

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/13/2002

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Carabell

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Public Assistance - med. assist.

Extra Copies: PG, DAK

Submit via email: NO

Pre Topic:

LFB:.....Carabell -

Topic:

Increase MA co-pay for brand name drugs and monthly cap: decrease appropriation

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	mlief 03/13/2002	jdyer 03/13/2002	rschluet 03/13/2002	_____	lrb_docadmin 03/13/2002		
/2	mlief 03/13/2002	jdyer 03/13/2002	pgreensl 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

<END>

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1/2 3/13 jld
3/13 pg
3/13
pg/ce
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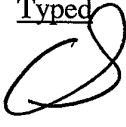
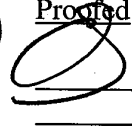
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/1	mlief 03/13/2002	lrb_editor 1/3/02					
			3-13-2				

FE Sent For:

<END>

Post-it® Fax Note	7671	Date	3/3	# of pages	1
To	Lannie	From	Rachel Cabell		
Co./Dept.	LFB	Co.	LFB		
Phone #		Phone #			
Fax #		Fax #			

*Assembly amendment
last session - APC amendment
Also increases per pharmacy limit*

amendments 2002

[Redacted] Ladwig

[Redacted] This amendment will save the state money in the long run because it will have to reimburse less money for generic drugs. In addition to generating more revenue, the increased cap would eliminate situations in which patients take advantage of the current cap by having their prescriptions filled twice in one month.

eff July 1 2002

[Redacted]
[Redacted]
[Redacted]
[Redacted] Janine Hale
[Redacted] Health and Family Servic

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted] Current law requires medicaid participants to pay a \$1 co-pay for brand name or generic prescription drugs. Medicaid participants are also subject to a \$5 monthly cap on all their prescriptions. This amendment would keep the co-pay at \$1 for generic prescription drugs, but increase the co-pay to \$2 for brand name prescription drugs. This amendment would also increase the monthly cap from \$5 to \$10.

[Redacted] According to the LFB, this amendment would generate a savings of \$982,200 GPR and \$1,382,600 FED. The majority of the savings is generated from the increased cap versus the increased co-pay.

[Redacted]
[Redacted] 94

*Lannie,
We need a draft
for the APC
amendment
- Rachel*

Package

Lief, Madelon

From: Kennedy, Debora
Sent: Wednesday, March 13, 2002 10:18 AM
To: Lief, Madelon
Subject: ARC request

I just received a call from Rachel Carabell of LFB with an ARC request she forgot to send over yesterday. It is to reduce s. 20.435 (4) (b) by \$982,200 (in 2002-03, I believe); to increase the MA recipient copayment for brand name prescription drugs from \$1 to \$2; and to increase the monthly limit per pharmacy per recipient from \$5 to \$10. These limitations do not seem to appear in the statutes, but see s. 49.45 (18)--they likely are in the rules. Rachel says that Ivy did a like amendment for the budget bill, and she is searching for that--she also will be faxing you more material on the request. In referring to "brand name" prescription drugs in s. 49.688, I had defined "generic name" and then had referred to a "prescription drug that does not bear only a generic name"--somewhat convoluted but serviceable.

Debora A. Kennedy

Managing Attorney
Legislative Reference Bureau
(608) 266-0137
debora.kennedy@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb2581/1

January 2002 Special Session

*LPS - Please for request Jld
Sheet*

LFB:.....Carabell - ~~Carabell~~ Increase MA co-pay for brand name drugs and
monthly cap: decrease appropriation

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

*INSERT
A (move
to next page)*

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

2 1. Page 392, line 17: after that line insert:

3 ^{10d} ~~(1)~~ MEDICAL ASSISTANCE PROGRAM BENEFITS; BRAND NAME DRUG COPAYMENTS.

4 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
5 department of health and family services under section 20.435 (4) (b) of the statutes,
6 as affected by the acts of 2001, the dollar amount is decreased by \$982,200 for fiscal
7 year 2002-03 to reflect the increase in copayments paid by recipients of medical
8 assistance for drugs that bear a brand name, as defined in section 450.12 (1) (a) of
9 the statutes.”

10 2. Page 38, line 20: after that line insert:

1 "SECTION 121m. 49.45 (18) (d) of the statutes is amended to read:
2 49.45 (18) (d) No person who designates a pharmacy or pharmacist as his or
3 her sole provider of prescription drugs and who so uses that pharmacy or pharmacist
4 is liable under this subsection for more than \$5^{\$}10 per month for prescription drugs
5 received."

INSERT A (from previous page)

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 (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; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38.

6 **3.** Page 435, line 24: after that line insert:

7 "(2m) ^(d) MEDICAL ASSISTANCE; PRESCRIPTION DRUG LIABILITY. The treatment of
8 sections 49.45 (18) ^(d) of the statutes first applies to liability for prescription drugs
9 purchased on the effective date of this subsection."

10 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2581/2
MJL:jld:rs

LFB:.....Carabell – Increase MA co-pay for brand name drugs and monthly cap: decrease appropriation

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from #1 to #2

1 department of health and family services under section 20.435 (4) (b) of the statutes,
2 as affected by the acts of 2001, the dollar amount is decreased by \$982,200 for fiscal
3 year 2002-03 to reflect the increase ^(the) in ^(a) copayments paid by recipients of medical
4 assistance for ^(a) drugs that bear ^(b) a brand name, as defined in section 450.12 (1) (a) of
5 the statutes.” ^(of)

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7 “(2d) MEDICAL ASSISTANCE; PRESCRIPTION DRUG LIABILITY. The treatment of
8 section 49.45 (18) (d) of the statutes first applies to liability for prescription drugs
9 purchased on ^{July 1, 2002} ~~the effective date of this subsection.~~”

10 (END)



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2581/2
MJL:jld:pg

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1 department of health and family services under section 20.435 (4) (b) of the statutes,
2 as affected by the acts of 2001, the dollar amount is decreased by \$982,200 for fiscal
3 year 2002–03 to reflect the increase from \$1 to \$ 2 of the copayment paid by a
4 recipient of medical assistance for a drug that bears a brand name, as defined in
5 section 450.12 (1) (a) of the statutes.”.

6 **3.** Page 435, line 24: after that line insert:

7 “(2d) MEDICAL ASSISTANCE; PRESCRIPTION DRUG LIABILITY. The treatment of
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9 purchased on July 1, 2002.”.

10

(END)