



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0538/P1
JPC:ekg&wlj

DOA:.....Bollhorst, BB0135 - Postpartum Medicaid eligibility

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Postpartum Medical Assistance coverage

This bill extends the time that women who are eligible for Medical Assistance when pregnant continue to be eligible under Medical Assistance to the last day of the month in which the 365th day after the last day of the pregnancy falls. Under current law, postpartum women are eligible for Medical Assistance benefits until the last day of the month in which the 60th day after the last day of the pregnancy falls. This bill directs DHS to apply for any amendment to the state plan, any waiver to federal law, or any approval of a demonstration project necessary to implement the expansion of Medicaid coverage for pregnant women. However, this bill instructs DHS to reimburse providers for acceptable costs to pregnant women who meet eligibility standards regardless of whether any amendment, waiver, or demonstration project is accepted.

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. 49.46 (1) (a) 1m. of the statutes is amended to read:

49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the standard of need under s. 49.19 (11) and whose pregnancy is medically verified. Eligibility continues to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls.

SECTION 2. 49.46 (1) (j) of the statutes is amended to read:

49.46 (1) (j) An individual determined to be eligible for benefits under par. (a) 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls without regard to any change in the individual's family income.

SECTION 3. 49.47 (4) (ag) 2. of the statutes is amended to read:

49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified Eligibility continues to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls.

SECTION 4. 49.471 (6) (b) of the statutes is amended to read:

49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits under sub. (4) remains eligible for benefits under sub. (4) for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the pregnancy falls without regard to any change in the woman's family income.

SECTION 5. 49.471 (7) (b) 1. of the statutes is amended to read:

49.471 (7) (b) 1. A pregnant woman whose family income exceeds 300 percent of the poverty line may become eligible for coverage under this section if the difference between the pregnant woman's family income and the applicable income limit under sub. (4) (a) is obligated or expended for any member of the pregnant

woman's family for medical care or any other type of remedial care recognized under state law or for personal health insurance premiums or for both. Eligibility obtained under this subdivision continues without regard to any change in family income for the balance of the pregnancy and to the last day of the month in which the ~~60th~~ 365th day after the last day of the woman's pregnancy falls. Eligibility obtained by a pregnant woman under this subdivision extends to all pregnant women in the pregnant woman's family.

SECTION 6. 49.471 (6) (L) of the statutes is created to read:

49.471 (6) (L) The department shall request from the federal department of health and human services approval of a state plan amendment, a waiver of federal Medicaid law, or approval of a demonstration project to maintain eligibility for postpartum women to the last day of the month in which the 365th day after the last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag) 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1. The department shall cover and provide reimbursement for services under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag) 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1. regardless of whether a state plan amendment, waiver of federal Medicaid law, or approval of a demonstration project related to coverage or reimbursement of these services is granted by the federal department of human services.

(END)