



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBs0363/1
ARG&TJD:amn

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 744**

February 16, 2016 – Offered by Representatives MASON, C. TAYLOR and BARCA.

1 **AN ACT** *to amend* 49.45 (23) (a) and 49.471 (4) (a) 4. b.; and *to create* 49.471 (1)
2 (cr) and 49.471 (4g) of the statutes; **relating to:** Medicaid expansion, eligibility
3 for BadgerCare Plus and BadgerCare Plus Core, funding for the University of
4 Wisconsin System, and making an appropriation.

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

5 **SECTION 1.** 49.45 (23) (a) of the statutes is amended to read:
6 49.45 (23) (a) The department shall request a waiver from the secretary of the
7 federal department of health and human services to permit the department to
8 conduct a demonstration project to provide health care coverage to adults who are
9 under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the
10 poverty line before application of the ~~5~~ percent income disregard under ~~42 CFR~~
11 ~~435.603 (d)~~ except as provided in s. 49.471 (4g), and who are not otherwise eligible

1 for medical assistance under this subchapter, the Badger Care health care program
2 under s. 49.665, or Medicare under 42 USC 1395 et seq.

3 **SECTION 2.** 49.471 (1) (cr) of the statutes is created to read:

4 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
5 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

6 **SECTION 3.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

7 49.471 (4) (a) 4. b. ~~The Except as provided in sub. (4g), the individual’s family~~
8 ~~income does not exceed 100 133 percent of the poverty line before application of the~~
9 ~~5 percent income disregard under 42 CFR 435.603 (d).~~

10 **SECTION 4.** 49.471 (4g) of the statutes is created to read:

11 49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. (a)
12 For services provided to individuals described under sub. (4) (a) 4. and s. 49.45 (23),
13 the department shall comply with all federal requirements to qualify for the highest
14 available enhanced federal medical assistance percentage. The department shall
15 submit any amendment to the state medical assistance plan, request for a waiver of
16 federal Medicaid law, or other approval required by the federal government to
17 provide services to the individuals described under sub. (4) (a) 4. and s. 49.45 (23) and
18 qualify for the highest available enhanced federal medical assistance percentage.

19 (b) If the department does not qualify for an enhanced federal medical
20 assistance percentage, or if the enhanced federal medical assistance percentage
21 obtained by the department is lower than printed in federal law as of July 1, 2013,
22 for individuals eligible under sub. (4) (a) 4. or s. 49.45 (23), the department shall
23 submit to the joint committee on finance a fiscal analysis comparing the cost to
24 maintain coverage for adults who are not pregnant and not elderly at up to 133
25 percent of the poverty line to the cost of limiting eligibility to those adults with family

1 incomes up to 100 percent of the poverty line. The department may reduce income
2 eligibility for adults who are not pregnant and not elderly from up to 133 percent of
3 the poverty line to up to 100 percent of the poverty line only if this reduction in income
4 eligibility levels is approved by the joint committee on finance.

5 **SECTION 5. Fiscal changes.**

6 (1) MEDICAL ASSISTANCE. In the schedule under section 20.005 (3) of the statutes
7 for the appropriation to the department of health services under section 20.435 (4)
8 (b) of the statutes, as affected by the acts of 2015, the dollar amount for fiscal year
9 2015–16 is decreased by \$102,900,000 to provide Medical Assistance to certain
10 adults with incomes up to 133 percent of the federal poverty line. In the schedule
11 under section 20.005 (3) of the statutes for the appropriation to the department of
12 health services under section 20.435 (4) (b) of the statutes, as affected by the acts of
13 2015, the dollar amount for fiscal year 2016–17 is decreased by \$220,600,000 to
14 provide Medical Assistance to certain adults with incomes up to 133 percent of the
15 federal poverty line.

16 (2) UNIVERSITY OF WISCONSIN SYSTEM. In the schedule under section 20.005 (3)
17 of the statutes for the appropriation to the Board of Regents of the University of
18 Wisconsin System under section 20.285 (1) (a) of the statutes, as affected by the acts
19 of 2015, the dollar amount for fiscal year 2015–16 is increased by \$125,000,000 to
20 increase funding for the purpose for which the appropriation is made. In the
21 schedule under section 20.005 (3) of the statutes for the appropriation to the Board
22 of Regents of the University of Wisconsin System under section 20.285 (1) (a) of the
23 statutes, as affected by the acts of 2015, the dollar amount for fiscal year 2016–17
24 is increased by \$125,000,000 to increase funding for the purpose for which the
25 appropriation is made.

