

**2003-04 SESSION  
COMMITTEE HEARING  
RECORDS**

Committee Name:

*Senate Committee on  
Health, Children,  
Families, Aging and  
Long Term Care  
(SC-HCFALTC)*

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR\_RCP\_pt01a
- 03hrAC-EdR\_RCP\_pt01b
- 03hrAC-EdR\_RCP\_pt02

➤ Appointments ... Appt

➤ \*\*

➤ Clearinghouse Rules ... CRule

➤ \*\*

➤ Committee Hearings ... CH

➤ \*\*

➤ Committee Reports ... CR

➤ \*\*

➤ Executive Sessions ... ES

➤ \*\*

➤ Hearing Records ... HR

➤ 03hr\_sb0186\_pt07

➤ Miscellaneous ... Misc

➤ \*\*

➤ Record of Comm. Proceedings ... RCP

➤ \*\*

SEP 10 2003

# Wisconsin Public Health Advisory Committee

September 9, 2003

The Honorable Carol Roessler  
Wisconsin State Senate  
Room 8 S, State Capitol  
P. O. Box 7882  
Madison, WI 53707-7882

Sept. 2003

RE: Family Planning Waiver

The Public Health Advisory Committee represents 35 Wisconsin organizations which constitute the public health community in our state. The roster of members is attached.

Wisconsin's Health Plan includes many worthwhile goals including:

- Promote and protect health for all.
- Eliminate health disparities.
- Transform Wisconsin's public health system.

In our efforts to achieve these goals, the Public Health Advisory Committee has voted to support continuing implementation of Wisconsin's Medicaid Family Planning Waiver. Without this support, many women in our state will remain in the waiting lines of the uninsured when critical health care is needed.

The family planning waiver covers those women who do not have children and who are working, uninsured, in lower paying service-sector jobs. This is the very group most likely to need care they cannot pay for. The Medicaid Family Planning Waiver fills the gap for those not eligible for the Wisconsin Well Women Program or Medicaid and it supports the State Division of Public Health in its efforts to provide preventive health services to Wisconsin residents. By providing proper care we reduce Wisconsin's rates of cancer, sexually transmitted diseases, and the incidence of other health risks such as poor nutrition and smoking.

Ninety percent of the funding is provided from federal funds. At the present minimal 10% rate of state funding, the dollars invested will be more than returned in savings by preventing unintended pregnancies among these women of childbearing age. This program is estimated to provide \$7.6 million in Federal Aid to Wisconsin and save \$17 million GPR over the next five years, including \$8.9 million by preventing unwanted pregnancy.

We urge you to support the Waiver's continued implementation in Wisconsin. In these difficult fiscal times, we must support women's health, access to health care for the uninsured in Wisconsin, and maximizing the Federal funding available for health care in the State. We urge your support of its continuation.

Sincerely,



Ronald H. Laessig, Ph.D.  
Chairperson PHAC



WISCONSIN  
PRIMARY HEALTH CARE  
ASSOCIATION

SEP 12 2003

September 11, 2003

To: All State Senators

From: Sarah V. Lewis  
Executive Director

Re: **Senate Bill 186**

On behalf of the members of the Wisconsin Primary Health Care Association I urge you to vote against Senate Bill 186 and maintain the Medicaid Family Planning Waiver Program as it was originally created.

Our organization advocates for health care access for medically underserved communities throughout Wisconsin. Our Community, Migrant and Homeless Health Center members see a disproportionate share of uninsured patients in both rural and urban communities. The Medicaid Family Planning Waiver expansion offers an insurance option and access to treatment services for thousands of women who were previously uninsured. In 2002, Wisconsin's Community, Migrant and Homeless Health Centers treated 32,541 women ages 15-44. Of that group 3,001 were between the ages of 15 and 17, the proposed age group to be eliminated by the bill.

As you know, the Family Planning Waiver Program was created to extend family planning services to low-income women that do not qualify for other programs. The ultimate goal of the program is reduction in the number of unintended pregnancies, transmission of sexually transmitted infections and promotion of early detection of cancer. Ultimately, this program will attract millions in federal funds and will strengthen both access to care for women and services provided to them

I urge you to vote against SB 186 and maintain the current level of primary care access for all Wisconsin women.

9-17-03

# Planned Parenthood Chris

## SB 186

Taxpayers pay 85% of teen birthing costs.  
- teen birth avg. cost: \$85,000

Teen births: 7,000 (lower than nat'l avg.)  
- Reduction of abortion rate by 250  
(250 less in 2002)

- Many Republicans voted for the <sup>original</sup> Family Planning Bill  
(~~to~~ to get program implemented). Tommy Initiative.

25,000 people enrolled in the program since Jan. 47,000  
was original projection of amt served in 5 yrs. obviously will serve more.

Problem w/ Changing age:

- 7.6 million from feds for program.
- State will be in non-compliance with fed requirement

P.P. - can not ~~to~~ perform abortions but has to  
educate a person of the option (can't encourage  
any specific options).

- Courts have struck down requiring parental consent  
before being served.

- Under Bill, even teens coming in w/ parents cannot be served.

In sum - Problems

1) loss of fed funds

2) misconception that this a program that pushes abortions.

3) " that planned parenthood administers program.

DHFS is in fact the administrator.

- Chris thinks floor needs to vote to send to Committee  
- not Senate Org.

Program could save \$17.0 million to taxpayers

" also provides Pap smears, mammograms, STI testing

\*Not a high priority for RTL (more a pro-life issue)

↓  
Do oppose but  
have other leg-priorities.

# Pro-Life Wisconsin



*Defending them all...*

P.O. Box 221, Brookfield, WI 53008-0221  
(262) 796-1111 Fax (262) 796-1115  
prolifewis@aol.com www.prolifewisconsin.org

September 18, 2003

SEP 18 2003

TO: All Legislators

FROM: Matt Sande, Director of Legislative Affairs  
Mary Matuska, Deputy Director of Legislative Affairs

RE: **Support for AB 383 / SB 186: Removal of Minor Children from the Medicaid Family Planning Demonstration Project**

---

Pro-Life Wisconsin is a proud member of the *Parents First!* coalition, a group of over twenty organizations representing thousands of families across Wisconsin that are working to protect our young people from a physically and morally destructive new program called the *Medicaid Family Planning Demonstration Project*. The *Project* currently provides free, taxpayer funded birth control to 15, 16 and 17-year old girls without their parents' knowledge or consent. *Parents First!* is fighting for passage of **Assembly Bill (AB) 383** and **Senate Bill (SB) 186**, legislation that would cancel minor girls' access to the *Project*.

This legislation is simply common sense. Protecting young girls from the devastating physical and emotional effects of sexually transmitted diseases (STDs), pregnancy and abortion, as well as ensuring the rights of parents to be involved in such important issues in their daughters' lives is good public policy.

Introduced by the Joint Committee for the Review of Administrative Rules (JCRAR), co-chaired by **Representative Glenn Grothman** and **Senator Joe Leibham**, AB 383 and SB 186 would specifically change the minimum age requirement, from 15 to 18 years, for eligibility for the *Project* which provides "family planning" services to low-income women. The following points argue the necessity of AB 383 and SB 186:

- **"Family Planning Project" Undermines Parents:** Providing free, taxpayer funded birth control to 15 year-olds behind parents' backs is irresponsible public policy. Federal and state law prohibits parental notification of an underage child who applies for services under the *Medicaid Family Planning Demonstration Project*. Contraceptive drugs and devices pose serious health risks for women, including blood clots, cancer, strokes and heart attacks. What parent would not want to know that their minor child is ingesting such potentially life threatening drugs? Should we not ensure that moms and dads are involved in the sexual health of their sons and daughters, not to mention their moral development?

(over)

A recent Zogby poll revealed that 70 percent of parents either “strongly disapprove” or “disapprove” of their child being able to obtain contraception without their knowledge or approval.\* The very least we can do as a state is to respect parental authority; to recognize the love and concern that parents have for their children.

\*(Zogby International 2003 Survey on Parental Opinions of Character-Based, Abstinence-Until-Marriage Sex Education vs. Comprehensive [“Abstinence-First,” Then Condoms] Sex Education, February 13, 2003)

- **“Family Planning Project” Increases STDs:** Government-funded birth control contributes to an increase in STDs by encouraging sexual promiscuity. The Pill offers no protection against STDs including AIDS. With over thirty viruses today compared to only two in 1960, STDs among our teens have become a full-blown epidemic. Every day, 8,000 teens become infected with an STD – a direct result of our overemphasis on birth control and our culture’s “sex-with-no-consequences” mindset.

After twenty years crusading for safe sex by dispensing condoms and the Pill to adolescent patients, Dr. Meg Meeker, M.D., as described in her book Epidemic – How Teen Sex is Killing Our Kids,\* realized she was horribly mistaken when her teen patients began marching in with dangerous STDs. She now counsels teens and parents on the *medical* importance of waiting to have sex. It’s time the State of Wisconsin reassess the so-called benefits of “family planning” for Wisconsin’s children.

\*(“Epidemic: How Teen Sex is Killing our Kids,” by Meg Meeker, M.D.)

- **“Family Planning Project” is Ineffective:** Compelling data indicates that broad contraceptive availability may actually work to *increase* underage pregnancy and abortion by encouraging sexual promiscuity, debunking Planned Parenthood’s theory that the provision of contraceptives to teens will reduce underage pregnancies.

A March 2002 study published in the *Journal of Health Economics* investigated the impact of family planning on teenage conceptions and abortions by testing data from 16 United Kingdom regions over a 14-year period.\* The author of the study concluded that “the overall effect of expanding family planning services for under-16s has been to increase pregnancies and abortion.”

\*(“The Economics of Family Planning and Underage Conceptions,” Dr. David Paton, Nottingham University Business School)

An April 2003 study published in the journal *Adolescent and Family Health* demonstrates that abstinence, not contraception, lowered teen pregnancy and birth rates.\* It overturns Planned Parenthood’s claim that 80 percent of the decline in the pregnancy rate is due to contraceptive use and 20 percent to abstinence. The authors compared the drop in the birth and pregnancy rates between 1991 and 1995. Among unmarried girls, abstinence accounted for the entire decline in births and a 67 percent drop in pregnancies.

\*(“An Analysis of the Causes of the Decline in Non-marital Birth and Pregnancy Rates for Teens from 1991 to 1995,” Joanna K. Mohn, MD, Lynne R. Tingle, Ph.D., Reginald Finger, MD, MPH)

**Pro-Life Wisconsin strongly encourages your support of AB 383 and SB 186.** Thank you for your consideration.

**Halbur, Jennifer**

---

**From:** Asbjornson, Karen  
**Sent:** Friday, September 19, 2003 9:00 AM  
**To:** Halbur, Jennifer  
**Subject:** FW: Wisc. Right to Life position on raising age limits for federal family planning CR email

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

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

**From:** legislative [mailto:legis@wrti.org]  
**Sent:** Thursday, September 18, 2003 5:06 PM  
**Subject:** Wisc. Right to Life position on raising age limits for federal family planning dollars

**Wisconsin Right to Life**

10625 W. North Avenue, Milwaukee, WI 53226  
414-778-5780 or toll free: 877-855-5007

---

**TO:** State Legislators

**FROM:** Susan Armacost, Legislative Director

**RE:** Wisconsin Right to Life concerned how new "pot" of federal family planning dollars will be used to promote abortion to vulnerable pregnant minor girls.

Wisconsin Right to Life is deeply concerned that an increased promotion of abortion among pregnant minor girls will occur with the new federal planning dollars coming to Wisconsin through the family planning waiver.

Before explaining our concerns in greater detail, I want to reiterate that **Wisconsin Right to Life takes no position on birth control methods intended to prevent pregnancy. Nor do we have any interest in debating whether family planning programs should or should not exist.** Our concern regarding the \$32 million new federal family planning dollars is they will be misused by promoting abortion to vulnerable pregnant minor girls.

**Our interest in this new source of family planning dollars stems from the fact that all federal planning dollars coming to Wisconsin are administered by Planned Parenthood, the state's largest abortion provider. Planned Parenthood keeps some of the federal family planning dollars for their own family planning clinics and distributes the rest to other organizations that provided family planning services.**

Family planning dollars flowing to Planned Parenthood are not supposed to be used for abortion services. But the reality is, Planned Parenthood, as the state's largest abortion provider, currently uses state and federal family planning dollars for abortion-related services.

09/22/2003

Planned Parenthood uses their own family planning clinics as sites for referring pregnant women and pregnant minor girls right over to their own profit oriented Planned Parenthood clinics to have abortions. And with the addition of \$32 million new federal family planning dollars, many more pregnant women and pregnant minor girls will be "serviced" in this way. This is a conflict of interest that should be of deep concern to the state legislature!

Given that the abortion business is an extremely lucrative one for Planned Parenthood, there should also be concern regarding zealous Planned Parenthood employees who may exert subtle pressure on pregnant women and pregnant minor girls into making a decision to have an abortion. **Minor girls are particularly vulnerable to this kind of manipulation.**

But that is only part of the story. When Planned Parenthood refers pregnant minor girls to one of their own profit-oriented abortion clinics, they are only too happy to **assist the minor girl in circumventing Wisconsin's current law requiring parental consent prior to a minor's abortion.** This should also be of grave concern to the state legislature.

With the additional \$32 million federal family planning dollars, Planned Parenthood will be able to reach a much larger pool of pregnant minor girls, many of whom they will refer to their own clinics for abortions.

While we abhor the use of tax dollars to refer women of any age to abortion clinics, we are particularly concerned about vulnerable pregnant minor girls who are in the hands of the state's largest abortion provider that has a vested economic interest in increasing the numbers of abortions performed at their clinics.

Representative Glenn Grothman and Sen. Joe Leibham have authored legislation that would raise the age limit for those who would be serviced with the new federal family planning dollars. Wisconsin Right to Life believes this legislation makes sense by recognizing the vulnerability of minor girls and the rightful role of parents as the guardians of their own children.

Wisconsin Right to Life supports the Grothman/Leibman measure. We urge you to support this measure in order to protect Wisconsin's minor girls from being referred for abortions without any parental involvement whatsoever and to minimize the blatant conflict of interest that currently exists with Planned Parenthood as the administrator of federal family planning dollars.

Thank you.

**Halbur, Jennifer**

---

**From:** Asbjornson, Karen  
**Sent:** Friday, September 19, 2003 9:00 AM  
**To:** Halbur, Jennifer  
**Subject:** FW: Wisc. Right to Life position on raising age limits for federal family planning CR email

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

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

**From:** legislative [mailto:legis@wrtl.org]  
**Sent:** Thursday, September 18, 2003 5:06 PM  
**Subject:** Wisc. Right to Life position on raising age limits for federal family planning dollars

**Wisconsin Right to Life**  
10625 W. North Avenue, Milwaukee, WI 53226  
414-778-5780 or toll free: 877-855-5007

---

**TO:** State Legislators

**FROM:** Susan Armacost, Legislative Director

**RE:** Wisconsin Right to Life concerned how new "pot" of federal family planning dollars will be used to promote abortion to vulnerable pregnant minor girls.

Wisconsin Right to Life is deeply concerned that an increased promotion of abortion among pregnant minor girls will occur with the new federal planning dollars coming to Wisconsin through the family planning waiver.

Before explaining our concerns in greater detail, I want to reiterate that **Wisconsin Right to Life takes no position on birth control methods intended to prevent pregnancy. Nor do we have any interest in debating whether family planning programs should or should not exist.** Our concern regarding the \$32 million new federal family planning dollars is they will be misused by promoting abortion to vulnerable pregnant minor girls.

Our interest in this new source of family planning dollars stems from the fact that all federal planning dollars coming to Wisconsin are administered by Planned Parenthood, the state's largest abortion provider. Planned Parenthood keeps some of the federal family planning dollars for their own family planning clinics and distributes the rest to other organizations that provided family planning services.

Family planning dollars flowing to Planned Parenthood are not supposed to be used for abortion services. But the reality is, Planned Parenthood, as the state's largest abortion provider, currently uses state and federal family planning dollars for abortion-related services.

09/22/2003

Planned Parenthood uses their own family planning clinics as sites for referring pregnant women and pregnant minor girls right over to their own profit oriented Planned Parenthood clinics to have abortions. And with the addition of \$32 million new federal family planning dollars, many more pregnant women and pregnant minor girls will be "serviced" in this way. This is a conflict of interest that should be of deep concern to the state legislature!

Given that the abortion business is an extremely lucrative one for Planned Parenthood, there should also be concern regarding zealous Planned Parenthood employees who may exert subtle pressure on pregnant women and pregnant minor girls into making a decision to have an abortion. **Minor girls are particularly vulnerable to this kind of manipulation.**

But that is only part of the story. When Planned Parenthood refers pregnant minor girls to one of their own profit-oriented abortion clinics, they are only too happy to **assist the minor girl in circumventing Wisconsin's current law requiring parental consent prior to a minor's abortion.** This should also be of grave concern to the state legislature.

With the additional \$32 million federal family planning dollars, Planned Parenthood will be able to reach a much larger pool of pregnant minor girls, many of whom they will refer to their own clinics for abortions.

While we abhor the use of tax dollars to refer women of any age to abortion clinics, we are particularly concerned about vulnerable pregnant minor girls who are in the hands of the state's largest abortion provider that has a vested economic interest in increasing the numbers of abortions performed at their clinics.

Representative Glenn Grothman and Sen. Joe Leibham have authored legislation that would raise the age limit for those who would be serviced with the new federal family planning dollars. Wisconsin Right to Life believes this legislation makes sense by recognizing the vulnerability of minor girls and the rightful role of parents as the guardians of their own children.

Wisconsin Right to Life supports the Grothman/Leibman measure. We urge you to support this measure in order to protect Wisconsin's minor girls from being referred for abortions without any parental involvement whatsoever and to minimize the blatant conflict of interest that currently exists with Planned Parenthood as the administrator of federal family planning dollars.

Thank you.

## Halbur, Jennifer

---

**From:** Asbjornson, Karen  
**Sent:** Saturday, September 20, 2003 1:43 PM  
**To:** Halbur, Jennifer  
**Subject:** FW: Save the Family Planning Waiver and vote against AB 383 and SB 18  
CR email

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

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

**From:** Taylor, Chris [mailto:Chris.Taylor@ppwi.org]  
**Sent:** Friday, September 19, 2003 6:08 PM  
**Subject:** Save the Family Planning Waiver and vote against AB 383 and SB 18 6

To: Select Legislators

From: Chris Taylor, Legislative Director

Re: Please oppose AB 383 and SB 186.

Attached please find Planned Parenthood of Wisconsin's talking points which outlines our opposition to AB 383 and SB 186. These bills are scheduled for hearing on 9/23 in both houses. <<WaiverTalking points 9.15.03.doc>>

These bills gut the Family Planning Waiver Program by removing young women ages 15-17 from the program, which provides cancer screens, breast exams, sexually transmitted infection testing and treatment and access to birth control to low-income women ages 15-44. Excluding teens from the program threatens the continuation of the entire program, as Wisconsin will be out of compliance with its commitment under the program to reduce teen pregnancy. The estimated \$17 million savings for Wisconsin taxpayers which this program affords would then not be realized and the state would lose \$7.6 million in federal funds per year, as the federal government pays 90% of the cost of this program.

A few points to highlight:

1. Under federal Medicaid law, parental consent for access to birth control is prohibited. Though it is ideal for young people to be discussing sexuality and birth control issues with their parents, not every family is a model family. The Family Planning Waiver program does not in any way mitigate Wisconsin's parental consent for minors' abortion law. AB 383 and SB 186 do however, remove young women who do have their parents' consent from the Family Planning Waiver program and the important preventative health services provided.
2. The Department of Health and Family Services administers this program. Because this is a Medicaid program, Medicaid providers are reimbursed for this program directly through that program. Planned Parenthood of Wisconsin has nothing to do with administering funds to other Medicaid providers under this program.
3. None of the federal and state monies under this program are used for abortion services. Pursuant to both federal and state law, no public monies can be used for abortion services nor can direct referrals to abortion providers be made. The Family Planning Waiver has nothing to do with providing abortion services, but works to PREVENT unintended pregnancies and abortion.

4. These bills were advanced by JCRAR in a highly unusual and improper manner. Though these bills are allegedly advanced by JCRAR according to Wis. Stat. 227.26(2)(f), these bills have nothing to do with the repeal of a rule and are not entitled to the fast track process set forth in that statute. Neither of these bills received a public hearing, nor a committee vote. At the very least, these bills should be sent back to committee so that the public has an opportunity to be heard.
  
5. The Family Planning Waiver received bi-partisan support when voted on in 1997. Senator Mary Panzer and Representative John Gard voted for the program, which was supported by then Governor Tommy Thompson.

## Halbur, Jennifer

---

**From:** Asbjornson, Karen  
**Sent:** Monday, September 22, 2003 5:00 PM  
**To:** Halbur, Jennifer  
**Subject:** FW: Please OPPOSE SB 186 / AB 383, the Repeal of the Family Planning Waiver

CR email

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

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

**From:** Caryl Terrell, Sierra Club-John Muir Chapter  
[mailto:cterrell@execpc.com]  
**Sent:** Monday, September 22, 2003 4:34 PM  
**To:** sen.breske@legis.state.wi.us; sen.carpenter@legis.state.wi.us;  
sen.cowles@legis.state.wi.us; sen.decker@legis.state.wi.us;  
sen.erpenbach@legis.state.wi.us; sen.george@legis.state.wi.us;  
sen.hansen@legis.state.wi.us; sen.jauch@legis.state.wi.us;  
sen.kedzie@legis.state.wi.us; sen.lazich@legis.state.wi.us;  
sen.meyer@legis.state.wi.us; sen.panzer@legis.state.wi.us;  
sen.risser@legis.state.wi.us; sen.roessler@legis.state.wi.us;  
sen.lassa@legis.state.wi.us; sen.welch@legis.state.wi.us;  
sen.zien@legis.state.wi.us  
**Subject:** Please OPPOSE SB 186 / AB 383, the Repeal of the Family  
Planning Waiver

September 22, 2003

TO All Members of the State Senate

RE: Opposition to AB 383 and SB 186, Repeal of the Family Planning  
Waiver

From Caryl Terrell, Chapter Director  
Sierra Club - John Muir Chapter  
222 S Hamilton St #1, Madison WI 53703  
(608) 256-0565; cterrell@execpc.com

The Sierra Club-John Muir Chapter supports the Family Planning Waiver as it is written. We request that you vote against Assembly Bill AB 383 and Senate Bill 186. Statewide, family planning agencies and the patients they serve need your help to defeat these bills.

AB 383 and SB 186 will prohibit young women ages 15-17 from participating in the Family Planning Waiver program and obtaining preventative health care services such as breast and cervical cancer testing, treatment for sexual transmitted infections and birth control. By prohibiting young women from receiving health care services under the waiver, the state will be out of compliance with its commitment to the federal government to prevent teen pregnancy and the continuation of the entire program would be jeopardized. Uninsured low-income women who are most in need of these vital health care services, would loss access to basic preventative and diagnostic health care.

In the past, low-income women who were not pregnant or did not have

children were ineligible for health care services under Medicaid or BadgerCare. Effective January 1, 2003, Wisconsin received a waiver from the federal government to expand access to family planning health care services to women who are not pregnant and who do not have children. Under this Waiver, low-income Wisconsin women of child-bearing age (15 - 44 years) can receive low cost or no cost family planning services, such as breast and cervical cancer screens, contraceptive counseling and services and testing and treatment for sexually transmitted infections.

According to a study by the Alan Guttmacher Institute, each dollar spent on family planning services saves an estimated \$3.00 that would otherwise be spent in medical care and other social services to women who by law would be eligible for such services if they became pregnant.

The Department of Health and Family Services estimates that 85% of teen pregnancies in our state are paid for by Wisconsin taxpayers. By reducing the incidence of teen pregnancy, the Waiver reduces Medicaid costs that taxpayers are financing.

Because it is smart fiscal policy, the Waiver enjoys bipartisan support. In 1997, the Family Planning Waiver was approved by the Legislature on a bi-partisan vote. Assembly Speaker John Gard (R-Peshtigo) and Senate Leader Mary Panzer (R-West Bend) supported the program, which was signed into law by then Governor Tommy Thompson. Last year, U.S. Health and Human Services Secretary Tommy Thompson announced final approval of the Waiver for Wisconsin.

Thank you for rejecting AB 383 and SB 186 and for considering our point of view.

-----

## Halbur, Jennifer

---

**From:** Hanson, Peter  
**Sent:** Tuesday, September 23, 2003 10:14 AM  
**To:** \*Legislative Senate Republicans  
**Subject:** FW: Please OPPOSE SB 186 / AB 383, the Repeal of the Family Planning Waiver

Why would the Sierra Club be weighing in on "family planning?" Is that what their members pay dues for?

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

**From:** Caryl Terrell, Sierra Club-John Muir Chapter  
[mailto:cterrell@execpc.com]  
**Sent:** Monday, September 22, 2003 4:34 PM  
**To:** sen.breske@legis.state.wi.us; sen.carpenter@legis.state.wi.us;  
sen.cowles@legis.state.wi.us; sen.decker@legis.state.wi.us;  
sen.erpenbach@legis.state.wi.us; sen.george@legis.state.wi.us;  
sen.hansen@legis.state.wi.us; sen.jauch@legis.state.wi.us;  
sen.kedzie@legis.state.wi.us; sen.lazich@legis.state.wi.us;  
sen.meyer@legis.state.wi.us; sen.panzer@legis.state.wi.us;  
sen.risser@legis.state.wi.us; sen.roessler@legis.state.wi.us;  
sen.lassa@legis.state.wi.us; sen.welch@legis.state.wi.us;  
sen.zien@legis.state.wi.us  
**Subject:** Please OPPOSE SB 186 / AB 383, the Repeal of the Family Planning Waiver

September 22, 2003

TO All Members of the State Senate

RE: Opposition to AB 383 and SB 186, Repeal of the Family Planning Waiver

From Caryl Terrell, Chapter Director  
Sierra Club - John Muir Chapter  
222 S Hamilton St #1, Madison WI 53703  
(608) 256-0565; cterrell@execpc.com

The Sierra Club-John Muir Chapter supports the Family Planning Waiver as it is written. We request that you vote against Assembly Bill AB 383 and Senate Bill 186. Statewide, family planning agencies and the patients they serve need your help to defeat these bills.

AB 383 and SB 186 will prohibit young women ages 15-17 from participating in the Family Planning Waiver program and obtaining preventative health care services such as breast and cervical cancer testing, treatment for sexual transmitted infections and birth control. By prohibiting young women from receiving health care services under the waiver, the state will be out of compliance with its commitment to the federal government to prevent teen pregnancy and the continuation of the entire program would be jeopardized. Uninsured low-income women who are most in need of these vital health care services, would lose access to basic preventative and diagnostic health care.

In the past, low-income women who were not pregnant or did not have children were ineligible for health care services under Medicaid or BadgerCare. Effective January 1, 2003, Wisconsin received a waiver from the federal government to expand access to family planning health care services to women who are not pregnant and who do not have children. Under this Waiver, low-income Wisconsin women of

child-bearing age (15 - 44 years) can receive low cost or no cost family planning services, such as breast and cervical cancer screens, contraceptive counseling and services and testing and treatment for sexually transmitted infections.

According to a study by the Alan Guttmacher Institute, each dollar spent on family planning services saves an estimated \$3.00 that would otherwise be spent in medical care and other social services to women who by law would be eligible for such services if they became pregnant.

The Department of Health and Family Services estimates that 85% of teen pregnancies in our state are paid for by Wisconsin taxpayers. By reducing the incidence of teen pregnancy, the Waiver reduces Medicaid costs that taxpayers are financing.

Because it is smart fiscal policy, the Waiver enjoys bipartisan support. In 1997, the Family Planning Waiver was approved by the Legislature on a bi-partisan vote. Assembly Speaker John Gard (R-Peshtigo) and Senate Leader Mary Panzer (R-West Bend) supported the program, which was signed into law by then Governor Tommy Thompson. Last year, U.S. Health and Human Services Secretary Tommy Thompson announced final approval of the Waiver for Wisconsin.

Thank you for rejecting AB 383 and SB 186 and for considering our point of view.



# SUE JESKEWITZ

State Representative • 24th Assembly District

---

FOR IMMEDIATE RELEASE

September 23, 2002

Contact State Representative Sue Jeskewitz (608) 266-3796

## Jeskewitz Defends Keeping Family Planning Waiver Intact

*The Fundamental Goal Of This Program Will No Longer Be There*

(MADISON) “The “Leave it to Beaver’s” out there believe that strong parenting alone will keep teens from getting pregnant, but this is not always the case these days. Let’s face it, June has gone to work, she doesn’t wear aprons anymore and Ward does not come home at 4:30 p.m. everyday,” said Representative Sue Jeskewitz (R-Menomonee Falls) today. “I am not advocating that teens have sex, but let’s face it, many of them are. This waiver is about reducing teen pregnancies and abortions.”

Jeskewitz is referring to two bills on the fast-track in Madison, AB-383 and SB-186, which seek to increase the minimum age requirement from 15 to 18 for eligibility for the Medical Assistance Program demonstration project, also know as the Family Planning Waiver.

The percent of births to teens ages 15-17 has risen drastically in the last 30 years. In 2001, 15-17 year olds made up 31.6 percent of teen births compared to 26 percent in 1970. “The original intent of then Governor Tommy G. Thompson’s proposal was to reduce **unintended pregnancies and abortion**,” stated Jeskewitz, “therefore, even if the entire waiver would not be in jeopardy, the fundamental goal of this program will no longer be there.”

Figures provided by the DHFS website report that in 2001 there were approximately 6,849 teen births in Wisconsin, 2,167 to teens ages 15-17, and approximately 25,256 cases of sexually transmitted infections. According to Mark Moody (DHFS), in 2000 “**85% of teen pregnancies were paid for by the Medicaid program**. Pregnancy and birth will qualify these new mothers for continued Medicaid coverage, putting additional strain on the taxpayers.”

The Family Planning Waiver program’s goal is a 15% reduction in these pregnancies. “If program goals are met then the state could reduce its costs of providing pregnancy and birth related care by nearly \$1 Million dollars,” said Jeskewitz. This figure is based on the average cost of care of \$7,183/per birth and the one-third Medicaid match Wisconsin will have to pay for these services – not to mention the ongoing costs to the Medicaid program once the child is born. Additionally, teens ages 15-17 are more likely to have premature babies, which considerably increases the cost of care for this group.

During the five-year span of the Family Planning Waiver program, it is estimated that Wisconsin will attract \$38 million dollars of federal funding, reducing the state's burden by \$17 million in general program revenue (GPR) and \$8.9 million in Medicaid funding. Medicaid, while an option for this group, only receives a two-thirds match of federal dollars compared to the 90 percent match under the Family Planning Waiver program.

“While the change may seem minor, this one small change could put at risk Wisconsin’s Family Planning Waiver in its entirety. This program currently provides over 25,000 women of child-bearing age with critical health care services who are not eligible for other health care programs. In these difficult times of budget deficits we would be foolish to do anything that might result in tens of thousands of women going without preventative health care in Wisconsin,” stated Jeskewitz.

###

The Capital Times September 23, 2003

# Bill that would cut birth control aid hit

**By Matt Pommer**

*The Capital Times*

Legislative efforts to stop free birth control pills and advice to teenage girls was criticized today as the measure came to the Assembly floor.

At issue is a state-federal program called the Medicaid Family Planning Demonstration Project, which was developed as part of former Gov. Tommy Thompson's welfare reform program in the 1990s. The federal government pays 90 percent of the costs.

"We are shocked that legislative leaders now want to reverse the important steps he took to prevent unwanted pregnancies among low-income women," said the Rev. Sue Larson, director of the Lutheran Office of Public Policy in Wisconsin.

The program "will save us money when we have none," said Lt. Gov. Barbara Lawton.

Legislation to curb the program, promoted by anti-abortion groups, was to reach the Assembly floor today, and critics quickly said it should be returned to committee for public hearings.

Pro-Life Wisconsin has said

the family planning project undermines parents because it provides birth control "to 15-year-olds behind parents' backs." The group labeled it "irresponsible public policy." The group also said government-funded birth control contributes to an increase in sexually transmitted disease and said contraceptive availability "may actually work to increase underage pregnancy and abortion."

State Sen. Judy Robson, D-Beloit, said Thompson "realized in his wisdom" that the program and its efforts to reach sexually active teenagers could prevent unwanted pregnancies. It passed the Legislature with bipartisan support, she added.

About 30,000 people have participated in the program, 85 percent of them adults.

This spring, the Joint Committee for the Review of Administrative Rules voted 6-4 to block rules for the program, but the state Department of Health and Family Services refused to suspend the rules. Legislation must be passed and signed by the governor to uphold the committee's action.

E-mail: [mpommer@madison.com](mailto:mpommer@madison.com)

# SUE JESKEWITZ

State Representative • 24th Assembly District

FOR IMMEDIATE RELEASE

September 23, 2002

Contact State Representative Sue Jeskewitz (608) 266-3796

## Jeskewitz Defends Keeping Family Planning Waiver Intact

*The Fundamental Goal Of This Program Will No Longer Be There*

(MADISON) "The "Leave it to Beaver's" out there believe that strong parenting alone will keep teens from getting pregnant, but this is not always the case these days. Let's face it, June has gone to work, she doesn't wear aprons anymore and Ward does not come home at 4:30 p.m. everyday," said Representative Sue Jeskewitz (R-Menomonee Falls) today. "I am not advocating that teens have sex, but let's face it, many of them are. This waiver is about reducing teen pregnancies and abortions."

Jeskewitz is referring to two bills on the fast-track in Madison, AB-383 and SB-186, which seek to increase the minimum age requirement from 15 to 18 for eligibility for the Medical Assistance Program demonstration project, also know as the Family Planning Waiver.

The percent of births to teens ages 15-17 has risen drastically in the last 30 years. In 2001, 15-17 year olds made up 31.6 percent of teen births compared to 26 percent in 1970. "The original intent of then Governor Tommy G. Thompson's proposal was to reduce **unintended pregnancies and abortion,**" stated Jeskewitz, "therefore, even if the entire waiver would not be in jeopardy, the fundamental goal of this program will no longer be there."

Figures provided by the DHFS website report that in 2001 there were approximately 6,849 teen births in Wisconsin, 2,167 to teens ages 15-17, and approximately 25,256 cases of sexually transmitted infections. According to Mark Moody (DHFS), in 2000 "**85% of teen pregnancies were paid for by the Medicaid program.** Pregnancy and birth will qualify these new mothers for continued Medicaid coverage, putting additional strain on the taxpayers."

The Family Planning Waiver program's goal is a 15% reduction in these pregnancies. "If program goals are met then the state could reduce its costs of providing pregnancy and birth related care by nearly \$1 Million dollars," said Jeskewitz. This figure is based on the average cost of care of \$7,183/per birth and the one-third Medicaid match Wisconsin will have to pay for these services – not to mention the ongoing costs to the Medicaid program once the child is born. Additionally, teens ages 15-17 are more likely to have premature babies, which considerably increases the cost of care for this group.

PRESS

During the five-year span of the Family Planning Waiver program, it is estimated that Wisconsin will attract \$38 million dollars of federal funding, reducing the state's burden by \$17 million in general program revenue (GPR) and \$8.9 million in Medicaid funding. Medicaid, while an option for this group, only receives a two-thirds match of federal dollars compared to the 90 percent match under the Family Planning Waiver program.

“While the change may seem minor, this one small change could put at risk Wisconsin’s Family Planning Waiver in its entirety. This program currently provides over 25,000 women of child-bearing age with critical health care services who are not eligible for other health care programs. In these difficult times of budget deficits we would be foolish to do anything that might result in tens of thousands of women going without preventative health care in Wisconsin,” stated Jeskewitz.

###

**Joint Committee for Review of Administrative Rules**

Office of Sen. Joseph Leibham  
Office of Rep. Glenn Grothman  
Phone 608-266-2056  
Phone 608-264-8486

- **HFS 101 to 107**

**Report to the Legislature**  
**Emergency Rule HFS 101 to 107**  
**The Joint Committee for Review of Administrative Rules**

Produced pursuant to s. 227.26(2)(g)

Chapters HFS 101 to 107, promulgated by the Department of Health and Family Services (DHFS) created an emergency rule that establishes procedures for the Department to implement the Family Planning Demonstration Project, which provides reproductive services to single women or minors aged 15 to 44, who do not have children and whose family income is under 185% of the Federal Poverty Level.

**Description of the Problem**

At the request of Representative Lorraine Seratti and Senator Mary Lazich, the Joint Committee for Review of Administrative Rules has looked at chs. HFS 101 to 107 and the sensitive nature of providing contraceptives and other reproductive services to minors without parental notification. In addition, the rules exclude parental income as a factor in determining eligibility for minors in the project. As a result, even minors with very high parental incomes would be eligible for the project, which appears to be in violation of the authorizing statute.

### **Arguments in Favor of Suspension**

- *Although the goal of the family planning demonstration project is to reduce pregnancy rates among uninsured, poor women, studies show that contraceptive availability may have no impact on reducing pregnancy rates and may even increase sexual activity.*
- *The Legislative Council Clearinghouse Report indicates that the rule does not account for parental income and therefore exceeds the rule's statutory authority. The statute clearly states that a woman's family income must be under 185% of the Federal Poverty Level.*
- *DHFS should not have a rule that usurps parental authority by providing contraceptives to minor children without parents' knowledge or consent.*
- *It is questionable whether there is any new service provided by this project because a present reproductive service provider testified that a child or woman will receive services regardless of her immediate ability to pay.*
- *If sexual activity increases because of this project, studies indicate the transmission of sexually transmitted diseases will likely rise accordingly.*

### **Arguments Against Suspension**

- *This project is funded by a 90 to 10 federal to state match. If the project ended, the state would lose the federal match for reproductive services provided to eligible women and minors.*

- *DHFS estimates that the increased reproductive services may decrease Medicaid pregnancies and as a result lower the amount of families that require Medical Assistance.*

### **Action by Joint Committee for Review of Administrative Rules**

On April 30, 2003 the Joint Committee for Review of Administrative Rules held a public hearing and an executive session on Emergency Rule ch. HFS 101 to 107. The committee passed a motion 6-4, pursuant to s. 227.26(2)(d), Stats., and for the reasons set forth in s. 227.19(4) (d) 1-3, Stats., to suspend Emergency Rule ch. HFS 101 to 107. This action suspends the rules, which implement the Family Planning Demonstration Project.

On May 27, 2003, JCRAR voted 6-4 to introduce LRB 2654 in the Senate and LRB 2653 in the Assembly. These identical bills change the minimum age of eligibility in the project from 15 to 18. Therefore, children under the age of 18 will no longer be eligible for the project.

SEP 24 2003

Dear Representative and Senator:

We strongly oppose the attacks on birth control and access to basic reproductive health care services taking place in the Legislature. The Family Planning Waiver offers women of reproductive age (15-44) help in paying for annual physicals, Pap tests, birth control, and diagnosis and treatment of sexually transmitted infections. Please oppose the repeal of, and the limiting of, the Family Planning Waiver. The Waiver is cost-effective, attracting \$30 million in federal aid and saving Wisconsin taxpayers millions of dollars. It also has bi-partisan support, and, more importantly, provides health care services to low-income women who previously did not have access. Support the Family Planning Waiver, and oppose bills that aim to reduce access to birth control and reproductive health services.

Sincerely,

Signature	PRINT: Name	Address	City, Zip	Email
M. Phillips	Melissa Phillips	3720 Sunnyside rd	MADISON, WI 53704	Missyl Phillips@aol.com
M. Fisher	Mary Fisher	1018 S. DeKinson	MADISON, WI 53703	Magnan.Fisher@PRIVACY
Starr Amrit Trol	Starr Amrit Trol	1419 Rutledge St	MADISON, WI 53703	starr@amrit.com
Soshus Trol	Soshus Trol	1419 Rutledge St	MADISON, WI 53703	tr@illreale.com
B. HIGGS	B. HIGGS	2857 BARZELW	" 53705	philosophers@queens30@yahoo.com
Jean Newlund	Jean Newlund	4230 DOWNSIDE DR.	MADISON, WI 53711	---
Nicole Bassel	Nicole Bassel	2228 GULL ST.	MADISON, WI 53704	---
Michelle Margaret	Michelle Margaret	612 Cowland	Madison, WI 53701	---
John Eric	John Eric	1549 W. WILSON ST	MADISON, WI 53703	JEFF@AOL.COM
T.E. Woods	T.E. Woods	305 E. MAIN STREET	CAMBRIDGE, WI 53532	TEWOODS@WISC.EDU
Lance Woods	Lance Woods	305 E. MAIN STREET	CAMBRIDGE, WI	LGWOODS@WISC.EDU
Cindy KLEOND	Cindy KLEOND	6372 Goose Lake DR	VERONA, WI 53590	---
Sandra Klund	Sandra Klund	8581 Fish Harbor Rd #4	MADISON, WI 53713	---
Margaret LeBlanc	Margaret LeBlanc	1237 Jennifer St	MADISON, WI 53703	teregrav@aol.com
Sarah Garding	Sarah Garding	1237 Jennifer St	MADISON, WI 53703	---
Rebecca Mesivski	Rebecca Mesivski	2105 Schwegen	MADISON, WI 53704	RebeccaMesivski@aol.com

**FOR MORE INFORMATION, PLEASE VISIT WWW.PPWI.ORG - "TAKE ACTION"** We may add your name, address and email to our Planned Parenthood Action Network (PPAN). PPAN brings you updates about important legislation, current events, and volunteer opportunities. Ask at the table for more information or an example of the PPAN. Thank you for taking action!

Dear Representative and Senator:

We strongly oppose the attacks on birth control and access to basic reproductive health care services taking place in the Legislature. The Family Planning Waiver offers women of reproductive age (15-44) help in paying for annual physicals, Pap tests, birth control, and diagnosis and treatment of sexually transmitted infections. Please oppose the repeal of, and the limiting of, the Family Planning Waiver. The Waiver is cost-effective, attracting \$30 million in federal aid and saving Wisconsin taxpayers millions of dollars. It also has bi-partisan support, and, more importantly, provides health care services to low-income women who previously did not have access. Support the Family Planning Waiver, and oppose bills that aim to reduce access to birth control and reproductive health services.

Sincerely,

Signature	PRINT: Name	Address	City, Zip	Email
<i>[Signature]</i>	Senifer Smider	1106 Williamsburg St Apt 2	Madison, WI 53703	candlegates@hotmail.com
<i>[Signature]</i>	NATHAN GOLDBERRY	1106 Williamsburg St #2	Madison, WI 53703	
<i>[Signature]</i>	James Manfro	3280 Stonecreek Dr	Madison, WI 53719	jmanfro@tks.net
<i>[Signature]</i>	Paul Feber	285 Jacquelyn Dr	Fitchburg WI 53711	
<i>[Signature]</i>	Sarah Kaceth	2046 E Blue Mounds	Wt Shorehills WI 53722	sarahwillia@yahoo
<i>[Signature]</i>	DAN RACETTE	2846 C Blue Mounds	Wt Shorehills WI 53722	
<i>[Signature]</i>	MAIME EMPERT	221 Grand Canyon Dr.	MADISON, WI 53705	
<i>[Signature]</i>	Lynn Bucher	229 Grand Canyon Dr #1	53705	
<i>[Signature]</i>	Laurel Fletcher	530 W Johnson St, Room 305	Madison, WI 53703	
<i>[Signature]</i>	THEODORE WIRTH III	2430 PARK ST. APT A	MADISON, WI 53713	
<i>[Signature]</i>	Anker Buech	5114 Batterside Dr	Madison, WI 53704	Retired@aol.com
<i>[Signature]</i>	Loree Pentice	70N. Franklin St	Madison, WI 53703	loraburde@charnet.com
<i>[Signature]</i>	Michelle Carrigan	20 N. Franklin St	Madison, WI 53703	macarrigan@hotmail.com
<i>[Signature]</i>	Mark Hendrick	1051 Fenwick St	Madison, WI 53703	
<i>[Signature]</i>	SUBH SIV	124 E Randolph	Stoughton, WI 53589	
<i>[Signature]</i>	Kim Zalk	W10203 Hwy CS	PO BOX 1001 WI 53905	
<i>[Signature]</i>	DIC E GARDNER	W10203 Hwy CS	PO BOX 1001 WI 53905	

**FOR MORE INFORMATION, PLEASE VISIT [WWW.PPWI.ORG](http://WWW.PPWI.ORG) - "TAKE ACTION"** We may add your name, address and email to our Planned Parenthood Action Network (PPAN). PPAN brings you updates about important legislation, current events, and volunteer opportunities. Ask at the table for more information or an example of the PPAN. Thank you for taking action!

VOTE ON TUES, Sept 23rd!

Dear Representative and Senator:

We strongly oppose the attacks on birth control and access to basic reproductive health care services taking place in the Legislature. The Family Planning Waiver offers women of reproductive age (15-44) help in paying for annual physicals, Pap tests, birth control, and diagnosis and treatment of sexually transmitted infections. Please oppose the repeal of, and the limiting of, the Family Planning Waiver. The Waiver is cost-effective, attracting \$30 million in federal aid and saving Wisconsin taxpayers millions of dollars. It also has bi-partisan support, and, more importantly, provides health care services to low-income women who previously did not have access. Support the Family Planning Waiver, and oppose bills that aim to reduce access to birth control and reproductive health services.

Sincerely,

Signature	PRINT: Name	Address	City, Zip	Email
<i>J. Day</i>	Timothy Howard	1009 Colby St #1	Madison, WI 53715	
<i>Karen Hilde</i>	Renate Hilde	1331 E. Wilson	Madison, WI 53703	
<i>Max Rabon</i>	Max Raboin	1316 E. Lenwood Dr	MADISON, WI 53714	
<i>John Roberts</i>	John Roberts	POB 130 Brooklyn, WI	53552	
<i>Den Huisshere</i>	Den Huisshere	PO Box 130	Brooklyn, WI 53521	
<i>Holly Tierney</i>	Holly Tierney	100A Jennifer St #1	MADISON, WI 53703	
<i>James Kebab</i>	James Kebab	1052 Jennifer St #1	Madison, WI 53703	
<i>Susan Skypinski</i>	Susan Skypinski	206 Golgryn Dr	MADISON, WI 53703	
<i>Monica Cicciulli</i>	Monica Cicciulli	1932 E. Mattlin	MADISON, WI 53715	
<i>Kara Smith</i>	Kara Smith	408 S Mills	MADISON, WI 53715	
<i>Karen VanTall</i>	Karen VanTall	2221 Busk St	MADISON, WI 53704	
<i>Lee Gottschalk</i>	Lee Gottschalk	1930 Morrison St	MADISON, WI 53703	
<i>Carl Knebel</i>	Carl Knebel	7224 Lumbered.	Sun Prairie, WI 53590	
<i>Staci Straw</i>	Staci Straw	611 Powers	Madison, WI 53704	
<i>Kelly Schneider</i>	Kelly Schneider	45 Knutson Dr	MADISON, WI 53704	
<i>J.D. Spawels</i>	J.D. Spawels	918 S. Brook St 1	MADISON, WI 53715	
<i>Megan Curkes</i>	Megan Curkes	729 Jennifer St	MADISON, WI 53703	

**FOR MORE INFORMATION, PLEASE VISIT [WWW.PPWI.ORG](http://WWW.PPWI.ORG) - "TAKE ACTION"** We may add your name, address and email to our Planned Parenthood email Action Network (PPAN). PPAN brings you updates about important legislation, current events, and volunteer opportunities. Ask at the table for more information or an example of the PPAN. Thank you for taking action!

## Halbur, Jennifer

---

**From:** Kurtz, Hunter  
**Sent:** Thursday, September 25, 2003 3:11 PM  
**To:** Halbur, Jennifer; Halbur, Jennifer  
**Subject:** New Forward Contact Ownership and Assignment

Constituent: Mr. Jeffry M. Reese (10539)  
43 1/2 W 12th St  
Fond Du Lac, WI 54935-4962

Home: 920-929-8796

Email: jmreese@hotmail.com

**Owner:** Halbur, Jennifer  
**Assigned:** Halbur, Jennifer  
**Summary:** oppose SB 186 and AB 383

**Issue:**  
**Position:**  
**Status:** Pending  
**Contact Type:** E-mail  
**Description:** September 25, 2003

Dear Sen. Carol Roessler,

I urge you to support the Family Planning Waiver as it is currently implemented and to oppose the effort to repeal the Waiver as proposed in SB 186 and AB 383. The Family Planning Waiver has already helped over 28,000 Wisconsin women access basic and needed preventative and diagnostic reproductive health care, including screenings for breast and cervical cancer, annual check-ups, birth control, and testing and treatment for sexually transmitted infections. The Department of Health and Family Services has testified about their concern that efforts to amend young women out of the program could result in the loss of the entire Family Planning Waiver. Despite an estimated potential loss of \$38 million in federal funds over the five-year span of the program and responses from over 5,000 Wisconsin residents to preserve the Family Planning Waiver, both bills were advanced out of committee in July without a public hearing or a committee vote.

The Family Planning Waiver was implemented January of 2003 to extend family planning services to low-income women aged 15-44 who are at high risk of unintended pregnancy because they do not have health coverage through Medicaid or BadgerCare. The goal of the Family Planning Waiver is to reduce unintended and teen pregnancy, the transmission of sexually transmitted infections and to promote the early detection of cancer among low-income women who have no health care coverage. Prior to the implementation of the Family Planning Waiver, low-income women in Wisconsin had to be pregnant or have children to qualify for preventative reproductive health care services and birth control.

In addition to attracting \$38 million in federal funds over the five-year project to Wisconsin, the Family Planning Waiver is also estimated to save our state at least \$17 million GPR dollars over five years and \$8.9 million in Medicaid costs associated with unintended pregnancies. The federal government pays 90% of the costs of this important program. According to the Alan Guttmacher

Institute, Wisconsin family planning programs serve approximately 150,000 individuals, preventing 24,200 unintended pregnancies and 12,100 abortions each year in the state of Wisconsin. In 2000, there were 7,081 teen births in Wisconsin and the Department of Health and Family Services estimates that 85% of teen pregnancies are paid for by Wisconsin taxpayers. The Family Planning Waiver is expected to reduce teen pregnancies in Wisconsin by 15%.

When this issue comes before you on Tuesday, I urge you to support the Family Planning Waiver that provides basic health care to low-income women and saves Wisconsin taxpayers millions of dollars, and vote to send SB 186/AB 383 back to Committee for a public hearing. The issue of health care for teens and low-income women is a critical one and the public deserves to be heard!

Sincerely,

Jeff Reese  
43 1/2 W 12th St  
Fond Du Lac, WI 54935-4962

**Halbur, Jennifer**

---

**From:** Rose, Laura  
**Sent:** Monday, September 29, 2003 1:01 PM  
**To:** Halbur, Jennifer  
**Subject:** Ch. 227 question

Hi Jennifer,

This is a late response to your vmail on Sept. 25th re: what happens to a JCRAR bill that has been re-referred to committee?

I think that the whole procedure starts again. If the committee were to make no report again, the bill would be reported without recommendation. Then the bill would have to be placed on the calendar within 40 days after referral.

Eventually, either the bill will pass or will be defeated, or session will end and the bill will die. Section 227.19(5)(f) says that if both bills (i.e., the same bill in each house) introduced by JCRAR are defeated, **or fail to be enacted in any other manner**, the agency may promulgate the proposed rule that was objected to.

You probably figured this out already but I wanted to get back to you anyway!!

Talk to you soon

Laura

**Halbur, Jennifer**

---

**From:** Roessler, Carol  
**Sent:** Tuesday, September 30, 2003 10:23 AM  
**To:** Halbur, Jennifer  
**Subject:** FW: Stop Giving Contraceptives to

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

**From:** Sarah Burrie [mailto:mybluesocks@yahoo.com]  
**Sent:** Tuesday, September 30, 2003 10:02 AM  
**To:** carol.roessler@legis.state.wi.us  
**Subject:** Stop Giving Contraceptives to Minors

Dear Ms. Roessler,

I recently heard that you have the ability to stop state funding and supplying of contraceptives to minors without parental notification. Please, do whatever you can to STOP funding and support of this. We need to protect the rights of the parents to raise their children and play the major influential role in their lives - not public schools or governments. Children should not be handed contraceptives; they should be taught abstinence and the reasons for it. Sex means more than pregnancy.

I hope that you are hearing the opinion of the people on this matter. Planned Parenthood has a strong lobby whose voice is heard loudly in government, but its voice doesn't echo the desires of the people of this state. We want to teach our children as we believe. We love them and want to pass along our values - traditional, Biblical values that don't support Planned Parenthood's agenda.

Please, protect our children and families. Don't support Planned Parenthood and its causes.

Thank you for hearing me and many like me,

Sarah Burrie  
1025 Canterbury Lane  
Waukesha, WI 53188  
262-547-4382  
[mybluesocks@yahoo.com](mailto:mybluesocks@yahoo.com)

---

Do you Yahoo!?  
[The New Yahoo! Shopping](#) - with improved product search

Think → 40 days <sup>to schedule</sup>  
 Referred back to H. Committee? <sup>was voted on?</sup>

available for scheduling

Not a high priority for WPTOLife

Procedural

20% propose this bill

Rules, no hearing, no vote

# AB 383 / SB 186

reacting to rule US statute

take out 15-17 yld in program  
 Fed 20% prog, 2.6M cap.

# Repealing the Family Planning

# Waiver

1. Waiver severability of age loose \$2.6M

2. misconception All options in Title X

3. \$ goes to all medicine providers.

Amended Waiver would likely not be approved.

State

No provision Title X # all opt's pregnancy counseling & can't do disruption

2M \$ saved.  
 "Doyle Veto"  
 Pap\* - sexually admin in + fund. cases in 2002  
 million 13,000 STI



UNOFFICIAL TEXT

Chapter 49

49.45

49.45(24r)



49.45(24r)

(24r) Family planning demonstration project. The department shall request a waiver from the secretary of the federal department of health and human services to permit the department to conduct a demonstration project to provide family planning services, as defined in s. 253.07 (1) (b), under medical assistance to any woman between the ages of 15 and 44 whose family income does not exceed 185% of the poverty line for a family the size of the woman's family. If the waiver is granted and in effect, the department shall implement the waiver no later than July 1, 1998, or on the effective date of the waiver, whichever is later.

49.45(25)

(25) Case management services.

49.45(25)(a)

(a) In this subsection, "severely emotionally disturbed child" means an individual under 21 years of age who has emotional and behavioral problems that:

49.45(25)(a)1.

1. Are severe in degree;

*Psy. diagnostic services*

*Teen pregnancy 85% birth & delivery costs approx \$ 90,000*

49.45(25)(a)2.

2. Are expected to persist for at least one year;

*7,000 - < not ave. access to a reduced abortion rate*

49.45(25)(a)3.

3. Substantially interfere with the individual's functioning in his or her family, school or community and with his or her ability to cope with the ordinary demands of life; and

49.45(25)(a)4.

4. Cause the individual to need services from 2 or more agencies or organizations that provide social services or services or treatment for mental health, juvenile justice, child welfare, special education or health.

49.45(25)(am)

(am) Except as provided under pars. (be) and (bg) and sub. (24), case management services under s. 49.46 (2) (b) 9. and (bm) are reimbursable under medical assistance only if provided to a medical assistance beneficiary who receives case management services from or through a certified case management provider in a county, city, village or town that elects, under par. (b), to make the services available and who meets at least one of the following conditions:

49.45(25)(am)1.

1. Has a developmental disability, as defined under s. 51.01 (5) (a).

49.45(25)(am)2.

2. Has a chronic mental illness, as defined under s. 51.01 (3g).

To: Selected Legislators

From: Chris Taylor, Legislative Director

Date: September 3, 2003

RE: **Oppose SB 186/AB 383 and support the Family Planning Waiver**

SB 186 and AB 383 seek to remove young women ages 15-17 from the Family Planning Waiver program ("FPW"). In doing so, these bills threaten the continuation of the entire program.

**Overview of the Family Planning Waiver ("FPW")**

The FPW is a newly-implemented Medicaid program which offers family planning services to low-income women ages 15-44. This program was specifically designed to prevent unintended pregnancies and abortion by enhancing access to prevention-based services, such as cancer screenings, breast exams, treatment for sexually transmitted infections and access to birth control.

Prior to the FPW, in order to get family planning services under Medicaid, a low-income woman had to be pregnant or have two children. The federal government pays 90% of the cost of the FPW, which is estimated to reduce teen pregnancies in Wisconsin by 15%. 85% of teen pregnancies are currently paid for by the state. Over 25,000 women have been enrolled in the FPW program since January, 2003. FPW is estimated to save Wisconsin taxpayers \$17 million dollars over the five year program term and attracts \$7.6 million in federal dollars each year to our state.

**Impact of SB 186 and AB 383**

By eliminating young women ages 15-17 from the FPS, Wisconsin would be out of compliance with its obligations under the Medicaid waiver, one of which is to reduce teen pregnancies. As a result, Wisconsin would have to seek a new or amended waiver with the federal government and we are uncertain of the outcome in applying for a new waiver. Concerns in applying for a new waiver include:

1. Last summer, President Bush issued a statement that he would no longer approve of any state seeking a Medicaid waiver for family planning services. Wisconsin was one of the last states to receive a Medicaid waiver for family planning services in June 2002.
2. No state has rejected available federal dollars under the FPW in an attempt to exclude eligible participants, so a request for approval of an amended waiver is unprecedented.
3. Wisconsin's current FPW application took three years to receive federal approval.
4. The approval of our current waiver application was contingent on our ability to reduce teen pregnancies.
5. The current FPW program is budget neutral due to the anticipated reduction of teen pregnancies. To receive an amended waiver, we would have to prove the program would remain budget neutral which is likely not possible without reducing teen pregnancy and birth rates.
6. Efforts to alter the current FPW program would result in a complex two-tiered Medicaid system as Badgercare covers low-income women 15 - 44.

It is important to note that many young women currently enrolled in the family planning waiver are accompanied by a parent and all are encouraged to involve their parents in their health care

*No state has a law that says  
Medicaid teens have to -  
can't violate fed law*

*Just started in Jan this yr.  
25,000 women served this year  
500 = come in - 11 to in parent  
47,000 women*

decisions. If SB 186 and AB 383 pass, none of the young women who are accompanied by their parents or who have parental consent to access services will be eligible for health care services under the FPW.

#### **Federal Law on Teens Access to Confidential Health Care**

Qualified teens have always had access to confidential family planning services under Medicaid. State parental consent laws regarding access to birth control have routinely been struck down by federal courts as violating the intent of Medicaid law. See T.H. v. Jones, 425 F. Supp. 873 (D. Utah 1975), *aff'd on statutory grounds*, 425 U.W. 986 (1976).

#### **The Family Planning Waiver Received Bi-Partisan support**

In 1997, the FPW was approved by the Legislature on a bi-partisan vote. Assembly Speaker John Gard (R-Peshtigo) and Senate Leader Mary Panzer (R-West Bend), in addition to Senators Robert Cowles (R-Green Bay) and Sheila Harsdorf (R-River Falls) and Representatives Scott Jensen (R-Waukesha), Sheryl Albers (R-Reedsburg) and Dean Kaufert (R-Neenah), voted for the FPW and including women ages 15-44 in the program. Then Governor Tommy Thompson was a vocal proponent of the program, which he signed into law and which became Wis. Stat. 49.45 (24r).

This statute directs the Wisconsin Department of Health and Family Services ("DHFS") to apply for the FPW through the federal Department of Health and Human Services so that women ages 15-44 could get family planning services through Medicaid. If granted, DHFS is directed to implement the waiver. A "waiver" was needed from the federal government in order to "waive" the requirements that low-income women need be pregnant or have children to obtain family planning services under Medicaid. Wisconsin's application was submitted in 1999. Last year, U.S. Health and Human Services Secretary Tommy Thompson announced final approval of the Waiver for Wisconsin. Wisconsin's FPW began in January, 2003.

#### **JCRAR's Actions**

In order to implement the FPW, the DHFS promulgated emergency rules. On April 30, 2003, the JCRAR suspended the Emergency Rules of the DHFS in administering the waiver program, because 15-17 year olds are included in the program. As mentioned above, the age eligibility requirements, however, are set forth in statute and were merely recited in the emergency rules.

According to the administrative procedure statute, Wis. Stat. 227.26 (2)(f), within 30 days of suspending emergency rules, JCRAR must introduce a bill to repeal the suspended rule. According to Wis. Stat. 227.26 (2) (h), this bill for a permanent repeal then gets fast tracked through the legislative process. It is assigned to committee, but if no committee action is taken, the bill comes out of committee with no recommendation and must be placed on the calendar of each house within 40 days.

On June 3, 2003, Senate Bill 186 was introduced to exclude young women ages 15-17 from the FPW. The Assembly companion bill, AB 383, was introduced on June 5, 2003. Both bills were introduced beyond the 30 day requirement.

Both bills were referred to the Health committees. Neither committee held a public hearing on the matter, yet the Senate Health committee reported the bill without recommendation on July 16, 2003, and the Assembly Health committee reported the rule without recommendation on July 15, 2003. According to the clerk, these bills will be scheduled for floor debate and a final vote on September 23<sup>rd</sup>.

The problem with the JCRAR's action is that the bill they introduced is not for the repeal of the emergency rule, but to change the underlying statute to exclude teens. Hence, AB 383/SB 186 should not be entitled to the fast-track process set forth in Wis. Stat. Sec. 227.26 (2). Rather, these bills should be thrown out and properly introduced. At the very least, a public hearing should be held on these bills.

Please oppose these bills and support the current FPW. Not only does this program provide crucial health care services to women of child bearing age, but it saves Wisconsin taxpayers critical dollars in this time of financial hardship for our state.