

2003 DRAFTING REQUEST

Bill

Received: 12/20/2002

Received By: pkahler

Wanted: Soon

Identical to LRB:

For: Administration-Budget 7-7980

By/Representing: Blaine

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Public Assistance - med. assist.

Extra Copies:

Submit via email: NO

Pre Topic:

DOA:.....Blaine - BB0291,

Topic:

Reducing maximum MA irrevocable burial trust amount

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>
/?	pkahler 12/23/2002	kgilfoy 12/26/2002		_____			State
/1			pgreensl 12/30/2002	_____	lemery 12/30/2002		

FE Sent For:

<END>

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1?	pkahler	1-12/26 kmq	12/30 PY	12/30 1/30			
FE Sent For:				PJ/13			
<END>							

Agency: Department of Health and Family Services

SBO Analyst: Robert Blaine (7-7980)

Title: Reduce Maximum Medical Assistance Irrevocable Burial Trusts

Purpose of Draft: State law under s. 445.125 (1)(a)2. defines irrevocable burial trusts as trusts in amounts up to \$3,300 in value. Such a trust is exempt from consideration as a countable asset for purposes of MA eligibility determination. This draft would reduce this level from \$3,300 to \$1,500 as of July 1, 2004.

Please note: this limit was increased to \$3,300 in 2001 Wisconsin Act 16. The LRB number of the draft was 0608/2.

Priority: High.

(12/19)

BB00297

2003

Date (time) needed

SOON

(12-23)

LRB-1249, 1

DOA BUDGET DRAFT

PJK : King:

Use the appropriate components and routines developed for bills.

check auto. ref.

>>FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget.

.....
.....

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

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

SECTION #.





DOA:.....Mullikin - Increase excludable assets in irrevocable burial trust for MA program

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

*do not
you cut*

\$ 3,000

\$1,500

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

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current law, to qualify for the medical assistance (MA) program, an applicant must meet certain income and asset limits. Currently, DHFS must exclude certain assets when determining whether an applicant meets the asset limit. One of the assets that must be excluded is up to ~~\$2,500~~ in an irrevocable burial trust.

This bill ^{de} increases the limit on an irrevocable burial trust to ~~\$2,500~~ on January 1, 200~~3~~⁴.

For further information see the *state* 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:

as affected by 2001 Wisconsin Act 16,

2 SECTION 1. 445.125 (1) (a) 2. of the statutes is amended to read:

\$1,500

1 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
2 irrevocable as to the first ~~three~~ ~~\$3,100~~ of the funds paid under the agreement by
3 each depositor. ✓

4 **SECTION 934~~3~~. Initial applicability; regulation and licensing.**

5 *auto ref* (1) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. ✓
6 the statutes first applies to burial trust agreements entered into on the effective date
7 of this subsection.

8 **SECTION 944~~3~~. Effective dates; regulation and licensing.**

9 (1) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. ✓
10 the statutes and SECTION 934~~3~~ (1) of this act take effect on January 1, 200~~3~~. ✓

11 (END)

a. r.
auto ref

PROF

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State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1249/1
PJK:kmg:pg

DOA:.....Blaine - BB0291, Reducing maximum MA irrevocable burial trust amount

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current law, to qualify for the Medical Assistance (MA) Program, an applicant must meet certain income and asset limits. Currently, DHFS must exclude certain assets when determining whether an applicant meets the asset limit. One of the assets that must be excluded is up to \$3,000 in an irrevocable burial trust.

This bill decreases the limit on an irrevocable burial trust to \$1,500 on January 1, 2004.

For further information see the *state* 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:

2 SECTION 1. 445.125 (1) (a) 2. of the statutes, as affected by 2001 Wisconsin Act
3 16, is amended to read:

1 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
2 irrevocable as to the first \$3,000 \$1,500 of the funds paid under the agreement by
3 each depositor.

4 **SECTION 9344. Initial applicability; regulation and licensing.**

5 (1) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of
6 the statutes first applies to burial trust agreements entered into on the effective date
7 of this subsection.

8 **SECTION 9444. Effective dates; regulation and licensing.**

9 (1) IRREVOCABLE BURIAL TRUSTS. The treatment of section 445.125 (1) (a) 2. of
10 the statutes and SECTION 9344 (1) of this act take effect on January 1, 2004.

11 (END)