



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 238

**Assembly
Amendment 1**

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2009 Assembly Bill 238

2009 Assembly Bill 238 provides that if a beneficiary of Medical Assistance (MA) who is eligible based on blindness or total and permanent disability, and who was unmarried when the individual first became eligible for MA, subsequently marries, that the income or assets of the individual's spouse shall not be considered by the Department of Health Services (DHS) when determining the individual's continued eligibility. DHS must continue to treat the individual as if he or she is unmarried for purposes of the individual's family size, as long as the individual remains continuously eligible for MA while married.

The bill requires DHS to request a waiver from the Secretary of the federal Department of Health and Human Services to implement this determination of continued eligibility.

Assembly Amendment 1

Assembly Amendment 1 narrows the exclusion of the spouse's income and assets from consideration, when determining the individual's MA eligibility. If the individual's spouse's income exceeds \$500,000 per year, then the spouse's income would be considered in determining the individual's MA eligibility.

Legislative History

Assembly Amendment 1 was offered by Representative Roth on December 2, 2009. On March 11, 2010, the Assembly Committee on Children and Families recommended adoption of Assembly Amendment 1, and recommended passage of the bill, as amended, both on votes of Ayes, 8; Noes, 0.

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