



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBb0036/1
SWB:cdc

**SENATE AMENDMENT 9,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 70**

June 28, 2023 - Offered by Senators AGARD, CARPENTER, HESSELBEIN, L. JOHNSON,
LARSON, PFAFF, ROYS, SMITH, SPREITZER, TAYLOR and WIRCH.

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

2 **1.** Page 154, line 4: decrease the dollar amount for fiscal year 2023-24 by
3 \$841,240,100 and decrease the dollar amount for fiscal year 2024-25 by
4 \$759,177,800 as a result of expanding eligibility for the Medical Assistance program.

5 **2.** Page 154, line 12: increase the dollar amount for fiscal year 2023-24 by
6 \$340,500 and increase the dollar amount for fiscal year 2024-25 by \$342,200 for
7 income maintenance administration.

8 **3.** Page 265, line 16: after that line insert:

9 “**SECTION 106m.** 20.435 (4) (jw) of the statutes is amended to read:

10 20.435 (4) (jw) *BadgerCare Plus and hospital assessment.* All moneys received
11 from payment of enrollment fees under the program under s. 49.45 (23), all moneys
12 transferred under s. 50.38 (9), all moneys transferred from the appropriation account

1 under par. (jz), and 10 percent of all moneys received from penalty assessments
2 under s. 49.471 (9) (c), ~~for administration of the program under s. 49.45 (23)~~, to
3 provide a portion of the state share of administrative costs for the BadgerCare Plus
4 Medical Assistance program under s. 49.471, and for administration of the hospital
5 assessment under s. 50.38.”.

6 **4.** Page 316, line 23: after that line insert:

7 **“SECTION 301m.** 49.45 (2p) of the statutes is repealed.”.

8 **5.** Page 318, line 15: after that line insert:

9 **“SECTION 305g.** 49.45 (23) of the statutes is repealed.

10 **SECTION 305r.** 49.45 (23b) of the statutes is repealed.”.

11 **6.** Page 319, line 3: after that line insert:

12 **“SECTION 309m.** 49.471 (1) (cr) of the statutes is created to read:

13 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
14 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

15 **SECTION 309n.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

16 49.471 (4) (a) 4. b. The individual’s family income does not exceed ~~100~~ 133
17 percent of the poverty line ~~before application of the 5 percent income disregard under~~
18 ~~42-CFR 435.603 (d)~~.

19 **SECTION 309o.** 49.471 (4) (a) 8. of the statutes is created to read:

20 49.471 (4) (a) 8. An individual who meets all of the following criteria:

21 a. The individual is an adult under the age of 65.

22 b. The adult has a family income that does not exceed 133 percent of the poverty
23 line, except as provided in sub. (4g).

1 c. The adult is not otherwise eligible for the Medical Assistance program under
2 this subchapter or the Medicare program under 42 USC 1395 et seq.

3 **SECTION 309p.** 49.471 (4g) of the statutes is created to read:

4 49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. For
5 services provided to individuals described under sub. (4) (a) 8., the department shall
6 comply with all federal requirements to qualify for the highest available enhanced
7 federal medical assistance percentage. The department shall submit any
8 amendment to the state medical assistance plan, request for a waiver of federal
9 Medicaid law, or other approval request required by the federal government to
10 provide services to the individuals described under sub. (4) (a) 8. and qualify for the
11 highest available enhanced federal medical assistance percentage. Sections 20.940
12 and 49.45 (2t) do not apply to a submission to the federal government under this
13 subsection.”.

14 **7.** Page 319, line 12: after that line insert:

15 “**SECTION 311m.** 49.686 (3) (d) of the statutes is amended to read:

16 49.686 (3) (d) Has applied for coverage under and has been denied eligibility
17 for medical assistance within 12 months prior to application for reimbursement
18 under sub. (2). This paragraph does not apply to an individual ~~who is eligible for~~
19 ~~benefits under the demonstration project for childless adults under s. 49.45 (23) or~~
20 ~~to an individual~~ who is eligible for benefits under BadgerCare Plus under s. 49.471
21 (4) (a) 8. or (11).”.

22 **8.** Page 374, line 11: after that line insert:

23 “**SECTION 472u.** 2017 Wisconsin Act 370, section 44 (2) and (3) are repealed.”.

24 **9.** Page 415, line 16: after that line insert:

