



2007 ASSEMBLY BILL 852

February 21, 2008 – Introduced by Representatives LEMAHIEU, KLEEFISCH, OWENS, NASS, KESTELL, GUNDERSON, PETERSEN, PRIDEMORE, STRACHOTA, GOTTLIEB, LOTHIAN and A. OTT, cosponsored by Senators GROTHMAN, LAZICH, LEIBHAM, KEDZIE and SCHULTZ. Referred to Committee on Children and Family Law.

1 **AN ACT to amend** 49.45 (24r) and 49.45 (24r) of the statutes; **relating to:** a
2 Medical Assistance family planning demonstration project minimum age
3 eligibility limitation change.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS) must have requested a waiver from the secretary of the federal Department of Health and Human Services to conduct a demonstration project, under the Medical Assistance Program, to provide family planning services to any woman aged 15 to 44 whose family income does not exceed 185 percent of the federal poverty line for families the size of the woman's family. DHFS must have implemented the waiver, if granted, by July 1, 1998, or by the waiver's effective date, whichever was later.

Under 2007 Wisconsin Act 20 (the biennial budget act), the family income limitation for the family planning demonstration project was increased to 200 percent of the federal poverty line, and DHFS must implement any waiver granted. Under the biennial budget act, these changes must take effect on the date stated in the Wisconsin Administrative Register by DHFS as the implementation date for BadgerCare Plus. Currently, DHFS has not stated the date in the Wisconsin Administrative Register.

This bill, on the day after publication of the bill as an act, changes the minimum age requirement, from 15 to 18 years, for eligibility for the Medical Assistance Program demonstration project to provide family planning services to any woman whose family income does not exceed 185 percent of the federal poverty line for

ASSEMBLY BILL 852

families the size of the woman's family. As of the delayed effective date, the bill also changes the family income limitation under the demonstration project to 200 percent of the federal poverty line, to conform to the change in the biennial budget act

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

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

1 **SECTION 1.** 49.45 (24r) of the statutes is amended to read:

2 **49.45 (24r)** FAMILY PLANNING DEMONSTRATION PROJECT. The department shall
3 request a waiver from the secretary of the federal department of health and human
4 services to permit the department to conduct a demonstration project to provide
5 family planning services, as defined in s. 253.07 (1) (b), under medical assistance to
6 any woman between the ages of ~~15~~ 18 and 44 whose family income does not exceed
7 185% of the poverty line for a family the size of the woman's family. If the waiver is
8 granted and in effect, the department shall implement the waiver no later than July
9 1, 1998, or on the effective date of the waiver, whichever is later.

10 **SECTION 2.** 49.45 (24r) of the statutes, as affected by 2007 Wisconsin Act 20, is
11 amended to read:

12 **49.45 (24r)** FAMILY PLANNING DEMONSTRATION PROJECT. The department shall
13 request a waiver from the secretary of the federal department of health and human
14 services to permit the department to conduct a demonstration project to provide
15 family planning, as defined in s. 253.07 (1) (a), under medical assistance to any
16 woman between the ages of ~~15~~ 18 and 44 whose family income does not exceed 200%
17 of the poverty line for a family the size of the woman's family. The department shall
18 implement any waiver granted.

