



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBb0689/1
SWB:skw

**ASSEMBLY AMENDMENT 6,
TO SENATE BILL 70**

June 29, 2023 – Offered by Representatives RIEMER, BARE, JOERS, ANDRACA, C. ANDERSON, VINING, MADISON, CLANCY, HAYWOOD, SUBECK, SINICKI, J. ANDERSON, HONG, NEUBAUER, EMERSON, JACOBSON, OHNSTAD, PALMERI, RATCLIFF, CONLEY, SNODGRASS, SHELTON, CABRERA, DRAKE, BALDEH, CONSIDINE, MOORE OMOKUNDE, BILLINGS, GOYKE, STUBBS, MYERS, ORTIZ-VELEZ and SHANKLAND.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 2, as follows:

3 **1.** Page 154, line 4: decrease the dollar amount for fiscal year 2023–24 by
4 \$841,240,100 and decrease the dollar amount for fiscal year 2024–25 by
5 \$759,177,800 as a result of expanding eligibility for the Medical Assistance program.

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

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

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

11 20.435 (4) (jw) *BadgerCare Plus and hospital assessment.* All moneys received
12 from payment of enrollment fees under the program under s. 49.45 (23), all moneys
13 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7 **“SECTION 301q.** 49.45 (2p) of the statutes is repealed.”

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

9 **“SECTION 305n.** 49.45 (23) of the statutes is repealed.

10 **SECTION 305p.** 49.45 (23b) of the statutes is repealed.”

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

12 **“SECTION 309n.** 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 309o.** 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 309p.** 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 309q.** 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 311q.** 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 472q.** 2017 Wisconsin Act 370, section 44 (2) and (3) are repealed.”.

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

1 “(2q) CHILDLESS ADULTS DEMONSTRATION PROJECT. The department of health
2 services shall submit any necessary request to the federal department of health and
3 human services for a state plan amendment or waiver of federal Medicaid law or to
4 modify or withdraw from any waiver of federal Medicaid law relating to the childless
5 adults demonstration project under s. 49.45 (23), 2021 stats., to reflect the
6 incorporation of recipients of Medical Assistance under the demonstration project
7 into the BadgerCare Plus program under s. 49.471 and the termination of the
8 demonstration project. Sections 20.940 and 49.45 (2t) do not apply to a request under
9 this subsection.”.

10 **10.** Page 429, line 9: after that line insert:

11 “(3q) MEDICAID EXPANSION. The treatment of ss. 20.435 (4) (jw), 49.45 (2p), 49.45
12 (23) and (23b), 49.471 (1) (cr), (4) (a) 4. b. and 8., and (4g), and 49.686 (3) (d) and 2017
13 Wisconsin Act 370, section 44 (2) and (3) and SECTION 9119 (2q) of this act take effect
14 on July 1, 2023.”.

15 **(END)**