

2007 DRAFTING REQUEST

Bill

Received: **01/03/2007**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Pink**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - medical assistance**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Pink, BB0279 -

Topic:

MA waiver for family planning for men

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>
/?	dkennedy 01/04/2007	kfollett 01/04/2007		_____			S&L
/1			jfrantze 01/04/2007	_____	mbarman 01/04/2007		

FE Sent For:

<END>

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/?	dkennedy	11 lgf 1/4	26 1/4	26 Sell 1/4			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Family Planning Waiver for Men
- Tracking Code: BB0279
- SBO team: Health
- SBO analyst: Michelle Pink
 - Phone: 267-7980
 - Email: michelle.pink@wisconsin.gov
- Agency acronym: DOA
- Agency number: 505
- Priority: H

Family Planning Waiver for Men 2007-09 Budget Bill Statutory Language Drafting Request

Current Language

Current language in s. 49.45(24r) directs the Department of Health and Family Services to 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.

Proposed Change

Amend 49.45(24r) to direct the Department of Health and Family Services to 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 **or man** between the ages of 15 and 44.

Further, amend the income limit for the Family Planning Waiver for both men and women from 185% of the federal poverty level to 200% of the federal poverty level, in order to be consistent with the new income calculation proposed in the BadgerCare Plus expansion.

Finally, correct an error in s. 49.45(24r) that points to a cite in the Maternal and Child Health legislation (s. 253.07(1)(b)) that deals with information and referral but not to Medicaid covered clinical services. This cite should be changed to reference covered clinical services.

Effect of the Change

Expands eligibility for the Medicaid family planning demonstration waiver to men between the ages of 15 and 44 with incomes under 200% of the federal poverty level. Changes the income limit for women under the family planning demonstration waiver to 200% of the federal poverty level in order to be consistent with the income calculation changes proposed in the BadgerCare Plus expansion.

Rationale for the Change

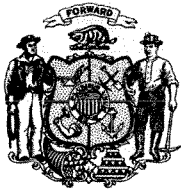
This change will reduce the number of unintended pregnancies by providing family planning and other covered health services to men with low-incomes who are otherwise not eligible for Medicaid programs.

Desired Effective Date: 1/1/2008 or when federal approval of the demonstration waiver is granted, whichever is later.

Agency: DOA

Agency Contact:

Michelle Pink 267-7980



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1333/21
DAK: *kf*

D-NOTE

DOA:.....Pink, BB0279 - MA waiver for family planning for men
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Currently, family planning is provided as a benefit to recipients of Medical Assistance (MA). In addition, DHFS is required to request, and has received, a waiver of federal Medicaid laws to conduct a demonstration project to provide family planning services under MA to women between the ages of 15 and 44 with family incomes of not more than 185 percent of the federal poverty level.

X This bill requires DHFS to request an amended waiver from the federal department of health and human services to provide, under the current demonstration project, family planning under MA to men, as well as women, between the ages of 15 and 44 and to increase the financial eligibility limitation under the demonstration project to 200 percent of the federal poverty level.

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:

2 SECTION 1. 49.45 (24r) of the statutes is amended to read:

1 49.45 (24r) FAMILY PLANNING DEMONSTRATION PROJECT. The department shall
 2 request ~~a~~ an amended waiver from the secretary of the federal department of health
 3 and human services to permit the department to conduct a demonstration project to
 4 provide family planning services, as defined in s. 253.07 (1) (b) (a), under medical
 5 assistance to any woman or man between the ages of 15 and 44 whose family income
 6 does not exceed ~~185%~~ 200 percent of the poverty line for a family the size of the
 7 woman's or man's family. If The department shall implement any waiver granted
 8 and, if the amendment to the waiver is granted and in effect, the department shall
 9 implement the amended waiver no later than ~~July 1, 1998~~ January 1, 2008, or on the
 10 federally approved effective date of the amended waiver, whichever is later.

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441.

11

(END)

D-NOTE

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

LRB-1333/dn

DAK:...

kjf

Date

To Michelle Pink:

I have structured this bill somewhat differently than requested. It seems to me that DHFS should be required now (not on a delayed basis) to request the amended waiver, but that implementation should be keyed to the amended waiver effective date of January 1, 2008.

I assume that the changes you are requesting to s. 49.45 (24r) should not change the exclusion from HIRSP that is specified in s. 149.12 (2) (f) 2. a.

Please let me know if you disagree or if you need further assistance with this bill.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.wisconsin.gov

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

LRB-1333/1dn
DAK:kjf:jf

January 4, 2007

To Michelle Pink:

I have structured this bill somewhat differently than requested. It seems to me that DHFS should be required now (not on a delayed basis) to request the amended waiver, but that implementation should be keyed to the amended waiver effective date or January 1, 2008.

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Please let me know if you disagree or if you need further assistance with this bill.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.wisconsin.gov

Kennedy, Debora

From: Kahler, Pam
Sent: Wednesday, January 17, 2007 10:11 AM
To: Kennedy, Debora
Subject: FW: Family Planning Waiver LRB Draft Statutory Language

For your info.

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

From: Pink, Michelle C - DOA
Sent: Wednesday, January 17, 2007 10:06 AM
To: Kahler, Pam
Subject: RE: Family Planning Waiver LRB Draft Statutory Language

07-1333

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

From: Kahler, Pam [mailto:Pam.Kahler@legis.wisconsin.gov]
Sent: Wednesday, January 17, 2007 10:04 AM
To: Pink, Michelle C - DOA
Subject: RE: Family Planning Waiver LRB Draft Statutory Language

Michelle:

What is the LRB number of this one? Thanks.

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

From: Pink, Michelle C - DOA
Sent: Wednesday, January 17, 2007 9:44 AM
To: Kahler, Pam
Subject: FW: Family Planning Waiver LRB Draft Statutory Language

Hi Pam,

It looks like this draft is final. Thank you!

Michelle

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

From: Jones, James [mailto:JONESJD@dhfs.state.wi.us]
Sent: Wednesday, January 17, 2007 8:52 AM
To: Pink, Michelle C - DOA
Cc: Jessup, Vicki L - DHFS; Simpson, Joanne - DHFS; Nelson, Kirstin B - DHFS
Subject: Family Planning Waiver LRB Draft Statutory Language

We've review the language and only wanted to assure the drafter that her assumption that the changes as requested to s. 49.45 (24r) should not change the exclusion from HIRSP that is specified in s. 149.12 (2) (f) 2.a is correct.

Otherwise we have no changes or comments.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1333/1

DAK:kjf:jf

DOA:.....Pink, BB0279 - MA waiver for family planning for men
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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