

2001 DRAFTING REQUEST

Bill

Received: 09/12/2000

Received By: isagerro

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Himself

This file may be shown to any legislator: NO

Drafter: isagerro

May Contact:

Alt. Drafters:

Subject: Public Assistance - med. assist.

Extra Copies: DAK

Pre Topic:

No specific pre topic given

Topic:

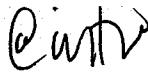
Badger care for low-income child care workers

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>
/?	isagerro 09/15/2000	hhagen 10/30/2000		_____			S&L
/1			pgreensl 10/31/2000	_____	gretskl 10/31/2000		S&L
/2	isagerro 02/13/2001	hhagen 02/13/2001	pgreensl 02/13/2001	_____	lrb_docadmin 02/13/2001	lrb_docadmin 02/21/2001	

FE Sent For: 

<END>

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/?	isagerro 09/15/2000	hhagen 10/30/2000					S&L
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2/13  
P8 <END>

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1?	isagerro	71 hmb 10/17/00 1 0/30 jld	10/30 pg	10/30 pg  cm			

FE Sent For:

<END>

\* Rep Black Request

-redraft AB 397 from '99

0265/1  
LRB-~~2942~~  
WV:cmh:mrc  
↑ hmk  
ISR jcl  
+ (RM not run)

2001  
~~1999~~ ASSEMBLY BILL ~~397~~

NOTE

m 9/15  
thanks

LPS: Please  
Proof all  
amended sections  
w/ BLS.

July 6, 1999 - Introduced by Representatives BLACK, MILLER, HASENOHRI, BOCK, RICHARDS, POCAN, LA FAVE, TURNER, BERCEAU, PIALE, REYNOLDS, J. LEHMAN, KREUSER, BOYLE and PLOUFF, cosponsored by Senators RISSER, DARLING and ERFBACH. Referred to Committee on Health.

Regenerate

1 AN ACT *to renumber and amend* 49.665 (1) (e); *to amend* 20.435 (5) (bc), 20.435  
2 (5) (jz), 20.435 (5) (o), 20.435 (5) (p), 49.665 (3), 49.665 (4) (b), 49.665 (4) (c) and  
3 49.665 (5); and *to create* 49.665 (1) (bq), 49.665 (1) (c) 2. and 49.665 (4) (am)  
4 of the statutes; **relating to:** extending badger care to low income child care  
5 workers, granting rule-making authority, and making an appropriation.

and children

**Analysis by the Legislative Reference Bureau**

Currently, under the badger care program, families with incomes below 185% of the federal poverty line who meet certain criteria are eligible for partially or wholly subsidized coverage of the same health services and benefits offered under the medical assistance program. "Family" is defined as at least one dependent child and his or her custodial parent or parents.

This bill expands the badger care program to cover individuals who are child care workers who meet the income and nonfinancial eligibility requirements. Under the bill, child care workers need not be parents to qualify for the health care coverage. For further information see the **state and local** 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:**

✓  
Insert Analysis 1

✓  
Insert Analysis 2

ASSEMBLY BILL 397

SECTION 1. 20.435 (bc) of the statutes is amended to read:

20.435 (bc) Health care for low-income families and eligible individuals.

As a continuing appropriation, the amounts in the schedule A sum sufficient for the badger care health care program for low-income families and eligible individuals under s. 49.665.

SECTION 2. 20.435 (5) (jz) of the statutes is amended to read:

20.435 (5) (jz) Badger care premiums. All moneys received from payments under s. 49.665 (5) to be used for the badger care health care program for low-income families and eligible individuals under s. 49.466 49.665.

SECTION 3. 20.435 (o) of the statutes is amended to read:

20.435 (o) Federal aid; medical assistance. All federal moneys received for meeting costs of medical assistance administered under ss. 49.284 (5) and permitted under federal law, s. 49.665, to be used for those purposes

SECTION 4. 20.435 (p) of the statutes is amended to read:

20.435 (p) Federal aid; health care for low-income families. All federal moneys received for the badger care health care program for low-income families under s. 49.665, to be used for that the purpose of providing health care coverage to low-income families that are eligible under s. 49.665 (4) (a) for the badger care health care program and children who are eligible under s. 49.665 (4) (am) and children

SECTION 5. 49.665 (1) (bq) of the statutes is created to read:

49.665 (1) (bq) "Eligible individual" means an individual who is eligible under sub. (4) (am) for health care coverage under this section.

SECTION 6. 49.665 (1) (c) of the statutes is renumbered 49.665 (1) (c) (intro.) and

amended to read:

Inset 2-9

Strike comma

under the badger care health care program

ASSEMBLY BILL 397

1 49.665 (1) (c) (intro.) "Employer-subsidized health care coverage" means one  
2 of the following:

3 1. With respect to a family eligible under sub. (4) (a) <sup>or a child eligible</sup>  
4 group health insurance plan offered by an employer for which the employer pays at <sup>under sub. (4) (a) (am)</sup>  
5 least 80% of the cost, excluding any deductibles or copayments that may be required  
6 under the plan.

7 SECTION 7. 49.665 (1) (c) 2. of the statutes is created to read:

8 49.665 (1) (c) 2. With respect to <sup>a child care worker eligible under sub. (4)</sup> ~~an eligible individual~~, coverage under a group <sup>(ag)</sup>  
9 health insurance plan offered by the eligible individual's employer, or by the  
10 employer of a family member of the eligible individual, for which the eligible  
11 individual qualifies and for which the employer pays at least 80% of the cost,  
12 excluding any deductibles or copayments that may be required under the plan.

13 SECTION 8. 49.665 (3) of the statutes is amended to read:

14 49.665 (3) ADMINISTRATION. The department shall administer a program to  
15 provide the health services and benefits described in s. 49.46 (2) to families that meet  
16 the eligibility requirements specified in sub. (4) and to eligible individuals. The  
17 department shall promulgate rules setting forth the application procedures and  
18 appeal and grievance procedures. The department may promulgate rules limiting  
19 access to the program under this section to defined enrollment periods. The  
20 department may also promulgate rules establishing a method by which the  
21 department may purchase family coverage offered by the employer of a member of  
22 an eligible family, or individual coverage offered by the employer of an eligible  
23 individual, under circumstances in which the department determines that  
24 purchasing that coverage would not be more costly than providing the coverage  
25 under this section.

MEET 3-25 →



ASSEMBLY BILL 397

SECTION 9

(ag)

SECTION 9. 49.665 (4) ~~of~~ of the statutes is created to read:

49.665 (4) ~~(AAA)~~ <sup>(ag)</sup> An individual ~~is~~ <sup>is</sup> eligible for health care coverage under this section if the individual meets all of the following requirements:

1. The individual is employed by a child care provider as a child care worker for at least 30 hours per week.

2. The individual's income does not exceed 185% of the poverty line, except that an individual who is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall establish by rule the criteria to be used to determine income.

3. The individual does not have access to employer-subsidized health care coverage and has not had access to employer-subsidized health care coverage within the time period established by the department by rule, but not to exceed 18 months, immediately preceding application for health care coverage under this section. The department may establish exceptions to this subdivision by rule.

4. The individual meets all other requirements established by the department by rule. The department may not require that an individual under this paragraph be a parent ~~as a condition of eligibility.~~

as a condition of eligibility for health care under this paragraph

SECTION 10. 49.665 (4) (B) of the statutes is amended to read:

49.665 (4) (b) Notwithstanding fulfillment of the eligibility requirements under this subsection, a family or eligible individual is not entitled to health care coverage under this section.

SECTION 11. 49.665 (4) (c) of the statutes is amended to read:

49.665 (4) (c) No family may be denied health care coverage under this section solely because of a health condition of any family member and no eligible individual

Insert 4-17-00

## ASSEMBLY BILL 397

1 ~~may be denied health care coverage under this section solely because of a health~~  
2 ~~condition of that individual.~~

3 SECTION 12. 49.665 (5) of the statutes is amended to read:

4 ~~49.665 (5) LIABILITY FOR COST. (a) Except as provided in par. (b), a family that~~  
5 ~~or eligible individual who receives health care coverage under this section shall pay~~  
6 ~~a percentage of the cost of that coverage in accordance with a schedule established~~  
7 ~~by the department by rule. If the schedule established by the department requires~~  
8 ~~a family or eligible individual to contribute more than 3% of the family's or of the~~  
9 ~~eligible individual's income towards the cost of the health care coverage provided~~  
10 ~~under this section, the department shall submit the schedule to the joint committee~~  
11 ~~on finance for review and approval of the schedule. If the cochairpersons of the joint~~  
12 ~~committee on finance do not notify the department within 14 working days after the~~  
13 ~~date of the department's submittal of the schedule that the committee has scheduled~~  
14 ~~a meeting to review the schedule, the department may implement the schedule. If,~~  
15 ~~within 14 days after the date of the department's submittal of the schedule, the~~  
16 ~~cochairpersons of the committee notify the department that the committee has~~  
17 ~~scheduled a meeting to review the schedule, the department may not require a family~~  
18 ~~or eligible individual to contribute more than 3% of the family's or of the eligible~~  
19 ~~individual's income unless the joint committee on finance approves the schedule.~~  
20 ~~The joint committee on finance may not approve and the department may not~~  
21 ~~implement a schedule that requires a family or eligible individual to contribute more~~  
22 ~~than 3.5% of the family's or of the eligible individual's income towards the cost of the~~  
23 ~~health care coverage provided under this section.~~



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0265/lins  
ISR:.....

Insert Analysis 1

*R* Also under current law, if the department of health and family services (department) determines that funding for the badger care program is insufficient to provide health care to all eligible families and children, the department must submit a plan for lowering the maximum income level for initial eligibility for the program to the Joint Committee on Finance (JCF) for review and approval. If JCF approves a lower maximum income level, the lower maximum income level applies only to families and children who apply for the badger care program after JCF approved the lower income level. If, after the lower maximum income level is implemented, the department determines that funding for the program is sufficient to raise the maximum income level, the department must raise the income level.

Insert Analysis 2

*R* The bill also eliminates the requirement that ~~WAYS~~ <sup>the department</sup> lower the maximum income level for initial eligibility if funding for the program is insufficient. Finally, the bill changes the badger care program's general program revenue sum certain appropriation to a sum sufficient appropriation.

Insert 2-9

*X*  
SECTION 1. 20.435 (4) (jz) of the statutes is amended to read:

20.435 (4) (jz) *Badger care premiums.* All moneys received from payments under s. 49.665 (5) to be used for the badger care health care program for low-income families <sup>✓</sup> and individuals under s. 49.665.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 179 to 137, 974 (18) (d), 929 (55); 1977 c. 428 a. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 3, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186.

Insert 3-25

*X*  
SECTION 2. 49.665 (3) of the statutes is amended to read:

49.665 (3) ADMINISTRATION. The department shall administer a program to provide the health services and benefits described in s. 49.46 (2) to persons that meet

the eligibility requirements specified in sub. (4). The department shall promulgate rules setting forth the application procedures and appeal and grievance procedures. The department may promulgate rules limiting access to the program under this section to defined enrollment periods. The department may also promulgate rules establishing a method by which the department may purchase family coverage offered by the employer of a member of an eligible family or by a member of a child's household, or individual coverage offered by the employer of an eligible child care worker, under circumstances in which the department determines that purchasing that coverage would not be more costly than providing the coverage under this section.

History: 1997 a. 27, 237; 1999 a. 9.

**SECTION 3.** 49.665 (4) (a) 1. of the statutes is amended to read:

49.665 (4) (a) 1. The family's income does not exceed 185% of the poverty line, ~~except as provided in par. (a) and~~ except that a family that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall establish by rule the criteria to be used to determine income.

History: 1997 a. 27, 237; 1999 a. 9.

Insert 4-17

**SECTION 4.** 49.665 (4) (am) 1. of the statutes is amended to read:

49.665 (4) (am) 1. The child's income does not exceed 185% of the poverty line, ~~except as provided in par. (a) and~~ except that a child that is already receiving health care coverage under this section may have an income that does not exceed 200% of the poverty line. The department shall use the criteria established under par. (a) 1. to determine income under this subdivision.

History: 1997 a. 27, 237; 1999 a. 9.

**SECTION 5.** 49.665 (4) (at) of the statutes is repealed.

~~X~~  
SECTION 6. 49.665 (5) (a) of the statutes is amended to read:

~~\*~~ 49.665 (5) (a) Except as provided in pars. (b) and (bm), <sup>plain</sup> a family, or child who  
~~\*~~ does not reside with his or her parent, ~~person~~ <sup>an individual</sup> who receives health care coverage  
under this section shall pay a percentage of the cost of that coverage in accordance  
with a schedule established by the department by rule. If the schedule established  
by the department requires <sup>↓</sup> a family, or child who does not reside with his or her  
~~\*~~ parent, ~~person~~ <sup>an individual</sup> to contribute more than 3% of the family's or child's ~~person's~~ <sup>individual's</sup> income  
towards the cost of the health care coverage provided under this section, the  
department shall submit the schedule to the joint committee on finance for review  
and approval of the schedule. If the cochairpersons of the joint committee on finance  
do not notify the department within 14 working days after the date of the  
department's submittal of the schedule that the committee has scheduled a meeting  
to review the schedule, the department may implement the schedule. If, within 14  
days after the date of the department's submittal of the schedule, the cochairpersons  
of the committee notify the department that the committee has scheduled a meeting  
to review the schedule, the department may not require ~~a family, or child who does~~  
~~\*~~ ~~not reside with his or her parent, person~~ <sup>an individual</sup> to contribute more than 3% of the family's  
~~\*~~ or child's ~~person's~~ <sup>individual's</sup> income unless the joint committee on finance approves the  
~~\*~~ schedule. The joint committee on finance may not approve and the department may  
~~\*~~ not implement a schedule that requires ~~a family or child person~~ <sup>an individual</sup> to contribute more  
~~\*~~ than 3.5% of the family's or child's ~~person's~~ <sup>individual's</sup> income towards the cost of the health care  
coverage provided under this section.

History: 1997 a. 27, 237; 1999 a. 9.

~~X~~  
SECTION 7. 49.665 (5) (b) of the statutes is amended to read:

49.665 (5) (b) The department may not require a family, or child who does not  
 reside with his or her parent, ~~person~~ <sup>an individual</sup> with an income below 150% of the poverty line  
 to contribute to the cost of health care coverage provided under this section.

History: 1997 a. 21, 237; 1999 a. 9.

**SECTION 8.** 49.665 (5) (c) of the statutes is amended to read:

49.665 (5) (c) The department may establish by rule requirements for wage  
 withholding as a means of collecting the family's ~~share~~ <sup>an individual's</sup> share of the cost of the  
 health care coverage under this section.

History: 1997 a. 27, 237; 1999 a. 9.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0265/1dn

ISR:...

hmb  
+  
jcd

September 15, 2000 ← new date

please  
fix space (make smaller)

Representative Black:

I made several changes to 1999 Assembly Bill 397 to reflect the changes made to the badger care program by 1999 Wisconsin Act 9 (the biennial budget). Please review this bill carefully to ensure that it is consistent with your intent.

Specifically, I assumed that you wanted to eliminate s. 49.665 (4) (at), stats., which requires DHFS to lower the maximum income level if funding for the program is insufficient. The creation of a sum sufficient appropriation in Section 1 of this bill seems to render s. 49.665 (4) (at), stats., unnecessary. If this was not your intent, please let me know.

CS

If you have any questions regarding the bill, or if you would like to request a redraft, please do not hesitate to contact me.

Ivy G. Sager-Rosenthal  
Legislative Attorney  
Phone: (608) 261-4455  
E-mail: ivy.sager-rosenthal@legis.state.wi.us



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0265/1dn  
ISR:hmh&jld.pg

October 30, 2000

**Representative Black:**

I made several changes to 1999 Assembly Bill 397 to reflect the changes made to the badger care program by 1999 Wisconsin Act 9 (the biennial budget). Please review this bill carefully to ensure that it is consistent with your intent.

Specifically, I assumed that you wanted to eliminate s. 49.665 (4) (at), stats., which requires DHFS to lower the maximum income level if funding for the program is insufficient. The creation of a sum sufficient appropriation in SECTION 1 of this bill seems to render s. 49.665 (4) (at), stats., unnecessary. If this was not your intent, please let me know.

If you have any questions regarding the bill, or if you would like to request a redraft, please do not hesitate to contact me.

Ivy G. Sager-Rosenthal  
Legislative Attorney  
Phone: (608) 261-4455  
E-mail: [ivy.sager-rosenthal@legis.state.wi.us](mailto:ivy.sager-rosenthal@legis.state.wi.us)

\* 1/18/01 11:00 am

\* Rep. Black, Susan (aide)

- sum sufficient for <sup>only</sup> child care workers



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-02651

ISR:hmh&jld:pg

2  
stays  
RMTZ

2001 BILL

By Fri  
02/16/01  
if possible

Regenerate

1 AN ACT *to repeal* 49.665 (4) (at); *to renumber and amend* 49.665 (1) (c); *to*  
2 *amend* 20.435 (4) (bc), 20.435 (4) (jz), 20.435 (4) (o), 20.435 (4) (p), 49.665 (3),  
3 49.665 (4) (a) 1., 49.665 (4) (am) 1., 49.665 (5) (a), 49.665 (5) (b) and 49.665 (5)  
4 (c); and *to create* 49.665 (1) (c) 2. and 49.665 (4) (ag) of the statutes; **relating**  
5 **to:** ~~extending~~ <sup>health care for</sup> ~~badger care~~ <sup>under the badger</sup> low-income child care workers, <sup>granting</sup> ~~rule-making~~ <sup>care</sup> authority, and making ~~an~~ <sup>health</sup> appropriation. <sup>care program</sup>

Insert Analysis

**Analysis by the Legislative Reference Bureau**

Currently, under the badger care program, families and children with incomes below 185% of the federal poverty line who meet certain criteria are eligible for partially or wholly subsidized coverage of the same health services and benefits offered under the medical assistance program. "Family" is defined as at least one dependent child and his or her custodial parent or parents.

Also under current law, if the department of health and family services (department) determines that funding for the badger care program is insufficient to provide health care to all eligible families and children, the department must submit a plan for lowering the maximum income level for initial eligibility for the program to the joint committee on finance (JCF) for review and approval. If JCF approves a lower maximum income level, the lower maximum income level applies only to families and children who apply for the badger care program after JCF approved the lower income level. If, after the lower maximum income level is implemented, the

**BILL**

department determines that funding for the program is sufficient to raise the maximum income level, the department must raise the income level.

This bill expands the badger care program to ~~provide~~ individuals who are child care workers who meet the income and nonfinancial eligibility requirements. Under the bill, child care workers ~~are not~~ <sup>are not required to</sup> be parents to qualify for ~~the~~ health care coverage.

The bill also eliminates the requirement that the department lower the maximum income level for initial eligibility if funding for the program is insufficient. Finally, the bill changes the badger care program's general program revenue sum certain appropriation to a sum sufficient appropriation.

For further information see the *state and local* 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 (4) (bc) of the statutes is amended to read:

2 20.435 (4) (bc) ~~Health care for low-income families and individuals.~~ <sup>children</sup> ~~As a~~ <sup>plain</sup> ~~continuing appropriation, the amounts in the schedule~~ ~~of sum sufficient~~ <sup>As a</sup> ~~for the~~ <sup>strike</sup> ~~badger care health care program for~~ <sup>to provide</sup> ~~low-income families and individuals~~ <sup>children</sup> under s.

3 49.665.

4 SECTION 2. 20.435 (4) (jz) of the statutes is amended to read:

5 20.435 (4) (jz) *Badger care premiums.* All moneys received from payments <sup>the badger care health care program</sup> ~~under~~ <sup>strike</sup> ~~under s. 49.665 (5) to be used for the badger care health care program for low-income~~ <sup>strike</sup> ~~families and individuals~~ under s. 49.665.

6 SECTION 3. 20.435 (4) (o) of the statutes is amended to read:

7 20.435 (4) (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of medical assistance administered under ss. 46.284 (5), and 49.45 and, to the extent permitted under federal law, s. 49.665, to be used for those purposes.

8 SECTION 4. 20.435 (4) (p) of the statutes is amended to read:

9 20.435 (4) (p) *Federal aid; health care for low-income families and children.*  
10 All federal moneys received for the badger care health care program for low-income

Badger Care  
current law

Insert  
2-5

plain

As a

provide health care to

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plain

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children

the badger care health care program under

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**BILL**

1 families under s. 49.665, to be used for ~~that~~ the purpose of providing health care  
2 coverage under the badger care health care program to low-income families ~~who are~~  
3 ~~eligible under s. 49.665 (1) (a) and children who are eligible under s. 49.665 (1) (am).~~

4 **SECTION 5.** 49.665 (1) (c) of the statutes is renumbered 49.665 (1) (c) (intro.) and  
5 amended to read:

6 49.665 (1) (c) (intro.) "Employer-subsidized health care coverage" means one  
7 of the following:

8 1. With respect to a family eligible under sub. (4) (a) or a child eligible under  
9 sub. (4) (am), family coverage under a group health insurance plan offered by an  
10 employer for which the employer pays at least 80% of the cost, excluding any  
11 deductibles or copayments that may be required under the plan.

12 **SECTION 6.** 49.665 (1) (c) 2. of the statutes is created to read:

13 49.665 (1) (c) 2. With respect to a child care worker eligible under sub. (4) (ag),  
14 coverage under a group health insurance plan offered by the eligible individual's  
15 employer, or by the employer of a family member of the eligible individual, for which  
16 the eligible individual qualifies and for which the employer pays at least 80% of the  
17 cost, excluding any deductibles or copayments that may be required under the plan.

18 **SECTION 7.** 49.665 (3) of the statutes is amended to read:

19 49.665 (3) ADMINISTRATION. The department shall administer a program to  
20 provide the health services and benefits described in s. 49.46 (2) to persons that meet  
21 the eligibility requirements specified in sub. (4). The department shall promulgate  
22 rules setting forth the application procedures and appeal and grievance procedures.  
23 The department may promulgate rules limiting access to the program under this  
24 section to defined enrollment periods. The department may also promulgate rules  
25 establishing a method by which the department may purchase family coverage

**BILL**

1 offered by the employer of a member of an eligible family or by a member of a child's  
2 household, or individual coverage offered by the employer of an eligible child care  
3 worker, under circumstances in which the department determines that purchasing  
4 that coverage would not be more costly than providing the coverage under this  
5 section.

6 **SECTION 8.** ~~49.665 (4) (a) 1. of the statutes is amended to read:~~

7 ~~49.665 (4) (a) 1. The family's income does not exceed 185% of the poverty line,~~  
8 ~~except as provided in par. (at) and except that a family that is already receiving~~  
9 ~~health care coverage under this section may have an income that does not exceed~~  
10 ~~200% of the poverty line. The department shall establish by rule the criteria to be~~  
11 ~~used to determine income.~~

12 **SECTION 9.** 49.665 (4) (ag) of the statutes is created to read:

13 49.665 (4) (ag) An individual is eligible for health care coverage under this  
14 section if the individual meets all of the following requirements:

15 1. The individual is employed by a child care provider as a child care worker  
16 for at least 30 hours per week.

17 2. The individual's income does not exceed 185% of the poverty line, except that  
18 an individual who is already receiving health care coverage under this section may  
19 have an income that does not exceed 200% of the poverty line. The department shall  
20 establish by rule the criteria to be used to determine income.

21 3. The individual does not have access to employer-subsidized health care  
22 coverage and has not had access to employer-subsidized health care coverage within  
23 the time period established by the department by rule, but not to exceed 18 months,  
24 immediately preceding application for health care coverage under this section. The  
25 department may establish exceptions to this subdivision by rule.

## BILL

1 4. The individual meets all other requirements established by the department  
2 by rule. The department may not require that, as a condition of eligibility for health  
3 care under this paragraph, an individual be a parent.

4 **SECTION 10.** 49.665 (4) (am) 1. of the statutes is amended to read:

5 49.665 (4) (am) 1. The child's income does not exceed 185% of the poverty line,  
6 ~~except as provided in par. (at) and except that a child that is already receiving health~~  
7 ~~care coverage under this section may have an income that does not exceed 200% of~~  
8 ~~the poverty line. The department shall use the criteria established under par. (a) 1.~~  
9 ~~to determine income under this subdivision.~~

10 ~~(SECTION 11. 49.665 (4) (at) of the statutes is repealed)~~

11 **SECTION 12.** 49.665 (5) (a) of the statutes is amended to read:

12 ~~49.665 (5) (a) Except as provided in pars. (b) and (bm), a family, or child, who~~  
13 ~~does not reside with his or her parent, an individual~~ <sup>or</sup> who receives health care  
14 coverage under this section shall pay a percentage of the cost of that coverage in

15 accordance with a schedule established by the department by rule. If the schedule  
16 established by the department requires a family, or ~~child who does not reside with~~

17 ~~his or her parent, an individual~~ <sup>or</sup> to contribute more than 3% of the family's or child's  
18 ~~individual's~~ <sup>or</sup> income towards the cost of the health care coverage provided under this

19 section, the department shall submit the schedule to the joint committee on finance  
20 for review and approval of the schedule. If the cochairpersons of the joint committee  
21 on finance do not notify the department within 14 working days after the date of the  
22 department's submittal of the schedule that the committee has scheduled a meeting  
23 to review the schedule, the department may implement the schedule. If, within 14  
24 days after the date of the department's submittal of the schedule, the cochairpersons  
25 of the committee notify the department that the committee has scheduled a meeting

**BILL**

**SECTION 12**

1 to review the schedule, the department may not require a family, or child who does  
 2 not reside with his or her parent, <sup>or</sup> an individual to contribute more than 3% of the  
 3 family's or child's individual's income unless the joint committee on finance approves  
 4 the schedule. The joint committee on finance may not approve and the department  
 5 may not implement a schedule that requires a family or child <sup>or</sup> an individual  
 6 contribute more than 3.5% of the family's or child's individual's income towards the  
 7 cost of the health care coverage provided under this section.

**SECTION 13.** 49.665 (5) (b) of the statutes is amended to read:

9 49.665 (5) (b) The department may not require a family, or child who does not  
 10 reside with his or her parent, <sup>or</sup> an individual with an income below 150% of the poverty  
 11 line to contribute to the cost of health care coverage provided under this section.

**SECTION 14.** 49.665 (5) (c) of the statutes is amended to read:

13 49.665 (5) (c) The department may establish by rule requirements for wage  
 14 withholding as a means of collecting the family's <sup>or</sup> individual's share of the cost of  
 15 the health care coverage under this section.

(END)



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0265/2ins  
ISR:.....

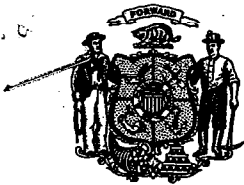
Insert Analysis

Under current law, the badger care health care (BadgerCare) program provides partially or wholly subsidized health care coverage to eligible families and children. Currently, a family or child who does not reside with his or her parent may be eligible for health care coverage under the BadgerCare program if the family's or child's income does not exceed 185% of the federal poverty line and the family or child meets certain non-financial criteria. Current law defines "family" as at least one dependent child and his or her custodial parent or parents, all of whom reside in the same household.

Insert 2-5

SECTION 1. 20.435 (4) (bd) of the statutes is created to read:

20.435 (4) (bd) *Health care for low-income child care workers.* A sum sufficient to provide health care to low-income child care workers under the badger care health care program under s. 49.665.



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
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STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

February 13, 2001

### MEMORANDUM

To: Representative Black

From: Ivy G. Sager-Rosenthal, Legislative Attorney

Re: LRB-0265 Badger care for low-income child care workers

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY  JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 261-4455 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.