3

4

program.

LRB-2446/1 TJD:amn

## **2019 SENATE BILL 199**

May 8, 2019 - Introduced by Senators Jacque, Bernier, Craig, LeMahieu, Marklein and Wanggaard, cosponsored by Representatives Brandtjen, Allen, Brooks, Dittrich, Duchow, Edming, Gundrum, Horlacher, Krug, Kuglitsch, Kulp, Loudenbeck, Magnafici, Murphy, Quinn, Ramthun, Sanfelippo, Schraa, Sortwell, Thiesfeldt, Tittl, Tusler and Wichgers. Referred to Committee on Government Operations, Technology and Consumer Protection.

- 1 AN ACT to amend 49.45 (2) (a) 11. a.; and to create 49.45 (2) (c) of the statutes;
- relating to: certification of abortion providers in the Medical Assistance

## Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Health Services from certifying, and requires DHS to decertify, as a provider for Medical Assistance a person that provides abortion services or is an affiliate of a person that provides abortion services and that is a nonprofit private entity that has received at any time or has applied for a grant or contract for a family planning project under federal law. Generally, under current law, DHS establishes criteria for certifying providers to provide services under the Medical Assistance program and certifies those providers. The Medical Assistance program is a joint federal and state program administered by DHS that provides health services to individuals who have limited financial resources.

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

**Section 1.** 49.45 (2) (a) 11. a. of the statutes is amended to read:

## **SENATE BILL 199**

| 49.45 (2) (a) 11. a. Establish criteria for certification of providers of medical    |
|--|
| assistance and, except as provided in par. pars. (b) 6m. and (c) and s. 49.48, and   |
| subject to par. (b) 7. and 8., certify providers who meet the criteria.              |
| <b>Section 2.</b> 49.45 (2) (c) of the statutes is created to read:                  |
| 49.45 (2) (c) 1. In this paragraph, "abortion" has the meaning given in s. $253.10$  |
| (2) (a).   |
| 2. The department may not certify as a provider under the Medical Assistance         |
| program a person that satisfies all of the following:                                |
| a. The person provides abortion services or is an affiliate of a person that         |
| provides abortion services.  |
| b. The person is a nonprofit private entity that has received at any time or has     |
| applied for a grant or contract under 42 USC 300.                                    |
| Section 3. Nonstatutory provisions.  |
| (1) Decertification of abortion providers.   |
| (a) In this subsection, "abortion" has the meaning given in s. $253.10$ (2) (a).     |
| (b) As soon as practicable, the department of health services shall decertify as     |
| a provider under the Medical Assistance program any person that satisfies all of the |
| following:   |
| 1. The person provides abortion services or is an affiliate of a person that         |
| provides abortion services.  |
| 2. The person is a nonprofit private entity that has received at any time or has     |

(END)

applied for a grant or contract under 42 USC 300.