



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

LRBa0252/1

TJD:wlj

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 1**

April 4, 2017 - Offered by Representatives KOLSTE and SUBECK.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after “persons” insert “, Medicaid expansion and eligibility
3 for BadgerCare Plus and BadgerCare Plus Core, and making an appropriation”.

4 **2.** Page 2, line 1: before that line insert:

5 “**SECTION 1c.** 20.435 (5) (bc) of the statutes is amended to read:

6 20.435 (5) (bc) *Grants for community programs.* The amounts in the schedule
7 for grants for and contracts to establish community programs under s. 46.48, for
8 pretrial intoxicated driver intervention grants under s. 51.49, for opioid antagonist
9 grants under s. 51.448, and for opioid treatment programs under s. 51.422.
10 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
11 between fiscal years under this paragraph. Except for amounts authorized to be
12 carried forward under s. 46.48 and as otherwise provided in this paragraph, all funds
13 allocated but not encumbered by December 31 of each year lapse to the general fund

1 on the next January 1 unless carried forward to the next calendar year by the joint
2 committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
3 department shall transfer from this appropriation account to the appropriation
4 account for the department of children and families under s. 20.437 (2) (dz) funds
5 allocated by the department under s. 46.48 (30) but unexpended on June 30 of each
6 year.

7 **SECTION 1e.** 49.45 (23) (a) of the statutes is amended to read:

8 49.45 (23) (a) The department shall request a waiver from the secretary of the
9 federal department of health and human services to permit the department to
10 conduct a demonstration project to provide health care coverage to adults who are
11 under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the
12 poverty line, ~~before application of the 5 percent income disregard under 42 CFR~~
13 435.603 (d), except as provided in s. 49.471 (4g), and who are not otherwise eligible
14 or medical assistance under this subchapter, the Badger Care health care program
15 under s. 49.665, or Medicare under 42 USC 1395 et seq.

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

17 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
18 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

19 **SECTION 1h.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

20 49.471 (4) (a) 4. b. ~~The~~ Except as provided in sub. (4g), the individual’s family
21 income does not exceed ~~100~~ 133 percent of the poverty line ~~before application of the~~
22 ~~5 percent income disregard under 42 CFR 435.603 (d)~~.

23 **SECTION 1j.** 49.471 (4g) of the statutes is created to read:

24 49.471 (4g) **MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE.** (a)
25 For services provided to individuals described under sub. (4) (a) 4. and s. 49.45 (23),

1 the department shall comply with all federal requirements to qualify for the highest
2 available enhanced federal medical assistance percentage. The department shall
3 submit any amendment to the state medical assistance plan, request for a waiver of
4 federal Medicaid law, or other approval required by the federal government to
5 provide services to the individuals described under sub. (4) (a) 4. and s. 49.45 (23) and
6 qualify for the highest available enhanced federal medical assistance percentage.

7 (b) If the department does not qualify for an enhanced federal medical
8 assistance percentage, or if the enhanced federal medical assistance percentage
9 obtained by the department is lower than printed in federal law as of July 1, 2013,
10 for individuals eligible under sub. (4) (a) 4. or s. 49.45 (23), the department shall
11 submit to the joint committee on finance a fiscal analysis comparing the cost to
12 maintain coverage for adults who are not pregnant and not elderly with family
13 incomes up to 133 percent of the poverty line to the cost of limiting eligibility to those
14 adults with family incomes up to 100 percent of the poverty line. The department
15 may reduce income eligibility for adults who are not pregnant and not elderly from
16 family incomes of up to 133 percent of the poverty line to family incomes of up to 100
17 percent of the poverty line only if this reduction in income eligibility levels is
18 approved by the joint committee on finance.

19 **SECTION 1m.** 51.448 of the statutes is created to read:

20 **51.448 Opioid antagonists for schools and colleges.** (1) In this section,
21 “opioid antagonist” has the meaning given in s. 450.01 (13v).

22 (2) The department shall establish a competitive grant program for schools and
23 institutions of higher education to obtain opioid antagonists for administration at
24 the school or institution. The department shall award a total of \$250,000 in each
25 fiscal year to schools and institutions of higher education that apply to the

1 department for a grant and that demonstrate need to administer opioid
2 antagonists.”.

3 **3.** Page 2, line 21: after that line insert:

4 **“SECTION 6m. Fiscal changes.**

5 (1m) MEDICAID EXPANSION. In the schedule under section 20.005 (3) of the
6 statutes for the appropriation to the department of health services under section
7 20.435 (4) (b) of the statutes, the dollar amount for fiscal year 2017-18 is decreased
8 by \$108,200,000 to provide Medical Assistance to certain adults with family incomes
9 up to 133 percent of the federal poverty line. In the schedule under section 20.005
10 (3) of the statutes for the appropriation to the department of health services under
11 section 20.435 (4) (b) of the statutes, the dollar amount for fiscal year 2018-19 is
12 decreased by \$236,900,000 to provide Medical Assistance to certain adults with
13 family incomes up to 133 percent of the federal poverty line.

14 (2m) OPIOID ANTAGONIST GRANTS. In the schedule under section 20.005 (3) of the
15 statutes for the appropriation to the department of health services under section
16 20.435 (5) (bc) of the statutes, the dollar amount for fiscal year 2017-18 is increased
17 by \$250,000 to award opioid antagonist grants under section 51.448 of the statutes.
18 In the schedule under section 20.005 (3) of the statutes for the appropriation to the
19 department of health services under section 20.435 (5) (bc) of the statutes, the dollar
20 amount for fiscal year 2018-19 is increased by \$250,000 to award opioid antagonist
21 grants under section 51.448 of the statutes.

22 **SECTION 7m. Effective dates.** This act takes effect on the day after
23 publication, except as follows:

