



State of Wisconsin
2017 - 2018 LEGISLATURE

January 2017 Special Session

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**SENATE AMENDMENT 1,
TO ASSEMBLY BILL 8**

May 2, 2017 - Offered by Senators ERPENBACH, L. TAYLOR, HANSEN, CARPENTER, VINEHOUT, JOHNSON, C. LARSON, WIRCH, BEWLEY, SHILLING, MILLER, RINGHAND and RISSER.

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

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

4 **2.** Page 1, line 3: before that line, before the material inserted by assembly
5 amendment 4, insert:

6 “**SECTION 1bd.** 49.45 (23) (a) of the statutes is amended to read:

7 49.45 (23) (a) The department shall request a waiver from the secretary of the
8 federal department of health and human services to permit the department to
9 conduct a demonstration project to provide health care coverage to adults who are
10 under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the
11 poverty line ~~before application of the 5 percent income disregard under 42 CFR~~
12 ~~435.603 (d),~~ except as provided in s. 49.471 (4g), and who are not otherwise eligible

1 or 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 1bf.** 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 1bg.** 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 1bj.** 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 with family
25 incomes up to 133 percent of the poverty line to the cost of limiting eligibility to those

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

6 **3.** Page 2, line 14: after that line insert:

7 “(2m) MEDICAID EXPANSION. In the schedule under section 20.005 (3) of the
8 statutes for the appropriation to the department of health services under section
9 20.435 (4) (b) of the statutes, the dollar amount for fiscal year 2017-18 is decreased
10 by \$108,200,000 to provide Medical Assistance to certain adults with family incomes
11 up to 133 percent of the federal poverty line. In the schedule under section 20.005
12 (3) of the statutes for the appropriation to the department of health services under
13 section 20.435 (4) (b) of the statutes, the dollar amount for fiscal year 2018-19 is
14 decreased by \$236,900,000 to provide Medical Assistance to certain adults with
15 family incomes up to 133 percent of the federal poverty line.

16 **SECTION 3m. Effective dates.** This act takes effect on the day after
17 publication, except as follows:

18 (1) MEDICAID EXPANSION. The treatment of sections 49.45 (23) (a) and 49.471 (1)
19 (cr), (4) (a) 4. b., and (4g) of the statutes and SECTION 2 (2m) of this act take effect on
20 January 1, 2018, or on the day after publication, whichever is later.”.

21 (END)