

2019 Assembly Bill 183 (LRB -2745)

An Act to amend 49.45 (2) (a) 11. a.; and to create 49.45 (2) (c) of the statutes; relating to: certification of abortion providers under the Medical Assistance program.

2019

04-22.	A.	Introduced by Representatives Dittrich, Tusler, Brooks, Duchow, Gundrum, Horlacher, Hutton, James, Katsma, Krug, Kulp, Kurtz, Loudenbeck, Murphy, Rodriguez, Rohrkaste, Sanfelippo, Schraa, Sortwell, Thiesfeldt, Tittl, Ballweg, Zimmerman, Edming, Skowronski and Snyder; cosponsored by Senators Stroebel, Craig, Nass, Kapenga, Bernier and Marklein.	108
04-22.	A.	Read first time and referred to Committee on Health	108
05-07.	A.	Public hearing held	
05-09.	A.	Executive action taken	
05-09.	A.	Report passage recommended by Committee on Health, Ayes 8, Noes 5	124
05-09.	A.	Referred to committee on Rules	124
05-09.	A.	Placed on calendar 5-15-2019 by Committee on Rules	
05-15.	A.	Read a second time	139
05-15.	A.	Ordered to a third reading	139
05-15.	A.	Rules suspended	139
05-15.	A.	Read a third time and passed , Ayes 64, Noes 32	139
05-15.	A.	Ordered immediately messaged	139
05-16.	S.	Received from Assembly	205
05-16.	S.	Read first time and referred to committee on Senate Organization	207
05-16.	S.	Available for scheduling	
05-23.	S.	Senate Amendment 1 offered by Senator Jacque (LRB a0243)	212
06-03.	S.	Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2	226
06-03.	S.	Placed on calendar 6-5-2019 pursuant to Senate Rule 18(1)	226
06-04.	S.	Representative Pronschinske added as a coauthor	231
06-05.	S.	Read a second time	
06-05.	S.	Senate Amendment 1 withdrawn and returned to author	
06-05.	S.	Ordered to a third reading	
06-05.	S.	Rules suspended	
06-05.	S.	Read a third time and concurred in , Ayes 19, Noes 13	
06-05.	S.	Ordered immediately messaged	
06-05.	A.	Received from Senate concurred in	



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ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

19 -2745, 1

Amendments: None or Listed below.

Corrections: None or Listed by date below.

6/6/19

Topic: Same as relating clause or Indicated below.

6/6/19

Date

Enrolling Drafter



State of Wisconsin
2019-2020 LEGISLATURE

CORRECTIONS IN:

2019 ASSEMBLY BILL 183

Prepared by the Legislative Reference Bureau
(June 6, 2019)

In enrolling, the following correction was made:

1. Page 2, line 3: delete "~~par.~~" and substitute "~~par.~~".

(END)

LRB-2745/lccc-1

AHE

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31; Assembly Rule 36; and Joint Rule 56.



2019 ASSEMBLY BILL 183

April 19, 2019 - Introduced by Representatives DITTRICH, TUSLER, BROOKS, DUCHOW, GUNDRUM, HORLACHER, HUTTON, JAMES, KATZMA, KRUG, KULP, KURTZ, LOUDENBECK, MURPHY, RODRIGUEZ, ROHRKASTE, SANFELIPPO, SCHRAA, SORTWELL, THIESFELDT, TITTL, BALLWEG, ZIMMERMAN, EDMING, SKOWRONSKI and SNYDER, cosponsored by Senators STROEBEL, CRAIG, NASS, KAPENGA, BERNIER and MARKLEIN. Referred to Committee on Health.

1 **AN ACT** *to amend* 49.45 (2) (a) 11. a.; and *to create* 49.45 (2) (c) of the statutes;
2 **relating to:** certification of abortion providers under the Medical Assistance
3 program.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Health Services from certifying, and requires DHS to decertify by July 1, 2020, a provider under the Medical Assistance program that is a private entity that provides abortion services or is an affiliate of a person that provides abortion services. The prohibition does not apply to any hospital that terminates pregnancies under any of the following circumstances: the termination is directly and medically necessary to save the life of the woman; the pregnancy is the result of sexual assault or incest, which has been reported to law enforcement; or the termination is, due to a medical condition existing prior to the abortion, directly and medically necessary to prevent grave, long-lasting physical health damage to the woman.

If DHS determines that it needs to request a waiver of federal law or a state plan amendment or obtain other federal approval to implement this prohibition on certification and requirement to decertify, the bill requires DHS to submit the request or seek federal approval. Generally, under current law, DHS establishes criteria for certifying providers to provide services under the Medical Assistance program and certifies those providers. The Medical Assistance program is a joint

ASSEMBLY BILL 183

federal and state program administered by DHS that provides health services to individuals who have limited financial resources.

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

1 **SECTION 1.** 49.45 (2) (a) 11. a. of the statutes is amended to read:

2 49.45 (2) (a) 11. a. Establish criteria for certification of providers of medical
3 assistance and, except as provided in ~~par.~~ [↓] pars. (b) 6m. and (c) and s. 49.48, and
4 subject to par. (b) 7. and 8., certify providers who meet the criteria.

ccc
6/6/19

5 **SECTION 2.** 49.45 (2) (c) of the statutes is created to read:

6 49.45 (2) (c) 1. In this paragraph:

7 a. "Abortion" has the meaning given in s. 253.10 (2) (a).

8 b. "Hospital" has the meaning given in s. 50.33 (2).

9 2. The department may not certify as a provider under the Medical Assistance
10 program any private entity that provides abortion services or is an affiliate of an
11 entity that provides abortion services.

12 3. Subdivision 2. does not apply to any hospital that terminates pregnancies
13 under a circumstance described in s. 20.927 (2).

14 **SECTION 3. Nonstatutory provisions.**

15 (1) CERTIFICATION OF ABORTION PROVIDERS UNDER MEDICAL ASSISTANCE.

16 (a) In this subsection:

17 1. "Abortion" has the meaning given in s. 253.10 (2) (a).

18 2. "Hospital" has the meaning given in s. 50.33 (2).

19 (b)

ASSEMBLY BILL 183

1 1. By July 1, 2020, the department of health services shall decertify as a
2 provider under the Medical Assistance program any private entity that provides
3 abortion services or is an affiliate of an entity that provides abortion services.

4 2. Subdivision 1. does not apply to any hospital that terminates pregnancies
5 under a circumstance described in s. 20.927 (2).

6 (c) If the department of health services determines that it needs to request a
7 waiver of federal law or a state plan amendment or obtain other federal approval to
8 implement par. (b) and s. 49.45 (2) (c), the department of health services shall submit
9 the request or seek to obtain federal approval to implement par. (b) and s. 49.45 (2)
10 (c).

11

(END)