



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0976/1
SWB:ah&emw

2019 ASSEMBLY BILL 103

March 22, 2019 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to Committee on Family Law.

1 **AN ACT relating to:** eliminating administrative rule limitation on recovery of
2 birth costs.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

For further information see the ***state and local*** 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:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Child Placement and Support. The bill removes a limitation on the circumstances in which a birth cost judgment may be ordered.

Under current law, if a mother was enrolled in medical assistance at the time of a child's birth, the father may be ordered to contribute to birth costs paid by the medical assistance program. The amount that may be ordered for a father's obligation is up to half of the actual costs of the pregnancy and birth, subject to an income limitation formula.

Additionally, effective July 1, 2018, the Department of Children and Families' (DCF) administrative rules specify that recovery from a father is inappropriate in cases where the family is intact at the time that paternity or support is established and the father's income, if any, contributes to the support of the child.

The bill removes the limitation under DCF administrative rules that recovery of birth costs is inappropriate in cases where the alleged father is a member of an intact

