2007 SENATE BILL 460

February 5, 2008 – Introduced by Senators GROTHMAN, LAZICH, LEIBHAM, KEDZIE and SCHULTZ, cosponsored by Representatives LEMAHIEU, KLEEFISCH, GOTTLIEB, LOTHIAN, A. OTT, OWENS, STRACHOTA, PRIDEMORE, NASS, GUNDERSON, KESTELL and PETERSEN. Referred to Committee on Health, Human Services, Insurance, and Job Creation.

AN ACT to amend 49.45 (24r) and 49.45 (24r) of the statutes; relating to: a

Medical Assistance family planning demonstration project minimum age eligibility limitation change.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS) must have requested a waiver from the secretary of the federal Department of Health and Human Services to conduct a demonstration project, under the Medical Assistance Program, to provide family planning services to any woman aged 15 to 44 whose family income does not exceed 185 percent of the federal poverty line for families the size of the woman’s family. DHFS must have implemented the waiver, if granted, by July 1, 1998, or by the waiver’s effective date, whichever was later.

Under 2007 Wisconsin Act 20 (the biennial budget act), the family income limitation for the family planning demonstration project was increased to 200 percent of the federal poverty line, and DHFS must implement any waiver granted. Under the biennial budget act, these changes must take effect on the date stated in the Wisconsin Administrative Register by DHFS as the implementation date for BadgerCare Plus. Currently, DHFS has not stated the date in the Wisconsin Administrative Register.

This bill, on the day after publication of the bill as an act, changes the minimum age requirement, from 15 to 18 years, for eligibility for the Medical Assistance Program demonstration project to provide family planning services to any woman whose family income does not exceed 185 percent of the federal poverty line for
families the size of the woman’s family. As of the delayed effective date, the bill also changes the family income limitation under the demonstration project to 200 percent of the federal poverty line, to conform to the change in the biennial budget act.

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:

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

49.45 (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 to 18 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.

SECTION 2. 49.45 (24r) of the statutes, as affected by 2007 Wisconsin Act 20, is amended to read:

49.45 (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, as defined in s. 253.07 (1) (a), under medical assistance to any woman between the ages of 15 to 18 and 44 whose family income does not exceed 200% of the poverty line for a family the size of the woman’s family. The department shall implement any waiver granted.
SECTION 3. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 49.45 (24r) (by SECTION 2) of the statutes takes effect on the day after the date stated in the Wisconsin Administrative Register by the department of health and family services under section 49.471 (12) (b) of the statutes, as created by 2007 Wisconsin Act 20, as the implementation date for BadgerCare Plus.