



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0970/2  
PJK:jld:rs

DOA:.....Skwarczek, BB0213 - Coinsurance for services under Part A of Medicare

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

Under the expanded medicare buy-in program under current law, Medical Assistance (MA) pays premiums, deductibles, and coinsurance for Medicare coverage for elderly or disabled persons who are entitled to coverage under Medicare Part A or under Medicare Part A and Part B and whose income and resources are sufficiently low to satisfy the eligibility criteria under the program. For persons entitled to Medicare Part A and Part B, current law limits payment of coinsurance for a service under Medicare Part B to the allowable charge for the service under MA minus the Medicare payment. This bill limits, for persons entitled to Medicare Part A or to Medicare Part A and Part B, payment of coinsurance for a service under Medicare Part A to the allowable charge for the service under MA minus the Medicare payment.

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.** 49.468 (1) (b) of the statutes is amended to read:

49.468 (1) (b) For an elderly or disabled individual who is entitled to coverage under part Part A of medicare Medicare, entitled to coverage under part Part B of medicare Medicare, and who does not meet the eligibility criteria for medical assistance Medical Assistance under s. 49.46 (1), 49.465, 49.47 (4), or 49.471 but meets the limitations on income and resources under par. (d), ~~medical assistance~~ Medical Assistance shall pay the deductible and coinsurance portions of medicare Medicare services under 42 USC 1395 to 1395zz which ~~that~~ are not paid under 42 USC 1395 to 1395zz, including those medicare Medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums payable under 42 USC 1395v; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late enrollment penalty, if applicable, for premiums under part Part A of medicare Medicare. Payment of coinsurance for a service under part Part B of medicare Medicare under 42 USC 1395j to 1395w, other than payment of coinsurance for outpatient hospital services, and payment of coinsurance for a service under Part A of Medicare may not exceed the allowable charge for the service under ~~medical assistance~~ Medical Assistance minus the medicare Medicare payment.

**SECTION 2.** 49.468 (1) (c) of the statutes is amended to read:

49.468 (1) (c) For an elderly or disabled individual who is only entitled to coverage under part Part A of medicare Medicare and who does not meet the eligibility criteria for ~~medical assistance~~ Medical Assistance under s. 49.46 (1), 49.465, 49.47 (4), or 49.471 but meets the limitations on income and resources under par. (d), ~~medical assistance~~ Medical Assistance shall pay the deductible and coinsurance portions of medicare Medicare services under 42 USC 1395 to 1395i

~~which~~ that are not paid under 42 USC 1395 to 1395i, including those ~~medicare~~ Medicare services that are not included in the approved state plan for services under 42 USC 1396; the monthly premiums, if applicable, under 42 USC 1395i-2 (d); and the late enrollment penalty for premiums under ~~part~~ Part A of Medicare Medicare, if applicable. Payment of coinsurance for a service under Part A of Medicare may not exceed the allowable charge for the service under Medical Assistance minus the Medicare payment.

(END)