



**ASSEMBLY AMENDMENT 4,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 16**

April 23, 2009 – Offered by Representative NYGREN.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 4: after “age” insert “, contingent on the rejection of a waiver
allowing coverage of hearing aids and cochlear implants under BadgerCare Plus”.

3 **2.** Page 6, line 10: before that line insert:

4 “SECTION 9m. Nonstatutory provisions.

5 (1) COVERAGE UNDER BADGERCARE PLUS.

6 (a) The department of health services shall request an amendment to the
7 waiver under section 49.471 (2) of the statutes from the secretary of the federal
8 department of health and human services to include as a benefit under section
9 49.471 (11) of the statutes the same coverage of hearing aids and cochlear implants
10 and related treatment that is provided under section 49.46 (2) (a) and (b) of the
11 statutes. If the amendment to the waiver is approved and in effect, the department

1 of health services shall provide coverage of hearing aids and cochlear implants and
2 related treatment under section 49.471 (11) of the statutes.

3 (b) If the amendment to the waiver under paragraph (a) is approved by the
4 secretary of the federal department of health and human services within 18 months
5 after the amendment is submitted for approval, the department of health services
6 shall, no later than 24 months after the effective date of this paragraph, publish a
7 notice in the Wisconsin Administrative Register that specifies the date on which the
8 amendment was approved.

9 (c) If the amendment to the waiver under paragraph (a) is rejected, or is neither
10 rejected nor approved, by the secretary of the federal department of health and
11 human services within 18 months after the amendment is submitted for approval,
12 the department of health services shall, no later than 24 months after the effective
13 date of this paragraph, publish a notice in the Wisconsin Administrative Register
14 that specifies the date that is the earlier of the following:

15 1. The date on which the amendment was rejected.

16 2. The date that is 18 months after the amendment was submitted for
17 approval.”.

18 **3.** Page 6, line 11: delete “This act” and substitute “The treatment of sections
40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g), 185.981 (4t), 185.983 (1)
(intro.), 609.86, and 632.895 (16) of the statutes”.

19 **4.** Page 7, line 3: delete lines 3 to 5 and substitute:

20 “**SECTION 11m. Effective dates.** This act takes effect on the day after
21 publication, except as follows:

1 (1) COVERAGE OF HEARING AIDS, COCHLEAR IMPLANTS, AND RELATED TREATMENT. The
2 treatment of sections 40.51 (8) and (8m), 66.0137 (4), 111.91 (2) (n), 120.13 (2) (g),
3 185.981 (4t), 185.983 (1) (intro.), 609.86, and 632.895 (16) of the statutes and SECTION
4 10 (1) of this act take effect on the date published by the department of health
5 services in the Wisconsin Administrative Register under SECTION 9m (1) (c) of this
6 act.”.

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(END)