



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-1102/P2  
JPC:skw

DOA:.....Bollhorst, BB0160 - Medicaid Postpartum coverage

**FOR 2023-2025 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*  
**HEALTH AND HUMAN SERVICES**  
**MEDICAL ASSISTANCE**

***Postpartum Medical Assistance coverage***

This bill requires DHS to seek approval from the federal Department of Health and Human Services to extend Medical Assistance benefits to women who are eligible for those benefits when pregnant until the last day of the month in which the 365th day after the last day of the pregnancy falls. [2021 Wisconsin Act 58](#) directed DHS to apply for any amendment to the state plan or any waiver of federal law necessary to extend the time that women who are eligible for Medical Assistance when pregnant continue to be eligible under Medical Assistance from the last day of the month in which the 60th day after the last day of the pregnancy falls to the last day of the month in which the 90th day after the last day of the pregnancy falls. On June 3, 2022, DHS submitted a demonstration waiver to the federal Department of Health and Human Services pursuant to section 1115 of the federal Social Security Act to implement Act 58 that is currently pending approval.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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***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 day or, if approved by the federal government, the 90th 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 day or, if approved by the federal government, the 90th 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 day or, if approved by the federal government, the 90th 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 day or, if approved by the federal government, the 90th 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 day or, if approved by the federal government, the 90th ~~90th~~ 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.

(END)