

2017 DRAFTING REQUEST

Bill

For: **Chris Taylor (608) 266-5342** Drafter: **tdodge**
 By: **Katie** Secondary Drafters:
 Date: **1/9/2017** May Contact:
 Same as LRB: **-2271**

Submit via email: **YES**
 Requester's email: **Rep.Taylor@legis.wisconsin.gov**
 Carbon copy (CC) to: **tamara.dodge@legis.wisconsin.gov**
sarah.walkenhorstbarber@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Reinstate family planning service providers' eligibility for funding

Instructions:

Reinstate Planned Parenthood's eligibility for Title V and Title X funding

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 1/10/2017	wjackson 1/17/2017			
/P1	tdodge 2/1/2017	wjackson 2/2/2017	rmilford 1/17/2017		State
/1			rmilford 2/2/2017	hkohn 2/22/2017	State

FE Sent For: **<END>**

at intro

Dodge, Tamara

From: Domina, Katherine
Sent: Tuesday, January 10, 2017 7:54 AM
To: Dodge, Tamara
Subject: RE: Rep. Taylor Re-Draft

***Title X

From: Domina, Katherine
Sent: Tuesday, January 10, 2017 7:53 AM
To: Dodge, Tamara <Tamara.Dodge@legis.wisconsin.gov>
Subject: RE: Rep. Taylor Re-Draft

Thanks for following up yesterday! We would also like to restore Title V funding.

Katie

From: Domina, Katherine
Sent: Monday, January 09, 2017 12:56 PM
To: Dodge, Tamara <Tamara.Dodge@legis.wisconsin.gov>
Subject: Rep. Taylor Re-Draft

Hi Tamara,

Rep. Taylor would like the following bills re-drafted:

2013 AB 313
2013 AB 316

Thanks so much!

Katie Domina

Office of Representative Chris Taylor

PO Box 8953

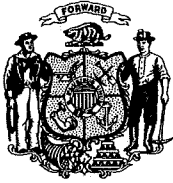
Madison, WI 53708

(608) 266-5342

[Twitter.com/christaylorwi](https://twitter.com/christaylorwi)

[Facebook.com/representative.taylor](https://facebook.com/representative.taylor)





State of Wisconsin
2013 - 2014 LEGISLATURE

CORRECTED COPY



LRB-2618/1
TJD/sac:rs

1506/PJ

In: 1110

Due Tues
1/17

WLJ

2013 ASSEMBLY BILL 316

August 23, 2013 - Introduced by Representatives C. TAYLOR, ZAMARRIPA, KOLSTE, BEWLEY, JOHNSON, BERNARD SCHABER, SHANKLAND, SINICKI, BERCEAU, ZEPNICK, RICHARDS, WRIGHT, GENRICH, HESSELBEIN, YOUNG, PASCH, KAHL, WACHS, JORGENSEN, OHNSTAD, BARNES, HEBL, RINGHAND and SARGENT. Referred to Joint Committee on Finance.

1 AN ACT *to repeal* 253.07 (1) (c) and 253.07 (5); *to amend* 20.435 (1) (f), 253.07
2 (2) (b), 253.07 (2) (c), 253.07 (4) (intro.) and 253.07 (4) (b) to (d); *to repeal and*
3 *recreate* 253.07 (title); and *to create* 253.07 (1) (a) 3m. and 253.07 (1) (b) 3m.
4 of the statutes; **relating to:** family planning services and making an
5 appropriation.

which include state moneys and federal funds received under Title V of the Federal Social Security Act

Analysis by the Legislative Reference Bureau

Under current law, state and federal funds (women's health funds) are appropriated to the Department of Health Services (DHS) to provide the following services: counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed nurse practitioners within the scope of their practice, licensed physicians, or local health departments for consultation, examination, medical treatment, and prescriptions for the purpose of family planning. Under current law, DHS may only distribute women's health funds to public entities. Current law further provides that a public entity that receives women's health funds may provide the funds to other entities but only if the recipient does not provide abortion services, make referral for abortion services, or have an affiliate that provides abortion services or makes referrals for abortion services. The state portion of this funding is referred to as the women's health block grant.

MOVE

Insert AI

This bill eliminates the restriction that DHS may only distribute funds appropriated for family planning services to public entities and eliminates the

the Department of Health Services including federal funds received under Title V of the Federal Social Security Act and Title X of the Federal Public Health Service Act

ASSEMBLY BILL 316

restriction that a recipient of these funds may only provide the funds to entities that meet specific criteria. This bill also eliminates the term "women's health block grant." Finally, this bill increases the funding for family planning services during the ~~2013-2015~~ fiscal biennium.

For further information see the *state* 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. 20.435 (1) (f) of the statutes is amended to read:

20.435 (1) (f) ~~Women's health block grant~~ Family planning. The amounts in the schedule to provide ~~women's health~~ family planning services under s. 253.07. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds distributed by the department under s. 253.07 (2) (b) and (4) but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 2. 253.07 (title) of the statutes is repealed and recreated to read:

253.07 (title) Family Planning.

SECTION 3. 253.07 (1) (a) 3m. of the statutes is created to read:

253.07 (1) (a) 3m. Pregnancy termination.

SECTION 4. 253.07 (1) (b) 3m. of the statutes is created to read:

253.07 (1) (b) 3m. Pregnancy termination.

SECTION 5. 253.07 (1) (c) of the statutes is repealed.

Insert 2-15

SECTION 6. 253.07 (2) (b) of the statutes is amended to read:

253.07 (2) (b) The department shall allocate ~~women's health~~ state and federal family planning funds under its control in a manner which will promote the development and maintenance of an integrated system of community health

ASSEMBLY BILL 316

1 services. It shall maximize the use of existing community family planning services
2 by encouraging local contractual arrangements.

State and Federal

3 **SECTION 7.** 253.07 (2) (c) of the statutes is amended to read:

4 253.07 (2) (c) The department shall coordinate the delivery of family planning
5 services by allocating ~~women's health~~ family planning funds in a manner which
6 maximizes coordination between the agencies.

7 **SECTION 8.** 253.07 (4) (intro.) of the statutes is amended to read:

8 253.07 (4) (intro.) ~~WOMEN'S HEALTH BLOCK GRANT~~ FAMILY PLANNING SERVICES.

9 From the appropriation under s. 20.435 (1) (f) ~~and subject to sub. (5)~~, the department
10 shall distribute the following amounts for all of the following:

11 **SECTION 9.** 253.07 (4) (b) to (d) of the statutes are amended to read:

12 253.07 (4) (b) In each fiscal year, \$67,500 to subsidize the provision of
13 papanicolaou tests to individuals with low income by ~~entities that receive women's~~
14 ~~health funds~~ family planning agencies under this section. In this paragraph, "low
15 income" means adjusted gross income that is less than 200% ^{2 percent} of the poverty line
16 established under 42 USC 9902 (2).

17 (c) In each fiscal year, \$54,000 to subsidize the provision of follow-up cancer
18 screening by ~~entities that receive women's health funds~~ family planning agencies
19 under this section.

20 (d) In each fiscal year, \$31,500 as grants to applying family planning agencies
21 under this section for employment in communities of licensed registered nurses,
22 licensed practical nurses, certified nurse-midwives, or licensed physician assistants
23 who are members of a racial minority.

24
Insert 3-25
25

24 **SECTION 10.** 253.07 (5) of the statutes is repealed.

25 **SECTION 11. Fiscal changes.**

ASSEMBLY BILL 316**SECTION 11**

1 (1) FAMILY PLANNING. In the schedule under section 20.005 (3) of the statutes
2 for the appropriation to the department of health services under section 20.435 (1)
3 (f) of the statutes, as affected by the acts of 2013, the dollar amount is increased by
4 \$193,600 for the first fiscal year of the fiscal biennium in which this subsection takes
5 effect to increase funding for providing family planning services. In the schedule
6 under section 20.005 (3) of the statutes for the appropriation to the department of
7 health services under section 20.435 (1) (f) of the statutes, as affected by the acts of
8 2013, the dollar amount is increased by \$193,600 for the second fiscal year of the
9 fiscal biennium in which this subsection takes effect to increase funding for
10 providing family planning services.

11 (END)

Insert 4-1

**2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1506/Plins
TJD:...

1 INSERT A1

Current law requires DHS to apply for grant funds under Title X of the federal Public Health Service Act and to distribute funds received to public entities and the Wisconsin Well-Woman Program and, if funds remain, to nonpublic hospitals and federally qualified health centers. A public entity that receives funds may provide some or all of those funds to other public or private entities that do not provide abortion services or have an affiliate that provides abortion services.

2 END INSERT A1

3 INSERT 2-15

4 **SECTION 1.** 253.07 (1) (c) of the statutes is amended to read:

5 253.07 (1) (c) "Women's health State and federal family planning funds" means
6 includes state funds appropriated under s. 20.435 (1) (f) ~~or~~, federal funds received by
7 the state under Title V of the federal Social Security Act, 42 USC 701 to 713, and
8 federal funds received by the state under Title X of the federal Public Health Service
9 Act, 42 USC 300 to 300a-6, that are allocated for the purposes described in this
10 section.

History: 1977 c. 418; 1979 c. 89; 1991 a. 39 s. 3695; 1993 a. 27 s. 379; Stats. 1993 s. 253.07; 1993 a. 105, s. 13; 1997 a. 27, 67; 2009 a. 28; 2011 a. 32; 2013 a. 166 s. 77.

****NOTE: Before the 2011 budget, s. 253.07 did not define "state and federal family planning funds," and therefore the term could have included state, Title V, and Title X funds. The 2011 budget specified that the federal funds referred to in this section were only Title V funds. To clarify, I included Title X funds, which were affected last session in 2015 Wisconsin Act 151, in this section and eliminate all of the changes to Title X in that act. If you would like more definitive language relating to Title X funds, please let me know.

11 END INSERT 2-15

12 INSERT 3-25

13 **SECTION 2.** 253.075 of the statutes is repealed.

14 END INSERT 3-25

15 INSERT 4-1

1 (0) FAMILY PLANNING. In the schedule under section 20.005 (3) of the statutes
2 for the appropriation to the department of health services under section 20.435 (1)
3 (f) of the statutes the dollar amount for fiscal year 2017-18 is increased by \$193,600
4 to increase funding for providing family planning services. In the schedule under
5 section 20.005 (3) of the statutes for the appropriation to the department of health
6 services under section 20.435 (1) (f) of the statutes the dollar amount for fiscal year
7 2018-19 is increased by \$193,600 to increase funding for providing family planning
8 services.

 ****NOTE: Since these dollar amounts were from a few sessions ago, please advise
if you want to change the amount of the increase to this appropriation.

9 END INSERT 4-1

Dodge, Tamara

From: Kohn, Hanna
Sent: Wednesday, February 01, 2017 4:22 PM
To: Dodge, Tamara
Subject: FW: Draft review: LRB -1506/P1 - 4:20 PM

From: Rep.Taylor
Sent: Wednesday, February 01, 2017 4:20 PM
To: LRB.Legal <lrblegal@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -1506/P1

Could we please get a /1? Thank you!

Maggie Gau
Office of Representative Chris Taylor
306 West – (608) 266-5342
PO Box 8953
Madison, WI 53708

From: LRB.Legal
Sent: Tuesday, January 17, 2017 5:19 PM
To: Rep.Taylor <Rep.Taylor@legis.wisconsin.gov>
Subject: Draft review: LRB -1506/P1

Following is the PDF version of draft LRB -1506/P1.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1506/P1-e1
TJD:wlj

In 211

Due Thurs
212

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to repeal* 253.07 (5) and 253.075; *to amend* 20.435 (1) (f), 253.07 (1) (c),
2 253.07 (2) (b), 253.07 (2) (c), 253.07 (4) (intro.) and 253.07 (4) (b) to (d); *to repeal*
3 **and recreate** 253.07 (title); and *to create* 253.07 (1) (a) 3m. and 253.07 (1) (b)
4 3m. of the statutes; **relating to:** family planning services and making an
5 appropriation.

Analysis by the Legislative Reference Bureau

This bill eliminates the restriction that the Department of Health Services may distribute funds appropriated for family planning services, including federal funds received under Title V of the federal Social Security Act and Title X of the federal Public Health Service Act, only to public entities and eliminates the restriction that a recipient of these funds may provide the funds only to entities that meet specific criteria. This bill also eliminates the term “women’s health block grant.” Finally, this bill increases the funding for family planning services during the 2017-19 fiscal biennium.

Under current law, women’s health funds, which include state moneys and federal funds received under Title V of the federal Social Security Act, are appropriated to DHS to provide the following services: counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed nurse practitioners within the scope of their practice, licensed physicians, or local health departments for consultation, examination, medical treatment, and prescriptions for the purpose of family

planning. Under current law, DHS may distribute women's health funds only to public entities. Current law further provides that a public entity that receives women's health funds may provide the funds to other entities but only if the recipient does not provide abortion services, make referrals for abortion services, or have an affiliate that provides abortion services or makes referrals for abortion services. The state portion of this funding is referred to as the women's health block grant.

Current law requires DHS to apply for grant funds under Title X of the federal Public Health Service Act and to distribute funds received to public entities and the Wisconsin Well-Woman Program and, if funds remain, to nonpublic hospitals and federally qualified health centers. A public entity that receives funds may provide some or all of those funds to other public or private entities that do not provide abortion services or have an affiliate that provides abortion services.

For further information see the *state* 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:

1 **SECTION 1.** 20.435 (1) (f) of the statutes is amended to read:

2 20.435 (1) (f) *Women's health block grant Family planning.* The amounts in the
3 schedule to provide women's health family planning services under s. 253.07.
4 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
5 between fiscal years under this paragraph. All funds distributed by the department
6 under s. 253.07 (2) (b) and (4) but not encumbered by December 31 of each year lapse
7 to the general fund on the next January 1 unless transferred to the next calendar
8 year by the joint committee on finance.

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10 **253.07 (title) Family planning.**

11 **SECTION 3.** 253.07 (1) (a) 3m. of the statutes is created to read:

12 253.07 (1) (a) 3m. Pregnancy termination.

13 **SECTION 4.** 253.07 (1) (b) 3m. of the statutes is created to read:

14 253.07 (1) (b) 3m. Pregnancy termination.

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2 253.07 (1) (c) "Women's health State and federal family planning funds" means
3 includes state funds appropriated under s. 20.435 (1) (f) or, federal funds received by
4 the state under Title V of the federal Social Security Act, 42 USC 701 to 713, and
5 federal funds received by the state under Title X of the federal Public Health Service
6 Act, 42 USC 300 to 300a-6, that are allocated for the purposes described in this
7 section.

****NOTE: Before the 2011 budget, s. 253.07 did not define "state and federal family planning funds," and therefore the term could have included state, Title V, and Title X funds. The 2011 budget specified that the federal funds referred to in this section were only Title V funds. To clarify, I included Title X funds, which were affected last session in 2015 Wisconsin Act 151, in this section and eliminated all of the changes to Title X in that act. If you would like more definitive language relating to Title X funds, please let me know.

8 **SECTION 6.** 253.07 (2) (b) of the statutes is amended to read:

9 253.07 (2) (b) The department shall allocate women's health state and federal
10 family planning funds under its control in a manner which will promote the
11 development and maintenance of an integrated system of community health
12 services. It shall maximize the use of existing community family planning services
13 by encouraging local contractual arrangements.

14 **SECTION 7.** 253.07 (2) (c) of the statutes is amended to read:

15 253.07 (2) (c) The department shall coordinate the delivery of family planning
16 services by allocating women's health state and federal family planning funds in a
17 manner which maximizes coordination between the agencies.

18 **SECTION 8.** 253.07 (4) (intro.) of the statutes is amended to read:

19 253.07 (4) ~~WOMEN'S HEALTH BLOCK GRANT~~ FAMILY PLANNING SERVICES. (intro.)
20 From the appropriation under s. 20.435 (1) (f) and ~~subject to sub. (5)~~, the department
21 shall distribute the following amounts for all of the following:

1 **SECTION 9.** 253.07 (4) (b) to (d) of the statutes are amended to read:

2 253.07 (4) (b) In each fiscal year, \$67,500 to subsidize the provision of
3 papanicolaou tests to individuals with low income by entities that receive women's
4 health funds family planning agencies under this section. In this paragraph, "low
5 income" means adjusted gross income that is less than 200 percent of the poverty line
6 established under 42 USC 9902 (2).

7 (c) In each fiscal year, \$54,000 to subsidize the provision of follow-up cancer
8 screening by entities that receive women's health funds family planning agencies
9 under this section.

10 (d) In each fiscal year, \$31,500 as grants to applying family planning agencies
11 under this section for employment in communities of licensed registered nurses,
12 licensed practical nurses, certified nurse-midwives, or licensed physician assistants
13 who are members of a racial minority.

14 **SECTION 10.** 253.07 (5) of the statutes is repealed.

15 **SECTION 11.** 253.075 of the statutes is repealed.

16 **SECTION 12. Fiscal changes.**

17 (1) FAMILY PLANNING. In the schedule under section 20.005 (3) of the statutes
18 for the appropriation to the department of health services under section 20.435 (1)
19 (f) of the statutes the dollar amount for fiscal year 2017-18 is increased by \$193,600
20 to increase funding for providing family planning services. In the schedule under
21 section 20.005 (3) of the statutes for the appropriation to the department of health
22 services under section 20.435 (1) (f) of the statutes the dollar amount for fiscal year
23 2018-19 is increased by \$193,600 to increase funding for providing family planning
24 services.

****NOTE: Since these dollar amounts were from a few sessions ago, please advise if you want to change the amount of the increase to this appropriation.

1

(END)

Kohn, Hanna

From: Gau, Maggie
Sent: Wednesday, February 22, 2017 3:45 PM
To: LRB.Legal
Subject: Draft Review: LRB -1506/1

Please Jacket LRB -1506/1 for the ASSEMBLY.