

**2003 DRAFTING REQUEST**

**Bill**

Received: **09/20/2002**

Received By: **rryan**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

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

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Health - medical assistance  
Public Assistance - misc**

Extra Copies:

Submit via email: **NO**

**Pre Topic:**

DOA:.....Fath - BB0029,

**Topic:**

Funeral expenses and income maintenance 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>
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/6	pkahler 02/03/2003	kgilfoy 02/03/2003	jfrantze 02/03/2003	_____	sbasford 02/03/2003		S&L
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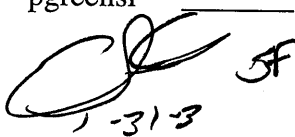
See Attached

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-31-3

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-28-3 PG

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1/3 - 1/21/03 King  
1/22 P8/cph

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Income maintenance appropriation

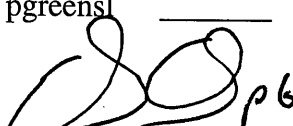
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12-1/3/03  
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11-1/2/03 1/2/03 P8/LE  
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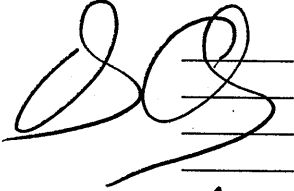
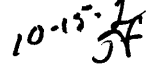
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# DHFS

Department of Health and Family Services  
2003-2005 Biennial Budget Statutory Language Request  
September 13, 2002

## Cemetery, Funeral and Burial Expenses for Public Assistance Clients

### Current Language

S.20.435(4)(bn), the DHFS Income Maintenance budget appropriation, provides that funding in the appropriation be used for the administration of medical assistance, BadgerCare, and the food stamps program.

S.49.33 defines Income Maintenance administration.

### Proposed Change

Revise s.20.435(4)(bn) to specify that funding in the appropriation can be used for the administration of other Income Maintenance programs, as well as MA, BadgerCare, and food stamps.

Replace the term "Income Maintenance" with "Eligibility Management" in s.20.435(4)(bn), s.49.33, and elsewhere.

### Effect of Change

The first proposed change will clarify that funding for Income Maintenance programs other than MA, BadgerCare, and Food Stamps, such as the cemetery, funeral and burial program for public assistance clients, will be budgeted in the DHFS Income Maintenance budget appropriation. The second proposed change will eliminate the term "Income Maintenance", which is obsolete and inaccurate, and replace it with the clearer and more accurate term "Eligibility Management".

### Rationale for the Change

Cemetery, funeral and burial expenses are administered as part of the state's Income Maintenance (IM) activities. Responsibility for IM functions transferred from the Department of Workforce Development (DWD) to DHFS on July 1, 2002. In its 03-05 biennial budget request, DHFS is requesting that the funding for cemetery, funeral and burial expenses transfer from DWD to DHFS. The proposed change will clarify that the DHFS Income Maintenance appropriation, s.20.435(4)(bn) is the appropriate budget appropriation for the cemetery, funeral and burial funding. "Income Maintenance" is an obsolete, inaccurate, and misleading description

of the activities carried out by counties under this rubric. Eligibility management is a more accurate and clearer description of these activities.

**Desired Effective Date:** Upon passage  
**Agency:** DHFS  
**Agency Contact:** Fredi-Ellen Bove  
**Phone:** 266-2907



DOA:.....Blaine – BB0029 Income maintenance appropriation

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SOON  
(10-15)

D-NOTE

do not  
get cut

- 1 AN ACT *relating to:* eligibility management under family support programs
- 2 and making an appropriation.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under current law, DHFS contracts with county departments of social services or human services (county departments) to administer “income maintenance” programs and reimburses the county departments for their costs of administering those programs. An “income maintenance” program is defined as Medical Assistance, Badger Care, or the food stamp program.

This bill makes a number of changes related to “income maintenance” programs. Because the term “income maintenance” does not accurately describe what the specified programs are intended to accomplish, the bill redefines Medical Assistance, Badger Care, and the food stamp program as “family support” programs. Because county departments are responsible for determining eligibility for benefits under the specified programs, the bill substitutes the term “eligibility management” for “income maintenance” where appropriate. In addition, the bill categorizes as a “family support” program a program under current law under which county departments pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, including Wisconsin Works benefits and Medical Assistance benefits. The county departments are reimbursed for those

from a general purpose revenue appropriation to DHFS,

payments by DWD. The effect of the new categorization is that DHFS ~~will~~ reimburse county departments for their expenses in determining eligibility for that program.

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:*

SECTION 1. 20.435 (4) (bn) of the statutes is amended to read:

20.435 (4) (bn) ~~Income maintenance~~ Eligibility management. Biennially, the amounts in the schedule for payments under s. 49.33 (8) relating to the administration of the medical assistance eligibility management under the Medical Assistance program, the badger-care Badger Care health care program under s. 49.665, and the food stamp program, and the cemetery, funeral, and burial expenses program under s. 49.30.

\* ~~xxx~~ NOTE: bud ✓

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.

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

20.435 (4) (nn) (title) ~~Federal aid; income maintenance~~ eligibility management.

\* ~~xxx~~ NOTE: bud ✓

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.

SECTION 3. 46.21 (1) (d) of the statutes is amended to read:

46.21 (1) (d) "Human services" means the total range of services to people, including mental illness treatment, developmental disabilities services, physical disabilities services, relief funded by a relief block grant under ch. 49, income maintenance eligibility management, youth probation, extended supervision and

1 parole services, alcohol and drug abuse services, services to children, youth, and  
2 families, family counseling, early intervention services for children from birth to the  
3 age of 3, and manpower services. “Human services” does not include child welfare  
4 services under s. 48.48 (17) administered by the department in a county having a  
5 population of 500,000 or more.

History: 1973 c. 136, 153, 262; 1975 c. 224; 1975 c. 413 s. 18; 1977 c. 271, 272, 449; 1979 c. 34; 1981 c. 217, 329, 391; 1983 a. 27, 239, 368, 524; 1985 a. 29 s. 3202 (23);  
1985 a. 120, 176, 332; 1987 a. 399; 1989 a. 31, 112, 319; 1991 a. 274; 1993 a. 27, 186, 213, 446; 1995 a. 27, 77, 201; 1997 a. 27, 79, 164, 237, 283; 1999 a. 9.

6 **SECTION 4. 46.23 (2) (a) of the statutes is amended to read:**

7 46.23 (2) (a) “Human services” means the total range of services to people  
8 including, but not limited to, health care, mental illness treatment, developmental  
9 disabilities services, relief funded by a block grant under ch. 49, ~~income maintenance~~  
10 eligibility management, probation, extended supervision and parole services,  
11 alcohol and drug abuse services, services to children, youth, and aging, family  
12 counseling, special education services, and manpower services.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332;  
1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997  
a. 3, 164, 268, 283; 1999 a. 9.

13 **SECTION 5. 49.33 (title) of the statutes is repealed and recreated to read:**

14 **49.33 (title) Eligibility management.**

15 **SECTION 6. 49.33 (1) (b) of the statutes is amended to read:**

16 49.33 (1) (b) “~~Income maintenance~~ Family support program” means the  
17 ~~medical assistance~~ Medical Assistance program under subch. IV of ch. 49, the badger  
18 ~~care~~ Badger Care health care program under s. 49.665, ~~or~~ the food stamp program  
19 under 7 USC 2011 to 2036, ~~or the cemetery, funeral, and burial expenses program~~  
20 under s. 49.30.

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16.

21 **SECTION 7. 49.33 (2) of the statutes is amended to read:**

22 49.33 (2) **CONTRACTS.** Annually, the department of health and family services  
23 shall contract with county departments under ss. 46.215, 46.22, and 46.23, and may

1 contract with tribal governing bodies, to reimburse the county departments and  
 2 tribal governing bodies for the reasonable cost of administering income maintenance  
 3 eligibility management under the family support programs.

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16.

4 **SECTION 8. 49.33 (3)** of the statutes is amended to read:

5 49.33 (3) RULES. The department shall promulgate rules establishing  
 6 standards of competency, including training requirements, for income maintenance  
 7 eligibility management workers.

8 Cross Reference: Cross Reference: Cross Reference: See also ch. DWD 17, Wis. adm. code. Cross Reference:

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16.

9 **SECTION 9. 49.33 (8)** (title) of the statutes is amended to read:

10 49.33 (8) (title) REIMBURSEMENT FOR INCOME MAINTENANCE ADMINISTRATION  
 11 ELIGIBILITY MANAGEMENT.

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16.

12 **SECTION 10. 49.33 (8) (a)** of the statutes is amended to read:

13 49.33 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn)  
 14 and subject to par. (b), the department of health and family services shall reimburse  
 15 each county and tribal governing body that contracts with the department under sub.  
 16 (2) for reasonable costs of administering the income maintenance eligibility  
 17 management under the family support programs. The amount of each  
 18 reimbursement paid under this paragraph shall be calculated using a formula based  
 19 on workload within the limits of available state and federal funds under s. 20.435 (4)  
 20 (bn) and (nn) by contract under s. 49.33 (2). The amount of reimbursement calculated  
 21 under this paragraph and par. (b) is in addition to any reimbursement provided to  
 22 a county or tribal governing body for fraud and error reduction under s. 49.197 (1m)  
 23 and (4).

History: 1995 a. 27 ss. 2041 to 2049, 2933 to 2936, 3084 to 3087, 3130; 1995 a. 289, 417; 1997 a. 27; 2001 a. 16.

24 **SECTION 11. 49.79 (4)** of the statutes is amended to read:



1           49.79 (4) DEDUCTIONS FROM COUNTY INCOME—MAINTENANCE ELIGIBILITY  
2           MANAGEMENT <sup>✓</sup>PAYMENTS. The department shall withhold the value of food stamp losses  
3           for which a county or federally recognized American Indian tribe is liable under sub.  
4           (3) from the payment to the county or tribe under ~~income-maintenance~~ eligibility  
5           management contracts under s. 49.33 and reimburse the federal government from  
6           the funds withheld.

7           History: 2001 a. 16 ss. 1656sy to 1656tjk, 1656tr, 1656ts to 1656tx, 1838sb to 1838td.; Stats 2001 s. 49.79.

(END)

*D. note*



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0190/2

PJK:kmg:pg

nm is nm

DOA:.....Fath - BB0029, Income maintenance appropriation

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

SOON  
(1-3)  
D-note

do not  
generate

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under current law, DHFS contracts with county departments of social services or human services (county departments) to administer "income maintenance" programs and reimburses the county departments for their costs of administering those programs. An "income maintenance" program is defined as Medical Assistance, Badger Care, or the food stamp program.

This bill categorizes as an "income maintenance" program a program under current law under which county departments pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, such as Wisconsin Works benefits or Medical Assistance benefits. The county departments are reimbursed for those payments by DWD. The effect of the new categorization is that DHFS will reimburse county departments, from a DHFS general purpose revenue appropriation, for expenses incurred in determining eligibility for that program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

Insert A

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

1 SECTION 1. 20.435 (4) (bn) of the statutes is amended to read:

2 20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
3 for payments under s. 49.33 (8) relating to the administration of the ~~medical~~  
4 ~~assistance~~ Medical Assistance program, the ~~badger care~~ Badger Care health care  
5 program under s. 49.665, and the food stamp program, and the cemetery, funeral,  
6 and burial expenses program under s. ~~49.78~~ → 49.78 ✓

Insert 2-6

7 SECTION 2. 49.33 (1) (b) of the statutes is amended to read:

8 49.33 (1) (b) "Income maintenance program" means the ~~medical assistance~~  
9 Medical Assistance program under subch. IV of ch. 49, the ~~badger care~~ Badger Care  
10 health care program under s. 49.665, or the food stamp program under 7 USC 2011 ✓  
11 to 2036, or the cemetery, funeral, and burial expenses program under s. ~~49.78~~ → 49.78

12

(END)

for funeral expenses under s. 49.78  
and

D-note

2003-2004 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-0190/2ins  
PJK:ktg:pg

INSERT A

Under current law, county departments of social services or human services (county departments) pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, such as Wisconsin Works benefits or Medical Assistance benefits, and whose estates are insufficient to pay those expenses. The county departments are reimbursed for those payments by DWD.

Also under current law, DHFS contracts with county departments to administer "income maintenance" programs and reimburses the county departments for their costs of administering those programs. An "income maintenance" program is defined as the Medical Assistance Program, the Badger Care Health Care Program, or the Food Stamp Program.

Under this bill, DHFS, instead of DWD, reimburses county departments for the payments they make for cemetery, funeral, and burial expenses. The bill also categorizes the program under which county departments pay cemetery, funeral, and burial expenses as an "income maintenance" program. The effect of the new categorization is that DHFS will reimburse county departments for expenses incurred in determining eligibility for that program.

(END OF INSERT A)

INSERT 2-6

Works

1 SECTION 1. 20.445 (3) (dz) of the statutes is amended to read:  
2 20.445 (3) (dz) Wisconsin ~~works~~ and other public assistance administration and  
3 benefits. The amounts in the schedule, less the amounts withheld under s. 49.143  
4 (3), for administration and benefit payments under Wisconsin ~~works~~ Works under  
5 ss. 49.141 to 49.161, the learnfare program under s. 49.26, the work experience and  
6 job search program under s. 49.36, and the food stamp employment and training  
7 program under s. 49.13; for payments to counties, tribal governing bodies, and  
8 Wisconsin ~~works~~ Works agencies; for hospital paternity incentive payments under  
9 s. 69.14 (1) (cm); and for job training services under the workforce attachment and  
10 advancement program under s. 49.173; and for funeral expenses under s. 49.30.  
11 Payments may be made from this appropriation to counties for fraud investigation  
12 and error reduction under s. 49.197 (1m). Moneys appropriated under this

→  
→  
that

their

1 paragraph may be used to match federal funds received under par. (md).  
 2 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
 3 between fiscal years under this paragraph. Notwithstanding ss. 20.001 (3) and  
 4 20.002 (1), the department of health and family services shall credit or deposit into  
 5 this appropriation account funds for the purposes of this appropriation that the  
 6 department transfers from the appropriation account under s. 20.435 (7) (bc). All  
 7 funds allocated by the department but not encumbered by December 31 of each year  
 8 lapse to the general fund on the next January 1 unless transferred to the next  
 9 calendar year by the joint committee on finance.

\*\*\* note bud

History: 1971 c. 125 ss. 156, 522 (1); 1971 c. 211, 215; 1971 c. 228 s. 44; 1971 c. 259; 1973 c. 90, 180, 243, 333; 1975 c. 39, 147, 224, 274, 344; 1975 c. 404 ss. 3, 10 (1); 1975 c. 405 ss. 3, 11 (1); 1977 c. 29, 48, 203, 418; 1979 c. 34 ss. 512 to 522, 2102 (25) (a); 1979 c. 189, 221, 309; 1979 c. 329 s. 25 (1); 1979 c. 350 ss. 3, 27 (6); 1979 c. 353, 355; 1981 c. 20, 36, 92, 93, 317, 325, 364; 1983 a. 8; 1983 a. 27 ss. 411 to 425; 1983 a. 98 ss. 1, 31; 1983 a. 192, 384, 388, 410; 1985 a. 17, 29, 153, 313, 332; 1987 a. 27; 1987 a. 38 ss. 2 to 4, 136; 1987 a. 399, 403; 1989 a. 31, 44, 64, 77, 254, 284, 359; 1991 a. 39 ss. 372c, 545r, 545t, 545v, 547, 548, 548g, 548m, 549, 549b, 549g, 549p; 1991 a. 85, 89, 269, 315; 1993 a. 16, 126, 243, 437, 491; 1995 a. 27 ss. 772mm, 772mn, 776p to 778b, 778L, 778n, 778q, 778v, 778z to 780m, 781m to 782p, 782u, 841, 842, 849, 850, 854, 855, 858c, 873 to 876, 878, 880, 890 to 896, 962 to 1014c, 9126 (19), 9130 (4); 1995 a. 113 s. 2t; 1995 a. 117, 201, 216, 225, 289; 1995 a. 404 ss. 4, 6 to 8, 10 to 17; 1997 a. 3; 1997 a. 27 ss. 610 to 642m, 722; 1997 a. 35, 38, 39, 105, 112, 191, 235, 236, 237, 252; 1999 a. 9 ss. 270, 458 to 478; 1999 a. 15, 32; 2001 a. 16, 35, 43, 104, 109.

10 SECTION 2. 45.37 (15) (c) of the statutes is amended to read:

11 45.37 (15) (c) Expenses incident to the burial at the home of a member shall  
 12 be paid from the estate of the decedent, except that if there is no estate or the estate  
 13 is insufficient, the expense of burial, or necessary part thereof, shall be paid from the  
 14 appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not  
 15 exceed the amount established for funeral and burial expenses under s. ~~49.30~~ 49.78  
 16 (1) (b).

History: 1971 c. 40, 42, 198; 1973 c. 90, 147; 1973 c. 333 ss. 84, 85, 86, 201m; 1975 c. 39, 94, 199, 224; 1977 c. 29; 1977 c. 105 s. 59; 1977 c. 237, 309; 1977 c. 418 s. 924 (50); 1977 c. 447 s. 206; 1979 c. 34; 1979 c. 110 s. 60 (13); 1979 c. 221; 1981 c. 20 ss. 733m, 2202 (55) (a); 1981 c. 390; 1983 a. 27, 368, 430; 1985 a. 29, 135; 1985 a. 332 s. 251 (1); 1987 a. 27, 399; 1989 a. 31, 56; 1991 a. 2, 39, 102, 189; 1993 a. 16, 254; 1995 a. 123, 255; 1997 a. 27; 1999 a. 9, 63, 83, 185, 186; 2001 a. 16, 102, 103.

17 SECTION 3. 49.175 (1) (j) of the statutes is repealed.

18 SECTION 4. 49.19 (5) (d) of the statutes is amended to read:

19 49.19 (5) (d) The department shall reimburse the county for the funeral, burial,  
 20 and cemetery expenses of a dependent child or the child's parents as provided in s.  
 21 ~~49.30~~ 49.78.

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, 9126 (19); 1995 a. 77, 198, 225, 289, 295; 1997 a. 27, 35, 39, 252; 1999 a. 9; 2001 a. 59.

1       **SECTION 5.** 49.30 of the statutes is renumbered 49.78, and 49.78 (2), as  
2       renumbered, is amended to read:

3           49.78 (2) From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~  
4       appropriation under s. 20.435 (4) (bn), the department shall reimburse a county or  
5       applicable tribal governing body or organization for any amount that the county or  
6       applicable tribal governing body or organization is required to pay under sub. (1).  
7       From the ~~appropriations under s. 20.445 (3) (dz) and (md)~~ appropriation under s.  
8       20.435 (4) (bn), the department shall reimburse a county or applicable tribal  
9       governing body or organization for cemetery expenses or for funeral and burial  
10      expenses for persons described under sub. (1) that the county or applicable tribal  
11      governing body or organization is not required to pay under subs. (1) and (1m) only  
12      if the department approves the reimbursement due to unusual circumstances.

History: 1973 c. 147, 333; 1975 c. 39, 224; 1979 c. 206; 1981 c. 20; 1985 a. 29, 176, 332; 1989 a. 31, 239; 1995 a. 27, 289; 1997 a. 27; 1999 a. 9; 2001 a. 16.

**(END OF INSERT 2-6)**

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

LRB-0190/2dn

PJK: ~~king~~

King

Erin:

1. I amended s. 49.19 (5) (d) <sup>✓</sup> even though AFDC is no longer operational. If the statute is going to remain, it should be updated, I guess.
2. Let me know if you would like s. 49.33<sup>✓</sup> (income maintenance) renumbered into subch. V of ch. 49, also. It seems to involve DHFS more than DWD.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)

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

LRB-0190/dn

PJK:

PI  
King

Robert:

1. Should the cemetery, funeral, and burial expenses program under s. 49.30 be added to s. 20.435 (4) (nn)? Are federal moneys received for administration of that program?
2. The term "income maintenance" under current law is used to describe the programs that are included in s. 49.33 (1) (b). It does not seem to me that those programs could be described as "eligibility management" programs. It seems to me that "eligibility management" is, instead, what the county departments do with respect to those programs. For that reason, I called the programs "family support" programs, as you suggested, and used "eligibility management" to describe what the county departments do instead of administering the programs. If this is not acceptable and what the county departments do should still be called "administration," ~~income maintenance~~ *income maintenance* should be replaced with "family support" in most places.
3. In ss. 20.435 (4) (bn) and 49.33 (2) and (8) (a), I used the phrase "eligibility management *under*" the family support programs, because of the comparison that you made in our telephone conversation to case management. In other words, cases and eligibility under the programs are managed, not the programs themselves. Let me know, however, if you would prefer "eligibility management *of*" the family support programs.
4. It is unclear from current law that DHFS has anything to do with the program under s. 49.30. The only agency explicitly associated with the program is DWD, which must reimburse county departments under s. 49.30 (2) for the payments they make for cemetery, funeral, and burial expenses. For that reason, the analysis, in explaining the legal change, may not reflect actual practice.

modifications may be needed to this draft

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.state.wi.us



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

LRB-0190/P1dn  
PJK:kmg:rs

October 15, 2002

Robert:

1. Should the cemetery, funeral, and burial expenses program under s. 49.30 be added to s. 20.435 (4) (nn)? Are federal moneys received for administration of that program?
2. The term "income maintenance" under current law is used to describe the programs that are included in s. 49.33 (1) (b). It does not seem to me that those programs could be described as "eligibility management" programs. It seems to me that "eligibility management" is, instead, what the county departments do with respect to those programs. For that reason, I called the programs "family support" programs, as you suggested, and used "eligibility management" to describe what the county departments do instead of administering the programs. If this is not acceptable and what the county departments do should still be called "administration," modifications to this draft may be needed.
3. In ss. 20.435 (4) (bn) and 49.33 (2) and (8) (a), I used the phrase "eligibility management *under*" the family support programs, because of the comparison that you made in our telephone conversation to case management. In other words, cases and eligibility under the programs are managed, not the programs themselves. Let me know, however, if you would prefer "eligibility management *of*" the family support programs.
4. It is unclear from current law that DHFS has anything to do with the program under s. 49.30. The only agency explicitly associated with the program is DWD, which must reimburse county departments under s. 49.30 (2) for the payments they make for cemetery, funeral, and burial expenses. For that reason, the analysis, in explaining the legal change, may not reflect actual practice.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.state.wi.us

**Kahler, Pam**

---

**From:** Blaine, Robert  
**Sent:** Thursday, November 07, 2002 3:20 PM  
**To:** Kahler, Pam  
**Cc:** Uecker, Deborah; Fath, Erin  
**Subject:** RE: LRB Draft: 03-0190/P1 Income maintenance appropriation

Hi Pam --

Erin Fath has agreed to take responsibility for this draft. She'll be responding to the questions mentioned in the drafter's notes, and then with the next redraft, please put her name on the draft.

Thanks,  
Robert

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

**From:** Schlueter, Ron  
**Sent:** Wednesday, October 16, 2002 9:42 AM  
**To:** Blaine, Robert  
**Cc:** Kraus, Jennifer; Uecker, Deborah; Hanaman, Cathlene; Haugen, Caroline  
**Subject:** LRB Draft: 03-0190/P1 Income maintenance appropriation

Following is the PDF version of draft 03-0190/P1.

<< File: 03-0190/P1 >> << File: 03-0190/P1dn >>

## Kahler, Pam

---

**From:** Fath, Erin  
**Sent:** Wednesday, December 18, 2002 5:09 PM  
**To:** Kahler, Pam  
**Subject:** RE: LRB draft 0190/P1

That's fine with me. Thanks.

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

**From:** Kahler, Pam  
**Sent:** Wednesday, December 18, 2002 5:04 PM  
**To:** Fath, Erin  
**Subject:** RE: LRB draft 0190/P1

I think it might be easier to just redraft LRB-0190, if that's okay with you.

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

**From:** Fath, Erin  
**Sent:** Wednesday, December 18, 2002 5:00 PM  
**To:** Kahler, Pam  
**Subject:** LRB draft 0190/P1

Hi again Pam,

We got a decision in DOA to not make the changes to the term "income maintenance" that are included in LRB draft 0190/P1. However, a decision has been made to approve the request to move funding for the cemetery, funerals and burials expenses (CFBE) program from DWD to DHFS. The funds for the CFBE program would be transferred into the DHFS appropriation 20.435(4)(bn). The way I read this draft, it addresses both the terminology change, as well as reflecting the fact that the CFBE program would be part of the IM contracts. So, can we change this draft to just reflect the fact that the CFBE program would be part of the IM contracts?

If you would prefer to do a new, separate draft, that's fine with me. I would then just signal that draft 0190/P1 is "out" while the new draft would be "in" on the final in/out list. Whatever makes sense to you.

Thanks,

**Erin K. Fath**

Wisconsin State Budget Office  
(608) 266-8219  
Erin.Fath@doa.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0190/EA → P2

PJK:kmg:rs

rm is *run*

DOA:..... <sup>Fath</sup> ~~Blafac~~ - BB0029 Income maintenance appropriation

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SOON  
(12-19)  
J-note

① AN ACT <sup>DON'T GEN. CAT.</sup> relating to: ~~eligibility management under family support programs~~ <sup>the budget</sup>  
② ~~and making an appropriation~~

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

PUBLIC ASSISTANCE

Under current law, DHFS contracts with county departments of social services or human services (county departments) to administer "income maintenance" programs and reimburses the county departments for their costs of administering those programs. An "income maintenance" program is defined as Medical Assistance, Badger Care, or the food stamp program.

This bill ~~makes~~ a number of changes related to "income maintenance" programs. Because the term "income maintenance" does not accurately describe what the specified programs are intended to accomplish, the bill redefines Medical Assistance, Badger Care, and the food stamp program as "family support" programs. Because county departments are responsible for determining eligibility for benefits under the specified programs, the bill substitutes the term "eligibility management" for "income maintenance" where appropriate. In addition, the bill categorizes as <sup>an</sup> ~~income support~~ program a program under current law under which county departments pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, ~~including~~ Wisconsin Works benefits ~~and~~ Medical Assistance benefits. The county departments are reimbursed for those

or

such as

*incurred*

*DHFS*

payments by DWD. The effect of the new categorization is that DHFS will reimburse county departments, from a general purpose revenue appropriation ~~to DWD,~~ for ~~those~~ expenses in determining eligibility for that program.

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:*

*do not strike*

1 SECTION 1. 20.435 (4) (bn) of the statutes is amended to read:

2

20.435 (4) (bn) ~~(Income maintenance) (eligibility management)~~ Biennially, the

3

amounts in the schedule for payments under s. 49.33 (8) relating to ~~the~~

4

~~administration of the medical assistance~~ ~~Medical~~

5

Assistance program, the badger care Badger Care health care program under s.

6

49.665, and the food stamp program, and the cemetery, funeral, and burial expenses

7

program under s. 49.30.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 SECTION 2. 20.435 (4) (nn) (title) of the statutes is amended to read:

9 20.435 (4) (nn) (title) *Federal aid; income maintenance eligibility management.*

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10 SECTION 3. 46.21 (1) (d) of the statutes is amended to read:

11 46.21 (1) (d) "Human services" means the total range of services to people,  
12 including mental illness treatment, developmental disabilities services, physical  
13 disabilities services, relief funded by a relief block grant under ch. 49, income  
14 maintenance eligibility management, youth probation, extended supervision and  
15 parole services, alcohol and drug abuse services, services to children, youth, and  
16 families, family counseling, early intervention services for children from birth to the  
17 age of 3, and manpower services. "Human services" does not include child welfare

*Insert 2-7*

*plain*

1 services under s. 48.48 (17) administered by the department in a county having a  
2 population of 500,000 or more.

3 ~~SECTION 4. 46.23 (2) (a) of the statutes is amended to read:~~

4 ~~46.23 (2) (a) "Human services" means the total range of services to people~~  
5 ~~including, but not limited to, health care, mental illness treatment, developmental~~  
6 ~~disabilities services, relief funded by a block grant under ch. 49, income maintenance~~  
7 ~~eligibility management, probation, extended supervision and parole services,~~  
8 ~~alcohol and drug abuse services, services to children, youth, and aging, family~~  
9 ~~counseling, special education services, and manpower services.~~

10 ~~SECTION 5. 49.33 (title) of the statutes is repealed and recreated to read:~~

11 ~~49.33 (title) Eligibility management.~~

12 SECTION 6. 49.33 (1) (b) of the statutes is amended to read:

13 49.33 (1) (b) "<sup>plain</sup>~~Income maintenance~~ program" means the  
14 ~~medical assistance~~ Medical Assistance program under subch. IV of ch. 49, the badger  
15 ~~care~~ Badger Care health care program under s. 49.665, ~~or~~ the food stamp program  
16 ~~under 7 USC 2011 to 2036, or the cemetery, funeral, and burial expenses program~~  
17 under s. 49.30.

18 ~~SECTION 7. 49.33 (2) of the statutes is amended to read:~~

19 49.33 (2) CONTRACTS. Annually, the department of health and family services  
20 shall contract with county departments under ss. 46.215, ~~46.22,~~ and 46.23, and may  
21 contract with tribal governing bodies, to reimburse the county departments and  
22 tribal governing bodies for the reasonable cost of ~~administering income maintenance~~  
23 eligibility management under the family support programs.

24 SECTION 8. 49.33 (3) of the statutes is amended to read:

1           49.33 (3) RULES. The department shall promulgate rules establishing  
 2 standards of competency, including training requirements, for ~~income maintenance~~  
 3 eligibility management workers.

4           **SECTION 9.** 49.33 (8) (title) of the statutes is amended to read:

5           49.33 (8) (title) REIMBURSEMENT FOR ~~INCOME MAINTENANCE ADMINISTRATION~~  
 6 ELIGIBILITY MANAGEMENT

7           **SECTION 10.** 49.33 (8) (a) of the statutes is amended to read:

8           49.33 (8) (a) From the appropriation accounts under s. 20.435 (4) (bn) and (nn)  
 9 and subject to par. (b), the department of health and family services shall reimburse  
 10 each county and tribal governing body that contracts with the department under sub.  
 11 (2) for reasonable costs of ~~administering the income maintenance eligibility~~  
 12 management under the family support programs. The amount of each  
 13 reimbursement paid under this paragraph shall be calculated using a formula based  
 14 on workload within the limits of available state and federal funds under s. 20.435 (4)  
 15 (bn) and (nn) by contract under s. 49.33 (2). The amount of reimbursement calculated  
 16 under this paragraph and par. (b) is in addition to any reimbursement provided to  
 17 a county or tribal governing body for fraud and error reduction under s. 49.197 (1m)  
 18 and (4).

19           **SECTION 11.** 49.79 (4) of the statutes is amended to read:

20           49.79 (4) DEDUCTIONS FROM COUNTY ~~INCOME MAINTENANCE~~ ELIGIBILITY  
 21 MANAGEMENT PAYMENTS. The department shall withhold the value of food stamp losses  
 22 for which a county or federally recognized American Indian tribe is liable under sub.  
 23 (3) from the payment to the county or tribe under ~~income maintenance eligibility~~

1 management contracts under s. 49.33 and reimburse the federal government from  
2 the funds withheld.

3 (END)

D-note

Erin:  
showed the cemetery, funeral, off  
bury



Insert 2-7 ✓

Section #. 20.435 (4) (nn) of the statutes is amended to read:

Medical Assistance

Badger Care

20.435 (4) (nn) *Federal aid; income maintenance.* All moneys received from the federal government for the costs of contracting for the administration of the ~~medical assistance~~ program under subch. IV of ch. 49 ~~and the badger care~~ health care program under s. 49.665 ~~and the food stamp program,~~ other than moneys received under par. (pa), for payments under s. 49.33 (8).

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.

and the cemetery, funeral, and burial expenses program under s. 49.307

(and of ins. 2-7)

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

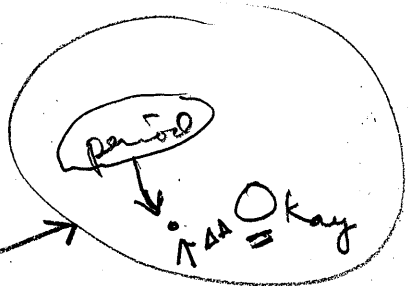
LRB-0190/P1dn

PJK:kmgrs

P2  
stet

October 15, 2002

*new date*



Erin:

Robert:

*I added*

1. ~~Should~~ the cemetery, funeral, and burial expenses program under s. 49.30 ~~be added~~ to s. 20.435 (4) (nn)? Are federal moneys received for administration of that program?

2. The term "income maintenance" under current law is used to describe the programs that are included in s. 49.33 (1) (b). It does not seem to me that those programs could be described as "eligibility management" programs. It seems to me that "eligibility management" is, instead, what the county departments do with respect to those programs. For that reason, I called the programs "family support" programs, as you suggested, and used "eligibility management" to describe what the county departments do instead of administering the programs. If this is not acceptable and what the county departments do should still be called "administration," modifications to this draft may be needed.

3. In ss. 20.435 (4) (bn) and 49.33 (2) and (8) (a), I used the phrase "eligibility management *under*" the family support programs, because of the comparison that you made in our telephone conversation to case management. In other words, cases and eligibility under the programs are managed, not the programs themselves. Let me know, however, if you would prefer "eligibility management *of*" the family support programs.

4. It is unclear from current law that DHFS has anything to do with the program under s. 49.30. The only agency explicitly associated with the program is DWD, which must reimburse county departments under s. 49.30 (2) for the payments they make for cemetery, funeral, and burial expenses. For that reason, the analysis, in explaining the legal change, may not reflect actual practice.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: pam.kahler@legis.state.wi.us

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

LRB-0190/P2dn  
PJK:kmg:pg

December 19, 2002

Erin:

I added the cemetery, funeral, and burial expenses program under s. 49.30 to s. 20.435 (4) (nn). Okay? Are federal moneys received for administration of that program?

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)

## Kahler, Pam

---

**From:** Fath, Erin  
**Sent:** Thursday, December 26, 2002 2:41 PM  
**To:** Kahler, Pam  
**Subject:** RE: LRB0190/P2n

Pam,  
DHFS confirms that there are no federal revenues used for the cemetery/funerals/burials expense program, so yes, I think you should take the mention of this program out of the language under s.20.435(4)(nn).

Thanks,  
-Erin

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

**From:** Kahler, Pam  
**Sent:** Thursday, December 19, 2002 3:46 PM  
**To:** Fath, Erin  
**Subject:** RE: LRB0190/P2n

Okay. I assume if there are no federal moneys for that purpose, I should take specific mention of that program out of s. 20.435 (4) (nn). Do you think I should also specifically exclude that program at the end of the appropriation text so that federal moneys are not used for that program under s. 49.33 (8) (if it would even be possible to exclude in practice)?

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

**From:** Fath, Erin  
**Sent:** Thursday, December 19, 2002 3:39 PM  
**To:** Kahler, Pam  
**Subject:** LRB0190/P2n

Pam,  
I do not think there are any federal moneys received for administration of the cemetery, funeral and burials program, but I have a question in to DHFS to double check.

**Erin K. Fath**

Wisconsin State Budget Office  
(608) 266-8219  
Erin.Fath@doa.state.wi.us



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-0190/22  
PJK:kmg:pg

*rmis run*

DOA:.....Fath - BB0029, Income maintenance appropriation

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

*SOON  
(12-30)  
D-note*

*do not  
you cut*

1 AN ACT; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**PUBLIC ASSISTANCE**

Under current law, DHFS contracts with county departments of social services or human services (county departments) to administer "income maintenance" programs and reimburses the county departments for their costs of administering those programs. An "income maintenance" program is defined as Medical Assistance, Badger Care, or the food stamp program.

This bill categorizes as an "income maintenance" program a program under current law under which county departments pay cemetery, funeral, and burial expenses for decedents who, during life, received certain public assistance benefits, such as Wisconsin Works benefits or Medical Assistance benefits. The county departments are reimbursed for those payments by DWD. The effect of the new categorization is that DHFS will reimburse county departments, from a DHFS general purpose revenue appropriation, for expenses incurred in determining eligibility for that program.

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) (bn) of the statutes is amended to read:

2 20.435 (4) (bn) *Income maintenance*. Biennially, the amounts in the schedule  
3 for payments under s. 49.33 (8) relating to the administration of the ~~medical~~  
4 ~~assistance~~ Medical Assistance program, the ~~badger care~~ Badger Care health care  
5 program under s. 49.665, and the food stamp program, and the cemetery, funeral,  
6 and burial expenses program under s. 49.30.

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

8 20.435 (4) (nn) *Federal aid; income maintenance*. All moneys received from the  
9 federal government for the costs of contracting for the administration of the ~~medical~~  
10 ~~assistance~~ Medical Assistance program under subch. IV of ch. 49 and, the ~~badger~~  
11 ~~care~~ Badger Care health care program under s. 49.665 and, the food stamp program,  
12 and the cemetery, funeral, and burial expenses program under s. 49.30, other than  
13 moneys received under par. (pa), for payments under s. 49.33 (8).

14 SECTION 3. 49.33 (1) (b) of the statutes is amended to read:

15 49.33 (1) (b) "Income maintenance program" means the ~~medical assistance~~  
16 Medical Assistance program under subch. IV of ch. 49, the ~~badger care~~ Badger Care  
17 health care program under s. 49.665, ~~or~~ the food stamp program under 7 USC 2011  
18 to 2036, or the cemetery, funeral, and burial expenses program under s. 49.30.

19 (END)

D-note

This redraft removes the treatment of s.  
20.435 (4)(nn), since no federal funding is received  
for administering the cemetery, funeral, and burial  
expenses program.

PJK

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

LRB-0190/1dn  
PJK:kmg:pg

January 2, 2003

This redraft removes the treatment of s. 20.435 (4) (nn), since no federal funding is received for administering the cemetery, funeral, and burial expenses program.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)

**Kahler, Pam**

---

**From:** Fath, Erin  
**Sent:** Friday, January 03, 2003 10:26 AM  
**To:** Kahler, Pam  
**Subject:** RE: LRB0190/P2n

Pam,

No new appropriation for this program. All the funding for the program will be transferred from DWD's appropriation under 20.445 (3)(dz) to DHFS' existing appropriation under s.20.435 (4)(bn) [Income Maintenance].

Thanks,  
-Erin

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

**From:** Kahler, Pam  
**Sent:** Friday, January 03, 2003 10:17 AM  
**To:** Fath, Erin  
**Subject:** RE: LRB0190/P2n

Erin:

Do you want a new DHFS GPR appropriation for payment of the actual funeral expenses (as opposed to administration) or do you want the payments to come out of an existing appropriation, and, if so, which one?

Pam

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

**From:** Fath, Erin  
**Sent:** Thursday, January 02, 2003 11:28 AM  
**To:** Kahler, Pam  
**Subject:** RE: LRB0190/P2n

Pam, as I mentioned in our earlier phone conversation, the intent here is to transfer the whole cemetery/funerals/burials expenses program from DWD to DHFS, such that DHFS would be responsible for reimbursing counties for the expenses. Please make any needed changes to the draft to reflect this.

Thanks!

-Erin Fath

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

**From:** Kahler, Pam  
**Sent:** Thursday, January 02, 2003 10:24 AM  
**To:** Fath, Erin  
**Subject:** RE: LRB0190/P2n

I have redrafted this one, so I no longer have the file with the original drating instructions to look at, but I thought that this was one of those programs that both DWD and DHFS was involved with. I thought, even though it seems inefficient, that DWD reimbursed counties for the actual funeral, etc., expenses that counties paid out but that DHFS reimbursed counties for any administrative costs incurred. For that reason, I thought the reference to the program in s. 20.445 (3) (dz) needed to stay. I may be mistaken.

Pam

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

**From:** Fath, Erin  
**Sent:** Tuesday, December 31, 2002 1:27 PM  
**To:** Kahler, Pam  
**Subject:** FW: LRB0190/P2n

Hi Pam,



I don't know if you've gotten around to the modification below. One other thing occurred to me. Currently, the DWD appropriation under s.20.445 (3)(dz) contains a reference to the cemetery/funeral/burial expenses program (s.49.30), as the GPR that currently pays for this program is budgeted in s.20.445 (3) (dz). Since we are literally transferring the GPR budget authority to DHFS for this program, I think the reference to s.49.30 under s.20.445(3)(dz) should come out. Do you agree?

Thanks,  
-Erin

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

**From:** Fath, Erin  
**Sent:** Thursday, December 26, 2002 2:41 PM  
**To:** Kahler, Pam  
**Subject:** RE: LRB0190/P2n

Pam,

DHFS confirms that there are no federal revenues used for the cemetery/funerals/burials expense program, so yes, I think you should take the mention of this program out of the language under s.20.435 (4)(nn).

Thanks,  
-Erin

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

**From:** Kahler, Pam  
**Sent:** Thursday, December 19, 2002 3:46 PM  
**To:** Fath, Erin  
**Subject:** RE: LRB0190/P2n

Okay. I assume if there are no federal moneys for that purpose, I should take specific mention of that program out of s. 20.435 (4) (nn). Do you think I should also specifically exclude that program at the end of the appropriation text so that federal moneys are not used for that program under s. 49.33 (8) (if it would even be possible to exclude in practice)?

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

**From:** Fath, Erin  
**Sent:** Thursday, December 19, 2002 3:39 PM  
**To:** Kahler, Pam  
**Subject:** LRB0190/P2n

Pam,

I do not think there are any federal moneys received for administration of the cemetery, funeral and burials program, but I have a question in to DHFS to double check.

**Erin K. Fath**

Wisconsin State Budget Office  
(608) 266-8219  
Erin.Fath@doa.state.wi.us

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

LRB-0190/2dn  
PJK:kmg:rs

January 6, 2003

Erin:

1. I amended s. 49.19 (5) (d) even though AFDC is no longer operational. If the statute is going to remain, it should be updated, I guess.
2. Let me know if you would like s. 49.33 (income maintenance) renumbered into subch. V of ch. 49, also. It seems to involve DHFS more than DWD.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.state.wi.us](mailto:pam.kahler@legis.state.wi.us)

## Kahler, Pam

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**From:** Fath, Erin  
**Sent:** Monday, January 20, 2003 3:46 PM  
**To:** Kahler, Pam  
**Subject:** FW: LRB Draft: 03-0190/2 Funeral expenses and income maintenance programs



03-0190/2



03-0190/2dn

Pam,

Concerning the 2nd not you made on this draft - yes, you can renumber 49.33 into subch. V of ch. 49, since all the Income Maintenance programs are administered by DHFS.

Thanks,

-Erin

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

**From:** Schlueter, Ron  
**Sent:** Monday, January 06, 2003 1:26 PM  
**To:** Fath, Erin  
**Cc:** Hanle, Bob; Schaeffer, Carole; Hanaman, Cathlene; Haugen, Caroline  
**Subject:** LRB Draft: 03-0190/2 Funeral expenses and income maintenance programs

Following is the PDF version of draft 03-0190/2.