

2003 DRAFTING REQUEST

Bill

Received: **09/20/2002**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Jablonsky**

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

Drafter: **rryan**

May Contact:

Addl. Drafters: **dkennedy**

Subject: **Health - public health**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Jablonsky - BB0028

Topic:

Immunizations 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>
/?				_____			S&L
/P1	rryan 10/09/2002	kgilfoy 10/09/2002	pgreensl 10/09/2002	_____	lemery 10/09/2002		S&L
/1	dkennedy 12/27/2002	kgilfoy 12/27/2002	rschluet 12/30/2002	_____	sbasford 12/30/2002		

FE Sent For:

<END>

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/P1	rryan 10/09/2002 dkennedy	kgilfoy 10/09/2002 11-12/27 dmq	pgreensl 10/09/2002		lemery 10/09/2002		S&L

FE Sent For:

[Handwritten signatures and initials]
 12-30-2 <END>

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FE Sent For:		1/11-10/9 Kmg	10/9 P8	10/9 <END> P818C			

DHFS

Department of Health and Family Services
2003-2005 Biennial Budget Statutory Language Request
September 12, 2002

Immunization Appropriation

Current Language

s.20.435(5)(cm)

Proposed Change

Change current language by removing specific fiscal years and substituting "in each fiscal year."
(See attached.)

Effect of the Change

This change will remove references to FY 02 and FY 03 and allow the provisions of this appropriation to apply to future fiscal years.

Rationale for the Change

This language provides that GPR funding, up to \$9 million, will be provided for immunization of children if federal immunization funds are not sufficient. The language specifies that this will occur in FY 02 and FY 03. If these specific dates are removed and language that applies generally in any fiscal year is added, state immunization funding will be ensured on an on-going basis and it will not be necessary to amend this statutory language every biennium.

Desired Effective Date: Upon Passage of the Budget Bill
Agency: DHFS
Agency Contact: Ellen Hadidian
Phone: 266-8155

s.20.435(5)(cm) A sum sufficient not to exceed in each fiscal year ~~2001-02~~ the difference between \$9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in each fiscal year ~~2001-02~~ and not to exceed in fiscal year ~~2002-03~~ the difference between \$9,000,000 and the sum of the moneys received from the federal government under the federal vaccines for children program and under section 317 of the Public Health Service Act in fiscal year ~~2002-03~~ for the provision of vaccine to immunize children under s.252.04(1).



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0189/P1

RLR: y:...

King

In 10/9/02

DOA:.....Jablonsky - BB0028 Immunizations appropriation

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

D-Note

Don't GEN. CAT.

1 AN ACT relating to: Child immunizations and making an appropriation.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Current law requires DHFS to carry out a statewide immunization program to eliminate or protect people against certain communicable diseases. Under the Public Health Service Act and the Vaccines for Children Program, the federal government provides the state funding to purchase vaccines for children and for certain child immunization activities. For each of fiscal years 2001-02 and 2002-03, the state appropriated general purpose revenue to DHFS for child immunizations in an amount equal to the difference between ~~\$9 million~~ and the amount of funding received from the federal government under the Public Health Service Act and the Vaccines for Children Program. This bill continues to appropriate in each fiscal year general purpose revenue for child immunizations in an amount equal to the difference between ~~\$9 million~~ and the amount of funding received from the federal government under these programs.

\$9,000,000

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 (5) (cm) of the statutes is amended to read:

2 20.435 (5) (cm) *Immunization*. A sum sufficient not to exceed in each fiscal year
 3 ~~2001-02 the difference between \$9,000,000 and the sum of the moneys received from~~
 4 ~~the federal government under the federal vaccines for children program and under~~
 5 ~~section 317 of the Public Health Service Act in fiscal year 2001-02 and not to exceed~~
 6 ~~in fiscal year 2002-03 the difference between \$9,000,000 and the sum of the moneys~~
 7 ~~received in each fiscal year from the federal government under the federal vaccines~~
 8 ~~for children program and under section 317 of the Public Health Service Act in fiscal~~
 9 ~~year 2002-03~~ 42 USC 1396s ~~and~~ 42 USC 247b for the provision of vaccine to
 10 immunize children under s. 252.04 (1).

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. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 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. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105.


11

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0189/P1dn

RLR: j...
King

Sue Jablonsky 

This bill replaces the citation to Section 317 of the Public Health Service Act with the U.S. Code citation (42 USC 247b) *it* because code sections are easier to locate than sections of the Public Health Service Act, and also replaces the citation to the Vaccines for Children Program with the code citation (42 USC 1396s) *it* because Vaccines for Children Program is a popular name that does not appear in the federal statutes. Please review the United States Code citations for accuracy.

Does the federal government actually provide the state funding to purchase vaccines under the Vaccines for Children Program, or does the federal government purchase vaccines on the state's behalf? If the latter is accurate, I should change the appropriation so it does not refer to a "sum" received under the 42 USC 247b.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0189/P1dn
RLR:kmg:pg

October 9, 2002

Sue Jablonsky:

This bill replaces the citation to Section 317 of the Public Health Service Act with the U.S. Code citation (42 USC 247b) because code sections are easier to locate than sections of the Public Health Service Act, and it also replaces the citation to the Vaccines for Children Program with the code citation (42 USC 1396s) because Vaccines for Children Program is a popular name that does not appear in the federal statutes. Please review the United States Code citations for accuracy.

Does the federal government actually provide the state funding to purchase vaccines under the Vaccines for Children Program, or does the federal government purchase vaccines on the state's behalf? If the latter is accurate, I should change the appropriation so it does not refer to a "sum" received under the 42 USC 247b.

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@

Kennedy, Debora

From: Jablonsky, Sue
Sent: Thursday, December 19, 2002 3:33 PM
To: Kennedy, Debora
Subject: FW: FW: Immunization



LRB FY03-04
Vaccine.doc

-----Original Message-----

From: Hadidian, Ellen
Sent: Thursday, December 19, 2002 3:33 PM
To: Ryan, Robin
Cc: Jablonsky, Sue
Subject: Re: Fwd: FW: Immunization

Attached is a memo from the head of the immunization program that responds to your question innote on LRB 0189.

-----Original Message-----

Date: 12/19/2002 01:32 pm -0600 (Thursday)
From: Dan Hopfensperger
To: Hadidian, Ellen
Subject: Re: Fwd: FW: Immunization

I think I forgot the attachment.

Dan

>>> Ellen Hadidian 12/18/02 12:53PM >>>
Drafter's note to immunization language



Scott McCallum
Governor

Phyllis J. Dubé
Secretary

State of Wisconsin

Department of Health and Family Services

608-266-1251

FAX: 608-267-2832

www.dhfs.state.wi.us

December 19, 2002

To: Sue Jablonsky
Department of Administration

From: Daniel Hopfensperger, Director
Immunization Program

Subject: Immunizations Appropriation

? No; it's the upper limit of the state contrib.

This memo is in response to BB0028 Immunizations Appropriation for SFY03 -04. The language in the current legislation gives \$9,000,000 as the amount of funding received from the federal government under the Public Health Services Act and the Vaccines for Children Program. The amount of federal funding for vaccine purchase under these funding mechanisms has increased over the last two years. This increase is primarily due to the addition of a new vaccine to the recommended childhood schedule. The CY02 vaccine purchase budget and the anticipated CY03 vaccine purchase budget are listed below.

In addition, the Immunization Program now receives federal funding through a third funding stream for the purchase of two vaccines that are not covered under federal contracts and therefore are not purchased through the Direct Assistance vaccine purchasing mechanism. In explaining this additional funding mechanism I will also answer the question posed by Robin Ryan regarding the process followed in vaccine purchasing.

The Immunization Program receives Direct Assistance (DA) funding from the Centers for Disease Control and Prevention's National Immunization Program (NIP) through the Public Health Service Act (317) and through the Vaccines for Children Program. The DA funds are essentially an account at the CDC set up in Wisconsin's name. The Wisconsin Immunization Program orders vaccines through the NIP. The NIP purchases vaccine on our behalf using federal contracts and draws funds from our account for payment. States do have the ability to utilize state funding for the purchase of vaccine off of the federal contracts if such funding is available. Under this mechanism the state would provide payment to the vaccine manufacturer. The third funding stream that I alluded to earlier is Financial Assistance (FA) funding. FA funding are funds the Immunization Program receives from the NIP for the operation of the Immunization Program in Wisconsin. FA funds are also awarded to local health departments and federally qualified health centers for the development and maintenance of the infrastructure necessary to ensure that infants and children receive their immunization according to recommended schedule. The FA funds that we receive for vaccine is for the purchase of Diphtheria-Tetanus (DT) and Tetanus-diphtheria (Td) vaccines. DT vaccine is for use in infants

and children seven years of age and under. Td vaccine is for individuals over the age of seven. There is not a federal contract for these vaccines. Therefore, DA funds cannot be used for the purchase of these vaccines.

CY02		CY03*	
FA	\$79,910	FA	\$70,028
DA	<u>\$12,533,621</u>	DA	<u>\$13,211,846</u>
Total Vaccine Purchase	\$12,613,531	Total Vaccine Purchase	\$13,281,874

* Projected vaccine budget

DAK call to Sue Jablonsky: 12/27/02

① Should \$9,000,000 upper limit in 3.20.435(5)(cm) be raised to, say, \$14,000,000?

Answer: No — the \$9mil. upper limit is there in case the fed money drops below that level.

② Changes to draft ok to account for 3rd vaccine stream?

Ans: Yes



EDAK

DOA:.....Jablonsky - BB0028 Immunizations appropriation

FOR 2003-05 BUDGET -- NOT READY FOR INTRODUCTION

1. ^{DON'T GEN. CAT.} AN ACT ...; relating to: child immunizations and making an appropriation.

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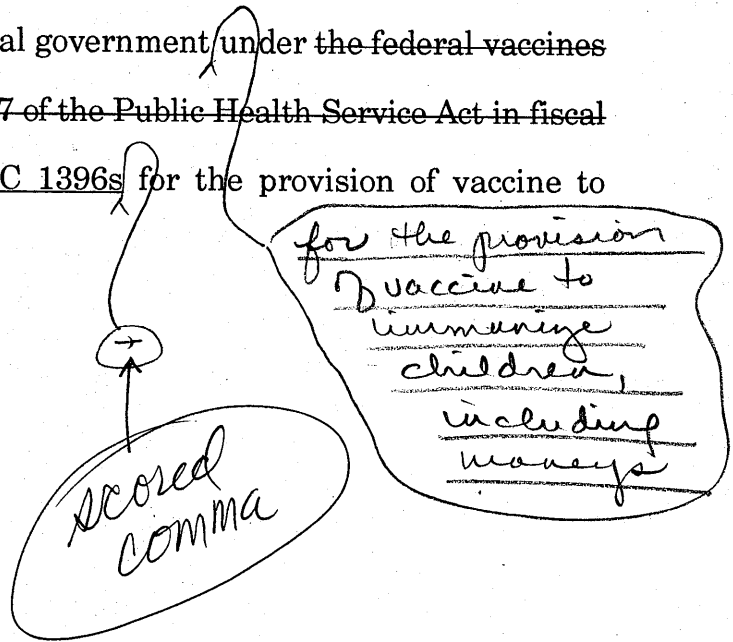
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9 ~~year 2002-03 42 USC 247b and 42 USC 1396s~~ for the provision of vaccine to
10 immunize children under s. 252.04 (1).

11 (END)





State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0189/1
RLR&DAK:kmg:rs

DOA:.....Jablonsky – BB0028 Immunizations appropriation

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7 ~~received in each fiscal year from the federal government for the provision of vaccine~~
8 ~~to immunize children, including moneys under the federal vaccines for children~~
9 ~~program and under section 317 of the Public Health Service Act in fiscal year~~
10 ~~2002–03 42 USC 247b and 42 USC 1396s,~~ for the provision of vaccine to immunize
11 children under s. 252.04 (1).

12

(END)