



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1521/

PJK:kj:rs

TWJ  
v mis run

DOA:.....Pink, BB0376 - Medicaid expansion for childless adults

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

do not go out

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

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

Under current law, DHFS administers the Medical Assistance (MA) program and the Badger Care (BadgerCare) health care program, under which eligible individuals or families receive health care benefits. Under MA, eligible individuals generally include low-income elderly or disabled individuals, low-income children, and low-income pregnant women. Under BadgerCare, low-income families, low-income children who do not live with a parent, and unborn children of certain low-income women are eligible. This bill requires DHFS to request a waiver from the secretary of the federal department of health and human services to conduct a demonstration project under which DHFS would provide health care coverage of primary and preventive care for adults under the age of 65 who have family incomes not to exceed 200 percent of the poverty level, who are not otherwise eligible for MA, BadgerCare, or Medicare, and who did not have coverage under the Health Insurance Risk-Sharing Plan within six months before applying.

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

Insert A

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

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

2           20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
3 in the schedule to provide a portion of the state share of Medical Assistance program  
4 benefits administered under s. 49.45, to provide a portion of the Medical Assistance  
5 program benefits administered under s. 49.45 that are not also provided under par.  
6 (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the  
7 facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services  
8 provided by resource centers under s. 46.283, for services under the family care  
9 benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68,  
10 49.683, and 49.685, and for reduction of any operating deficits as specified in 2005  
11 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may  
12 transfer from this appropriation account to the appropriation account under sub. (7)  
13 (kb) funds in the amount of and for the purposes specified in s. 46.485.  
14 Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or  
15 deposit into this appropriation account and may transfer between fiscal years funds  
16 that it transfers from the appropriation account under sub. (7) (kb) for the purposes  
17 specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may  
18 transfer from this appropriation account to the appropriation account under sub. (7)  
19 (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

20           **SECTION 2.** 20.435 (4) (h) of the statutes is amended to read:

21           20.435 (4) (h) *General or medical assistance medical program,*  
22 *intergovernmental transfer.* The amounts in the schedule to provide supplemental  
23 payments to eligible health care providers that contract with Milwaukee County to  
24 provide health care services funded by a relief block grant under s. 49.025 or to  
25 provide benefits under the demonstration project under s. 49.45 (23). All moneys

1 received from Milwaukee County for this either purpose shall be credited to this  
2 appropriation account.

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

3 **SECTION 3.** 49.45 (23) of the statutes is created to read:

4 49.45 (23) ASSISTANCE FOR CHILDLESS ADULTS DEMONSTRATION PROJECT. (a) The  
5 department shall request a waiver from the secretary of the federal department of  
6 health and human services to permit the department to conduct a demonstration  
7 project to provide health care coverage for basic primary and preventive care to  
8 adults who are under the age of 65, who have family incomes not to exceed 200  
9 percent of the poverty line, and who are not otherwise eligible for medical assistance  
10 under this subchapter, the Badger Care health care program under s. 49.665, or  
11 Medicare under 42 USC 1395 et seq. Any individual who had coverage under the  
12 Health Insurance Risk-Sharing Plan under subch. II of ch. 149 within 6 months  
13 before applying for the project under this subsection is not eligible to participate in  
14 the project under this subsection.

15 (b) If the waiver is granted and in effect, the department may promulgate rules  
16 defining the health care benefit plan, including more specific eligibility  
17 requirements and cost-sharing requirements. Notwithstanding s. 227.24 (3), the  
18 plan details under this subsection may be promulgated as an emergency rule under  
19 s. 227.24 without a finding of emergency. If the waiver is granted and in effect, the  
20 demonstration project under this subsection shall begin on January 1, 2009, or on  
21 the effective date of the waiver, whichever is later.

22 **SECTION 4.** 149.12 (2) (f) 2. g. of the statutes is created to read:

Insert 3-2





2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1521/5ins  
PJK:kjf:rs

INSERT A

(4)

Also under current law, DHFS provides relief block grant moneys to Milwaukee County for providing assistance in the form of health care services to persons who meet certain criteria for dependency. Under this bill, the amount that DHFS would otherwise provide in relief block grant moneys would be offset by amounts paid for individuals in Milwaukee County under the demonstration project to provide health care coverage for eligible adults.

(END OF INSERT A)

INSERT 3-2

*on behalf of individuals  
in that county*

1 SECTION ~~4~~ 49.025 (2) (a) 2. of the statutes is amended to read:  
2 49.025 (2) (a) 2. The department shall subtract from the amount determined  
3 under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)  
4 in that year and amounts paid under the demonstration project under s. 49.45 (23).  
5 If the amount determined under this subdivision is less than zero, the amount of the  
6 relief block grant is \$0.

*in that year*

History: 1995 a. 27; 1997 a. 27, 35; 1999 a. 9.

7 SECTION ~~2~~ 49.45 (6y) (a) of the statutes is amended to read:  
8 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts  
9 under s. 20.435 (4) (b), (gp), (o), and (w), the department ~~shall~~ may distribute funding  
10 in each fiscal year to provide supplemental payment to hospitals that enter into a  
11 contract under s. 49.02 (2) to provide health care services funded by a relief block  
12 grant, as determined by the department, for hospital services that are not in excess  
13 of the hospitals' customary charges for the services, as limited under 42 USC 1396b  
14 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of  
15 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the  
16 department may distribute funds to hospitals that have not entered into a contract  
17 under s. 49.02 (2).

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.

(END OF INSERT 3-2)

1           **SECTION ~~3~~ 49.45 (6z) (a) (intro.)** of the statutes is amended to read:

2           **49.45 (6z) (a) (intro.)** Notwithstanding sub. (3) (e), from the appropriation

3           accounts under s. 20.435 (4) (b), (gp), (o), and (w), the department shall may

4           distribute funding in each fiscal year to supplement payment for services to hospitals

5           that enter into a contract under s. 49.02 (2) to provide health care services funded

6           by a relief block grant under this chapter, if the department determines that the

7           hospitals serve a disproportionate number of low-income patients with special

8           needs. If no medical relief block grant under this chapter is awarded or if the

9           allocation of funds to such hospitals would exceed any limitation under 42 USC

10          1396b (i) (3), the department may distribute funds to hospitals that have not entered

11          into a contract under s. 49.02 (2). The department may not distribute funds under

12          this subsection to the extent that the distribution would do any of the following:

**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.





State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1521/5

PJK:kjf:nyw

*rm is run*

DOA:.....Pink, BB0376 - Medicaid expansion for childless adults  
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

*D-note*

*do not  
gen cut*

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

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

**MEDICAL ASSISTANCE**

Under current law, DHFS administers the Medical Assistance (MA) program and the Badger Care (BadgerCare) health care program, under which eligible individuals or families receive health care benefits. Under MA, eligible individuals generally include low-income elderly or disabled individuals, low-income children, and low-income pregnant women. Under BadgerCare, low-income families, low-income children who do not live with a parent, and unborn children of certain low-income women are eligible. This bill requires DHFS to request a waiver from the secretary of the federal department of health and human services to conduct a demonstration project under which DHFS would provide health care coverage of primary and preventive care for adults under the age of 65 who have family incomes not to exceed 200 percent of the poverty level, who are not otherwise eligible for MA, BadgerCare, or Medicare, and who did not have coverage under the Health Insurance Risk-Sharing Plan within six months before applying.

Also under current law, DHFS provides relief block grant moneys to Milwaukee County for providing assistance in the form of health care services to persons who meet certain criteria for dependency. Under this bill, the amount that DHFS would otherwise provide in relief block grant moneys would be offset by amounts paid for individuals in Milwaukee County under the demonstration project to provide health care coverage for eligible adults.

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

2           20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
3 in the schedule to provide a portion of the state share of Medical Assistance program  
4 benefits administered under s. 49.45, to provide a portion of the Medical Assistance  
5 program benefits administered under s. 49.45 that are not also provided under par.  
6 (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the  
7 facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services  
8 provided by resource centers under s. 46.283, for services under the family care  
9 benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68,  
10 49.683, and 49.685, and for reduction of any operating deficits as specified in 2005  
11 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may  
12 transfer from this appropriation account to the appropriation account under sub. (7)  
13 (kb) funds in the amount of and for the purposes specified in s. 46.485.  
14 Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or  
15 deposit into this appropriation account and may transfer between fiscal years funds  
16 that it transfers from the appropriation account under sub. (7) (kb) for the purposes  
17 specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may  
18 transfer from this appropriation account to the appropriation account under sub. (7)  
19 (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

20           **SECTION 2.** 20.435 (4) (h) of the statutes is amended to read:

1           20.435 (4) (h) *General or medical assistance medical program;*  
2 *intergovernmental transfer.* The amounts in the schedule to provide supplemental  
3 payments to eligible health care providers that contract with Milwaukee County to  
4 provide health care services funded by a relief block grant under s. 49.025 or to  
5 provide benefits under the demonstration project under s. 49.45 (23). All moneys  
6 received from Milwaukee County for this either purpose shall be credited to this  
7 appropriation account.

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

8           **SECTION 3.** 49.025 (2) (a) 2. of the statutes is amended to read:

9           49.025 (2) (a) 2. The department shall subtract from the amount determined  
10 under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)  
11 in that year and amounts paid on behalf of individuals in that county under the  
12 demonstration project under s. 49.45 (23) in that year. If the amount determined  
13 under this subdivision is less than zero, the amount of the relief block grant is \$0.

14           **SECTION 4.** 49.45 (6y) (a) of the statutes is amended to read:

15           49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts  
16 under s. 20.435 (4) (b), (gp), (o), and (w), the department shall may distribute funding  
17 in each fiscal year to provide supplemental payment to hospitals that enter into a  
18 contract under s. 49.02 (2) to provide health care services funded by a relief block  
19 grant, as determined by the department, for hospital services that are not in excess  
20 of the hospitals' customary charges for the services, as limited under 42 USC 1396b  
21 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of  
22 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the

1 department may distribute funds to hospitals that have not entered into a contract  
2 under s. 49.02 (2).

3 **SECTION 5.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

4 49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation  
5 accounts under s. 20.435 (4) (b), (gp), (o), and (w), the department shall ~~may~~  
6 ~~distribute funding in each fiscal year to supplement payment for services to hospitals~~  
7 ~~that enter into a contract under s. 49.02 (2) to provide health care services funded~~  
8 ~~by a relief block grant under this chapter, if the department determines that the~~  
9 ~~hospitals serve a disproportionate number of low-income patients with special~~  
10 ~~needs. If no medical relief block grant under this chapter is awarded or if the~~  
11 ~~allocation of funds to such hospitals would exceed any limitation under 42 USC~~  
12 ~~1396b (i) (3), the department may distribute funds to hospitals that have not entered~~  
13 ~~into a contract under s. 49.02 (2). The department may not distribute funds under~~  
14 ~~this subsection to the extent that the distribution would do any of the following:~~

15 **SECTION 6.** 49.45 (23) of the statutes is created to read:

16 49.45 (23) ASSISTANCE FOR CHILDLESS ADULTS DEMONSTRATION PROJECT. (a) The  
17 department shall request a waiver from the secretary of the federal department of  
18 health and human services to permit the department to conduct a demonstration  
19 project to provide health care coverage for basic primary and preventive care to  
20 adults who are under the age of 65, who have family incomes not to exceed 200  
21 percent of the poverty line, and who are not otherwise eligible for medical assistance  
22 under this subchapter, the Badger Care health care program under s. 49.665, or  
23 Medicare under 42 USC 1395 et seq. Any individual who had coverage under the  
24 Health Insurance Risk-Sharing Plan under subch. II of ch. 149 within 6 months

1 before applying for the project under this subsection is not eligible to participate in  
2 the project under this subsection.

3 (b) If the waiver is granted and in effect, the department may promulgate rules  
4 defining the health care benefit plan, including more specific eligibility  
5 requirements and cost-sharing requirements. Notwithstanding s. 227.24 (3), the  
6 plan details under this subsection may be promulgated as an emergency rule under  
7 s. 227.24 without a finding of emergency. If the waiver is granted and in effect, the  
8 demonstration project under this subsection shall begin on January 1, 2009, or on  
9 the effective date of the waiver, whichever is later.

10 **SECTION 7.** 149.12 (2) (f) 2. g. of the statutes is created to read:

11 149.12 (2) (f) 2. g. Benefits under the demonstration project for childless adults  
12 under s. 49.45 (23).

13 (END)

*D-note*

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

LRB-1521/6dn

PJK:kjf:avn

*Date*

Michelle and Jim:

This draft reconciles LRB-0892/9, LRB-0994/P1, and LRB-1521/5 by removing the treatment of s. 49.45 (6y) (a) from LRB-1521 and incorporating it into LRB-0892 and by removing the treatment of s. 49.45 (6z) (a) (intro.) from LRB-1521 and incorporating it into LRB-0994. All of these drafts should continue to appear in the compiled bill.

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Senior Legislative Attorney  
Phone: (608) 266-2682  
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1521/6dn  
PJK:kjfjf

January 30, 2007

Michelle and Jim:

This draft reconciles LRB-0892/9, LRB-0994/P1, and LRB-1521/5 by removing the treatment of s. 49.45 (6y) (a) from LRB-1521 and incorporating it into LRB-0892 and by removing the treatment of s. 49.45 (6z) (a) (intro.) from LRB-1521 and incorporating it into LRB-0994. All of these drafts should continue to appear in the compiled bill.

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State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1521/6

PJK:kjf:if

7  
P. J. K.

DOA:.....Pink, BB0376 - Medicaid expansion for childless adults  
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Draft  
Don't present

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

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Under current law, DHFS administers the Medical Assistance (MA) program and the Badger Care (BadgerCare) health care program, under which eligible individuals or families receive health care benefits. Under MA, eligible individuals generally include low-income elderly or disabled individuals, low-income children, and low-income pregnant women. Under BadgerCare, low-income families, low-income children who do not live with a parent, and unborn children of certain low-income women are eligible. This bill requires DHFS to request a waiver from the secretary of the federal department of health and human services to conduct a demonstration project under which DHFS would provide health care coverage of primary and preventive care for adults under the age of 65 who have family incomes not to exceed 200 percent of the poverty level, who are not otherwise eligible for MA, BadgerCare, or Medicare, and who did not have coverage under the Health Insurance Risk-Sharing Plan within six months before applying.

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

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20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts in the schedule to provide a portion of the state share of Medical Assistance program benefits administered under s. 49.45, to provide a portion of the Medical Assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283, for services under the family care benefit under s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and 49.685, and for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (kb) funds in the amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation account and may transfer between fiscal years funds that it transfers from the appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation account to the appropriation account under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

for a portion of the Badger Care health care program under s. 49.665

**SECTION 2.** 20.435 (4) (h) of the statutes is amended to read:

Insert 2-19

1           20.435 (4) (h) *General or medical assistance medical program;*  
2 *intergovernmental transfer.* The amounts in the schedule to provide supplemental  
3 payments to eligible health care providers that contract with Milwaukee County to  
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6 received from Milwaukee County for this either purpose shall be credited to this  
7 appropriation account.

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reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 3.** 49.025 (2) (a) 2. of the statutes is amended to read:

9           49.025 (2) (a) 2. The department shall subtract from the amount determined  
10 under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)  
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15           49.45 (23) ASSISTANCE FOR CHILDLESS ADULTS DEMONSTRATION PROJECT. (a) The  
16 department shall request a waiver from the secretary of the federal department of  
17 health and human services to permit the department to conduct a demonstration  
18 project to provide health care coverage for basic primary and preventive care to  
19 adults who are under the age of 65, who have family incomes not to exceed 200  
20 percent of the poverty line, and who are not otherwise eligible for medical assistance  
21 under this subchapter, the Badger Care health care program under s. 49.665, or  
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23 Health Insurance Risk-Sharing Plan under subch. II of ch. 149 within 6 months

1 before applying for the project under this subsection is not eligible to participate in  
2 the project under this subsection.

3 (b) If the waiver is granted and in effect, the department may promulgate rules  
4 defining the health care benefit plan, including more specific eligibility  
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6 plan details under this subsection may be promulgated as an emergency rule under  
7 s. 227.24 without a finding of emergency. If the waiver is granted and in effect, the  
8 demonstration project under this subsection shall begin on January 1, 2009, or on  
9 the effective date of the waiver, whichever is later.

10 SECTION 5. 149.12 (2) (f) 2. g. of the statutes is created to read:

11 149.12 (2) (f) 2. g. Benefits under the demonstration project for childless adults  
12 under s. 49.45 (23).

13 (END)

D - vote

**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1521/7ins  
PJK:kjf:jf

**INSERT 2-19**

\*\*\*NOTE: This is reconciled s. 20.435 (4)(b). This SECTION has been affected by drafts with the following LRB numbers: -0892 and -1521.

**(END OF INSERT 2-19)**

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

LRB-1521/7dn

PJK:kjf:jl

*Date*

Michelle:

This draft reconciles LRB-0892/11 ✓ and LRB-1521/6 ✓. All of these drafts should continue to appear in the compiled bill.

Pamela J. Kahler  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1521/7dn  
PJK:kjf:pg

February 6, 2007

Michelle:

This draft reconciles LRB-0892/11 and LRB-1521/6. All of these drafts should continue to appear in the compiled bill.

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DOA:.....Pink, BB0376 - Medicaid expansion for childless adults  
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

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

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

Under current law, DHFS administers the Medical Assistance (MA) program and the Badger Care (BadgerCare) health care program, under which eligible individuals or families receive health care benefits. Under MA, eligible individuals generally include low-income elderly or disabled individuals, low-income children, and low-income pregnant women. Under BadgerCare, low-income families, low-income children who do not live with a parent, and unborn children of certain low-income women are eligible. This bill requires DHFS to request a waiver from the secretary of the federal department of health and human services to conduct a demonstration project under which DHFS would provide health care coverage of primary and preventive care for adults under the age of 65 who have family incomes not to exceed 200 percent of the poverty level, who are not otherwise eligible for MA, BadgerCare, or Medicare, and who did not have coverage under the Health Insurance Risk-Sharing Plan within six months before applying.

Also under current law, DHFS provides relief block grant moneys to Milwaukee County for providing assistance in the form of health care services to persons who meet certain criteria for dependency. Under this bill, the amount that DHFS would otherwise provide in relief block grant moneys would be offset by amounts paid for individuals in Milwaukee County under the demonstration project to provide health care coverage for eligible adults.

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

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

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

2           20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts  
3 in the schedule to provide a portion of the state share of Medical Assistance program  
4 benefits administered under s. 49.45, for a portion of the Badger Care health care  
5 program under s. 49.665, to provide a portion of the Medical Assistance program  
6 benefits administered under s. 49.45 that are not also provided under par. (o), to fund  
7 the pilot project under s. 46.27 (9) and (10), to provide a portion of the facility  
8 payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided  
9 by resource centers under s. 46.283, for services under the family care benefit under  
10 s. 46.284 (5), for assisting victims of diseases, as provided in ss. 49.68, 49.683, and  
11 49.685, and for reduction of any operating deficits as specified in 2005 Wisconsin Act  
12 15, section 3. Notwithstanding s. 20.002 (1), the department may transfer from this  
13 appropriation account to the appropriation account under sub. (7) (kb) funds in the  
14 amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001  
15 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation  
16 account and may transfer between fiscal years funds that it transfers from the  
17 appropriation account under sub. (7) (kb) for the purposes specified in s. 46.485 (3r).  
18 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation  
19 account to the appropriation account under sub. (7) (bd) funds in the amount and for  
20 the purposes specified in s. 49.45 (6v).

\*\*\*\*NOTE: This is reconciled s. 20.435 (4) (b). This SECTION has been affected by drafts with the following LRB numbers: -0892 and -1521.

1           **SECTION 2.** 20.435 (4) (h) of the statutes is amended to read:

2           20.435 (4) (h)    *General or medical assistance medical program;*  
3           *intergovernmental transfer.* The amounts in the schedule to provide supplemental  
4           payments to eligible health care providers that contract with Milwaukee County to  
5           provide health care services funded by a relief block grant under s. 49.025 or to  
6           provide benefits under the demonstration project under s. 49.45 (23). All moneys  
7           received from Milwaukee County for ~~this~~ either purpose shall be credited to this  
8           appropriation account.

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

9           **SECTION 3.** 49.025 (2) (a) 2. of the statutes is amended to read:

10          49.025 (2) (a) 2. The department shall subtract from the amount determined  
11          under subd. 1. amounts paid to hospitals in that county under s. 49.45 (6y) and (6z)  
12          in that year and amounts paid on behalf of individuals in that county under the  
13          demonstration project under s. 49.45 (23) in that year. If the amount determined  
14          under this subdivision is less than zero, the amount of the relief block grant is \$0.

15          **SECTION 4.** 49.45 (23) of the statutes is created to read:

16          49.45 (23) ASSISTANCE FOR CHILDLESS ADULTS DEMONSTRATION PROJECT. (a) The  
17          department shall request a waiver from the secretary of the federal department of  
18          health and human services to permit the department to conduct a demonstration  
19          project to provide health care coverage for basic primary and preventive care to  
20          adults who are under the age of 65, who have family incomes not to exceed 200  
21          percent of the poverty line, and who are not otherwise eligible for medical assistance  
22          under this subchapter, the Badger Care health care program under s. 49.665, or  
23          Medicare under 42 USC 1395 et seq. Any individual who had coverage under the

1 Health Insurance Risk-Sharing Plan under subch. II of ch. 149 within 6 months  
2 before applying for the project under this subsection is not eligible to participate in  
3 the project under this subsection.

4 (b) If the waiver is granted and in effect, the department may promulgate rules  
5 defining the health care benefit plan, including more specific eligibility  
6 requirements and cost-sharing requirements. Notwithstanding s. 227.24 (3), the  
7 plan details under this subsection may be promulgated as an emergency rule under  
8 s. 227.24 without a finding of emergency. If the waiver is granted and in effect, the  
9 demonstration project under this subsection shall begin on January 1, 2009, or on  
10 the effective date of the waiver, whichever is later.

11 **SECTION 5.** 149.12 (2) (f) 2. g. of the statutes is created to read:

12 149.12 (2) (f) 2. g. Benefits under the demonstration project for childless adults  
13 under s. 49.45 (23).

14 (END)