

2005 DRAFTING REQUEST

Bill

Received: 10/05/2004

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Spencer Black (608) 266-7521

By/Representing: Bill Graf

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: YES

Requester's email: Rep.Black@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

BadgerCare coverage of low-income child care workers

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 10/05/2004	lkunkel 11/04/2004		_____			S&L
/P1			rschluet 11/04/2004	_____	lemery 11/04/2004		S&L
/1	pkahler 01/05/2005	jdyer 01/05/2005	pgreensl 01/06/2005	_____	lnorthro 01/06/2005	lnorthro 01/11/2005	

FE Sent For:

<END>

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Handwritten initials: K, ps

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BadgerCare coverage of low-income child care workers ✓

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/?	pkahler	pkahler 10/28					
		pkahler 10/4					

FE Sent For:

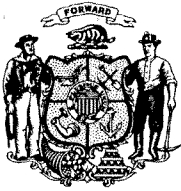
<END>

10-5-04

Bill Graf for Rep Spencer Block

redraft 2003 AB 965
(03-0877/1)

(coverage under Badger Care for
low-income childcare
workers)



State of Wisconsin
2003 - 2004 LEGISLATURE

0435/P1
LRB-0877/1
PJK:kjf:rs
Cmk
+
Jed

2005
2003 ASSEMBLY BILL 965

LPS: PLS PWF ✓

D-note

March 11, 2004 - Introduced by Representatives BLACK, RICHARDS, BERCEAU, SINICKI, MILLER, PLOUFF, J. LEHMAN and POCAN, cosponsored by Senators RISSER, CARPENTER and CHVALA. Referred to Committee on Rules.

regenerate ↓

1 AN ACT *to renumber and amend* 49.665 (1) (c); *to amend* 20.435 (4) (bc), 20.435
2 (4) (jz), 20.435 (4) (o), 20.435 (4) (p), 49.665 (3), 49.665 (4) (at) 1. a., 49.665 (4)
3 (at) 1. cm., 49.665 (4) (at) 2., 49.665 (5) (a), 49.665 (5) (b) and 49.665 (5) (c); and
4 *to create* 20.435 (4) (bd), 49.665 (1) (c) 2. and 49.665 (4) (ag) of the statutes;
5 **relating to:** health care for low-income child care workers under the Badger
6 Care health care program, granting rule-making authority, and making
7 appropriations. ✓

Analysis by the Legislative Reference Bureau

Under current law, the Badger Care health care program (BadgerCare) provides partially or wholly subsidized health care coverage to eligible families and children. Currently, a child who does not reside with his or her parent or a family may be eligible for health care coverage under BadgerCare if the child's or family's income does not exceed 185% of the federal poverty line and the child or family meets certain nonfinancial criteria. Current law defines "family" as at least one dependent child and his or her custodial parent or parents, all of whom reside in the same household.

This bill expands BadgerCare to provide health care coverage to individuals who are child care workers who meet the current law income and nonfinancial eligibility requirements. Under the bill, child care workers are not required to be parents to qualify for health care coverage.

a family
or
parent

or child's
or
child

ASSEMBLY BILL 965

✓ 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) (bc) of the statutes is amended to read:

2 20.435 (4) (bc) *Health care for low-income families and children.* As a
3 continuing appropriation, the amounts in the schedule for the ~~badger care~~ to provide
4 health care ~~program for coverage~~ to low-income families and children under the
5 Badger Care health care program under s. 49.665.

6 **SECTION 2.** 20.435 (4) (bd) of the statutes is created to read:

7 20.435 (4) (bd) *Health care for low-income child care workers.* A sum sufficient
8 to provide health care coverage to low-income child care workers under the Badger
9 Care health care program under s. 49.665.

10 **SECTION 3.** 20.435 (4) (jz) of the statutes is amended to read:

11 20.435 (4) (jz) *Badger care Care premiums.* All moneys received from payments
12 under s. 49.665 (5) to be used for the ~~badger care~~ Badger Care health care program
13 ~~for low-income families~~ under s. 49.665.

14 **SECTION 4.** 20.435 (4) (o) of the statutes is amended to read:

15 20.435 (4) (o) *Federal aid; medical assistance Medical Assistance.* All federal
16 moneys received for meeting costs of ~~medical assistance~~ Medical Assistance
17 administered under ss. 46.284 (5) ^{stet} and 49.45 and, to the extent permitted under
18 federal law, under s. 49.665, to be used for those purposes and for transfer to the
19 ~~medical assistance~~ Medical Assistance trust fund, for those purposes.

20 **SECTION 5.** 20.435 (4) (p) of the statutes is amended to read:

ASSEMBLY BILL 965

1 20.435 (4) (p) *Federal aid; health care for low-income families and children.*
 2 All federal moneys received for the ~~badger care~~ Badger Care health care program for
 3 ~~low-income families~~ under s. 49.665, to be used for ~~that~~ the purpose of providing
 4 health care coverage to low-income families and children under the Badger Care
 5 health care program under s. 49.665.

6 **SECTION 6.** 49.665 (1) (c) of the statutes is renumbered 49.665 (1) (c) (intro.) and
 7 amended to read:

8 49.665 (1) (c) (intro.) "Employer-subsidized health care coverage" means any
 9 of the following:

10 1. With respect to a family eligible under sub. (4) (a) or a child eligible under
 11 sub. (4) (am), family coverage under a group health insurance plan that is offered by
 12 an employer and for which the employer pays at least ~~80%~~ 80 percent of the cost, excluding any
 13 deductibles or copayments that may be required under the plan.

14 **SECTION 7.** 49.665 (1) (c) 2. of the statutes is created to read:

15 49.665 (1) (c) 2. With respect to an individual eligible under sub. (4) (ag),
 16 coverage under a group health insurance plan that is offered by an employer and for
 17 which the employer pays at least ~~80%~~ 80 percent of the cost, excluding any deductibles or
 18 copayments that may be required under the plan.

19 **SECTION 8.** 49.665 (3) of the statutes is amended to read:

20 49.665 (3) ADMINISTRATION. The department shall administer a program to
 21 provide the health services and benefits described in s. 49.46 (2) to persons that meet
 22 the eligibility requirements specified in sub. (4). The department shall promulgate
 23 rules setting forth the application procedures and appeal and grievance procedures.
 24 The department may promulgate rules limiting access to the program under this
 25 section to defined enrollment periods. The department may also promulgate rules

Insert 3-18

ASSEMBLY BILL 965

1 establishing a method by which the department may purchase family coverage
 2 offered by the employer of a member of an eligible family or ^{of} by a member of a child's
 3 household, or individual coverage offered by the employer of an eligible child care
 4 worker, under circumstances in which the department determines that purchasing
 5 that coverage would not be more costly than providing the coverage under this
 6 section.

an eligible
 on eligible
 scored

7 SECTION 9. 49.665 (4) (ag) of the statutes is created to read:

8 49.665 (4) (ag) An individual is eligible for health care coverage under this
 9 section if the individual meets all of the following requirements: ✓

10 1. The individual is employed by a child care provider as a child care worker
 11 for at least 30 hours per week. ✓

12 2. The individual's income does not exceed ^{185 percent} ~~185%~~ of the poverty line, except as
 13 provided in par. (at) and except that an individual who is already receiving health
 14 care coverage under this section may have an income that does not exceed ^{percent} ~~200%~~ of
 15 the poverty line. The department shall establish by rule the criteria to be used to
 16 determine income. ✓

17 3. The individual does not have access to employer-subsidized health care
 18 coverage and has not had access to employer-subsidized health care coverage within
 19 the time period established by the department by rule, but not to exceed 18 months,
 20 immediately preceding application for health care coverage under this section. The
 21 department may establish exceptions to this subdivision by rule.

22 4. The individual meets all other requirements established by the department
 23 by rule. The department may not require, as a condition of eligibility for health care
 24 under this paragraph, that an individual be a parent.

25 SECTION 10. 49.665 (4) (at) 1. a. of the statutes is amended to read:

Insert 4-21 ✓

ASSEMBLY BILL 965

1 49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
2 establish for the initial eligibility determination a lower maximum income level ~~for~~
3 ~~the initial eligibility determination that is the same for all persons who might be~~
4 eligible under this subsection if funding under s. 20.435 (4) (bc), (jz), (p), and (x) is
5 insufficient to accommodate the projected enrollment levels of families under par. (a)
6 and children under par. (am) for the health care program under this section. The
7 adjustment may not be greater than necessary to ensure sufficient funding.

8 **SECTION 11.** 49.665 (4) (at) 1. cm. of the statutes is amended to read:

9 49.665 (4) (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the
10 plan submitted under subd. 1. b., the joint committee on finance determines that the
11 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (x) are insufficient to
12 accommodate the projected enrollment levels of families under par. (a) and children
13 under par. (am), the committee may transfer appropriated moneys from the general
14 purpose revenue appropriation account of any state agency, as defined in s. 20.001
15 (1), other than a sum sufficient appropriation account, to the appropriation account
16 under s. 20.435 (4) (bc) to supplement the health care program under this section if
17 the committee finds that the transfer will eliminate unnecessary duplication of
18 functions, result in more efficient and effective methods for performing programs, or
19 more effectively carry out legislative intent, and that legislative intent will not be
20 changed by the transfer.

21 **SECTION 12.** 49.665 (4) (at) 2. of the statutes is amended to read:

22 49.665 (4) (at) 2. If, after the department has established a lower maximum
23 income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc),
24 (jz), (p), and (x) is sufficient to raise the level, the department shall, by state plan
25 amendment, raise the maximum income level for initial eligibility, ~~but not to a level~~

Exempt 5-7

ASSEMBLY BILL 965

SECTION 12

1 that is the same for all persons who might be eligible under this subsection but that
2 does not exceed 185 percent of the poverty line.

3 **SECTION 13.** 49.665 (5) (a) of the statutes is amended to read:

4 49.665 (5) (a) Except as provided in pars. (b) and (bm), a family, ~~or a~~ child who
5 does not reside with his or her parent, or an individual who receives health care
6 coverage under this section shall pay a percentage of the cost of that coverage in
7 accordance with a schedule established by the department by rule. If the schedule
8 established by the department requires a family, ~~or a~~ child who does not reside with
9 his or her parent, or an individual to contribute more than 3% of the family's ~~or,~~
10 child's, or individual's income towards the cost of the health care coverage provided
11 under this section, the department shall submit the schedule to the joint committee
12 on finance for review and approval of the schedule. If the cochairpersons of the joint
13 committee on finance do not notify the department within 14 working days after the
14 date of the department's submittal of the schedule that the committee has scheduled
15 a meeting to review the schedule, the department may implement the schedule. If,
16 within 14 days after the date of the department's submittal of the schedule, the
17 cochairpersons of the committee notify the department that the committee has
18 scheduled a meeting to review the schedule, the department may not require a
19 family, ~~or a~~ child who does not reside with his or her parent, or an individual to
20 contribute more than 3% of the family's ~~or,~~ child's, or individual's income unless the
21 joint committee on finance approves the schedule. The joint committee on finance
22 may not approve and the department may not implement a schedule that requires
23 a family ~~or,~~ child, or individual to contribute more than 3.5% of the family's ~~or,~~ child's,
24 or individual's income towards the cost of the health care coverage provided under
25 this section.

Insert 6-25 →

ASSEMBLY BILL 965

1 **SECTION 14.** 49.665 (5) (b) of the statutes is amended to read:

2 49.665 (5) (b) The department may not require a family, ~~or~~ a child who does not
3 reside with his or her parent, or an individual with an income below ^{150 percent} ~~150%~~ of the
4 poverty line to contribute to the cost of health care coverage provided under this
5 section.

6 **SECTION 15.** 49.665 (5) (c) of the statutes is amended to read:

7 49.665 (5) (c) The department may establish by rule requirements for wage
8 withholding as a means of collecting the family's or individual's share of the cost of
9 the health care coverage under this section.

10

(END)

D-note

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0435/ins
PJK:.....

INSERT 3-18

1 **SECTION 1.** 49.665 (2) (b) of the statutes is amended to read:

2 49.665 (2) (b) If the department of health and family services determines that
3 it needs a waiver to require the verification specified in sub. (4) (a) 3m. and (ag) 3m.,
4 the department shall request a waiver from the secretary of the federal department
5 of health and human services and may not implement the verification requirement
6 under sub. (4) (a) 3m. and (ag) 3m. unless the waiver is granted. If a waiver is
7 required and is granted, the department of health and family services may
8 implement the verification requirement under sub. (4) (a) 3m. and (ag) 3m. as
9 appropriate. If a waiver is not required, the department of health and family services
10 may require the verification specified in sub. (4) (a) 3m. and (ag) 3m. for eligibility
11 determinations and annual review eligibility determinations made by the
12 department, beginning on January 1, 2004.

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33.

(END OF INSERT 3-18)

INSERT 4-21

13 3m. The individual provides verification from his or her employer, in the
14 manner specified by the department, of his or her earnings, of whether the employer
15 provides health care coverage for which the individual is eligible, and of the amount
16 that the employer pays, if any, towards the cost of the health care coverage, excluding
17 any deductibles or copayments required under the coverage.

(END OF INSERT 4-21)

INSERT 5-7

****NOTE: The appropriation under s. 20.435 (4) (jz) includes premiums paid by
child care workers. Do you want to limit that appropriation in this provision to premiums

↑
remove a space



ins 5-7 contd

received from children and families? If it is not limited, premiums paid by child care workers would be used in the calculation under this provision to determine if funding is sufficient for projected enrollment levels of children and families, but would not include projected enrollment of child care workers. (Since this is a redraft of a bill from last session, which was a redraft of a bill from the previous session, you may have considered this before.)

remove a space

(END OF INSERT 5-7)

INSERT 6-25

1 **SECTION 2.** 49.665 (5) (ag) of the statutes is amended to read:

2 49.665 (5) (ag) Except as provided in pars. (am), (b), and (bm), a family, ~~or~~ a
3 child who does not reside with his or her parent, or an individual who receives health
4 care coverage under this section shall pay a percentage of the cost of that coverage
5 in accordance with a schedule established by the department by rule. The
6 department may not establish or implement a schedule that requires a family ~~or~~,
7 child, or individual to contribute, including the amounts required under par. (am),
8 more than ~~5%~~ ^{5 percent} of the family's ~~or~~, child's, or individual's income towards the cost of the
9 health care coverage provided under this section.

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33.

10 **SECTION 3.** 49.665 (5) (am) (intro.) of the statutes is amended to read:

11 49.665 (5) (am) (intro.) Except as provided in pars. (b) and (bm), a child ~~or~~,
12 family member, or individual who receives health care coverage under this section
13 shall pay the following cost-sharing amounts:

History: 1997 a. 27, 237; 1999 a. 9; 2001 a. 16, 109; 2003 a. 33.

(END OF INSERT 6-25)

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

LRB-0435/dn
PJK:.....

PI
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+
JLD

(date)

Even though no funding for the coverage of child care workers is coming from the federal government in this draft, it is possible that a waiver (or amendment to the current waiver) may be required to add additional categories of covered persons to the program. The waiyer language could be drafted in the same manner as s. 49.665 (2) ✓ (b) ✓ so that DWD ✓ must request a waiver if DWD determines that one is necessary. Would you like a redraft to include such a provision? ✓

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

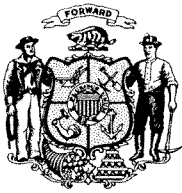
**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0435/P1dn
PJK:lmk&jld:rs

November 4, 2004

Even though no funding for the coverage of child care workers is coming from the federal government in this draft, it is possible that a waiver (or amendment to the current waiver) may be required to add additional categories of covered persons to the program. The waiver language could be drafted in the same manner as s. 49.665 (2) (b) so that DWD must request a waiver if DWD determines that one is necessary. Would you like a redraft to include such a provision?

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



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0435/Pt
PJK:lmk&jld:rs

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~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

*SOON
(in 1-5)
(no changes)
Regen*

1 **AN ACT** *to renumber and amend* 49.665 (1) (c); *to amend* 20.435 (4) (bc), 20.435
2 (4) (o), 20.435 (4) (p), 49.665 (2) (b), 49.665 (3), 49.665 (4) (at) 1. a., 49.665 (4)
3 (at) 1. cm., 49.665 (4) (at) 2., 49.665 (5) (ag), 49.665 (5) (am) (intro.), 49.665 (5)
4 (b) and 49.665 (5) (c); and **to create** 20.435 (4) (bd), 49.665 (1) (c) 2. and 49.665
5 (4) (ag) of the statutes; **relating to:** health care for low-income child care
6 workers under the Badger Care health care program, granting rule-making
7 authority, and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, the Badger Care health care program (BadgerCare) provides partially or wholly subsidized health care coverage to eligible families and children. Currently, a family or a child who does not reside with his or her parent may be eligible for health care coverage under BadgerCare if the family's or child's income does not exceed 185 percent of the federal poverty line and the family or child meets certain nonfinancial criteria. Current law defines "family" as at least one dependent child and his or her custodial parent or parents, all of whom reside in the same household.

This bill expands BadgerCare to provide health care coverage to individuals who are child care workers who meet the current law income and nonfinancial eligibility requirements. Under the bill, child care workers are not required to be parents to qualify for health care coverage.

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

2 20.435 (4) (bc) *Health care for low-income families and children*. As a
3 continuing appropriation, the amounts in the schedule for the badger care to provide
4 health care program for coverage to low-income families and children under the
5 Badger Care health care program under s. 49.665.

6 **SECTION 2.** 20.435 (4) (bd) of the statutes is created to read:

7 20.435 (4) (bd) *Health care for low-income child care workers*. A sum sufficient
8 to provide health care coverage to low-income child care workers under the Badger
9 Care health care program under s. 49.665.

10 **SECTION 3.** 20.435 (4) (o) of the statutes is amended to read:

11 20.435 (4) (o) *Federal aid; ~~medical-assistance~~ Medical Assistance*. All federal
12 moneys received for meeting costs of ~~medical-assistance~~ Medical Assistance
13 administered under ss. 46.284 (5), and 49.45 and, to the extent permitted under
14 federal law, under s. 49.665, to be used for those purposes and for transfer to the
15 ~~medical-assistance~~ Medical Assistance trust fund, for those purposes.

16 **SECTION 4.** 20.435 (4) (p) of the statutes is amended to read:

17 20.435 (4) (p) *Federal aid; health care for low-income families and children*.
18 All federal moneys received for the badger care Badger Care health care program for
19 low-income families under s. 49.665, to be used for ~~that~~ the purpose of providing
20 health care coverage to low-income families and children under the Badger Care
21 health care program under s. 49.665.

1 **SECTION 5.** 49.665 (1) (c) of the statutes is renumbered 49.665 (1) (c) (intro.) and
2 amended to read:

3 49.665 (1) (c) (intro.) “Employer–subsidized health care coverage” means any
4 of the following:

5 1. With respect to a family eligible under sub. (4) (a) or a child eligible under
6 sub. (4) (am), family coverage under a group health insurance plan that is offered by
7 an employer and for which the employer pays at least ~~80%~~ 80 percent of the cost,
8 excluding any deductibles or copayments that may be required under the plan.

9 **SECTION 6.** 49.665 (1) (c) 2. of the statutes is created to read:

10 49.665 (1) (c) 2. With respect to an individual eligible under sub. (4) (ag),
11 coverage under a group health insurance plan that is offered by an employer and for
12 which the employer pays at least 80 percent of the cost, excluding any deductibles
13 or copayments that may be required under the plan.

14 **SECTION 7.** 49.665 (2) (b) of the statutes is amended to read:

15 49.665 (2) (b) If the department of health and family services determines that
16 it needs a waiver to require the verification specified in sub. (4) (a) 3m. and (ag) 3m.,
17 the department shall request a waiver from the secretary of the federal department
18 of health and human services and may not implement the verification requirement
19 under sub. (4) (a) 3m. and (ag) 3m. unless the waiver is granted. If a waiver is
20 required and is granted, the department of health and family services may
21 implement the verification requirement under sub. (4) (a) 3m. and (ag) 3m. as
22 appropriate. If a waiver is not required, the department of health and family services
23 may require the verification specified in sub. (4) (a) 3m. and (ag) 3m. for eligibility
24 determinations and annual review eligibility determinations made by the
25 department, beginning on January 1, 2004.

SECTION 8

1 **SECTION 8.** 49.665 (3) of the statutes is amended to read:

2 49.665 (3) ADMINISTRATION. The department shall administer a program to
3 provide the health services and benefits described in s. 49.46 (2) to persons that meet
4 the eligibility requirements specified in sub. (4). The department shall promulgate
5 rules setting forth the application procedures and appeal and grievance procedures.
6 The department may promulgate rules limiting access to the program under this
7 section to defined enrollment periods. The department may also promulgate rules
8 establishing a method by which the department may purchase family coverage
9 offered by the employer of a member of an eligible family or ~~by~~ of a member of ~~a~~ an
10 eligible child's household, or individual coverage offered by the employer of an
11 eligible child care worker, under circumstances in which the department determines
12 that purchasing that coverage would not be more costly than providing the coverage
13 under this section.

14 **SECTION 9.** 49.665 (4) (ag) of the statutes is created to read:

15 49.665 (4) (ag) An individual is eligible for health care coverage under this
16 section if the individual meets all of the following requirements:

17 1. The individual is employed by a child care provider as a child care worker
18 for at least 30 hours per week.

19 2. The individual's income does not exceed 185 percent of the poverty line,
20 except as provided in par. (at) and except that an individual who is already receiving
21 health care coverage under this section may have an income that does not exceed 200
22 percent of the poverty line. The department shall establish by rule the criteria to be
23 used to determine income.

24 3. The individual does not have access to employer-subsidized health care
25 coverage and has not had access to employer-subsidized health care coverage within

1 the time period established by the department by rule, but not to exceed 18 months,
2 immediately preceding application for health care coverage under this section. The
3 department may establish exceptions to this subdivision by rule.

4 3m. The individual provides verification from his or her employer, in the
5 manner specified by the department, of his or her earnings, of whether the employer
6 provides health care coverage for which the individual is eligible, and of the amount
7 that the employer pays, if any, towards the cost of the health care coverage, excluding
8 any deductibles or copayments required under the coverage.

9 4. The individual meets all other requirements established by the department
10 by rule. The department may not require, as a condition of eligibility for health care
11 under this paragraph, that an individual be a parent.

12 **SECTION 10.** 49.665 (4) (at) 1. a. of the statutes is amended to read:

13 49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
14 establish for the initial eligibility determination a lower maximum income level ~~for~~
15 ~~the initial eligibility determination~~ that is the same for all persons who might be
16 eligible under this subsection if funding under s. 20.435 (4) (bc), (jz), (p), and (x) is
17 insufficient to accommodate the projected enrollment levels of families under par. (a)
18 and children under par. (am) for the health care program under this section. The
19 adjustment may not be greater than necessary to ensure sufficient funding.

***NOTE: The appropriation under s. 20.435 (4) (jz) includes premiums paid by
child care workers. Do you want to limit that appropriation in this provision to premiums
received from children and families? If it is not limited, premiums paid by child care
workers would be used in the calculation under this provision to determine if funding is
sufficient for projected enrollment levels of children and families, but would not include
projected enrollment of child care workers. (Since this is a redraft of a bill from last
session, which was a redraft of a bill from the previous session, you may have considered
this before.)

20 **SECTION 11.** 49.665 (4) (at) 1. cm. of the statutes is amended to read:

1 49.665 (4) (at) 1. cm. Notwithstanding s. 20.001 (3) (b), if, after reviewing the
2 plan submitted under subd. 1. b., the joint committee on finance determines that the
3 amounts appropriated under s. 20.435 (4) (bc), (jz), (p), and (x) are insufficient to
4 accommodate the projected enrollment levels of families under par. (a) and children
5 under par. (am), the committee may transfer appropriated moneys from the general
6 purpose revenue appropriation account of any state agency, as defined in s. 20.001
7 (1), other than a sum sufficient appropriation account, to the appropriation account
8 under s. 20.435 (4) (bc) to supplement the health care program under this section if
9 the committee finds that the transfer will eliminate unnecessary duplication of
10 functions, result in more efficient and effective methods for performing programs, or
11 more effectively carry out legislative intent, and that legislative intent will not be
12 changed by the transfer.

13 **SECTION 12.** 49.665 (4) (at) 2. of the statutes is amended to read:

14 49.665 (4) (at) 2. If, after the department has established a lower maximum
15 income level under subd. 1., projections indicate that funding under s. 20.435 (4) (bc),
16 (jz), (p), and (x) is sufficient to raise the level, the department shall, by state plan
17 amendment, raise the maximum income level for initial eligibility, ~~but not to a level~~
18 that is the same for all persons who might be eligible under this subsection but that
19 does not exceed 185% 185 percent of the poverty line.

20 **SECTION 13.** 49.665 (5) (ag) of the statutes is amended to read:

21 49.665 (5) (ag) Except as provided in pars. (am), (b), and (bm), a family, ~~or a~~
22 child who does not reside with his or her parent, or an individual who receives health
23 care coverage under this section shall pay a percentage of the cost of that coverage
24 in accordance with a schedule established by the department by rule. The
25 department may not establish or implement a schedule that requires a family ~~or,~~

1 child, or individual to contribute, including the amounts required under par. (am),
2 more than ~~5%~~ 5 percent of the family's ~~or~~ child's, or individual's income towards the
3 cost of the health care coverage provided under this section.

4 **SECTION 14.** 49.665 (5) (am) (intro.) of the statutes is amended to read:

5 49.665 (5) (am) (intro.) Except as provided in pars. (b) and (bm), a child ~~or~~,
6 family member, or individual who receives health care coverage under this section
7 shall pay the following cost-sharing amounts:

8 **SECTION 15.** 49.665 (5) (b) of the statutes is amended to read:

9 49.665 (5) (b) The department may not require a family, ~~or a~~ child who does not
10 reside with his or her parent, or an individual with an income below ~~150%~~ 150
11 percent of the poverty line to contribute to the cost of health care coverage provided
12 under this section.

13 **SECTION 16.** 49.665 (5) (c) of the statutes is amended to read:

14 49.665 (5) (c) The department may establish by rule requirements for wage
15 withholding as a means of collecting the family's or individual's share of the cost of
16 the health care coverage under this section.

17 (END)

Northrop, Lori

From: Zimmerman, Terri
Sent: Tuesday, January 11, 2005 11:20 AM
To: LRB.Legal
Subject: Draft review: LRB 05-0435/1 Topic: BadgerCare coverage of low-income child care workers

It has been requested by <Zimmerman, Terri> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0435/1 Topic: BadgerCare coverage of low-income child care workers