



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1325/3
TJD:kjf&wlj:md

DOA:.....Skwarczek, BB0315 – Require individuals to apply for and enroll in Medicare Part D in order to be eligible for SeniorCare.

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Under current law, DHS administers the Senior Care program, which provides assistance to the elderly in the purchase of prescription drugs. To be eligible for Senior Care, a person must be a resident of the state, be at least 65 years of age, not be a recipient of prescription drug coverage through Medical Assistance, have a household income that does not exceed 240 percent of the federal poverty line, and pay a program enrollment fee. This bill adds as a requirement for eligibility for Senior Care that the person must apply for and, if eligible, enroll in Medicare Part D, which is a federal prescription drug assistance program.

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

SECTION 1. 49.688 (2) (a) 6. of the statutes is created to read:

49.688 (2) (a) 6. The person applies for and, if eligible, enrolls in Medicare under Part D of Title XVIII of the federal Social Security Act, [42 USC 1395w-101](#) to

1395w-153, if the secretary of the federal department of health and human services approves the condition on eligibility under this subdivision.

SECTION 2. 49.688 (2) (b) of the statutes is amended to read:

49.688 (2) (b) A person to whom par. (a) 1. to 3. ~~and 5.~~ and 6. applies, but whose annual household income, as determined by the department, exceeds 240% of the federal poverty line for a family the size of the persons' eligible family, is eligible to purchase a prescription drug at the amounts specified in sub. (5) (a) 4. only during the remaining amount of any 12-month period in which the person has first paid the annual deductible specified in sub. (3) (b) 2. a. in purchasing prescription drugs at the retail price and has then paid the annual deductible specified in sub. (3) (b) 2. b.

SECTION 9121. Nonstatutory provisions; Health Services.

(1) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY ELIGIBILITY. Notwithstanding section 49.688 (2) of the statutes, as affected by this act, a person who is participating in the program under section 49.688 of the statutes on the effective date of this subsection is not required to comply with section 49.688 (2) (a) 6. of the statutes, as created by this act, before January 1, 2012.

(END)