



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBa2242/1  
TJD:kjf

**SENATE AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 770**

February 20, 2018 - Offered by Senators ERPENBACH, MILLER, RINGHAND, RISSER, CARPENTER, VINEHOUT, SCHACHTNER, L. TAYLOR, LARSON, JOHNSON, HANSEN, BEWLEY and SHILLING.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 5, line 16: after that line insert:

3 **“SECTION 3c.** 49.45 (23) (a) of the statutes is amended to read:

4 49.45 (23) (a) The department shall request a waiver from the secretary of the  
5 federal department of health and human services to permit the department to  
6 conduct a demonstration project to provide health care coverage to adults who are  
7 under the age of 65, who have family incomes not to exceed ~~100~~ 133 percent of the  
8 poverty line ~~before application of the 5 percent income disregard under 42 CFR~~  
9 ~~435.603 (d), except as provided in s. 49.471 (4g),~~ and who are not otherwise eligible  
10 for medical assistance under this subchapter, the Badger Care health care program  
11 under s. 49.665, or Medicare under 42 USC 1395 et seq.

12 **SECTION 3d.** 49.471 (1) (cr) of the statutes is created to read:

1           49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a  
2 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

3           **SECTION 3e.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

4           49.471 (4) (a) 4. b. ~~The Except as provided in sub. (4g), the individual’s family~~  
5 ~~income does not exceed 100 133 percent of the poverty line before application of the~~  
6 ~~5 percent income disregard under 42 CFR 435.603 (d).~~

7           **SECTION 3f.** 49.471 (4g) of the statutes is created to read:

8           49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. (a)  
9 For services provided to individuals described under sub. (4) (a) 4. and s. 49.45 (23),  
10 the department shall comply with all federal requirements to qualify for the highest  
11 available enhanced federal medical assistance percentage. The department shall  
12 submit any amendment to the state medical assistance plan, request for a waiver of  
13 federal Medicaid law, or other approval request required by the federal government  
14 to provide services to the individuals described under sub. (4) (a) 4. and s. 49.45 (23)  
15 and qualify for the highest available enhanced federal medical assistance  
16 percentage.

17           (b) If the department does not qualify for an enhanced federal medical  
18 assistance percentage, or if the enhanced federal medical assistance percentage  
19 obtained by the department is lower than printed in federal law as of July 1, 2013,  
20 for individuals eligible under sub. (4) (a) 4. or s. 49.45 (23), the department shall  
21 submit to the joint committee on finance a fiscal analysis comparing the cost to  
22 maintain coverage for adults who are not pregnant and not elderly with family  
23 incomes up to 133 percent of the poverty line to the cost of limiting eligibility to those  
24 adults with family incomes up to 100 percent of the poverty line. The department  
25 may reduce income eligibility for adults who are not pregnant and not elderly from

1 family incomes of up to 133 percent of the poverty line to family incomes of up to 100  
2 percent of the poverty line only if this reduction in income eligibility levels is  
3 approved by the joint committee on finance.”.

4 **2.** Page 15, line 8: after that line insert:

5 **“SECTION 12m. Fiscal changes.**

6 (1) MEDICAID EXPANSION. In the schedule under section 20.005 (3) of the statutes  
7 for the appropriation to the department of health services under section 20.435 (4)  
8 (b) of the statutes, the dollar amount for fiscal year 2018-19 is decreased by  
9 \$203,000,000 to provide Medical Assistance to certain adults with family incomes up  
10 to 133 percent of the federal poverty line.

11 **SECTION 13m. Effective dates.** This act takes effect on the day after  
12 publication, except as follows:

13 (1) MEDICAID EXPANSION. The treatment of sections 49.45 (23) (a) and 49.471 (1)  
14 (cr), (4) (a) 4. b., and (4g) of the statutes and SECTION 12m (1) of this act take effect  
15 on July 1, 2018, or on the day after publication, whichever is later.”.

16 (END)