include the performance,
4 promotion, encouragement or counseling in favor of, or referral either directly or
5 through an intermediary for, voluntary termination of pregnancy, but may include
6 the promotion, encouragement or counseling in favor of, or referral directly or
7 through an intermediary for any of the following:

8 (a) Prenatal care and delivery.

9 (b) Infant care, foster care or adoption.

10 **SECTION 1201q.** 49.001 (1s) of the statutes is created to read:

11 49.001 (1s) "Family planning services" mean counseling by trained personnel
12 regarding family planning; distribution of information relating to family planning;
13 and referral to licensed nurse practitioners within the scope of their practice,
14 licensed physicians or local health departments for consultation, examination,
15 medical treatment and prescriptions for the purpose of family planning."

16 **16.** Page 676, line 21: after that line insert:

17 **SECTION 1274m.** 49.159 (2) of the statutes is amended to read:

18 49.159 (2) MINOR CUSTODIAL PARENTS; FINANCIAL AND EMPLOYMENT COUNSELING.
19 A custodial parent who is under the age of 18 is eligible, regardless of that
20 individual's or that individual's parent's income or assets, to meet with a financial
21 and employment planner. The financial and employment planner may provide the
22 individual with information regarding Wisconsin works eligibility, available child
23 care services, employment and financial planning, ~~family planning services, as~~

1 defined in s. 253.07 (1) (b), community resources, eligibility for food stamps and other
2 food and nutrition programs.”.

3 **17.** Page 691, line 4: delete “to (d)” and substitute “~~to (d)~~ and (c)”.

4 **18.** Page 691, line 6: after that line insert:

5 “SECTION 1335g. 49.19 (11s) (d) of the statutes is repealed.”.

6 **19.** Page 717, line 2: after that line insert:

7 “SECTION 1419r. 49.45 (18) (b) 5. of the statutes is amended to read:

8 49.45 (18) (b) 5. Family planning services, ~~as defined in s. 253.07 (1) (b).~~”.

9 **20.** Page 717, line 21: after that line insert:

10 “SECTION 1426d. 49.45 (24r) of the statutes is amended to read:

11 49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT. The department shall
12 request a waiver from the secretary of the federal department of health and human
13 services to permit the department to conduct a demonstration project to provide
14 family planning services, ~~as defined in s. 253.07 (1) (b),~~ under medical assistance to
15 any woman between the ages of 15 and 44 whose family income does not exceed 185%
16 of the poverty line for a family the size of the woman’s family. If the waiver is granted
17 and in effect, the department shall implement the waiver no later than July 1, 1998,
18 or on the effective date of the waiver, whichever is later.”.

19 **21.** Page 723, line 3: after that line insert:

20 “SECTION 1434p. 49.46 (2) (a) 4. f. of the statutes is amended to read:

21 49.46 (2) (a) 4. f. Services and supplies for family planning, ~~as defined in s.~~
22 ~~253.07 (1) (a).~~”.

23 **22.** Page 723, line 20: after that line insert:

24 “SECTION 1437g. 49.46 (2) (be) of the statutes is amended to read:

1 49.46 (2) (be) Benefits for an individual eligible under sub. (1) (a) 9. are limited
2 to those services under par. (a) or (b) that are related to pregnancy, including
3 postpartum services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or
4 related to other conditions which may complicate pregnancy.”

5 **23.** Page 724, line 5: after that line insert:

6 “**SECTION 1439g.** 49.47 (6) (a) 7. of the statutes is amended to read:

7 49.47 (6) (a) 7. Beneficiaries eligible under sub. (4) (a) 2. or (am) 1., for services
8 under s. 49.46 (2) (a) and (b) that are related to pregnancy, including postpartum
9 services and family planning services, ~~as defined in s. 253.07 (1) (b)~~, or related to
10 other conditions which may complicate pregnancy.”

11 **24.** Page 757, line 11: delete the material beginning with “, 253.07” and ending
12 with “(c)” on line 12 and substitute “, ~~253.07 (3) (c)~~”.

13 **25.** Page 759, line 3: delete “, 253.07 (3) (c)” and substitute “, ~~253.07 (3) (c)~~”.

14 **26.** Page 1101, line 16: after that line insert:

15 “**SECTION 2063p.** 115.92 (1) of the statutes is amended to read:

16 115.92 (1) Any school board may establish a program for school age parents
17 who are residents of the school district. The program shall be designed to provide
18 services and instruction to meet the needs of school age parents, including education
19 on the skills required of a parent; ~~family planning, as defined in s. 253.07 (1) (a),~~
20 ~~including natural family planning;~~ and instruction on adoption and adoption
21 services. The instruction provided on adoption and adoption services shall include
22 instruction on the options available and the procedures followed in independent and
23 agency adoptions, including current practices regarding a birth parent’s
24 involvement in the selection of an adoptive home and the sharing of information

1 between birth parents and adoptive parents, instruction on the impact of adoption
2 on birth parents and children who have been adopted and an explanation that the
3 adoption process may be initiated even after a child has been born and has left the
4 hospital. The program shall be coordinated with existing vocational and job training
5 programs in the school district.”.

6 **27.** Page 1102, line 25: after that line insert:

7 “**SECTION 2067n.** 118.019 (2) (e) of the statutes is amended to read:

8 118.019 (2) (e) Human sexuality; reproduction; ~~family planning, as defined in~~
9 ~~s. 253.07 (1) (a), including natural family planning;~~ human immunodeficiency virus
10 and acquired immunodeficiency syndrome; prenatal development; childbirth;
11 adoption; available prenatal and postnatal support; and male responsibility.”.

12 **28.** Page 1214, line 4: after that line insert:

13 “**SECTION 2432d.** 252.12 (2) (a) 3. (intro.) of the statutes is amended to read:

14 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
15 department shall promote public awareness of the risk of contracting acquired
16 immunodeficiency syndrome and measures for acquired immunodeficiency
17 syndrome protection by development and distribution of information through clinics
18 providing family planning services, as defined in s. ~~253.07 (1) (b)~~ 49.001 (1s), offices
19 of physicians and clinics for sexually transmitted diseases and by newsletters, public
20 presentations or other releases of information to newspapers, periodicals, radio and
21 television stations and other public information resources. The information would
22 be targeted at individuals whose behavior puts them at risk of contracting acquired
23 immunodeficiency syndrome and would encompass the following topics:”.

24 **29.** Page 1215, line 4: after that line insert:

