

State of Wisconsin



2013 Senate Bill 475

Date of enactment: **January 16, 2014**
Date of publication*: **January 17, 2014**

2013 WISCONSIN ACT 117

AN ACT to affect 2013 Wisconsin Act 20, section 9318 (14), 2013 Wisconsin Act 20, section 9418 (7), 2013 Wisconsin Act 20, section 9418 (7g), 2013 Wisconsin Act 116, section 33 (2) and 2013 Wisconsin Act 116, section 33 (2m); relating to: changing the timing of eligibility changes and other changes to BadgerCare Plus.

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

SECTION 1. 2013 Wisconsin Act 20, section 9318 (14) is repealed and recreated to read:

[2013 Wisconsin Act 20] Section 9318 (14) MODIFIED ADJUSTED GROSS INCOME.

(a) The treatment of sections 49.471 (1) (f), (3) (a) 1. and 3., (4) (a) 4. b. and c. and (b) (intro.), 1., 1m., 2., 3., and 4., (6) (d), (7) (a) and (e), (8) (d) 1. b., (9) (a) 2. b., and (10) (b) 4. b., 49.84 (6) (c) 1. d., and 66.0137 (3) of the statutes and the repeal of section 49.471 (7) (c) of the statutes first apply to initial determinations of eligibility for Medical Assistance made on February 1, 2014, for individuals who apply after January 31, 2014, for Medical Assistance.

(b) The treatment of section 49.471 (4) (a) 4. b. and c. and (b) 4. and (7) (a) of the statutes first applies to redeterminations of eligibility for Medical Assistance made on April 1, 2014, for individuals who apply before February 1, 2014, for Medical Assistance.

(c) The treatment of section 49.471 (1) (f) and (7) (e) of the statutes and the repeal of section 49.471 (7) (c) of the statutes first apply to redeterminations of eligibility for recipients of Medical Assistance who apply before February 1, 2014, made on the later of the following:

1. April 1, 2014.
2. The actual date of the redetermination of eligibility.

SECTION 2. 2013 Wisconsin Act 20, section 9418 (7), as affected by 2013 Wisconsin Act 116, is amended to read:

[2013 Wisconsin Act 20] Section 9418 (7) PATIENT PROTECTION AND AFFORDABLE CARE ACT CHANGES. The treatment of sections 49.45 (23) (a) (by SECTION 1046) and (e), ~~49.46 (1) (a) 15., 49.47 (4) (a) 1., 49.471 (1) (f), (3) (a) 1. and 3., (4) (a) 4. a., b., and c. and (b) (intro.), 1., 1m., 2., 3., and 4., (6) (d), (7) (a), (b) 1. and 2. and (e), (8) (d) 1. b., (9) (a) 2. b., and (10) (b) 1. (by SECTION 1143) and 4. b., 49.84 (6) (c) 1. d., and 66.0137 (3) of the statutes, the repeal of section 49.471 (7) (c) of the statutes, and SECTION 9318 (14) of this act take effect on April 1, 2014.~~

SECTION 3. 2013 Wisconsin Act 20, section 9418 (7g) is created to read:

[2013 Wisconsin Act 20] Section 9418 (7g) BADGER-CARE PLUS ELIGIBILITY; MODIFIED ADJUSTED GROSS INCOME. The treatment of sections 49.46 (1) (a) 15., 49.47 (4) (a) 1., 49.471 (1) (f), (3) (a) 1. and 3., (4) (a) 4. a., b., and c. and (b) (intro.) 1., 1m., 2., 3., and 4., (6) (d), (7) (a) and (e), (8) (d) 1. b., (9) (a) 2. b., and (10) (b) 4. b., 49.84 (6) (c) 1. d., and 66.0137 (3) of the statutes, the repeal of

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

section 49.471 (7) (c) of the statutes, and SECTION 9318 (14) of this act take effect on February 1, 2014.

SECTION 4. 2013 Wisconsin Act 116, section 33 (2) is amended to read:

[2013 Wisconsin Act 116] Section 33 (2) MEDICAL ASSISTANCE ELIGIBILITY. The treatment of sections ~~section~~ 49.45 (23) (a) (by SECTION 2) ~~and 49.471 (4) (a) 4. b.~~ of the statutes takes effect on April 1, 2014.

SECTION 5. 2013 Wisconsin Act 116, section 33 (2m) is created to read:

[2013 Wisconsin Act 116] Section 33 (2m) BADGER-CARE PLUS ELIGIBILITY. The treatment of section 49.471 (4) (a) 4. b. of the statutes takes effect on February 1, 2014.

SECTION 6. Nonstatutory provisions.

(1) BADGERCARE PLUS ELIGIBILITY.

(a) Notwithstanding section 49.471 (4) of the statutes, beginning on February 1, 2014, the department of health services shall allow individuals whose family income does not exceed 200 percent of the poverty line,

who apply and are eligible for benefits under section 49.471 (4) (a) 4. or (b) 4. of the statutes before February 1, 2014, and who would otherwise be eligible for benefits under section 49.471 (4) (a) 4. or (b) 4. of the statutes except for the income limit to continue to be eligible for benefits that they were eligible for before February 1, 2014, until April 1, 2014.

(b) If an individual who is receiving continued eligibility for benefits under paragraph (a) has an increase in family income such that the individual's family income exceeds 200 percent of the poverty line on or after February 1, 2014, the department of health services shall determine the individual's eligibility for Medical Assistance. Notwithstanding 2013 Wisconsin Act 20, section 9318 (14) (b) and (c), as affected by this act, the treatment of section 49.471 (1) (f), (4) (a) 4. b. and c. and (b) 4., and (7) (a) and (e) of the statutes as of February 1, 2014, and the repeal of section 49.471 (7) (c) of the statutes as of February 1, 2014, apply to determinations of eligibility under this paragraph.