



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-0540/P2
JPC:skw&emw

DOA:.....Bollhorst, BB0138 - Eliminate prescription drug copayments in Medicaid

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

Eliminating prescription drug copayments under Medical Assistance

Under current law, states may require recipients of Medical Assistance to contribute a share of the costs of their health care. Such a contribution is referred to as a copayment or cost sharing. This bill eliminates all copayment requirements for prescription drugs under the state Medical Assistance plan and specifies that the receipt of prescription drugs is a service that is not subject to recipient cost sharing.

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. 49.45 (18) (ac) of the statutes is amended to read:

49.45 (18) (ac) Except as provided in pars. (am) to (d), ~~and subject to par. (ag),~~
(c), any person eligible for medical assistance under s. 49.46, 49.468, or 49.47, or for

the benefits under s. 49.46 (2) (a) and (b) under s. 49.471 shall pay up to the maximum amounts allowable under [42 CFR 447.53](#) to [447.58](#) for purchases of services provided under s. 49.46 (2). The service provider shall collect the specified or allowable copayment, coinsurance, or deductible, unless the service provider determines that the cost of collecting the copayment, coinsurance, or deductible exceeds the amount to be collected. The department shall reduce payments to each provider by the amount of the specified or allowable copayment, coinsurance, or deductible. No provider may deny care or services because the recipient is unable to share costs, but an inability to share costs specified in this subsection does not relieve the recipient of liability for these costs.

SECTION 2. 49.45 (18) (ag) of the statutes is repealed.

SECTION 3. 49.45 (18) (b) 8. of the statutes is created to read:

49.45 (18) (b) 8. Prescription drugs.

SECTION 4. 49.45 (18) (d) of the statutes is repealed.

(END)