

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original   <input type="checkbox"/> Updated   <input type="checkbox"/> Corrected</p>	<p>2. Date 05/14/2021</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) DHS 102, 103 and 109, relating to Medicaid eligibility requirements</p>	
<p>4. Subject 2019 Wis. Act 185 s. 105 (1) allows the Department to take action to gain increased federal funding made available under s. 6008 of the Families First Coronavirus Response Act, P.L. 116-127. In order to do so, the Department is required to maintain continuous Medicaid eligibility for persons enrolled in Medicaid, unless the person leaves the state or requests disenrollment, and not increase Medicaid premiums during the designated time periods.</p>	
<p>5. Fund Sources Affected <input checked="" type="checkbox"/> GPR   <input checked="" type="checkbox"/> FED   <input type="checkbox"/> PRO   <input type="checkbox"/> PRS   <input type="checkbox"/> SEG   <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected s. 20.435 (4) (b) and s. 20.435 (4) (o)</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect   <input type="checkbox"/> Increase Existing Revenues   <input checked="" type="checkbox"/> Increase Costs   <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate   <input checked="" type="checkbox"/> Decrease Existing Revenues   <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input checked="" type="checkbox"/> State's Economy   <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units   <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule In order to gain increased federal funding made available under s. 6008 of the Families First Coronavirus Response Act, P.L. 116-127, the Department must maintain continuous Medicaid eligibility for persons enrolled in Medicaid, unless the person leaves the state or requests disenrollment, and not increase Medicaid premiums during the designated time periods.  Even when accounting for the extra costs of these populations, the benefits of gaining the increased federal funding made available under s. 6008 of the Families First Coronavirus Response Act, P.L. 116-127, outweighs the cost of maintaining eligibility for Medicaid members by over \$100 million per quarter.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. County health departments and school districts</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. None</p>	
<p>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred) County-based psychosocial rehabilitations programs, long term care programs, and school based services could be impacted if local funding sources are used to providing services for persons who would otherwise not be eligible for Medicaid.</p>	
<p>15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule</p>	

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2019 Act 185 s. 105 (1) allows the Department to take action to gain increased federal funding made available under s. 6008 of the Families First Coronavirus Response Act, P.L. 116-127. Alternatively, the Department could maintain the current administrative rules and forego the available increased federal funding.

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16. Long Range Implications of Implementing the Rule  
Not applicable.

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17. Compare With Approaches Being Used by Federal Government  
The federal government enacted the Families First Coronavirus Response Act, P.L. 116-127. Section 6008 of the Act provides that the Department, in order to qualify for enhanced federal funding, must maintain continuous Medicaid eligibility for persons enrolled in Medicaid, unless the person leaves the state or requests disenrollment, and not increase Medicaid premiums during the time periods designated in the Act..

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)  
In order for our neighboring states to become compliant with the s. 6008 of the Families First Coronavirus Response Act, P.L. 116-127, they are also required to make these policy changes; therefore, they are also weighing the cost/benefit of receiving the increased federal funding compared to the potential for increased expenditures for extending coverage to the impacted members.

It is more favorable for Wisconsin to enact the proposed rules by over \$100 million per quarter.

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19. Contact Name Laura Brauer	20. Contact Phone Number 608-266-5368
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**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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