



State of Wisconsin
2019 - 2020 LEGISLATURE

LRBb0574/1
TD/SB/KP/MM:all

**SENATE AMENDMENT 2,
TO ASSEMBLY BILL 56**

June 26, 2019 - Offered by Senators ERPENBACH, SHILLING, BEWLEY, MILLER, RINGHAND, SCHACHTNER, HANSEN, WIRCH, JOHNSON, SMITH, RISSER, CARPENTER, L. TAYLOR and LARSON.

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

3 **1.** Page 30, line 10: increase the dollar amount for fiscal year 2019-20 by
4 \$100,000 and increase the dollar amount for fiscal year 2020-21 by \$100,000 for the
5 purpose of providing mental health assistance to farmers and farm families.

6 **2.** Page 36, line 5: increase the dollar amount for fiscal year 2019-20 by
7 \$127,900 and increase the dollar amount for fiscal year 2020-21 by \$127,900 for the
8 purpose of funding 1.07 FTE positions to administer the Wisconsin healthcare
9 stability plan.

10 **3.** Page 36, line 5: increase the dollar amount for fiscal year 2019-20 by
11 \$541,300 and increase the dollar amount for fiscal year 2020-21 by \$541,300 for the
12 purpose of funding 5.10 FTE positions to provide health insurance education and

1 outreach activities, including assisting individuals with enrolling in the health
2 insurance exchange.

3 **4.** Page 134, line 4: increase the dollar amount for fiscal year 2019-20 by
4 \$172,500 and increase the dollar amount for fiscal year 2020-21 by \$222,900 for the
5 purpose of lead exposure and poisoning prevention activities.

6 **5.** Page 134, line 12: after that line insert:

7 “(bk) Healthy aging grant program GPR A 250,000 250,000”.

8 **6.** Page 135, line 20: increase the dollar amount for fiscal year 2019-20 by
9 \$489,500 and increase the dollar amount for fiscal year 2020-21 by \$489,500 for the
10 purpose of increasing the authorized FTE positions for the department of health
11 services by 4.6 GPR positions, beginning in fiscal year 2019-20, in the division of
12 public health, to expand dental services to recipients under the Medical Assistance
13 program, BadgerCare Plus, and other low-income patients.

14 **7.** Page 136, line 10: increase the dollar amount for fiscal year 2019-20 by
15 \$1,687,100 and increase the dollar amount for fiscal year 2020-21 by \$4,821,500 for
16 the purpose of lead abatement grants, training, and outreach.

17 **8.** Page 136, line 19: increase the dollar amount for fiscal year 2019-20 by
18 \$193,600 and increase the dollar amount for fiscal year 2020-21 by \$193,600 for the
19 purpose of increasing funding for the women’s health block grant program.

20 **9.** Page 137, line 4: increase the dollar amount for fiscal year 2019-20 by
21 \$3,300,000 and increase the dollar amount for fiscal year 2020-21 by \$3,300,000 for
22 the purpose of awarding tobacco use control grants.

1 **10.** Page 138, line 18: increase the dollar amount for fiscal year 2019–20 by
2 \$3,871,700 and increase the dollar amount for fiscal year 2020–21 by \$11,014,200 for
3 the purpose of lead abatement grants, training, and outreach.

4 **11.** Page 139, line 22: increase the dollar amount for fiscal year 2019–20 by
5 \$1,076,900 for the purpose of creating a separate admissions unit and increasing
6 evening and nighttime supervisory staff at Winnebago Mental Health Institute.

7 **12.** Page 140, line 19: increase the dollar amount for fiscal year 2019–20 by
8 \$1,422,800 and increase the dollar amount for fiscal year 2020–21 by \$1,422,800 for
9 the purpose of increasing pay-for-performance incentives to BadgerCare Plus
10 health maintenance organizations to conduct blood-lead testing for children.

11 **13.** Page 140, line 19: decrease the dollar amount for fiscal year 2019–20 by
12 \$159,473,300 and decrease the dollar amount for fiscal year 2020–21 by
13 \$165,011,600 for the purpose of expanding eligibility under the Medical Assistance
14 program under s. 49.471 (4) (a) 4. and 8.

15 **14.** Page 140, line 19: increase the dollar amount for fiscal year 2019–20 by
16 \$5,760,000 and increase the dollar amount for fiscal year 2020–21 by \$12,437,600 for
17 the purpose of dental access incentive payments under s. 49.45 (24L) beginning
18 January 1, 2020.

19 **15.** Page 140, line 19: increase the dollar amount for fiscal year 2019–20 only
20 by \$192,000 to provide onetime grants for community-based doulas under SECTION
21 9119 (8m) and increase the dollar amount for fiscal year 2020–21 by \$426,700 for the
22 purpose of providing reimbursement for certified doula services provided through
23 the Medical Assistance program in select counties, beginning in fiscal year 2020–21.

1 **16.** Page 140, line 19: decrease the dollar amount for fiscal year 2019–20 by
2 \$1,750,000 and decrease the dollar amount for fiscal year 2020–21 by \$1,750,000 for
3 the purpose of making payments to rural critical care hospitals.

4 **17.** Page 140, line 19: decrease the dollar amount for fiscal year 2019–20 by
5 \$7,700,000 and decrease the dollar amount for fiscal year 2020–21 by \$7,700,000 for
6 the purpose of making hospital access payments and critical access hospital
7 payments.

8 **18.** Page 140, line 19: increase the dollar amount for fiscal year 2020–21 by
9 \$22,500,000 for the purpose of providing as a benefit in the Medical Assistance
10 program nonmedical services that contribute to the determinants of health under s.
11 49.46 (2) (b) 21.

12 **19.** Page 140, line 19: increase the dollar amount for fiscal year 2020–21 by
13 \$9,255,000 for the purpose of extending Medical Assistance eligibility for
14 post-partum women.

15 **20.** Page 140, line 19: increase the dollar amount for fiscal year 2019–20 by
16 \$2,454,300 and increase the dollar amount for fiscal year 2020–21 by \$2,454,300 for
17 the purpose of eliminating copayments for prescription drugs for Medical Assistance
18 enrollees.

19 **21.** Page 140, line 19: increase the dollar amount for fiscal year 2019–20 by
20 \$8,732,100 and increase the dollar amount for fiscal year 2020–21 by \$18,217,800 for
21 the purpose of funding an increase of Medical Assistance reimbursement rates for
22 mental health, behavioral health, and psychiatric services provided by physicians
23 and medical clinics, effective January 1, 2020.

1 **22.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
2 \$2,000,000 for the purpose of funding incentive grants to behavioral health providers
3 that adopt electronic health records systems or participate in the state's health
4 information exchange.

5 **23.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
6 \$6,613,900 and decrease the dollar amount for fiscal year 2020-21 by \$872,700 for
7 the purpose of providing the cost to continue Medical Assistance benefits.

8 **24.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
9 \$1,088,200 and increase the dollar amount for fiscal year 2020-21 by \$1,692,900 for
10 the purpose of telehealth reimbursement under the Medical Assistance program.

11 **25.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
12 \$406,000 and increase the dollar amount for fiscal year 2020-21 by \$609,000 for the
13 purpose of providing dental services to Medical Assistance recipients who have
14 disabilities.

15 **26.** Page 140, line 19: decrease the dollar amount for fiscal year 2019-20 by
16 \$6,000,000 and decrease the dollar amount for fiscal year 2020-21 by \$9,000,000 for
17 the purpose of funding the direct care and services portion of the capitation rates
18 provided to care management organizations that administer Family Care in
19 recognition of the direct caregiver workforce challenges facing the state.

20 **27.** Page 140, line 19: increase the dollar amount for fiscal year 2019-20 by
21 \$10,000,000 and increase the dollar amount for fiscal year 2020-21 by \$10,000,000
22 for the purpose of funding a pediatric supplemental hospital payment under s. 49.45
23 (6xm).

1 **28.** Page 140, line 19: increase the dollar amount for fiscal year 2020-21 by
2 \$89,900 for the purpose of providing supportive services delivered under the Medical
3 Assistance medical home health benefit for persons with substance abuse disorders.

4 **29.** Page 140, line 20: increase the dollar amount for fiscal year 2019-20 by
5 \$687,800 and increase the dollar amount for fiscal year 2020-21 by \$874,600 for the
6 purpose of implementing a statewide contract for children's long-term care intake,
7 application, and screening function for the Katie Beckett program, children's
8 long-term supports waiver program, and children's communication options program
9 and specifically to fund 5 children's services navigators, 2 children's disability
10 resource specialists to assist families with complex or multisystem concerns, and 2
11 children's disability ombudsmen to provide advocacy services.

12 **30.** Page 141, line 7: increase the dollar amount for fiscal year 2019-20 by
13 \$4,380,900 and increase the dollar amount for fiscal year 2020-21 by \$1,550,500 for
14 the purpose of supporting contracted services and general program operations for
15 the division of Medicaid services in the department of health services, including
16 projects to modify claims and eligibility information systems to implement state and
17 federal law and policy changes and rate increases incorporated into current
18 contracts.

19 **31.** Page 141, line 12: increase the dollar amount for fiscal year 2019-20 by
20 \$1,039,800 and increase the dollar amount for fiscal year 2020-21 by \$767,500 for
21 the purpose of providing funding necessary to support payments under the
22 Wisconsin funeral and cemetery aids program.

23 **32.** Page 141, line 15: delete lines 15 and 16 and substitute:

1 “(bv) Prescription drug assistance for 23,607,100”
 2 elderly; aids GPR B 19,617,200 .

3 **33.** Page 141, line 18: delete lines 18 to 20 and substitute:

4 “(ed) State supplement to federal sup-
 5 plemental security income 159,747,400
 6 program GPR S 158,637,000 ”.

7 **34.** Page 142, line 18: delete lines 18 and 19 and substitute:

8 “(j) Prescription drug assistance for 88,904,900”
 9 elderly; manufacturer rebates PR C 84,461,900 .

10 **35.** Page 144, line 8: increase the dollar amount for fiscal year 2019–20 by
 11 \$2,077,300 and increase the dollar amount for fiscal year 2020–21 by \$2,077,300 for
 12 the purpose of increasing pay-for-performance incentives to BadgerCare Plus
 13 health maintenance organizations to conduct blood-lead testing for children.

14 **36.** Page 144, line 14: delete lines 14 and 15 and substitute:

15 “(pg) Federal aid; prescription drug 23,457,100”
 16 assistance for elderly PR-F C 19,928,100 .

17 **37.** Page 144, line 16: increase the dollar amount for fiscal year 2019–20 by
 18 \$7,700,000 and increase the dollar amount for fiscal year 2020–21 by \$7,700,000 for
 19 the purpose of making hospital access payments and critical access hospital
 20 payments.

21 **38.** Page 144, line 16: decrease the dollar amount for fiscal year 2019–20 by
 22 \$2,316,200 and increase the dollar amount for fiscal year 2020–21 by \$5,359,700 for
 23 the purpose of providing the cost to continue Medical Assistance benefits.

1 **39.** Page 144, line 24: decrease the dollar amount for fiscal year 2019–20 by
2 \$7,400,000 and decrease the dollar amount for fiscal year 2020–21 by \$7,400,000 for
3 the purpose of making hospital access payments.

4 **40.** Page 145, line 3: decrease the dollar amount for fiscal year 2019–20 by
5 \$300,000 and decrease the dollar amount for fiscal year 2020–21 by \$300,000 for the
6 purpose of making critical access hospital payments.

7 **41.** Page 145, line 16: delete lines 16 to 17 and substitute:
8 “(cf) Crisis program enhancement
9 grants GPR B 125,000 125,000”.

10 **42.** Page 146, line 4: after that line insert:
11 “(dg) Regional crisis stabilization facil-
12 ities GPR A -0- 2,500,000”.

13 **43.** Page 148, line 10: increase the dollar amount for fiscal year 2019–20 by
14 \$264,900 and increase the dollar amount for fiscal year 2020–21 by \$365,800 for the
15 purpose of funding an additional 3.78 FTE PR positions within the bureau of assisted
16 living.

17 **44.** Page 148, line 21: increase the dollar amount for fiscal year 2019–20 by
18 \$155,500 and increase the dollar amount for fiscal year 2020–21 by \$214,800 for the
19 purpose of funding an additional 2.22 FTE FED positions in the bureau of assisted
20 living.

21 **45.** Page 149, line 3: increase the dollar amount for fiscal year 2019–20 by
22 \$1,680,000 and increase the dollar amount for fiscal year 2020–21 by \$1,680,000 for

1 the purpose of grants to aging and disability resource centers and tribes to fund 27
2 additional dementia care specialists and 3 new tribal dementia care specialists.

3 **46.** Page 149, line 3: increase the dollar amount for fiscal year 2019-20 only
4 by \$61,600 and increase the dollar amount for fiscal year 2020-21 only by \$78,200
5 for the purpose of funding a 2-year academic detailing primary care clinic dementia
6 training pilot program under SECTION 9119 (3g).

7 **47.** Page 149, line 7: increase the dollar amount for fiscal year 2019-20 by
8 \$1,550,000 and increase the dollar amount for fiscal year 2020-21 by \$7,600,000 for
9 the purpose of increasing funding for the Birth to 3 Program.

10 **48.** Page 157, line 4: increase the dollar amount for fiscal year 2019-20 by
11 \$512,500 and increase the dollar amount for fiscal year 2020-21 by \$675,000 for the
12 purpose of funding services to prevent child abuse or neglect.

13 **49.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
14 \$444,700 and decrease the dollar amount for fiscal year 2020-21 by \$416,500 for the
15 purpose of transferring the moneys for children's long-term care program.

16 **50.** Page 231, line 6: decrease the dollar amount for fiscal year 2020-21 by
17 \$89,900 for the purpose of providing supportive services delivered under the Medical
18 Assistance medical home health benefit for persons with substance abuse disorders.

19 **51.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
20 \$1,088,200 and decrease the dollar amount for fiscal year 2020-21 by \$1,692,900 for
21 the purpose of telehealth reimbursement under the Medical Assistance program.

22 **52.** Page 231, line 6: decrease the dollar amount for fiscal year 2019-20 by
23 \$100,000 and decrease the dollar amount for fiscal year 2020-21 by \$100,000 for the

1 purpose of providing mental health assistance to farmers and farm families under
2 the appropriation to the department of agriculture, trade and consumer protection.

3 **53.** Page 249, line 15: after that line insert:

4 “SECTION 188m. 20.435 (1) (bk) of the statutes is created to read:

5 20.435 (1) (bk) *Healthy aging grant program*. The amounts in the schedule for
6 grants to an entity that conducts programs in healthy aging.”.

7 **54.** Page 249, line 16: delete lines 16 to 18 and substitute:

8 “SECTION 189b. 20.435 (1) (cr) of the statutes is created to read:

9 20.435 (1) (cr) *Minority health grants*. The amounts in the schedule for the
10 minority health program under s. 250.20 (3) and (4).”.

11 **55.** Page 249, line 24: delete that line and substitute:

12 “SECTION 190b. 20.435 (1) (fj) of the statutes is repealed.”.

13 **56.** Page 249, line 25: delete that line and substitute:

14 “SECTION 191b. 20.435 (1) (kb) of the statutes is repealed.”.

15 **57.** Page 252, line 3: delete that line and substitute:

16 “49.685, ~~for distributing grants under s. 146.64,~~ and for reduction of any
17 operating”.

18 **58.** Page 253, line 1: delete lines 1 to 4 and substitute:

19 “SECTION 195b. 20.435 (4) (bf) of the statutes is amended to read:

20 20.435 (4) (bf) *Graduate medical training support grants*. As a continuing
21 appropriation, the amounts in the schedule to award grants to rural hospitals under
22 s. 146.63 and to support graduate medical training programs under s. 146.64.”.

23 **59.** Page 255, line 2: after that line insert:

24 “SECTION 201c. 20.435 (4) (jw) of the statutes is amended to read:

1 20.435 (4) (jw) *BadgerCare Plus and hospital assessment*. All moneys received
2 from payment of enrollment fees under the program under s. 49.45 (23), all moneys
3 transferred under s. 50.38 (9), all moneys transferred from the appropriation account
4 under par. (jz), and 10 percent of all moneys received from penalty assessments
5 under s. 49.471 (9) (c), ~~for administration of the program under s. 49.45 (23)~~, to
6 provide a portion of the state share of administrative costs for the BadgerCare Plus
7 Medical Assistance program under s. 49.471, and for administration of the hospital
8 assessment under s. 50.38.”.

9 **60.** Page 255, line 10: delete lines 10 to 14 and substitute:

10 “**SECTION 203b.** 20.435 (5) (cf) of the statutes is amended to read:

11 20.435 (5) (cf) ~~*Mobile crisis team*~~ *Crisis program enhancement grants*.

12 Biennially, the amounts in the schedule for awarding grants to counties or regions
13 to establish ~~certified~~ or enhance crisis programs ~~that create mental health mobile~~
14 ~~crisis teams~~ under s. 46.536.”.

15 **61.** Page 255, line 15: delete lines 15 to 18 and substitute:

16 “**SECTION 204b.** 20.435 (5) (ct) of the statutes is created to read:

17 20.435 (5) (ct) *Mental health consultation program*. The amounts in the
18 schedule for developing a plan for a mental health consultation program under s.
19 51.441. No moneys may be encumbered under this paragraph after June 30, 2021.”.

20 **62.** Page 255, line 18: after that line insert:

21 “**SECTION 205c.** 20.435 (5) (dg) of the statutes is created to read:

22 20.435 (5) (dg) *Regional crisis stabilization facilities*. The amounts in the
23 schedule to provide grants to regional crisis stabilization facilities under s. 51.03
24 (7).”.

1 **63.** Page 265, line 17: delete that line and substitute:

2 “**SECTION 179b.** 20.505 (8) (hm) 6e. of the statutes is repealed.”.

3 **64.** Page 279, line 8: after that line insert:

4 “**SECTION 318f.** 20.940 of the statutes is repealed.”.

5 **65.** Page 292, line 25: after that line insert:

6 “**SECTION 414i.** 40.51 (8) of the statutes is amended to read:

7 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
8 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.746
9 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853,
10 632.855, 632.867, 632.87 (3) to (6), 632.885, 632.89, 632.895 (5m) and (8) to (17), and
11 632.896.

12 **SECTION 415i.** 40.51 (8m) of the statutes is amended to read:

13 40.51 (8m) Every health care coverage plan offered by the group insurance
14 board under sub. (7) shall comply with ss. 631.95, 632.728, 632.746 (1) to (8) and (10),
15 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855, 632.867,
16 632.885, 632.89, and 632.895 ~~(11)~~ (8) and (10) to (17).”.

17 **66.** Page 295, line 23: delete the material beginning with that line and ending
18 with page 304, line 9, and substitute:

19 “**SECTION 441b.** 46.10 (16) of the statutes is amended to read:

20 46.10 (16) The department shall delegate to county departments under ss.
21 51.42 and 51.437 or the local providers of care and services meeting the standards
22 established by the department under s. 46.036, the responsibilities vested in the
23 department under this section for collection of patient fees for services other than
24 those provided at state facilities, those provided to children that are reimbursed

1 under a waiver under s. ~~46.27 (11)~~, 46.275, 46.278, or 46.2785, or those provided
2 under the disabled children's long-term support program if the county departments
3 or providers meet the conditions that the department determines are appropriate.
4 The department may delegate to county departments under ss. 51.42 and 51.437 the
5 responsibilities vested in the department under this section for collection of patient
6 fees for services provided at the state facilities if the necessary conditions are met.

7 **SECTION 442b.** 46.21 (2m) (b) 1. a. of the statutes is amended to read:

8 46.21 (2m) (b) 1. a. The powers and duties of the county departments under ss.
9 46.215, 51.42 and 51.437, ~~including the administration of the long-term support~~
10 ~~community options program under s. 46.27, if the county department under s. 46.215~~
11 ~~is designated as the administering agency under s. 46.27 (3) (b) 1.~~

12 **SECTION 443b.** 46.21 (2m) (b) 1. b. of the statutes is repealed.

13 **SECTION 444b.** 46.215 (1) (m) of the statutes is repealed.

14 **SECTION 445b.** 46.22 (1) (b) 1. e. of the statutes is repealed.

15 **SECTION 446b.** 46.23 (3) (bm) of the statutes is repealed.

16 **SECTION 447b.** 46.269 of the statutes is amended to read:

17 **46.269 Determining financial eligibility for long-term care programs.**

18 To the extent approved by the federal government, the department or its designee
19 shall exclude any assets accumulated in a person's independence account, as defined
20 in s. 49.472 (1) (c), and any income or assets from retirement benefits earned or
21 accumulated from income or employer contributions while employed and receiving
22 ~~state-funded benefits under s. 46.27~~ or medical assistance under s. 49.472 in
23 determining financial eligibility and cost-sharing requirements, if any, for a
24 long-term care program under s. ~~46.27~~, 46.275, or 46.277, for the family care
25 program that provides the benefit defined in s. 46.2805 (4), for the Family Care

1 Partnership program, or for the self-directed services option, as defined in s. 46.2897
2 (1).

3 **SECTION 448b.** 46.27 of the statutes is repealed.

4 **SECTION 449b.** 46.271 (1) (c) of the statutes is amended to read:

5 46.271 (1) (c) The department may contract with an aging unit, as defined in
6 s. ~~46.27~~ 46.82 (1) (a), for administration of services under par. (a) if, by resolution,
7 the county board of supervisors of that county so requests the department.

8 **SECTION 450b.** 46.275 (3) (e) of the statutes is repealed.

9 **SECTION 451b.** 46.275 (5) (b) 7. of the statutes is amended to read:

10 46.275 (5) (b) 7. Provide services in any community-based residential facility
11 unless the county or department uses as a service contract the approved model
12 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
13 of the provisions of the approved model contract.

14 **SECTION 452b.** 46.277 (1m) (at) of the statutes is amended to read:

15 46.277 (1m) (at) “Private nonprofit agency” ~~has the meaning specified in s.~~
16 ~~46.27 (1) (bm)~~ means a nonprofit corporation, as defined in s. 181.0103 (17), that
17 provides a program of all-inclusive care for the elderly under 42 USC 1395eee or
18 1396u-4.

19 **SECTION 453b.** 46.277 (3) (a) of the statutes is amended to read:

20 46.277 (3) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
21 applies to county participation in this program, except that services provided in the
22 program shall substitute for care provided a person in a skilled nursing facility or
23 intermediate care facility who meets the level of care requirements for medical
24 assistance reimbursement to that facility rather than for care provided at a state
25 center for the developmentally disabled. The number of persons who receive services

1 provided by the program under this paragraph may not exceed the number of
2 nursing home beds, other than beds specified in sub. (5g) (b), that are delicensed as
3 part of a plan submitted by the facility and approved by the department.

4 **SECTION 454b.** 46.277 (5) (d) 2. (intro.) and b. of the statutes are consolidated,
5 renumbered 46.277 (5) (d) 2. and amended to read:

6 46.277 (5) (d) 2. No county may use funds received under this section to provide
7 residential services in any community-based residential facility, as defined in s.
8 50.01 (1g), unless ~~one of the following applies: b.~~ The department approves the
9 provision of services in a community-based residential facility that entirely consists
10 of independent apartments, each of which has an individual lockable entrance and
11 exit and individual separate kitchen, bathroom, sleeping and living areas, to
12 individuals who are eligible under this section and are physically disabled or are at
13 least 65 years of age.

14 **SECTION 455b.** 46.277 (5) (d) 2. a. of the statutes is repealed.

15 **SECTION 456b.** 46.277 (5) (d) 3. of the statutes is amended to read:

16 46.277 (5) (d) 3. If subd. 2. ~~a. or b.~~ applies, no county may use funds received
17 under this section to pay for services provided to a person who resides or intends to
18 reside in a community-based residential facility and who is initially applying for the
19 services, if the projected cost of services for the person, plus the cost of services for
20 existing participants, would cause the county to exceed the limitation under sub. (3)
21 (c). The department may grant an exception to the requirement under this
22 subdivision, under the conditions specified by rule, to avoid hardship to the person.

23 **SECTION 457b.** 46.277 (5) (f) of the statutes is amended to read:

24 46.277 (5) (f) No county or private nonprofit agency may use funds received
25 under this subsection to provide services in any community-based residential

1 facility unless the county or agency uses as a service contract the approved model
2 contract developed under s. 46.27 (2) (j), 2017 stats., or a contract that includes all
3 of the provisions of the approved model contract.

4 **SECTION 458b.** 46.278 (4) (a) of the statutes is amended to read:

5 46.278 (4) (a) ~~Sections 46.27 (3) (b) and Section 46.275 (3) (a) and (c) to (e) apply~~
6 applies to county participation in a program, except that services provided in the
7 program shall substitute for care provided a person in an intermediate care facility
8 for persons with an intellectual disability or in a brain injury rehabilitation facility
9 who meets the intermediate care facility for persons with an intellectual disability
10 or brain injury rehabilitation facility level of care requirements for medical
11 assistance reimbursement to that facility rather than for care provided at a state
12 center for the developmentally disabled.

13 **SECTION 459b.** 46.2803 of the statutes is repealed.

14 **SECTION 460b.** 46.2805 (1) (b) of the statutes is amended to read:

15 46.2805 (1) (b) A demonstration program known as the ~~Wisconsin partnership~~
16 Family Care Partnership program under a federal waiver authorized under 42 USC
17 ~~1315~~ 1396n.

18 **SECTION 461b.** 46.281 (1d) of the statutes is amended to read:

19 46.281 (1d) **WAIVER REQUEST.** The department shall request from the secretary
20 of the federal department of health and human services any waivers of federal
21 medicaid laws necessary to permit the use of federal moneys to provide the family
22 care benefit and the self-directed services option to recipients of medical assistance.
23 The department shall implement any waiver that is approved and that is consistent
24 with ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the

1 department may implement operation of resource centers, care management
2 organizations, and the family care benefit.

3 **SECTION 462b.** 46.281 (1n) (d) of the statutes is repealed.

4 **SECTION 463b.** 46.281 (3) of the statutes is repealed.

5 **SECTION 464b.** 46.2825 of the statutes is repealed.

6 **SECTION 465b.** 46.283 (3) (f) of the statutes is amended to read:

7 46.283 (3) (f) Assistance to a person ~~who is eligible for the family care benefit~~
8 with respect to the person's choice of whether or not to enroll in the self-directed
9 services option, as defined in s. 46.2899 (1), a care management organization for the
10 family care benefit or the Family Care Partnership program, or the program of
11 all-inclusive care for the elderly and, if so, which available long-term care program
12 or care management organization would best meet his or her needs.

13 **SECTION 466b.** 46.283 (4) (e) of the statutes is repealed.

14 **SECTION 467b.** 46.283 (4) (f) of the statutes is amended to read:

15 46.283 (4) (f) Perform a functional screening and a financial and cost-sharing
16 screening for any resident, ~~as specified in par. (e),~~ who requests a screening and
17 assist any resident who is eligible and chooses to enroll in a care management
18 organization or the self-directed services option to do so.

19 **SECTION 468b.** 46.283 (6) (b) 7. of the statutes is repealed.

20 **SECTION 469b.** 46.283 (6) (b) 9. of the statutes is amended to read:

21 46.283 (6) (b) 9. Review the number and types of grievances and appeals
22 ~~concerning the long-term care system in the area served by~~ related to the resource
23 center, to determine if a need exists for system changes, and recommend system or
24 other changes if appropriate.

25 **SECTION 470b.** 46.283 (6) (b) 10. of the statutes is repealed.

1 **SECTION 471b.** 46.285 (intro.) of the statutes is renumbered 46.285 and
2 amended to read:

3 **46.285 Operation of resource center and care management**
4 **organization.** In order to meet federal requirements and assure federal financial
5 participation in funding of the family care benefit, a county, a tribe or band, a
6 long-term care district or an organization, including a private, nonprofit
7 corporation, may not directly operate both a resource center and a care management
8 organization, ~~except as follows:~~

9 **SECTION 472b.** 46.285 (1) of the statutes is repealed.

10 **SECTION 473b.** 46.285 (2) of the statutes is repealed.

11 **SECTION 474b.** 46.286 (3) (b) 2. a. of the statutes is repealed.

12 **SECTION 475b.** 46.287 (2) (a) 1. (intro.) of the statutes is amended to read:

13 46.287 (2) (a) 1. (intro.) Except as provided in subd. 2., a client may contest any
14 of the following applicable matters by filing, within 45 days of the failure of a resource
15 center or ~~care management organization~~ county to act on the contested matter
16 within the time frames specified by rule by the department or within 45 days after
17 receipt of notice of a decision in a contested matter, a written request for a hearing
18 under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1):

19 **SECTION 476b.** 46.287 (2) (a) 1. d. of the statutes is renumbered 46.287 (2) (a)
20 1m. b.

21 **SECTION 477b.** 46.287 (2) (a) 1. e. of the statutes is repealed.

22 **SECTION 478b.** 46.287 (2) (a) 1. f. of the statutes is repealed.

23 **SECTION 479b.** 46.287 (2) (a) 1m. of the statutes is created to read:

24 46.287 (2) (a) 1m. Except as provided in subd. 2., a client may contest any of
25 the following adverse benefit determinations by filing, within 90 days of the failure

1 of a care management organization to act on a contested adverse benefit
2 determination within the time frames specified by rule by the department or within
3 90 days after receipt of notice of a decision upholding the adverse benefit
4 determination, a written request for a hearing under s. 227.44 to the division of
5 hearings and appeals created under s. 15.103 (1):

6 a. Denial of functional eligibility under s. 46.286 (1) as a result of the care
7 management organization's administration of the long-term care functional screen,
8 including a change from a nursing home level of care to a non-nursing home level
9 of care.

10 c. Denial or limited authorization of a requested service, including
11 determinations based on type or level of service, requirements or medical necessity,
12 appropriateness, setting, or effectiveness of a covered benefit.

13 d. Reduction, suspension, or termination of a previously authorized service,
14 unless the service was only authorized for a limited amount or duration and that
15 amount or duration has been completed.

16 e. Denial, in whole or in part, of payment for a service.

17 f. The failure of a care management organization to act within the time frames
18 provided in 42 CFR 438.408 (b) (1) and (2) regarding the standard resolution of
19 grievances and appeals.

20 g. Denial of an enrollee's request to dispute financial liability, including
21 copayments, premiums, deductibles, coinsurance, other cost sharing, and other
22 member financial liabilities.

23 h. Denial of an enrollee, who is a resident of a rural area with only one care
24 management organization, to obtain services outside the care management
25 organization's network of contracted providers.

1 i. Development of a plan of care that is unacceptable to the enrollee because the
2 plan of care requires the enrollee to live in a place that is unacceptable to the enrollee;
3 the plan of care does not provide sufficient care, treatment, or support to meet the
4 enrollee's needs and support the enrollee's identified outcomes; or the plan of care
5 requires the enrollee to accept care, treatment, or support that is unnecessarily
6 restrictive or unwanted by the enrollee.

7 j. Involuntary disenrollment from the care management organization.

8 **SECTION 480b.** 46.287 (2) (b) of the statutes is amended to read:

9 46.287 (2) (b) An enrollee may contest a decision, omission or action of a care
10 management organization other than those specified in par. (a), ~~or may contest the~~
11 ~~choice of service provider. In these instances, the enrollee shall first send a written~~
12 ~~request for review by the unit of the department that monitors care management~~
13 ~~organization contracts. This unit shall review and attempt to resolve the dispute.~~
14 1m. by filing a grievance with the care management organization. If the dispute
15 grievance is not resolved to the satisfaction of the enrollee, he or she may request
16 a hearing under the procedures specified in par. (a) 1. (intro.) that the department
17 review the decision of the care management organization.

18 **SECTION 481b.** 46.288 (2) (intro.) of the statutes is renumbered 46.288 (2) and
19 amended to read:

20 46.288 (2) Criteria and procedures for determining functional eligibility under
21 s. 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), and cost sharing under
22 s. 46.286 (2) (a). ~~The rules for determining functional eligibility under s. 46.286 (1)~~
23 ~~(a) 1m. shall be substantially similar to eligibility criteria for receipt of the long-term~~
24 ~~support community options program under s. 46.27. Rules under this subsection~~
25 ~~shall include definitions of the following terms applicable to s. 46.286:~~

1 **SECTION 482b.** 46.288 (2) (d) to (j) of the statutes are repealed.

2 **SECTION 483b.** 46.2896 (1) (a) of the statutes is amended to read:

3 46.2896 (1) (a) “Long-term care program” means the long-term care program
4 under s. 46.27, 46.275, 46.277, 46.278, or 46.2785; the family care program providing
5 the benefit under s. 46.286; the Family Care Partnership program; or the long-term
6 care program defined in s. 46.2899 (1).”.

7 **67.** Page 304, line 10: delete lines 10 to 18 and substitute:

8 “**SECTION 484p.** 46.536 of the statutes is amended to read:

9 **46.536 Mobile crisis team Crisis program enhancement grants.** From
10 the appropriation under s. 20.435 (5) (cf), the department shall award grants in the
11 total amount of \$250,000 in each fiscal biennium to counties or regions comprised of
12 multiple counties to establish certified or enhance crisis programs that create mental
13 health mobile crisis teams to serve individuals having mental health crises in rural
14 areas. The department shall award a grant under this section in an amount equal
15 to one-half the amount of money the county or region provides to establish certified
16 or enhance crisis programs that create mobile crisis teams.”.

17 **68.** Page 304, line 19: after that line insert:

18 “**SECTION 485m.** 46.854 of the statutes is created to read:

19 **46.854 Healthy aging grant program.** From the appropriation under s.
20 20.435 (1) (bk), the department shall award in each fiscal year a grant of \$250,000
21 to an entity that conducts programs in healthy aging.

22 **SECTION 485w.** 46.995 (4) of the statutes is created to read:

23 46.995 (4) The department shall ensure that any child who is eligible and who
24 applies for the disabled children’s long-term support program that is operating

1 under a waiver of federal law receives services under the disabled children's
2 long-term support program that is operating under a waiver of federal law.”.

3 **69.** Page 346, line 3: delete lines 3 to 5 and substitute:

4 “(u) *Prevention services.* For services to prevent child abuse or neglect,
5 ~~\$5,289,600 in each fiscal year~~ \$6,302,100 in fiscal year 2019-20 and \$7,464,600 in
6 fiscal year 2020-21.”.

7 **70.** Page 348, line 15: after that line insert:

8 “**SECTION 652c.** 49.45 (2p) of the statutes is repealed.

9 **SECTION 653t.** 49.45 (2t) of the statutes is repealed.”.

10 **71.** Page 348, line 21: after that line insert:

11 “**SECTION 654f.** 49.45 (3) (e) 11. of the statutes is amended to read:

12 49.45 (3) (e) 11. The department shall use a portion of the moneys collected
13 under s. 50.38 (2) (a) to pay for services provided by eligible hospitals, as defined in
14 s. 50.38 (1), other than critical access hospitals, under the Medical Assistance
15 Program under this subchapter, including services reimbursed on a fee-for-service
16 basis and services provided under a managed care system. For state fiscal year
17 2008-09, total payments required under this subdivision, including both the federal
18 and state share of Medical Assistance, shall equal the amount collected under s.
19 50.38 (2) (a) for fiscal year 2008-09 divided by 57.75 percent. For each state fiscal
20 year after state fiscal year 2008-09, total payments required under this subdivision,
21 including both the federal and state share of Medical Assistance, shall equal the
22 amount collected under s. 50.38 (2) (a) for the fiscal year divided by ~~61.68~~ 53.69
23 percent.

24 **SECTION 654h.** 49.45 (3) (e) 12. of the statutes is amended to read:

1 49.45 (3) (e) 12. The department shall use a portion of the moneys collected
2 under s. 50.38 (2) (b) to pay for services provided by critical access hospitals under
3 the Medical Assistance Program under this subchapter, including services
4 reimbursed on a fee-for-service basis and services provided under a managed care
5 system. For each state fiscal year, total payments required under this subdivision,
6 including both the federal and state share of Medical Assistance, shall equal the
7 amount collected under s. 50.38 (2) (b) for the fiscal year divided by ~~61.68~~ 53.69
8 percent.

9 **SECTION 657b.** 49.45 (3m) (a) (intro.) of the statutes is amended to read:

10 49.45 (3m) (a) (intro.) Subject to par. (c) and notwithstanding sub. (3) (e), from
11 the appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department
12 shall pay to hospitals that serve a disproportionate share of low-income patients an
13 amount equal to the sum of ~~\$27,500,000~~ \$56,500,000, as the state share of payments,
14 and the matching federal share of payments. The department may make a payment
15 to a hospital under this subsection under the calculation method described in par. (b)
16 if the hospital meets all of the following criteria:

17 **SECTION 658b.** 49.45 (3m) (b) 3. a. of the statutes is amended to read:

18 49.45 (3m) (b) 3. a. No single hospital receives more than ~~\$4,600,000~~
19 \$9,200,000, except that a hospital that is a free-standing pediatric teaching hospital
20 located in Wisconsin that has a percentage calculated under subd. 1. a. greater than
21 50 percent may receive up to \$12,000,000 each fiscal year.”.

22 **72.** Page 348, line 23: delete the material beginning with that line and ending
23 with page 349, line 11, and substitute:

1 “49.45 (3p) (a) Subject to par. (c) and notwithstanding sub. (3) (e), from the
2 appropriations under s. 20.435 (4) (b) and (o), in each fiscal year, the department
3 shall pay to hospitals that ~~would~~ are not eligible for payments under sub. (3m) but
4 that meet the criteria under sub. (3m) (a) ~~except that the hospitals do not provide~~
5 ~~obstetric services 1. and 2. and that, in the most recent year for which information~~
6 is available, charged at least 6 percent of overall charges for services to the Medical
7 Assistance program for services provided to Medical Assistance recipients an
8 amount equal to the sum of ~~\$250,000~~ \$500,000, as the state share of payments, and
9 the matching federal share of payments. The department may make a payment to
10 a hospital under this subsection under a calculation method determined by the
11 department that provides a fee-for-service supplemental payment that increases as
12 the hospital’s percentage of inpatient days for Medical Assistance recipients at the
13 hospital the total amount of the hospital’s overall charges for services that are
14 charges to the Medical Assistance program increases.”.

15 **73.** Page 349, line 12: delete the material beginning with that line and ending
16 with page 351, line 15, and substitute:

17 “**SECTION 660b.** 49.45 (5) (a) of the statutes is amended to read:

18 49.45 (5) (a) Any person whose application for medical assistance is denied or
19 is not acted upon promptly or who believes that the payments made in the person’s
20 behalf have not been properly determined or that his or her eligibility has not been
21 properly determined may file an appeal with the department pursuant to par. (b).
22 Review is unavailable if the decision or failure to act arose more than 45 days before
23 submission of the petition for a hearing, except as provided in par. (ag) or (ar).

24 **SECTION 661b.** 49.45 (5) (ag) of the statutes is created to read:

1 49.45 (5) (ag) A person shall request a hearing within 90 days of the date of
2 receipt of a notice from a care management organization or managed care
3 organization upholding its adverse benefit determination relating to any of the
4 following or within 90 days of the date the care management organization or
5 managed care organization failed to act on the contested matter within the time
6 specified by the department:

7 1. Denial or limited authorization of a requested services, including a
8 determination based on the type or level of service, requirement for medical
9 necessity, appropriateness, setting, or effectiveness of a covered benefit.

10 2. Reduction, suspension, or termination of a previously authorized service,
11 unless the service was only authorized for a limited amount or duration and that
12 amount or duration has been completed.

13 3. Denial, in whole or in part, of payment for a service.

14 4. Failure to provide services in a timely manner.

15 5. Failure of a care management organization or managed care organization
16 to act within the time frames provided in 42 CFR 438.408 (b) (1) and (2) regarding
17 the standard resolution of grievances and appeals.

18 6. Denial of an enrollee's request to dispute financial liability, including
19 copayments, premiums, deductibles, coinsurance, other cost sharing, and other
20 member financial liabilities.

21 7. Denial of an enrollee, who is a resident of a rural area with only one care
22 management organization or managed care organization, to obtain services outside
23 the organization's network of contracted providers.

24 **SECTION 662b.** 49.45 (5) (ar) of the statutes is created to read:

1 49.45 (5) (ar) If a federal regulation specifies a different time limit to request
2 a hearing than par. (a) or (ag), the time limit in the federal regulation shall apply.

3 **SECTION 663b.** 49.45 (5) (b) 1. (intro.) of the statutes is amended to read:

4 49.45 (5) (b) 1. (intro.) Upon receipt of a timely petition under par. (a) the
5 department shall give the applicant or recipient reasonable notice and opportunity
6 for a fair hearing. The department may make such additional investigation as it
7 considers necessary. Notice of the hearing shall be given to the applicant or recipient
8 and, if a county department under s. 46.215, 46.22, or 46.23 is responsible for making
9 the medical assistance determination, to the county clerk of the county. The county
10 may be represented at such hearing. The department shall render its decision as
11 soon as possible after the hearing and shall send a ~~certified~~ copy of its decision to the
12 applicant or recipient, to the county clerk, and to any county officer charged with
13 administration of the Medical Assistance program. The decision of the department
14 shall have the same effect as an order of a county officer charged with the
15 administration of the Medical Assistance program. The decision shall be final, but
16 may be revoked or modified as altered conditions may require. The department shall
17 deny a petition for a hearing or shall refuse to grant relief if:

18 **SECTION 664b.** 49.45 (5) (b) 1. d. of the statutes is created to read:

19 49.45 (5) (b) 1. d. The issue is an adverse benefit determination described in
20 par. (ag) 1. to 7. made by a care management organization or managed care
21 organization and the person requesting the hearing has not exhausted the internal
22 appeal procedure with the organization.”.

23 **74.** Page 352, line 22: after that line insert:

24 “**SECTION 667b.** 49.45 (6xm) of the statutes is created to read:

1 49.45 (6xm) PEDIATRIC INPATIENT SUPPLEMENT. (a) From the appropriations
2 under s. 20.435 (4) (b), (o), and (w), the department shall, using a method determined
3 by the department, distribute a total sum of \$2,000,000 each state fiscal year to
4 hospitals that meet all of the following criteria:

5 1. The hospital is an acute care hospital located in this state.

6 2. During the hospital's fiscal year, the inpatient days in the hospital's acute
7 care pediatric units and intensive care pediatric units totaled more than 12,000 days,
8 not including neonatal intensive care units. For purposes of this subsection, the
9 hospital's fiscal year is the hospital's fiscal year that ended in the 2nd calendar year
10 preceding the beginning of the state fiscal year.

11 (b) Notwithstanding par. (a), from the appropriations under s. 20.435 (4) (b),
12 (o), and (w), the department may, using a method determined by the department,
13 distribute an additional total sum of \$10,000,000 in each state fiscal year to hospitals
14 that are free-standing pediatric teaching hospitals located in Wisconsin that have
15 a percentage calculated under s. 49.45 (3m) (b) 1. a. greater than 45 percent.

16 **SECTION 668h.** 49.45 (19) (title) of the statutes is amended to read:

17 49.45 (19) (title) ~~ASSIGNING~~ ESTABLISHING PATERNITY AND ASSIGNING MEDICAL
18 SUPPORT RIGHTS.

19 **SECTION 669m.** 49.45 (19) (a) of the statutes is amended to read:

20 49.45 (19) (a) ~~As~~ Except as provided in par. (c), as a condition of eligibility for
21 medical assistance, a person shall, notwithstanding other provisions of the statutes,
22 be deemed to have assigned to the state, by applying for or receiving medical
23 assistance, any rights to medical support or other payment of medical expenses from
24 any other person, including rights to unpaid amounts accrued at the time of

1 application for medical assistance as well as any rights to support accruing during
2 the time for which medical assistance is paid.

3 **SECTION 670h.** 49.45 (19) (am) of the statutes is created to read:

4 49.45 (19) (am) As a condition of eligibility for medical assistance, a person
5 shall cooperate in good faith with efforts directed at establishing the paternity of a
6 nonmarital child and obtaining support payments or any other payments or property
7 to which the person and the dependent child or children may have rights. This
8 cooperation shall be in accordance with federal law and regulations applying to
9 paternity establishment and collection of support payments and may not be required
10 if the person has good cause for refusing to cooperate, as determined by the
11 department in accordance with federal law and regulations.

12 **SECTION 671m.** 49.45 (19) (c) of the statutes is amended to read:

13 49.45 (19) (c) ~~If the mother of a child was enrolled in a health maintenance~~
14 ~~organization or other prepaid health care plan under medical assistance at the time~~
15 ~~of the child's birth, The state may not seek recovery of birth expenses that may be~~
16 ~~recovered by the state under this subsection are the birth expenses incurred by the~~
17 ~~health maintenance organization or other prepaid health care plan.~~

18 **SECTION 672c.** 49.45 (23) of the statutes is repealed.

19 **SECTION 673g.** 49.45 (23) (g) of the statutes is repealed.

20 **SECTION 674g.** 49.45 (23b) of the statutes is repealed.

21 **SECTION 676m.** 49.45 (24L) of the statutes is created to read:

22 49.45 (24L) CRITICAL ACCESS REIMBURSEMENT PAYMENTS TO DENTAL PROVIDERS. (a)
23 Based on the criteria in pars. (b) and (c), the department shall increase
24 reimbursements to dental providers that meet quality of care standards, as
25 established by the department.

1 (b) In order to be eligible for enhanced reimbursement under this subsection,
2 the provider must meet one of the following qualifications:

3 1. For a nonprofit or public provider, 50 percent or more of the individuals
4 served by the provider are individuals who are without dental insurance or are
5 enrolled in the Medical Assistance program.

6 2. For a for-profit provider, 5 percent or more of the individuals served by the
7 provider are enrolled in the Medical Assistance program.

8 (c) For dental services rendered on or after January 1, 2020, by a qualified
9 nonprofit critical access dental provider, the department shall increase
10 reimbursement by 50 percent above the reimbursement rate that would otherwise
11 be paid to that provider. For dental services rendered on or after January 1, 2020,
12 by a qualified for-profit critical access dental provider, the department shall increase
13 reimbursement by 30 percent above the reimbursement rate that would otherwise
14 be paid to that provider. For dental providers rendering services to individuals in
15 managed care under the Medical Assistance program, for services rendered on or
16 after January 1, 2020, the department shall increase reimbursement to pay an
17 additional amount on the basis of the rate that would have been paid to the dental
18 provider had the individual not been enrolled in managed care.

19 (d) If a provider has more than one service location, the thresholds described
20 under par. (b) apply to each location, and payment for each service location would be
21 determined separately.”.

22 **75.** Page 352, line 24: delete the material beginning with that line and ending
23 with page 353, line 8, and substitute:

1 “49.45 (29w) (b) 1. b. “Telehealth” is means a service provided from a remote
2 location using a combination of interactive video, audio, and externally acquired
3 images through a networking environment between an individual or a provider at
4 an originating site and a provider at a remote location with the service being of
5 sufficient audio and visual fidelity and clarity as to be functionally equivalent to
6 face-to-face contact; or, in circumstances determined by the department, an
7 asynchronous transmission of digital clinical information through a secure
8 electronic communications system from one provider to another provider.
9 “Telehealth” does not include telephone conversations or Internet-based
10 communications between providers or between providers and individuals.”.

11 **76.** Page 353, line 9: delete that line and substitute:

12 “**SECTION 678b.** 49.45 (29y) (d) of the statutes is repealed.

13 **SECTION 679p.** 49.45 (30y) of the statutes is created to read:

14 49.45 (30y) CERTIFIED DOULA SERVICES; PILOT PROJECT. (a) In this subsection,
15 “certified doula” means an individual who has received certification from a doula
16 certifying organization recognized by the department.

17 (b) For purposes of this subsection, services provided by certified doulas include
18 continuous emotional and physical support during labor and birth of a child and
19 intermittent services during the prenatal and postpartum periods.

20 (c) Subject to par. (d), the department shall reimburse under the Medical
21 Assistance program benefits as provided under this subsection for pregnant women
22 enrolled in the Medical Assistance program who reside in the counties of Brown,
23 Dane, Milwaukee, Rock, or Sheboygan, or another county as determined by the
24 department.

1 (d) The department shall request from the secretary of the federal department
2 of health and human services any approval necessary to allow reimbursement under
3 the Medical Assistance program for services provided by a certified doula. The
4 department may not pay reimbursement unless federal approval is not required or
5 any required federal approval allowing reimbursement under s. 49.46 (2) (b) 12p. is
6 approved and in effect.”.

7 **77.** Page 353, line 11: delete the material beginning with that line and ending
8 with page 354, line 17, and substitute:

9 “49.45 (41) ~~MENTAL HEALTH CRISIS~~ CRISIS INTERVENTION SERVICES. (a) In this
10 subsection, “~~mental health crisis intervention services~~” means crisis intervention
11 services for the treatment of mental illness, intellectual disability, substance abuse,
12 and dementia that are provided by a ~~mental health~~ crisis intervention program
13 operated by, or under contract with, a county, if the county is certified as a medical
14 assistance provider.

15 (b) If a county elects to become certified as a provider of ~~mental health~~ crisis
16 intervention services, the county may provide ~~mental health~~ crisis intervention
17 services under this subsection in the county to medical assistance recipients through
18 the medical assistance program. A county that elects to provide the services shall
19 pay the amount of the allowable charges for the services under the medical
20 assistance program that is not provided by the federal government. The department
21 shall reimburse the county under this subsection only for the amount of the allowable
22 charges for those services under the medical assistance program that is provided by
23 the federal government.

24 **SECTION 681b.** 49.45 (41) (c) of the statutes is created to read:

1 49.45 (41) (c) Notwithstanding par. (b), if a county elects to deliver crisis
2 intervention services under the Medical Assistance program on a regional basis
3 according to criteria established by the department, all of the following apply:

4 1. After January 1, 2020, the department shall require the county to annually
5 contribute for the crisis intervention services an amount equal to 75 percent of the
6 county's expenditures for crisis intervention services under this subsection in
7 calendar year 2017, as determined by the department.

8 2. The department shall reimburse the provider of crisis intervention services
9 in the county the amount of allowable charges for those services under the Medical
10 Assistance program, including both the federal share and nonfederal share of those
11 charges, that exceeds the amount of the county contribution required under subd. 1.

12 3. If a county submits a certified cost report under s. 49.45 (52) (b) to claim
13 federal medical assistance funds, the claim based on certified costs made by a county
14 for amounts under subd. 2. may not include any part of the nonfederal share of the
15 amount under subd. 2.”.

16 **78.** Page 354, line 23: delete the material beginning with that line and ending
17 with page 355, line 6, and substitute:

18 “**SECTION 683b.** 49.45 (47) (dm) of the statutes is created to read:

19 49.45 (47) (dm) Every 24 months, on a schedule determined by the department,
20 an adult day care center shall submit through an online system prescribed by the
21 department a report in the form and containing the information that the department
22 requires, including payment of any fee due under par. (c). If a complete report is not
23 timely filed, the department shall issue a warning to the operator of the adult day
24 care center. The department may revoke an adult day care center's certification for

1 failure to timely and completely report within 60 days after the report date
2 established under the schedule determined by the department.”.

3 **79.** Page 355, line 6: after that line insert:

4 “**SECTION 685b.** 49.46 (1) (a) 1m. of the statutes is amended to read:

5 49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the
6 standard of need under s. 49.19 (11) and whose pregnancy is medically verified.
7 Eligibility continues to the last day of the month in which the 60th day or, if approved
8 by the federal government, the 365th day after the last day of the pregnancy falls.”.

9 **80.** Page 355, line 21: after that line insert:

10 “**SECTION 688b.** 49.46 (1) (j) of the statutes is amended to read:

11 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)
12 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and
13 to the last day of the month in which the 60th day or, if approved by the federal
14 government, the 365th day after the last day of the pregnancy falls without regard
15 to any change in the individual’s family income.”.

16 **81.** Page 356, line 2: after that line insert:

17 “**SECTION 690p.** 49.46 (2) (b) 12p. of the statutes is created to read:

18 49.46 (2) (b) 12p. Subject to the limitations under s. 49.45 (30y), services
19 provided by a certified doula.”.

20 **82.** Page 356, line 4: delete lines 4 and 5 and substitute:

21 “49.46 (2) (b) 15. ~~Mental health crisis~~ Crisis intervention services under s.
22 49.45 (41).”.

23 **83.** Page 356, line 5: after that line insert:

24 “**SECTION 691d.** 49.46 (2) (b) 21. of the statutes is created to read:

1 49.46 (2) (b) 21. Subject to par. (bv), nonmedical services that contribute to the
2 determinants of health.

3 **SECTION 691g.** 49.46 (2) (bv) of the statutes is created to read:

4 49.46 (2) (bv) The department shall determine those services under par. (b) 21.
5 that contribute to the determinants of health. The department shall seek any
6 necessary state plan amendment or request any waiver of federal Medicaid law to
7 implement this paragraph. The department is not required to provided the services
8 under this paragraph as a benefit under the Medical Assistance program if the
9 federal department of health and human services does not provide federal financial
10 participation for the services under this paragraph.

11 **SECTION 694h.** 49.463 of the statutes is repealed.

12 **SECTION 695b.** 49.47 (4) (ag) 2. of the statutes is amended to read:

13 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified
14 Eligibility continues to the last day of the month in which the 60th day or, if approved
15 by the federal government, the 365th day after the last day of the pregnancy falls.”.

16 **84.** Page 356, line 23: after that line insert:

17 “**SECTION 699c.** 49.471 (1) (cr) of the statutes is created to read:

18 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
19 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

20 **SECTION 700c.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

21 49.471 (4) (a) 4. b. The individual's family income does not exceed ~~100~~ 133
22 percent of the poverty line ~~before application of the 5 percent income disregard under~~
23 ~~42 CFR 435.603 (d).~~

24 **SECTION 701c.** 49.471 (4) (a) 8. of the statutes is created to read:

1 49.471 (4) (a) 8. An individual who meets all of the following criteria:

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

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

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

7 **SECTION 702c.** 49.471 (4g) of the statutes is created to read:

8 49.471 (4g) MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE. For
9 services provided to individuals described under sub. (4) (a) 8., the department shall
10 comply with all federal requirements to qualify for the highest available enhanced
11 federal medical assistance percentage. The department shall submit any
12 amendment to the state medical assistance plan, request for a waiver of federal
13 Medicaid law, or other approval request required by the federal government to
14 provide services to the individuals described under sub. (4) (a) 8. and qualify for the
15 highest available enhanced federal medical assistance percentage.

16 **SECTION 703b.** 49.471 (6) (b) of the statutes is amended to read:

17 49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits
18 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the
19 pregnancy and to the last day of the month in which the 60th day or, if approved by
20 the federal government, the 365th day after the last day of the pregnancy falls
21 without regard to any change in the woman's family income.

22 **SECTION 704b.** 49.471 (6) (L) of the statutes is created to read:

23 49.471 (6) (L) The department shall request from the federal department of
24 health and human services approval of a state plan amendment, a waiver of federal
25 Medicaid law, or approval of a demonstration project to maintain eligibility for

1 post-partum women to the last day of the month in which the 365th day after the
2 last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag)
3 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

4 **SECTION 705b.** 49.471 (7) (b) 1. of the statutes is amended to read:

5 49.471 (7) (b) 1. A pregnant woman whose family income exceeds 300 percent
6 of the poverty line may become eligible for coverage under this section if the
7 difference between the pregnant woman's family income and the applicable income
8 limit under sub. (4) (a) is obligated or expended for any member of the pregnant
9 woman's family for medical care or any other type of remedial care recognized under
10 state law or for personal health insurance premiums or for both. Eligibility obtained
11 under this subdivision continues without regard to any change in family income for
12 the balance of the pregnancy and to the last day of the month in which the 60th day
13 or, if approved by the federal government, the 365th day after the last day of the
14 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this
15 subdivision extends to all pregnant women in the pregnant woman's family.”.

16 **85.** Page 357, line 18: after that line insert:

17 “**SECTION 711c.** 49.686 (3) (d) of the statutes is amended to read:

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

24 **86.** Page 358, line 10: after that line insert:

1 **“SECTION 726m.** 49.855 (3) of the statutes is amended to read:

2 49.855 (3) Receipt of a certification by the department of revenue shall
3 constitute a lien, equal to the amount certified, on any state tax refunds or credits
4 owed to the obligor. The lien shall be foreclosed by the department of revenue as a
5 setoff under s. 71.93 (3), (6), and (7). When the department of revenue determines
6 that the obligor is otherwise entitled to a state tax refund or credit, it shall notify the
7 obligor that the state intends to reduce any state tax refund or credit due the obligor
8 by the amount the obligor is delinquent under the support, maintenance, or receiving
9 and disbursing fee order or obligation, by the outstanding amount for past support,
10 or medical expenses, or birth expenses under the court order, or by the amount due
11 under s. 46.10 (4), 49.345 (4), or 301.12 (4). The notice shall provide that within 20
12 days the obligor may request a hearing before the circuit court rendering the order
13 under which the obligation arose. Within 10 days after receiving a request for
14 hearing under this subsection, the court shall set the matter for hearing. Pending
15 further order by the court or a circuit court commissioner, the department of children
16 and families or its designee, whichever is appropriate, is prohibited from disbursing
17 the obligor’s state tax refund or credit. A circuit court commissioner may conduct the
18 hearing. The sole issues at that hearing shall be whether the obligor owes the
19 amount certified and, if not and it is a support or maintenance order, whether the
20 money withheld from a tax refund or credit shall be paid to the obligor or held for
21 future support or maintenance, except that the obligor’s ability to pay shall also be
22 an issue at the hearing if the obligation relates to an order ~~under s. 767.805 (4) (d)~~
23 1. or 767.89 (3) (e) 1. regarding birth expenses and the order specifies that the court
24 found that the obligor’s income was at or below the poverty line established under
25 42 USC 9902 (2).

1 **SECTION 727m.** 49.855 (4m) (b) of the statutes is amended to read:

2 49.855 (4m) (b) The department of revenue may provide a certification that it
3 receives under sub. (1), (2m), (2p), or (2r) to the department of administration. Upon
4 receipt of the certification, the department of administration shall determine
5 whether the obligor is a vendor or is receiving any other payments from this state,
6 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
7 45.40 (1m), this chapter, or ch. 46, 108, or 301. If the department of administration
8 determines that the obligor is a vendor or is receiving payments from this state,
9 except for wages, retirement benefits, or assistance under s. 45.352, 1971 stats., s.
10 45.40 (1m), this chapter, or ch. 46, 108, or 301, it shall begin to withhold the amount
11 certified from those payments and shall notify the obligor that the state intends to
12 reduce any payments due the obligor by the amount the obligor is delinquent under
13 the support, maintenance, or receiving and disbursing fee order or obligation, by the
14 outstanding amount for past support, or medical expenses, ~~or birth expenses~~ under
15 the court order, or by the amount due under s. 46.10 (4), 49.345 (4), or 301.12 (4). The
16 notice shall provide that within 20 days after receipt of the notice the obligor may
17 request a hearing before the circuit court rendering the order under which the
18 obligation arose. An obligor may, within 20 days after receiving notice, request a
19 hearing under this paragraph. Within 10 days after receiving a request for hearing
20 under this paragraph, the court shall set the matter for hearing. A circuit court
21 commissioner may conduct the hearing. Pending further order by the court or circuit
22 court commissioner, the department of children and families or its designee,
23 whichever is appropriate, may not disburse the payments withheld from the obligor.
24 The sole issues at the hearing are whether the obligor owes the amount certified and,
25 if not and it is a support or maintenance order, whether the money withheld shall be

1 paid to the obligor or held for future support or maintenance, except that the obligor's
2 ability to pay is also an issue at the hearing if the obligation relates to an order under
3 ~~s. 767.805 (4) (d) 1. or 767.89 (3) (e) 1.~~ regarding birth expenses and the order specifies
4 that the court found that the obligor's income was at or below the poverty line
5 established under 42 USC 9902 (2).".

6 **87.** Page 358, line 11: delete the material beginning with that line and ending
7 with page 359, line 11, and substitute:

8 **"SECTION 728b.** 50.03 (3) (b) (intro.) of the statutes is amended to read:

9 50.03 (3) (b) (intro.) The application for a license and, except as otherwise
10 provided in this subchapter, the report of a licensee shall be in writing upon forms
11 provided by the department and shall contain such information as the department
12 requires, including the name, address and type and extent of interest of each of the
13 following persons:

14 **SECTION 729b.** 50.03 (4) (c) 1. of the statutes is amended to read:

15 50.03 (4) (c) 1. A community-based residential facility license is valid until it
16 is revoked or suspended under this section. Every 24 months, on a schedule
17 determined by the department, a community-based residential facility licensee
18 shall submit through an online system prescribed by the department a biennial
19 report in the form and containing the information that the department requires,
20 including payment of ~~the fees required~~ any fee due under s. 50.037 (2) (a). If a
21 complete biennial report is not timely filed, the department shall issue a warning to
22 the licensee. The department may revoke a community-based residential facility
23 license for failure to timely and completely report within 60 days after the report date
24 established under the schedule determined by the department.

1 **SECTION 730b.** 50.033 (2m) of the statutes is amended to read:

2 50.033 **(2m)** REPORTING. Every 24 months, on a schedule determined by the
3 department, a licensed adult family home shall submit through an online system
4 prescribed by the department a biennial report in the form and containing the
5 information that the department requires, including payment of the any fee ~~required~~
6 due under sub. (2). If a complete biennial report is not timely filed, the department
7 shall issue a warning to the licensee. The department may revoke the license for
8 failure to timely and completely report within 60 days after the report date
9 established under the schedule determined by the department.”.

10 **88.** Page 359, line 22: delete the material beginning with that line and ending
11 with page 360, line 9, and substitute:

12 **“SECTION 732b.** 50.034 (2m) of the statutes is created to read:

13 50.034 **(2m)** REPORTING. Every 24 months, on a schedule determined by the
14 department, a residential care apartment complex shall submit through an online
15 system prescribed by the department a report in the form and containing the
16 information that the department requires, including payment of any fee required
17 under sub. (1). If a complete report is not timely filed, the department shall issue a
18 warning to the operator of the residential care apartment complex. The department
19 may revoke a residential care apartment complex’s certification or registration for
20 failure to timely and completely report within 60 days after the report date
21 established under the schedule determined by the department.”.

22 **89.** Page 363, line 8: after that line insert:

23 **“SECTION 746t.** 51.03 (7) of the statutes is created to read:

1 51.03 (7) From the appropriation under s. 20.435 (5) (dg), the department shall
2 award grants to regional crisis stabilization facilities for adults. The department
3 shall establish criteria for a regional crisis stabilization facility to receive a grant
4 under this subsection.”.

5 **90.** Page 364, line 14: delete the material beginning with that line and ending
6 with page 365, line 8, and substitute:

7 “**SECTION 750b.** 51.422 (1) of the statutes is amended to read:

8 51.422 (1) PROGRAM CREATION. The department shall create 2 or 3 new, regional
9 comprehensive opioid treatment programs, and in the 2017-19 fiscal biennium,
10 shall create 2 or 3 additional regional comprehensive opioid and methamphetamine
11 treatment programs, to provide treatment for opioid and opiate addiction and
12 methamphetamine addiction in underserved, high-need areas. The department
13 shall obtain and review proposals for opioid and methamphetamine treatment
14 programs in accordance with its request-for-proposal procedures. ~~A program under
15 this section may not offer methadone treatment.~~

16 **SECTION 751b.** 51.422 (2) of the statutes is amended to read:

17 51.422 (2) PROGRAM COMPONENTS. An opioid or methamphetamine treatment
18 program created under this section shall offer an assessment to individuals in need
19 of service to determine what type of treatment is needed. The program shall
20 transition individuals to a certified residential program, if that level of treatment is
21 necessary. The program shall provide counseling, medication-assisted treatment,
22 including ~~both long-acting opioid antagonist and partial agonist medications that~~
23 have been approved by the federal food and drug administration if for treating opioid
24 addiction, and abstinence-based treatment. The program shall transition

1 individuals who have completed treatment to county-based or private
2 post-treatment care.”.

3 **91.** Page 365, line 9: delete lines 9 to 16 and substitute:

4 “**SECTION 752b.** 51.441 of the statutes is created to read:

5 **51.441 Comprehensive mental health consultation program.** The
6 department shall convene a statewide group of interested persons, including at least
7 one representative of the Medical College of Wisconsin, to develop a concept paper,
8 business plan, and standards for a comprehensive mental health consultation
9 program that incorporates general psychiatry, geriatric psychiatry, addiction
10 medicine and psychiatry, a perinatal psychiatry consultation program, and the child
11 psychiatry consultation program under s. 51.442.”.

12 **92.** Page 369, line 19: after that line insert:

13 “**SECTION 775i.** 66.0137 (4) of the statutes is amended to read:

14 **66.0137 (4) SELF-INSURED HEALTH PLANS.** If a city, including a 1st class city, or
15 a village provides health care benefits under its home rule power, or if a town
16 provides health care benefits, to its officers and employees on a self-insured basis,
17 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
18 632.728, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853,
19 632.855, 632.867, 632.87 (4) to (6), 632.885, 632.89, 632.895 ~~(9)~~ (8) to (17), 632.896,
20 and 767.513 (4).”.

21 **93.** Page 418, line 7: after that line insert:

22 “**SECTION 1686i.** 120.13 (2) (g) of the statutes is amended to read:

23 120.13 **(2) (g)** Every self-insured plan under par. (b) shall comply with ss.
24 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.728, 632.746 (1) and (10) (a) 2. and (b)

1 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.867, 632.87 (4) to (6), 632.885,
2 632.89, 632.895 (9) (8) to (17), 632.896, and 767.513 (4).”.

3 **94.** Page 427, line 19: delete the material beginning with that line and ending
4 with page 428, line 18, and substitute:

5 **“SECTION 1764b.** 146.63 (2) (a) of the statutes is amended to read:

6 146.63 (2) (a) Subject to subs. (4) and (5), the department shall distribute
7 grants from the appropriation under s. 20.435 (1) ~~(f)~~ (4) (bf) to assist rural hospitals
8 and groups of rural hospitals in procuring infrastructure and increasing case volume
9 to the extent necessary to develop accredited graduate medical training programs.
10 The department shall distribute the grants under this paragraph to rural hospitals
11 and groups of rural hospitals that apply to receive a grant under sub. (3) and that
12 satisfy the criteria established by the department under par. (b) and the eligibility
13 requirement under sub. (6).

14 **SECTION 1765b.** 146.63 (6) (intro.) of the statutes is amended to read:

15 146.63 (6) ELIGIBILITY. (intro.) A rural hospital or group of rural hospitals may
16 only receive a grant under sub. (3) if the plan to use the funds involves developing
17 an accredited graduate medical training program in ~~any of the following specialties~~
18 a specialty, including any of the following:

19 **SECTION 1766b.** 146.64 (2) (c) 1. of the statutes is amended to read:

20 146.64 (2) (c) 1. The department shall distribute funds for grants under par.
21 (a) from the appropriation under s. 20.435 (4) ~~(b)~~ (bf). The department may not
22 distribute more than \$225,000 from the appropriation under s. 20.435 (4) ~~(b)~~ (bf) to
23 a particular hospital in a given state fiscal year and may not distribute more than

1 \$75,000 from the appropriation under s. 20.435 (4) ~~(b)~~ (bf) to fund a given position
2 in a graduate medical training program in a given state fiscal year.

3 **SECTION 1767b.** 146.64 (4) (intro.) of the statutes is amended to read:

4 146.64 (4) ELIGIBILITY. (intro.) A hospital that has an accredited graduate
5 medical training program in ~~any of the following specialties~~ a specialty, including
6 any of the following, may apply to receive a grant under sub. (3):”.

7 **95.** Page 430, line 15: after that line insert:

8 “**SECTION 1801i.** 185.983 (1) (intro.) of the statutes is amended to read:

9 185.983 (1) (intro.) Every voluntary nonprofit health care plan operated by a
10 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
11 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
12 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,
13 631.95, 632.72 (2), 632.728, 632.745 to 632.749, 632.775, 632.79, 632.795, 632.798,
14 632.85, 632.853, 632.855, 632.867, 632.87 (2) to (6), 632.885, 632.89, 632.895 (5) and
15 (8) to (17), 632.896, and 632.897 (10) and chs. 609, 620, 630, 635, 645, and 646, but
16 the sponsoring association shall.”.

17 **96.** Page 433, line 4: after that line insert:

18 “**SECTION 1891b.** 250.048 of the statutes is created to read:

19 **250.048 Prescription drug importation program.** (1) IMPORTATION
20 PROGRAM REQUIREMENTS. The department, in consultation with persons interested in
21 the sale and pricing of prescription drugs and appropriate officials and agencies of
22 the federal government, shall design and implement a prescription drug importation
23 program for the benefit of residents of this state, that generates savings for residents,
24 and that satisfies all of the following:

1 (a) The department shall designate a state agency to become a licensed
2 wholesale distributor or to contract with a licensed wholesale distributor and shall
3 seek federal certification and approval to import prescription drugs.

4 (b) The prescription drug importation program under this section shall comply
5 with relevant requirements of 21 USC 384, including safety and cost savings
6 requirements.

7 (c) The prescription drug importation program under this section shall import
8 prescription drugs from Canadian suppliers regulated under any appropriate
9 Canadian or provincial laws.

10 (d) The prescription drug importation program under this section shall have
11 a process to sample the purity, chemical composition, and potency of imported
12 prescription drugs.

13 (e) The prescription drug importation program under this section shall import
14 only those prescription drugs for which importation creates substantial savings for
15 residents of the state and only those prescription drugs that are not brand-name
16 drugs and that have fewer than 4 competitor prescription drugs in the United States.

17 (f) The department shall ensure that prescription drugs imported under the
18 program under this section are not distributed, dispensed, or sold outside of the
19 state.

20 (g) The prescription drug importation program under this section shall ensure
21 all of the following:

22 1. Participation by any pharmacy or health care provider in the program is
23 voluntary.

24 2. Any pharmacy or health care provider participating in the program has the
25 appropriate license or other credential in this state.

1 3. Any pharmacy or health care provider participating in the program charges
2 a consumer or health plan the actual acquisition cost of the imported prescription
3 drug that is dispensed.

4 (h) The prescription drug importation program under this section shall ensure
5 that a payment by a health plan or health insurance policy for a prescription drug
6 imported under the program reimburses no more than the actual acquisition cost of
7 the imported prescription drug that is dispensed.

8 (i) The prescription drug importation program under this section shall ensure
9 that any health plan or health insurance policy participating in the program does all
10 of the following:

11 1. Maintains a formulary and claims payment system with current information
12 on prescription drugs imported under the program.

13 2. Bases cost-sharing amounts for participants or insureds under the plan or
14 policy on no more than the actual acquisition cost of the prescription drug imported
15 under the program that is dispensed to the participant or insured.

16 3. Demonstrates to the department or a state agency designated by the
17 department how premiums under the policy or plan are affected by savings on
18 prescription drugs imported under the program.

19 (j) Any wholesale distributor importing prescription drugs under the program
20 under this section shall limit its profit margin to the amount established by the
21 department or a state agency designated by the department.

22 (k) The prescription drug importation program under this section may not
23 import any generic prescription drug that would violate federal patent laws on
24 branded products in this country.

1 (L) The prescription drug importation program under this section shall comply
2 to the extent practical and feasible before the prescription drug to be imported comes
3 into possession of the state's wholesale distributor and fully after the prescription
4 drug to be imported is in possession of the state's wholesale distributor with tracking
5 and tracing requirements of 21 USC 360eee to 360eee-1.

6 (m) The prescription drug importation program under this section shall
7 establish a fee or other approach to finance the program that does not jeopardize
8 significant savings to residents of the state.

9 (n) The prescription drug importation program under this section shall have
10 an audit function that ensures all of the following:

11 1. The department has a sound methodology to determine the most
12 cost-effective prescription drugs to include in the importation program under this
13 section.

14 2. The department has a process in place to select Canadian suppliers that are
15 high quality, high performing, and in full compliance with Canadian laws.

16 3. Prescription drugs imported under the program are pure, unadulterated,
17 potent, and safe.

18 4. The prescription drug importation program is complying with the
19 requirements of this subsection.

20 5. The prescription drug importation program under this section is adequately
21 financed to support administrative functions of the program while generating
22 significant cost savings to residents of the state.

23 6. The prescription drug importation program under this section does not put
24 residents of the state at a higher risk than if the program did not exist.

1 7. The prescription drug importation program under this section provides and
2 is projected to continue to provide substantial cost savings to residents of the state.

3 **(2) ANTICOMPETITIVE BEHAVIOR.** The department, in consultation with the
4 attorney general, shall identify the potential for and monitor anticompetitive
5 behavior in industries affected by a prescription drug importation program.

6 **(3) APPROVAL OF PROGRAM DESIGN; CERTIFICATION.** No later than the first day of
7 the 7th month beginning after the effective date of this subsection [LRB inserts
8 date], the department shall submit to the joint committee on finance a report that
9 includes the design of the prescription drug importation program in accordance with
10 this section. The department may not submit the proposed prescription drug
11 importation program to the federal department of health and human services unless
12 the joint committee on finance approves the proposed prescription drug
13 implementation program. Within 14 days of the date of approval by the joint
14 committee on finance of the proposed prescription drug importation program, the
15 department shall submit to the federal department of health and human services a
16 request for certification of the approved prescription drug importation program.

17 **(4) IMPLEMENTATION OF CERTIFIED PROGRAM.** After the federal department of
18 health and human services certifies the prescription drug importation program
19 submitted under sub. (3), the department shall begin implementation of the program
20 and the program shall be fully operational by 180 days after the date of certification
21 by the federal department of health and human services. The department shall do
22 all of the following to implement the prescription drug importation program to the
23 extent the action is in accordance with other state laws and the certification by the
24 federal department of health and human services:

1 (a) Become a licensed wholesale distributor, designate another state agency to
2 become a licensed wholesale distributor, or contract with a licensed wholesale
3 distributor.

4 (b) Contract with one or more Canadian suppliers that meet the criteria in sub.
5 (1) (c).

6 (c) Create an outreach and marketing plan to communicate with and provide
7 information to health plans and health insurance policies, employers, pharmacies,
8 health care providers, and residents of the state on participating in the prescription
9 drug importation program.

10 (d) Develop and implement a registration process for health plans and health
11 insurance policies, pharmacies, and health care providers interested in participating
12 in the prescription drug importation program.

13 (e) Create a publicly accessible source for listing prices of prescription drugs
14 imported under the program.

15 (f) Create, publicize, and implement a method of communication to promptly
16 answer questions from and address the needs of persons affected by the
17 implementation of the program before the program is fully operational.

18 (g) Establish the audit functions under sub. (1) (n) with a timeline to complete
19 each audit function every 2 years.

20 (h) Conduct any other activities determined by the department to be important
21 to successful implementation of the prescription drug importation program under
22 this section.

23 **(5) REPORT.** By January 1 and July 1 of each year, the department shall submit
24 to the joint committee on finance a report including all of the following:

1 (a) A list of prescription drugs included in the importation program under this
2 section.

3 (b) The number of pharmacies, health care providers, and health plans and
4 health insurance policies participating in the prescription drug importation program
5 under this section.

6 (c) The estimated amount of savings to residents of the state, health plans and
7 health insurance policies, and employers resulting from the implementation of the
8 prescription drug importation program under this section reported from the date of
9 the previous report under this subsection and from the date the program was fully
10 operational.

11 (d) Findings of any audit functions under sub. (1) (n) completed since the date
12 of the previous report under this subsection.”

13 **97.** Page 433, line 5: delete lines 5 to 11 and substitute:

14 “**SECTION 1892b.** 250.10 (1m) (b) of the statutes is amended to read:

15 250.10 (**1m**) (b) Award in each fiscal year to qualified applicants grants totaling
16 ~~\$25,000~~ no less than \$50,000 for fluoride supplements, ~~\$25,000 for a fluoride~~
17 ~~mouth-rinse program~~ varnish and other evidence-based oral health activities,
18 \$700,000 for school-based preventive dental services, and ~~\$120,000 for a~~
19 ~~school-based dental sealant program~~ \$100,000 for school-based restorative dental
20 services.”

21 **98.** Page 433, line 12: delete the material beginning with that line and ending
22 with page 434, line 2, and substitute:

23 “**SECTION 1893b.** 250.20 (3) of the statutes is amended to read:

1 250.20 (3) From the appropriation account under s. 20.435 (1) (~~kb~~) (cr), the
2 department shall annually award grants for activities to improve the health status
3 of economically disadvantaged minority group members. A person may apply, in the
4 manner specified by the department, for a grant of up to \$50,000 in each fiscal year
5 to conduct these activities. An awardee of a grant under this subsection shall
6 provide, for at least 50 percent of the grant amount, matching funds that may consist
7 of funding or an in-kind contribution. An applicant that is not a federally qualified
8 health center, as defined under 42 CFR 405.2401 (b) shall receive priority for grants
9 awarded under this subsection. An applicant that provides maternal and child
10 health services shall receive priority for grants awarded under this subsection.

11 **SECTION 1894b.** 250.20 (4) of the statutes is amended to read:

12 250.20 (4) From the appropriation account under s. 20.435 (1) (~~kb~~) (cr), the
13 department shall award a grant of up to \$50,000 in each fiscal year to a private
14 nonprofit corporation that applies, in the manner specified by the department, to
15 conduct a public information campaign on minority health.”.

16 **99.** Page 434, line 3: delete the material beginning with that line and ending
17 with page 445, line 17, and substitute:

18 **“SECTION 1896b.** 253.06 (1) (a) of the statutes is renumbered 253.06 (1) (am)
19 and amended to read:

20 253.06 (1) (am) “~~Authorized~~ Approved food” means food identified by the
21 department as an authorized food in accordance with 7 CFR 246.10 as acceptable for
22 use under the federal special supplemental food nutrition program for women,
23 infants and children under 42 USC 1786.

24 **SECTION 1897b.** 253.06 (1) (ag) of the statutes is created to read:

1 253.06 (1) (ag) “Alternate participant” means a person who has been
2 authorized by a participant to request benefits, participate in nutrition education,
3 bring an infant or child to a Women, Infants, and Children program appointment,
4 and have access to information in the participant’s file.

5 **SECTION 1898b.** 253.06 (1) (b) of the statutes is repealed.

6 **SECTION 1899b.** 253.06 (1) (br) of the statutes is created to read:

7 253.06 (1) (br) “Cardholder” means a participant; alternate participant;
8 parent, legal guardian, or caretaker of a participant; or another person in possession
9 of a Women, Infants, and Children program electronic benefit transfer card and the
10 personal identification number for the card.

11 **SECTION 1900b.** 253.06 (1) (c) of the statutes is repealed.

12 **SECTION 1901b.** 253.06 (1) (cm) of the statutes is amended to read:

13 253.06 (1) (cm) “~~Foed~~ Direct distribution center” means an entity, other than
14 a vendor, that is under contract with the department under sub. (3m) to distribute
15 ~~authorized~~ approved food to participants.

16 **SECTION 1902b.** 253.06 (1) (cp), (cr), (ct) and (cv) of the statutes are created to
17 read:

18 253.06 (1) (cp) “Electronic benefit transfer” means a method that permits
19 electronic access to Women, Infants, and Children program benefits using a device,
20 approved by the department, with payments made in accordance with ch. 410.

21 (cr) “Food instrument” means a voucher, check, electronic benefit transfer card,
22 electronic benefit transfer card number and personal identification number, coupon,
23 or other method used by a participant to obtain Women, Infants, and Children
24 program approved foods.

1 (ct) “Infant formula supplier” means a wholesaler, distributor, retailer, or
2 manufacturer of infant formula.

3 (cv) “Local agency” means an entity that has a contract with the department
4 to provide services under the Women, Infants, and Children program such as
5 eligibility determination, benefit issuance, and nutritional counseling for
6 participants.

7 **SECTION 1903b.** 253.06 (1) (dm) of the statutes is repealed.

8 **SECTION 1904b.** 253.06 (1) (dr) and (dv) of the statutes are created to read:

9 253.06 (1) (dr) “Summary suspension” means an emergency action taken by the
10 department to suspend an authorization under the Women, Infants, and Children
11 program.

12 (dv) “Trafficking” means doing any of the following:

13 1. Buying, selling, stealing, or otherwise exchanging for cash or consideration
14 other than approved food Women, Infants, and Children program food instruments
15 or benefits that are issued and accessed via a food instrument.

16 2. Exchanging firearms, ammunition, explosives, or controlled substances, as
17 defined in 21 USC 802, for a food instrument.

18 3. Intentionally purchasing and reselling for cash or consideration other than
19 approved food a product that is purchased with a food instrument.

20 4. Intentionally purchasing with cash or consideration other than approved
21 food a product that was originally purchased with a food instrument.

22 **SECTION 1905b.** 253.06 (1) (e) of the statutes is amended to read:

23 253.06 (1) (e) “Vendor” means a ~~grocery store or pharmacy that sells authorized~~
24 person that operates one or more stores or pharmacies authorized by the department
25 under sub. (3) to provide approved foods under a retail food delivery system.

1 **SECTION 1906b.** 253.06 (1) (f) of the statutes is repealed.

2 **SECTION 1907b.** 253.06 (1) (g) of the statutes is created to read:

3 253.06 (1) (g) “Women, Infants, and Children program” means the federal
4 special supplemental nutrition program for women, infants and children under 42
5 USC 1786 and this section.

6 **SECTION 1908b.** 253.06 (1m) of the statutes is created to read:

7 253.06 (1m) PROGRAM ADMINISTRATION. (a) The department may identify an
8 alternate participant as the Women, Infants, and Children program cardholder for
9 purposes of electronic administration of the Women, Infants, and Children program.

10 **SECTION 1909b.** 253.06 (3) (a) (intro.) of the statutes is amended to read:

11 253.06 (3) (a) (intro.) The department may authorize a vendor ~~to accept drafts~~
12 only if the vendor meets all of the following conditions:

13 **SECTION 1910b.** 253.06 (3) (a) 5. of the statutes is created to read:

14 253.06 (3) (a) 5. The vendor has an electronic benefit transfer-capable cash
15 register system or payment device, approved by the department, that is able to
16 accurately and securely obtain Women, Infants, and Children program food balances
17 associated with the electronic benefit transfer card, maintain the necessary
18 electronic files such as the approved food list, successfully complete Women, Infants,
19 and Children program electronic benefit transfer purchases, and process Women,
20 Infants, and Children program electronic benefit transfer payments.

21 **SECTION 1911b.** 253.06 (3) (bg) of the statutes is amended to read:

22 253.06 (3) (bg) The department may limit the number of vendors that it
23 authorizes under this subsection if the department determines that the number of
24 vendors already authorized under this subsection is sufficient to permit participants
25 to obtain ~~authorized~~ approved food conveniently.

1 **SECTION 1912b.** 253.06 (3) (c) of the statutes is amended to read:

2 253.06 (3) (c) The department may ~~not~~ redeem ~~drafts~~ food instruments only
3 when submitted by a person who is ~~not~~ an authorized vendor under this subsection
4 except as provided in sub. (3m).

5 **SECTION 1913b.** 253.06 (3) (d) of the statutes is created to read:

6 253.06 (3) (d) Each store operated by a business entity is a separate vendor for
7 purposes of this section and is required to have a single, fixed location, except when
8 the authorization of mobile stores is necessary to meet special needs in accordance
9 with 7 CFR 246.4 (1) (14) (xiv). The department shall require that each store be
10 authorized as a vendor separately from other stores operated by the business entity.

11 **SECTION 1914b.** 253.06 (3m) (title) and (a) (intro.) of the statutes are amended
12 to read:

13 253.06 (3m) (title) ~~FOOD~~ DIRECT DISTRIBUTION CENTERS. (a) (intro.) The
14 department may contract for an alternative system of ~~authorized~~ approved food
15 distribution with an entity other than a vendor only if the entity meets all of the
16 following requirements:

17 **SECTION 1915b.** 253.06 (3m) (a) 4. of the statutes is created to read:

18 253.06 (3m) (a) 4. The entity has an electronic benefit transfer-capable cash
19 register system or payment device, approved by the department, that is able to
20 accurately and securely obtain Women, Infants, and Children program food balances
21 associated with the electronic benefit transfer card, maintain the necessary files,
22 successfully complete Women, Infants, and Children program electronic benefit
23 transfer purchases, and process Women, Infants, and Children program electronic
24 benefit transfer payments.

25 **SECTION 1916b.** 253.06 (3m) (b) of the statutes is amended to read:

1 253.06 (3m) (b) The department ~~shall redeem valid drafts~~ may process a
2 payment if submitted by a food direct distribution center that is authorized by the
3 department under this subsection.

4 **SECTION 1917b.** 253.06 (4) (a) 1. of the statutes is amended to read:

5 253.06 (4) (a) 1. ~~Accept drafts or submit drafts~~ a food instrument or submit a
6 request to the department for redemption without authorization.

7 **SECTION 1918b.** 253.06 (4) (a) 2. of the statutes is repealed.

8 **SECTION 1919b.** 253.06 (4) (a) 2m. of the statutes is created to read:

9 253.06 (4) (a) 2m. Engage in trafficking.

10 **SECTION 1920b.** 253.06 (4) (a) 3. to 4. of the statutes are amended to read:

11 253.06 (4) (a) 3. Accept a ~~draft~~ food instrument other than in exchange for
12 authorized approved food that is provided by the ~~person selected by the electronic~~
13 benefit transfer cardholder.

14 3m. Provide authorized approved food or other commodities to ~~a participant~~
15 ~~or proxy~~ an electronic benefit transfer cardholder in exchange for a ~~draft~~ food
16 instrument accepted by a 3rd party.

17 4. ~~Enter on a draft~~ Submit a payment request for a dollar amount that is higher
18 than the actual retail price of the item for which ~~the draft~~ a food instrument was used.

19 **SECTION 1921b.** 253.06 (4) (a) 5. of the statutes is repealed.

20 **SECTION 1922b.** 253.06 (4) (a) 5m. of the statutes is created to read:

21 253.06 (4) (a) 5m. Confiscate a food instrument or ask for or enter the electronic
22 benefit transfer cardholder's personal identification number.

23 **SECTION 1923b.** 253.06 (4) (a) 6. and 8. of the statutes are repealed.

24 **SECTION 1924b.** 253.06 (4) (a) 9. of the statutes is amended to read:

1 253.06 (4) (a) 9. ~~Submit for redemption a draft~~ Provide to someone other than
2 the department a food instrument; a Women, Infants, and Children program
3 electronic benefit transfer card; or food purchased with a food instrument for
4 something of value.

5 **SECTION 1925b.** 253.06 (4) (a) 10. of the statutes is repealed.

6 **SECTION 1926b.** 253.06 (5) (a) 1. and 2. of the statutes are amended to read:

7 253.06 (5) (a) 1. Minimum qualification standards for the authorization of
8 vendors and infant formula suppliers and for the awarding of a contract to an entity
9 under sub. (3m).

10 2. Standards of operation for authorized vendors and infant formula suppliers
11 and ~~food~~ direct distribution centers, including prohibited practices.

12 **SECTION 1927b.** 253.06 (5) (b) 1. to 3. of the statutes are amended to read:

13 253.06 (5) (b) 1. Denial of the application to be a participant or authorized
14 vendor or infant formula supplier.

15 2. ~~Suspension~~ Summary suspension or termination of authorization for an
16 authorized vendor or infant formula supplier or, in the case of a ~~food~~ direct
17 distribution center, termination of the contract.

18 3. Disqualification from the program under this section for a vendor, infant
19 formula supplier, or participant.

20 **SECTION 1928b.** 253.06 (5) (b) 6. to 8. of the statutes are created to read:

21 253.06 (5) (b) 6. Civil monetary penalty.

22 7. Warning letter.

23 8. Implementation of a corrective action plan.

24 **SECTION 1929b.** 253.06 (5) (d) (intro.) and 6. of the statutes are amended to
25 read:

1 253.06 (5) (d) (intro.) The department may directly assess a forfeiture provided
2 for under par. (b) 4., recoupment provided for under par. (b) 5. and an enforcement
3 assessment provided for under par. (c). If the department determines that a
4 forfeiture, recoupment or enforcement assessment should be levied, or that
5 authorization or eligibility should be summarily suspended or terminated, for a
6 particular violation or for failure to correct it, the department shall send a notice of
7 assessment, summary suspension or termination to the vendor, ~~food~~ infant formula
8 supplier, direct distribution center or participant. The notice shall inform the
9 vendor, ~~food~~ infant formula supplier, direct distribution center or participant of the
10 right to a hearing under sub. (6) and shall specify all of the following:

11 6. If applicable, ~~that the suspension or termination of authorization of the~~
12 ~~vendor or eligibility of the participant is effective beginning on the 15th day after~~
13 ~~receipt~~ date of the notice of summary suspension or termination.

14 **SECTION 1930b.** 253.06 (5) (e) of the statutes is renumbered 253.06 (5) (e) 1. and
15 amended to read:

16 253.06 (5) (e) 1. The ~~suspension or~~ termination of authorization of a vendor,
17 infant formula supplier, or direct distribution center or eligibility of a participant
18 shall be effective beginning on the 15th day after receipt of the notice of ~~suspension~~
19 ~~or~~ termination.

20 2. All forfeitures, recoupments, and enforcement assessments shall be paid to
21 the department within 15 days after receipt of notice of assessment or, if the
22 forfeiture, recoupment, or enforcement assessment is contested under sub. (6),
23 within 10 days after receipt of the final decision after exhaustion of administrative
24 review, unless the final decision is adverse to the department or unless the final
25 decision is appealed and the decision is stayed by court order under sub. (7). The

1 department shall remit all forfeitures paid to the secretary of administration for
2 deposit in the school fund. The department shall deposit all enforcement
3 assessments in the appropriation under s. 20.435 (1) (gr).

4 **SECTION 1931b.** 253.06 (5) (e) 3. of the statutes is created to read:

5 253.06 (5) (e) 3. The summary suspension of authorization of a vendor, infant
6 formula supplier, or direct distribution center shall be effective immediately upon
7 receipt of the notice under par. (d).

8 **SECTION 1932b.** 253.06 (6) (b) of the statutes is amended to read:

9 253.06 (6) (b) A person may contest an assessment of forfeiture, recoupment
10 or enforcement assessment, a denial, ~~suspension~~ or termination of authorization, a
11 civil monetary penalty assessed in lieu of disqualification, a summary suspension,
12 or a suspension or termination of eligibility by sending a written request for hearing
13 under s. 227.44 to the division of hearings and appeals in the department of
14 administration within 10 days after the receipt of the notice issued under sub. (3)
15 (bm) or (5) (d). The administrator of the division of hearings and appeals may
16 designate a hearing examiner to preside over the case and recommend a decision to
17 the administrator under s. 227.46. The decision of the administrator of the division
18 of hearings and appeals shall be the final administrative decision. The division of
19 hearings and appeals shall commence the hearing and issue a final decision within
20 60 days after receipt of the request for hearing unless all of the parties consent to a
21 later date. Proceedings before the division of hearings and appeals are governed by
22 ch. 227. In any petition for judicial review of a decision by the division of hearings
23 and appeals, the department, if not the petitioner who was in the proceeding before
24 the division of hearings and appeals, shall be the named respondent.

25 **SECTION 1933b.** 253.06 (8) of the statutes is amended to read:

1 253.06 (8) INSPECTION OF PREMISES. The department may visit and inspect each
2 authorized vendor and infant formula supplier and each food direct distribution
3 center, and for such purpose shall be given unrestricted access to the premises
4 described in the authorization or contract.

5 **SECTION 1934b.** 253.06 (9) and (10) of the statutes are created to read:

6 253.06 (9) CONFIDENTIALITY OF APPLICANT AND PARTICIPANT INFORMATION. (a) Any
7 information about an applicant or participant, whether it is obtained from the
8 applicant or participant or another source or is generated as a result of application
9 for the Women, Infants, and Children program, that identifies the applicant or
10 participant or a family member of the applicant or participant is confidential.

11 (b) Except as explicitly permitted under this section, the department shall
12 restrict the use and disclosure of confidential applicant and participant information
13 to any person directly connected with the administration or enforcement of the
14 Women, Infants, and Children program that the department determines has a need
15 to know the information for Women, Infants, and Children program purposes.
16 Persons who may be allowed to access confidential information under this paragraph
17 include personnel from the local agencies, persons under contract with the
18 department to perform research regarding the Women, Infants, and Children
19 program, and persons that are investigating or prosecuting Women, Infants, and
20 Children program violations of federal, state, or local law.

21 (c) The department or any local agency may use or disclose to public
22 organizations confidential applicant and participant information for the
23 administration of other programs that serve individuals eligible for the Women,
24 Infants, and Children program in accordance with 7 CFR 246.26 (h).

1 (d) Staff of the department and local agencies who are required by state law to
2 report known or suspected child abuse or neglect may disclose confidential applicant
3 and participant information without the consent of the participant or applicant to
4 the extent necessary to comply with the law.

5 (e) Except in the case of subpoenas or search warrants, the department and
6 local agencies may disclose confidential applicant and participant information to
7 individuals or entities not listed in this section only if the affected applicant or
8 participant signs a release form authorizing the disclosure and specifying the parties
9 to which the information may be disclosed. The department or local agency shall
10 allow applicants and participants to refuse to sign the release form and shall notify
11 the applicant or participant that signing the form is not a condition of eligibility and
12 refusing to sign the form will not affect the applicant's or participant's application
13 or participation in the Women, Infants, and Children program. Release forms
14 authorizing disclosure to private physicians or other health care providers may be
15 included as part of the Women, Infants, and Children program application or
16 certification process. All other requests for applicants or participants to sign
17 voluntary release forms may occur only after the application and certification
18 process is complete.

19 (f) The department or local agency shall provide to an applicant or participant
20 access to all information he or she has provided to the Women, Infants, and Children
21 program. In the case of an applicant or participant who is an infant or child, the
22 access may be provided to a parent or guardian of the infant or child, assuming that
23 any issues regarding custody or guardianship have been settled. The department or
24 local agency is not required to provide the applicant or participant or parent or
25 guardian of an infant or child applicant or participant access to any other

1 information in the file or record, including documentation of income provided by a
2 3rd party and staff assessments of an applicant or participant's condition or
3 behavior, unless required by law or unless the information supports a state or local
4 agency decision being appealed under 7 CFR 246.9.

5 **(10) CONFIDENTIALITY OF VENDOR INFORMATION.** (a) Any information about a
6 vendor, whether it is obtained from the vendor or another source, that individually
7 identifies the vendor except for the vendor's name, address, telephone number,
8 Internet or electronic mail address, store type, and Women, Infants, and Children
9 program authorization status is confidential. The department shall restrict the use
10 or disclosure of confidential vendor information to any of the following:

11 1. Persons directly connected with the administration or enforcement of the
12 Women, Infants, and Children program or the food stamp program under s. 49.79
13 that the department determines has a need to know the information for purposes of
14 these programs. These persons may include personnel from local agencies and
15 persons investigating or prosecuting violations of Women, Infants, and Children
16 program or food stamp program federal, state, or local laws.

17 2. Persons directly connected with the administration or enforcement of any
18 federal or state law or local ordinance. Before releasing information to a state or local
19 entity, the department shall enter into a written agreement with the requesting
20 party specifying that the information may not be used or redisclosed except for
21 purposes directly connected with the administration or enforcement of the federal or
22 state law or local ordinance.

23 3. A vendor that is subject to an adverse action under sub. (5), including a claim,
24 to the extent that the confidential information concerns the vendor that is subject to
25 the adverse action and is related to the adverse action.

1 (b) The department may disclose to all authorized vendors and applicants to
2 be a vendor sanctions that have been imposed on vendors if the disclosure identifies
3 only the vendor's name, address, length of the disqualification or amount of the
4 monetary penalty, and a summary of the reason for the sanction provided in the
5 notice of adverse action under sub. (5). The information under this paragraph may
6 be disclosed only after all administrative and judicial review is exhausted and the
7 department has prevailed regarding the sanction imposed on the vendor or after the
8 time period for requesting administrative and judicial review has expired.”.

9 **100.** Page 445, line 17: after that line insert:

10 “**SECTION 1935w.** 253.07 (1) (a) 3. of the statutes is created to read:

11 253.07 (1) (a) 3. Pregnancy termination.

12 **SECTION 1936w.** 253.07 (1) (b) 3. of the statutes is created to read:

13 253.07 (1) (b) 3. Pregnancy termination.

14 **SECTION 1937w.** 253.07 (5) (b) (intro.) of the statutes is renumbered 253.07 (5)

15 (b) and amended to read:

16 253.07 (5) (b) ~~Subject to par. (c), a~~ A public entity that receives women's health
17 funds under this section may provide some or all of the funds to other public or
18 private entities ~~provided that the recipient of the funds does not do any of the~~
19 ~~following:~~.

20 **SECTION 1938w.** 253.07 (5) (b) 1. to 3. of the statutes are repealed.

21 **SECTION 1939w.** 253.07 (5) (c) of the statutes is repealed.

22 **SECTION 1940w.** 253.075 of the statutes is repealed.”.

23 **101.** Page 446, line 1: delete lines 1 to 2 and substitute:

1 “254.151 (2m) Award grants for residential lead hazard abatement, residential
2 lead hazard reduction, and lead abatement worker training.”.

3 **102.** Page 448, line 25: delete the material beginning with that line and
4 ending with page 449, line 2, and substitute:

5 “**SECTION 1950m.** 255.06 (2) (i) of the statutes is amended to read:

6 255.06 (2) (i) *Multiple sclerosis services.* Allocate and expend at least up to
7 \$60,000 as reimbursement for the provision of multiple sclerosis services to women.”.

8 **103.** Page 454, line 2: after that line insert:

9 “**SECTION 2069f.** 601.83 (1) (a) of the statutes is amended to read:

10 601.83 (1) (a) The commissioner shall administer a state-based reinsurance
11 program known as the healthcare stability plan in accordance with the specific terms
12 and conditions approved by the federal department of health and human services
13 dated July 29, 2018. Before December 31, 2023, the commissioner may not request
14 from the federal department of health and human services a modification,
15 suspension, withdrawal, or termination of the waiver under 42 USC 18052 under
16 which the healthcare stability plan under this subchapter operates unless
17 legislation has been enacted specifically directing the modification, suspension,
18 withdrawal, or termination. Before December 31, 2023, the commissioner may
19 request renewal, without substantive change, of the waiver under 42 USC 18052
20 under which the health care stability plan operates ~~in accordance with s. 20.940 (4)~~
21 unless legislation has been enacted that is contrary to such a renewal request. ~~The~~
22 ~~commissioner shall comply with applicable timing in and requirements of s. 20.940.”.~~

23 **SECTION 2070i.** 609.713 of the statutes is created to read:

1 **609.713 Essential health benefits; preventive services.** Defined network
2 plans and preferred provider plans are subject to s. 632.895 (13m) and (14m).

3 **SECTION 2071i.** 609.847 of the statutes is created to read:

4 **609.847 Preexisting condition discrimination and certain benefit**
5 **limits prohibited.** Limited service health organizations, preferred provider plans,
6 and defined network plans are subject to s. 632.728.

7 **SECTION 2072i.** 625.12 (1) (a) of the statutes is amended to read:

8 625.12 (1) (a) Past and prospective loss and expense experience within and
9 outside of this state, except as provided in s. 632.728.

10 **SECTION 2073i.** 625.12 (1) (e) of the statutes is amended to read:

11 625.12 (1) (e) Subject to s. ss. 632.365 and 632.728, all other relevant factors,
12 including the judgment of technical personnel.

13 **SECTION 2074i.** 625.12 (2) of the statutes is amended to read:

14 625.12 (2) CLASSIFICATION. ~~Risks~~ Except as provided in s. 632.728, risks may
15 be classified in any reasonable way for the establishment of rates and minimum
16 premiums, except that no classifications may be based on race, color, creed or
17 national origin, and classifications in automobile insurance may not be based on
18 physical condition or developmental disability as defined in s. 51.01 (5). Subject to
19 ~~s. ss. 632.365 and 632.728~~, rates thus produced may be modified for individual risks
20 in accordance with rating plans or schedules that establish reasonable standards for
21 measuring probable variations in hazards, expenses, or both. Rates may also be
22 modified for individual risks under s. 625.13 (2).

23 **SECTION 2075i.** 625.15 (1) of the statutes is amended to read:

24 625.15 (1) RATE MAKING. ~~An~~ Except as provided in s. 632.728, an insurer may
25 itself establish rates and supplementary rate information for one or more market

1 segments based on the factors in s. 625.12 and, if the rates are for motor vehicle
2 liability insurance, subject to s. 632.365, or the insurer may use rates and
3 supplementary rate information prepared by a rate service organization, with
4 average expense factors determined by the rate service organization or with such
5 modification for its own expense and loss experience as the credibility of that
6 experience allows.

7 **SECTION 2076i.** 628.34 (3) (a) of the statutes is amended to read:

8 628.34 (3) (a) No insurer may unfairly discriminate among policyholders by
9 charging different premiums or by offering different terms of coverage except on the
10 basis of classifications related to the nature and the degree of the risk covered or the
11 expenses involved, subject to ss. 632.365, 632.728, 632.746 and 632.748. Rates are
12 not unfairly discriminatory if they are averaged broadly among persons insured
13 under a group, blanket or franchise policy, and terms are not unfairly discriminatory
14 merely because they are more favorable than in a similar individual policy.”.

15 **104.** Page 454, line 12: after that line insert:

16 “**SECTION 2079i.** 632.728 of the statutes is created to read:

17 **632.728 Coverage of persons with preexisting conditions; guaranteed**
18 **issue; benefit limits. (1) DEFINITIONS.** In this section:

19 (a) “Health benefit plan” has the meaning given in s. 632.745 (11).

20 (b) “Self-insured health plan” has the meaning given in s. 632.85 (1) (c).

21 **(2) GUARANTEED ISSUE.** (a) Every individual health benefit plan shall accept
22 every individual in this state who, and every group health benefit plan shall accept
23 every employer in this state that, applies for coverage, regardless of sexual
24 orientation, gender identity, or whether or not any employee or individual has a

1 preexisting condition. A health benefit plan may restrict enrollment in coverage
2 described in this paragraph to open or special enrollment periods.

3 (b) The commissioner shall establish a statewide open enrollment period of no
4 shorter than 30 days for every individual health benefit plan to allow individuals,
5 including individuals who do not have coverage, to enroll in coverage.

6 **(3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS.** (a) An individual
7 health benefit plan or a self-insured health plan may not establish rules for the
8 eligibility of any individual to enroll, or for the continued eligibility of any individual
9 to remain enrolled, under the plan based on any of the following health
10 status-related factors in relation to the individual or a dependent of the individual:

- 11 1. Health status.
- 12 2. Medical condition, including both physical and mental illnesses.
- 13 3. Claims experience.
- 14 4. Receipt of health care.
- 15 5. Medical history.
- 16 6. Genetic information.
- 17 7. Evidence of insurability, including conditions arising out of acts of domestic
18 violence.
- 19 8. Disability.

20 (b) An insurer offering an individual health benefit plan or a self-insured
21 health plan may not require any individual, as a condition of enrollment or continued
22 enrollment under the plan, to pay, on the basis of any health status-related factor
23 under par. (a) with respect to the individual or a dependent of the individual, a
24 premium or contribution or a deductible, copayment, or coinsurance amount that is

1 greater than the premium or contribution or deductible, copayment, or coinsurance
2 amount respectively for a similarly situated individual enrolled under the plan.

3 (c) Nothing in this subsection prevents an insurer offering an individual health
4 benefit plan or a self-insured health plan from establishing premium discounts or
5 rebates or modifying otherwise applicable cost sharing in return for adherence to
6 programs of health promotion and disease prevention.

7 **(4) PREMIUM RATE VARIATION.** A health benefit plan offered on the individual or
8 small employer market or a self-insured health plan may vary premium rates for a
9 specific plan based only on the following considerations:

10 (a) Whether the policy or plan covers an individual or a family.

11 (b) Rating area in the state, as established by the commissioner.

12 (c) Age, except that the rate may not vary by more than 3 to 1 for adults over
13 the age groups and the age bands shall be consistent with recommendations of the
14 National Association of Insurance Commissioners.

15 (d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

16 **(5) ANNUAL AND LIFETIME LIMITS.** An individual or group health benefit plan or
17 a self-insured health plan may not establish any of the following:

18 (a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent
19 of an enrollee under the plan.

20 (b) Annual limits on the dollar value of benefits for an enrollee or a dependent
21 of an enrollee under the plan.

22 **(6) SHORT-TERM PLANS.** This section and s. 632.76 apply to every short-term,
23 limited-duration health insurance policy. In this subsection, “short-term,
24 limited-duration health insurance policy” means health coverage that is provided
25 under a contract with an insurer, has an expiration date specified in the contract that

1 is less than 12 months after the original effective date of the contract, and, taking
2 into account renewals or extensions, has a duration of no longer than 36 months in
3 total. “Short-term, limited-duration health insurance policy” includes any
4 short-term policy subject to s. 632.7495 (4).

5 **SECTION 2080i.** 632.746 (1) (a) of the statutes is renumbered 632.746 (1) and
6 amended to read:

7 632.746 (1) ~~Subject to subs. (2) and (3), an An insurer that offers a group health~~
8 ~~benefit plan may, with respect to a participant or beneficiary under the plan, not~~
9 ~~impose a preexisting condition exclusion only if the exclusion relates to a condition,~~
10 ~~whether physical or mental, regardless of the cause of the condition, for which~~
11 ~~medical advice, diagnosis, care or treatment was recommended or received within~~
12 ~~the 6-month period ending on the participant’s or beneficiary’s enrollment date~~
13 ~~under the plan on a participant or beneficiary under the plan.~~

14 **SECTION 2081i.** 632.746 (1) (b) of the statutes is repealed.

15 **SECTION 2082i.** 632.746 (2) (a) of the statutes is amended to read:

16 632.746 (2) (a) An insurer offering a group health benefit plan may not ~~treat~~
17 ~~impose a preexisting condition exclusion based on genetic information as a~~
18 ~~preexisting condition under sub. (1) without a diagnosis of a condition related to the~~
19 ~~information.~~

20 **SECTION 2083i.** 632.746 (2) (c), (d) and (e) of the statutes are repealed.

21 **SECTION 2084i.** 632.746 (3) (a) of the statutes is repealed.

22 **SECTION 2085i.** 632.746 (3) (d) 1. of the statutes is renumbered 632.746 (3) (d).

23 **SECTION 2086i.** 632.746 (3) (d) 2. and 3. of the statutes are repealed.

24 **SECTION 2087i.** 632.746 (5) of the statutes is repealed.

25 **SECTION 2088i.** 632.746 (8) (a) (intro.) of the statutes is amended to read:

1 632.746 (8) (a) (intro.) A health maintenance organization that offers a group
2 health benefit plan ~~and that does not impose any preexisting condition exclusion~~
3 ~~under sub. (1)~~ with respect to a particular coverage option may impose an affiliation
4 period for that coverage option, but only if all of the following apply:

5 **SECTION 2089i.** 632.748 (2) of the statutes is amended to read:

6 632.748 (2) An insurer offering a group health benefit plan may not require any
7 individual, as a condition of enrollment or continued enrollment under the plan, to
8 pay, on the basis of any health status-related factor with respect to the individual
9 or a dependent of the individual, a premium or contribution or a deductible,
10 copayment, or coinsurance amount that is greater than the premium or contribution
11 or deductible, copayment, or coinsurance amount respectively for a similarly
12 situated individual enrolled under the plan.

13 **SECTION 2090i.** 632.76 (2) (a) and (ac) 1. and 2. of the statutes are amended to
14 read:

15 632.76 (2) (a) No claim for loss incurred or disability commencing after 2 years
16 from the date of issue of the policy may be reduced or denied on the ground that a
17 disease or physical condition existed prior to the effective date of coverage, unless the
18 condition was excluded from coverage by name or specific description by a provision
19 effective on the date of loss. This paragraph does not apply to a group health benefit
20 plan, as defined in s. 632.745 (9), which is subject to s. 632.746, a disability insurance
21 policy, as defined in s. 632.895 (1) (a), or a self-insured health plan, as defined in s.
22 632.85 (1) (c).

23 (ac) 1. ~~Notwithstanding par. (a), no~~ No claim or loss incurred or disability
24 commencing ~~after 12 months from the date of issue of~~ under an individual disability
25 insurance policy, as defined in s. 632.895 (1) (a), may be reduced or denied on the

1 ground that a disease or physical condition existed prior to the effective date of
2 coverage, ~~unless the condition was excluded from coverage by name or specific~~
3 ~~description by a provision effective on the date of the loss.~~

4 2. ~~Except as provided in subd. 3., an An individual disability insurance policy,~~
5 ~~as defined in s. 632.895 (1) (a), other than a short-term policy subject to s. 632.7495~~
6 ~~(4) and (5), may not define a preexisting condition more restrictively than a condition~~
7 ~~that was present before the date of enrollment for the coverage, whether physical or~~
8 ~~mental, regardless of the cause of the condition, for which and regardless of whether~~
9 ~~medical advice, diagnosis, care, or treatment was recommended or received within~~
10 ~~12 months before the effective date of coverage.~~

11 **SECTION 2091i.** 632.76 (2) (ac) 3. of the statutes is repealed.

12 **SECTION 2092i.** 632.795 (4) (a) of the statutes is amended to read:

13 632.795 (4) (a) An insurer subject to sub. (2) shall provide coverage under the
14 same policy form and for the same premium as it originally offered in the most recent
15 enrollment period, subject only to the medical underwriting used in that enrollment
16 period. Unless otherwise prescribed by rule, the insurer may apply deductibles,
17 ~~preexisting condition limitations,~~ waiting periods, or other limits only to the extent
18 that they would have been applicable had coverage been extended at the time of the
19 most recent enrollment period and with credit for the satisfaction or partial
20 satisfaction of similar provisions under the liquidated insurer's policy or plan. The
21 insurer may exclude coverage of claims that are payable by a solvent insurer under
22 insolvency coverage required by the commissioner or by the insurance regulator of
23 another jurisdiction. Coverage shall be effective on the date that the liquidated
24 insurer's coverage terminates.

25 **SECTION 2093k.** 632.796 of the statutes is created to read:

1 **632.796 Drug cost report. (1) DEFINITION.** In this section, “disability
2 insurance policy” has the meaning given in s. 632.895 (1) (a).

3 **(2) REPORT REQUIRED.** Annually, at the time the insurer files its rate request
4 with the commissioner, each insurer that offers a disability insurance policy that
5 covers prescription drugs shall submit to the commissioner a report that identifies
6 the 25 prescription drugs that are the highest cost to the insurer and the 25
7 prescription drugs that have the highest cost increases over the 12 months before the
8 submission of the report.

9 **SECTION 2094k.** 632.865 (3) of the statutes is created to read:

10 **632.865 (3) REGISTRATION REQUIRED.** (a) No person may perform any activities
11 of a pharmacy benefit manager in this state without first registering with the
12 commissioner under this subsection.

13 (b) The commissioner shall establish a registration procedure for pharmacy
14 benefit managers. The commissioner may promulgate any rules necessary to
15 implement the registration procedure under this paragraph.

16 **SECTION 2095k.** 632.866 of the statutes is created to read:

17 **632.866 Prescription drug cost reporting. (1) DEFINITIONS.** In this section:

18 (a) “Brand-name drug” means a prescription drug approved under 21 USC 355
19 (b) or 42 USC 262.

20 (b) “Covered hospital” means an entity described in 42 USC 256b (a) (4) (L) to
21 (N) that participates in the federal drug-pricing program under 42 USC 256b.

22 (c) “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

23 (d) “Generic drug” means a prescription drug approved under 21 USC 355 (j).

1 (e) “Manufacturer” has the meaning given in s. 450.01 (12). “Manufacturer”
2 does not include an entity that is engaged only in the dispensing, as defined in s.
3 450.01 (7), of a brand-name drug or a generic drug.

4 (f) “Manufacturer-sponsored assistance program” means a program offered by
5 a manufacturer or an intermediary under contract with a manufacturer through
6 which a brand-name drug or a generic drug is provided to a patient at no charge or
7 at a discount.

8 (g) “Margin” means, for a covered hospital, the difference between the net cost
9 of a brand-name drug or generic drug covered under the federal drug-pricing
10 program under 42 USC 256b and the net payment by the covered hospital for that
11 brand-name drug or generic drug.

12 (h) “Net payment” means the amount paid for a brand-name drug or generic
13 drug after all discounts and rebates have been applied.

14 (i) “Pharmacy benefit manager” has the meaning given in s. 632.865 (1) (c).

15 (j) “Wholesale acquisition cost” means the most recently reported
16 manufacturer list or catalog price for a brand-name drug or a generic drug available
17 to wholesalers or direct purchasers in the United States, before application of
18 discounts, rebates, or reductions in price.

19 **(2) PRICE INCREASE OR INTRODUCTION NOTICE; JUSTIFICATION REPORT.** (a) A
20 manufacturer shall notify the commissioner if it is increasing the wholesale
21 acquisition cost of a brand-name drug on the market in this state by more than 10
22 percent or by more than \$10,000 during any 12-month period or if it intends to
23 introduce to market in this state a brand-name drug that has an annual wholesale
24 acquisition cost of \$30,000 or more.

1 (b) A manufacturer shall notify the commissioner if it is increasing the
2 wholesale acquisition cost of a generic drug by more than 25 percent or by more than
3 \$300 during any 12-month period or if it intends to introduce to market a generic
4 drug that has an annual wholesale acquisition cost of \$3,000 or more.

5 (c) The manufacturer shall provide the notice under par. (a) or (b) in writing
6 at least 30 days before the planned effective date of the cost increase or drug
7 introduction with a justification that includes all documents and research related to
8 the manufacturer's selection of the cost increase or introduction price and a
9 description of life cycle management, market competition and context, and
10 estimated value or cost-effectiveness of the product.

11 **(3) NET PRICES PAID BY PHARMACY BENEFIT MANAGERS.** By March 1 annually, the
12 manufacturer shall report to the commissioner the value of price concessions,
13 expressed as a percentage of the wholesale acquisition cost, provided to each
14 pharmacy benefit manager for each drug sold in this state.

15 **(4) REBATES AND PRICE CONCESSIONS.** By March 1 annually, each pharmacy
16 benefit manager shall report to the commissioner the amount received from
17 manufacturers as drug rebates and the value of price concessions, expressed as a
18 percentage of the wholesale acquisition cost, provided by manufacturers for each
19 drug.

20 **(5) HOSPITAL MARGIN SPENDING.** By March 1 annually, each covered hospital
21 operating in this state shall report to the commissioner the per unit margin for each
22 drug covered under the federal drug pricing program under 42 USC 256b dispensed
23 in the previous year multiplied by the number of units dispensed at that margin and
24 how the margin revenue was used.

1 **(6) MANUFACTURER-SPONSORED ASSISTANCE PROGRAMS.** By March 1 annually,
2 each manufacturer shall provide the commissioner with a description of each
3 manufacturer-sponsored patient assistance program in effect during the previous
4 year that includes all of the following:

5 (a) The terms of the programs.

6 (b) The number of prescriptions provided to state residents under the program.

7 (c) The total market value of assistance provided to residents of this state under
8 the program.

9 **(7) CERTIFICATION AND PENALTIES FOR NONCOMPLIANCE.** Each manufacturer and
10 covered hospital that is required to report under this section shall certify each report
11 as accurate under the penalty of perjury. A manufacturer or covered hospital that
12 fails to submit a report required under this section is subject to a forfeiture of no more
13 than \$10,000 each day the report is overdue.

14 **(8) HEARING AND PUBLIC REPORTING.** (a) The commissioner shall publicly post
15 manufacturer price justification documents and covered hospital documentation of
16 how each hospital spends the margin revenue. The commissioner shall keep any
17 trade secret or proprietary information confidential.

18 (b) The commissioner shall analyze data collected under this section and
19 publish annually a report on emerging trends in prescription prices and price
20 increases, and shall annually conduct a public hearing based on the analysis under
21 this paragraph. The report under this paragraph shall include analysis of
22 manufacturer prices and price increases, analysis of hospital-specific margins and
23 how that revenue is spent or allocated on a hospital-specific basis, and analysis of
24 how pharmacy benefit manager discounts and net costs compare to retail prices paid
25 by patients.

1 **(9) ALLOWING COST DISCLOSURE TO INSURED.** The commissioner shall ensure that
2 every disability insurance policy that covers prescription drugs or biological products
3 does not restrict a pharmacy or pharmacist that dispenses a prescription drug or
4 biological product from informing and does not penalize a pharmacy or pharmacist
5 for informing an insured under a policy of a difference between the negotiated price
6 of, or copayment or coinsurance for, the drug or biological product under the policy
7 and the price the insured would pay for the drug or biological product if the insured
8 obtained the drug or biological product without using any health insurance coverage.

9 **SECTION 2097i.** 632.895 (8) (d) of the statutes is amended to read:

10 632.895 **(8)** (d) Coverage is required under this subsection despite whether the
11 woman shows any symptoms of breast cancer. Except as provided in pars. (b), (c), and
12 (e), coverage under this subsection may only be subject to exclusions and limitations,
13 including deductibles, copayments and restrictions on excessive charges, that are
14 applied to other radiological examinations covered under the disability insurance
15 policy. Coverage under this subsection may not be subject to any deductibles,
16 copayments, or coinsurance.

17 **SECTION 2098i.** 632.895 (13m) of the statutes is created to read:

18 632.895 **(13m)** PREVENTIVE SERVICES. (a) In this section, “self-insured health
19 plan” has the meaning given in s. 632.85 (1) (c).

20 (b) Every disability insurance policy, except any disability insurance policy that
21 is described in s. 632.745 (11) (b) 1. to 12., and every self-insured health plan shall
22 provide coverage for all of the following preventive services:

23 1. Mammography in accordance with sub. (8).

24 2. Genetic breast cancer screening and counseling and preventive medication
25 for adult women at high risk for breast cancer.

- 1 3. Papanicolaou test for cancer screening for women 21 years of age or older
2 with an intact cervix.
- 3 4. Human papillomavirus testing for women who have attained the age of 30
4 years but have not attained the age of 66 years.
- 5 5. Colorectal cancer screening in accordance with sub. (16m).
- 6 6. Annual tomography for lung cancer screening for adults who have attained
7 the age of 55 years but have not attained the age of 80 years and who have health
8 histories demonstrating a risk for lung cancer.
- 9 7. Skin cancer screening for individuals who have attained the age of 10 years
10 but have not attained the age of 22 years.
- 11 8. Counseling for skin cancer prevention for adults who have attained the age
12 of 18 years but have not attained the age of 25 years.
- 13 9. Abdominal aortic aneurysm screening for men who have attained the age of
14 65 years but have not attained the age of 75 years and who have ever smoked.
- 15 10. Hypertension screening for adults and blood pressure testing for adults, for
16 children under the age of 3 years who are at high risk for hypertension, and for
17 children 3 years of age or older.
- 18 11. Lipid disorder screening for minors 2 years of age or older, adults 20 years
19 of age or older at high risk for lipid disorders, and all men 35 years of age or older.
- 20 12. Aspirin therapy for cardiovascular health for adults who have attained the
21 age of 55 years but have not attained the age of 80 years and for men who have
22 attained the age of 45 years but have not attained the age of 55 years.
- 23 13. Behavioral counseling for cardiovascular health for adults who are
24 overweight or obese and who have risk factors for cardiovascular disease.
- 25 14. Type II diabetes screening for adults with elevated blood pressure.

1 15. Depression screening for minors 11 years of age or older and for adults when
2 follow-up supports are available.

3 16. Hepatitis B screening for minors at high risk for infection and adults at high
4 risk for infection.

5 17. Hepatitis C screening for adults at high risk for infection and one-time
6 hepatitis C screening for adults born in any year from 1945 to 1965.

7 18. Obesity screening and management for all minors and adults with a body
8 mass index indicating obesity, counseling and behavioral interventions for obese
9 minors who are 6 years of age or older, and referral for intervention for obesity for
10 adults with a body mass index of 30 kilograms per square meter or higher.

11 19. Osteoporosis screening for all women 65 years of age or older and for women
12 at high risk for osteoporosis under the age of 65 years.

13 20. Immunizations in accordance with sub. (14).

14 21. Anemia screening for individuals 6 months of age or older and iron
15 supplements for individuals at high risk for anemia and who have attained the age
16 of 6 months but have not attained the age of 12 months.

17 22. Fluoride varnish for prevention of tooth decay for minors at the age of
18 eruption of their primary teeth.

19 23. Fluoride supplements for prevention of tooth decay for minors 6 months of
20 age or older who do not have fluoride in their water source.

21 24. Gonorrhea prophylaxis treatment for newborns.

22 25. Health history and physical exams for prenatal visits and for minors.

23 26. Length and weight measurements for newborns and height and weight
24 measurements for minors.

- 1 27. Head circumference and weight-for-length measurements for newborns
2 and minors who have not attained the age of 3 years.
- 3 28. Body mass index for minors 2 years of age or older.
- 4 29. Blood pressure measurements for minors 3 years of age or older and a blood
5 pressure risk assessment at birth.
- 6 30. Risk assessment and referral for oral health issues for minors who have
7 attained the age of 6 months but have not attained the age of 7 years.
- 8 31. Blood screening for newborns and minors who have not attained the age of
9 2 months.
- 10 32. Screening for critical congenital health defects for newborns.
- 11 33. Lead screenings in accordance with sub. (10).
- 12 34. Metabolic and hemoglobin screening and screening for phenylketonuria,
13 sickle cell anemia, and congenital hypothyroidism for minors including newborns.
- 14 35. Tuberculin skin test based on risk assessment for minors one month of age
15 or older.
- 16 36. Tobacco counseling and cessation interventions for individuals who are 5
17 years of age or older.
- 18 37. Vision and hearing screening and assessment for minors including
19 newborns.
- 20 38. Sexually transmitted infection and human immunodeficiency virus
21 counseling for sexually active minors.
- 22 39. Risk assessment for sexually transmitted infection for minors who are 10
23 years of age or older and screening for sexually transmitted infection for minors who
24 are 16 years of age or older.
- 25 40. Alcohol misuse screening and counseling for minors 11 years of age or older.

1 41. Autism screening for minors who have attained the age of 18 months but
2 have not attained the age of 25 months.

3 42. Developmental screening and surveillance for minors including newborns.

4 43. Psychosocial and behavioral assessment for minors including newborns.

5 44. Alcohol misuse screening and counseling for pregnant adults and a risk
6 assessment for all adults.

7 45. Fall prevention and counseling and preventive medication for fall
8 prevention for community-dwelling adults 65 years of age or older.

9 46. Screening and counseling for intimate partner violence for adult women.

10 47. Well-woman visits for women who have attained the age of 18 years but
11 have not attained the age of 65 years and well-woman visits for recommended
12 preventive services, preconception care, and prenatal care.

13 48. Counseling on, consultations with a trained provider on, and equipment
14 rental for breastfeeding for pregnant and lactating women.

15 49. Folic acid supplement for adult women with reproductive capacity.

16 50. Iron deficiency anemia screening for pregnant and lactating women.

17 51. Preeclampsia preventive medicine for pregnant adult women at high risk
18 for preeclampsia.

19 52. Low-dose aspirin after 12 weeks of gestation for pregnant women at high
20 risk for miscarriage, preeclampsia, or clotting disorders.

21 53. Screenings for hepatitis B and bacteriuria for pregnant women.

22 54. Screening for gonorrhea for pregnant and sexually active females 24 years
23 of age or younger and females older than 24 years of age who are at risk for infection.

1 55. Screening for chlamydia for pregnant and sexually active females 24 years
2 of age and younger and females older than 24 years of age who are at risk for
3 infection.

4 56. Screening for syphilis for pregnant women and adults who are at high risk
5 for infection.

6 57. Human immunodeficiency virus screening for adults who have attained the
7 age of 15 years but have not attained the age of 66 years and individuals at high risk
8 of infection who are younger than 15 years of age or older than 65 years of age.

9 58. All contraceptives and services in accordance with sub. (17).

10 59. Any services not already specified under this paragraph having an A or B
11 rating in current recommendations from the U.S. preventive services task force.

12 60. Any preventive services not already specified under this paragraph that are
13 recommended by the federal health resources and services administration's Bright
14 Futures project.

15 61. Any immunizations, not already specified under sub. (14), that are
16 recommended and determined to be for routine use by the federal advisory
17 committee on immunization practices.

18 (c) Subject to par. (d), no disability insurance policy and no self-insured health
19 plan may subject the coverage of any of the preventive services under par. (b) to any
20 deductibles, copayments, or coinsurance under the policy or plan.

21 (d) 1. If an office visit and a preventive service specified under par. (b) are billed
22 separately by the health care provider, the disability insurance policy or self-insured
23 health plan may apply deductibles to and impose copayments or coinsurance on the
24 office visit but not on the preventive service.

1 2. If the primary reason for an office visit is not to obtain a preventive service,
2 the disability insurance policy or self-insured health plan may apply deductibles to
3 and impose copayments or coinsurance on the office visit.

4 3. Except as otherwise provided in this subdivision, if a preventive service
5 specified under par. (b) is provided by a health care provider that is outside the
6 disability insurance policy's or self-insured health plan's network of providers, the
7 policy or plan may apply deductibles to and impose copayments or coinsurance on the
8 office visit and the preventive service. If a preventive service specified under par. (b)
9 is provided by a health care provider that is outside the disability insurance policy's
10 or self-insured health plan's network of providers because there is no available
11 health care provider in the policy's or plan's network of providers that provides the
12 preventive service, the policy or plan may not apply deductibles to or impose
13 copayments or coinsurance on the preventive service.

14 4. If multiple well-woman visits described under par. (b) 47. are required to
15 fulfill all necessary preventive services and are in accordance with clinical
16 recommendations, the disability insurance policy or self-insured health plan may
17 not apply a deductible to or impose a copayment or coinsurance on any of those
18 well-woman visits.

19 **SECTION 2099i.** 632.895 (14) (a) 1. i. and j. of the statutes are amended to read:

20 632.895 (14) (a) 1. i. Hepatitis A and B.

21 j. Varicella and herpes zoster.

22 **SECTION 2100i.** 632.895 (14) (a) 1. k. to o. of the statutes are created to read:

23 632.895 (14) (a) 1. k. Human papillomavirus.

24 L. Meningococcal meningitis.

25 m. Pneumococcal pneumonia.

1 n. Influenza.

2 o. Rotavirus.

3 **SECTION 2101i.** 632.895 (14) (b) of the statutes is amended to read:

4 632.895 (14) (b) Except as provided in par. (d), every disability insurance policy,
5 and every self-insured health plan of the state or a county, city, town, village, or
6 school district, ~~that provides coverage for a dependent of the insured shall provide~~
7 coverage of appropriate and necessary immunizations, from birth to the age of 6
8 years, for an insured or plan participant, including a dependent who is a child of the
9 insured or plan participant.

10 **SECTION 2102i.** 632.895 (14) (c) of the statutes is amended to read:

11 632.895 (14) (c) The coverage required under par. (b) may not be subject to any
12 deductibles, copayments, or coinsurance under the policy or plan. ~~This paragraph~~
13 ~~applies to a defined network plan, as defined in s. 609.01 (1b), only with respect to~~
14 ~~appropriate and necessary immunizations provided by providers participating, as~~
15 ~~defined in s. 609.01 (3m), in the plan.~~

16 **SECTION 2103i.** 632.895 (14) (d) 3. of the statutes is amended to read:

17 632.895 (14) (d) 3. A health care plan offered by a limited service health
18 organization, as defined in s. 609.01 (3), ~~or by a preferred provider plan, as defined~~
19 ~~in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b).~~

20 **SECTION 2104i.** 632.895 (14m) of the statutes is created to read:

21 632.895 (14m) **ESSENTIAL HEALTH BENEFITS.** (a) In this subsection,
22 “self-insured health plan” has the meaning given in s. 632.85 (1) (c).

23 (b) On a date specified by the commissioner, by rule, every disability insurance
24 policy, except as provided in par. (g), and every self-insured health plan shall provide

1 coverage for essential health benefits as determined by the commissioner, by rule,
2 subject to par. (c).

3 (c) In determining the essential health benefits for which coverage is required
4 under par. (b), the commissioner shall do all of the following:

5 1. Include benefits, items, and services in, at least, all of the following
6 categories:

7 a. Ambulatory patient services.

8 b. Emergency services.

9 c. Hospitalization.

10 d. Maternity and newborn care.

11 e. Mental health and substance use disorder services, including behavioral
12 health treatment.

13 f. Prescription drugs.

14 g. Rehabilitative and habilitative services and devices.

15 h. Laboratory services.

16 i. Preventive and wellness services and chronic disease management.

17 j. Pediatric services, including oral and vision care.

18 2. Conduct a survey of employer-sponsored coverage to determine benefits
19 typically covered by employers and ensure that the scope of essential health benefits
20 for which coverage is required under this subsection is equal to the scope of benefits
21 covered under a typical disability insurance policy offered by an employer to its
22 employees.

23 3. Ensure that essential health benefits reflect a balance among the categories
24 described in subd. 1. such that benefits are not unduly weighted toward one category.

1 4. Ensure that essential health benefit coverage is provided with no or limited
2 cost-sharing requirements.

3 5. Require that disability insurance policies and self-insured health plans do
4 not make coverage decisions, determine reimbursement rates, establish incentive
5 programs, or design benefits in ways that discriminate against individuals because
6 of their age, disability, or expected length of life.

7 6. Establish essential health benefits in a way that takes into account the
8 health care needs of diverse segments of the population, including women, children,
9 persons with disabilities, and other groups.

10 7. Ensure that essential health benefits established under this subsection are
11 not subject to a coverage denial based on an insured's or plan participant's age,
12 expected length of life, present or predicted disability, degree of dependency on
13 medical care, or quality of life.

14 8. Require that disability insurance policies and self-insured health plans
15 cover emergency department services that are essential health benefits without
16 imposing any requirement to obtain prior authorization for those services and
17 without limiting coverage for services provided by an emergency services provider
18 that is not in the provider network of a policy or plan in a way that is more restrictive
19 than requirements or limitations that apply to emergency services provided by a
20 provider that is in the provider network of the policy or plan.

21 9. Require a disability insurance policy or self-insured health plan to apply to
22 emergency department services that are essential health benefits provided by an
23 emergency department provider that is not in the provider network of the policy or
24 plan the same copayment amount or coinsurance rate that applies if those services
25 are provided by a provider that is in the provider network of the policy or plan.

1 (d) The commissioner shall periodically update, by rule, the essential health
2 benefits under this subsection to address any gaps in access to coverage.

3 (e) If an essential health benefit is also subject to mandated coverage elsewhere
4 under this section and the coverage requirements are not identical, the disability
5 insurance policy or self-insured health plan shall provide coverage under whichever
6 subsection provides the insured or plan participant with more comprehensive
7 coverage of the medical condition, item, or service.

8 (f) Nothing in this subsection or rules promulgated under this subsection
9 prohibits a disability insurance policy or a self-insured health plan from providing
10 benefits in excess of the essential health benefit coverage required under this
11 subsection.

12 (g) This subsection does not apply to any disability insurance policy that is
13 described in s. 632.745 (11) (b) 1. to 12.

14 **SECTION 2105i.** 632.895 (16m) (b) of the statutes is amended to read:

15 632.895 (16m) (b) The coverage required under this subsection may be subject
16 to any limitations, or exclusions, ~~or cost-sharing provisions~~ that apply generally
17 under the disability insurance policy or self-insured health plan. The coverage
18 required under this subsection may not be subject to any deductibles, copayments,
19 or coinsurance.

20 **SECTION 2106i.** 632.895 (17) (b) 2. of the statutes is amended to read:

21 632.895 (17) (b) 2. Outpatient consultations, examinations, procedures, and
22 medical services that are necessary to prescribe, administer, maintain, or remove a
23 contraceptive, ~~if covered for any other drug benefits under the policy or plan~~
24 sterilization procedures, and patient education and counseling for all females with
25 reproductive capacity.

1 **SECTION 2107i.** 632.895 (17) (c) of the statutes is amended to read:

2 632.895 (17) (c) Coverage under par. (b) may be subject only to the exclusions,
3 and limitations, or cost-sharing provisions that apply generally to the coverage of
4 outpatient health care services, preventive treatments and services, or prescription
5 drugs and devices that is provided under the policy or self-insured health plan. A
6 disability insurance policy or self-insured health plan may not apply a deductible or
7 impose a copayment or coinsurance to at least one of each type of contraceptive
8 method approved by the federal food and drug administration for which coverage is
9 required under this subsection. The disability insurance policy or self-insured
10 health plan may apply reasonable medical management to a method of contraception
11 to limit coverage under this subsection that is provided without being subject to a
12 deductible, copayment, or coinsurance to prescription drugs without a brand name.
13 The disability insurance policy or self-insured health plan may apply a deductible
14 or impose a copayment or coinsurance for coverage of a contraceptive that is
15 prescribed for a medical need if the services for the medical need would otherwise be
16 subject to a deductible, copayment, or coinsurance.

17 **SECTION 2108i.** 632.897 (11) (a) of the statutes is amended to read:

18 632.897 (11) (a) Notwithstanding subs. (2) to (10), the commissioner may
19 promulgate rules establishing standards requiring insurers to provide continuation
20 of coverage for any individual covered at any time under a group policy who is a
21 terminated insured or an eligible individual under any federal program that
22 provides for a federal premium subsidy for individuals covered under continuation
23 of coverage under a group policy, including rules governing election or extension of
24 election periods, notice, rates, premiums, premium payment, ~~application of~~

1 ~~preexisting condition exclusions~~, election of alternative coverage, and status as an
2 eligible individual, as defined in s. 149.10 (2t), 2011 stats.”.

3 **105.** Page 455, line 18: after that line insert:

4 “**SECTION 2118m.** 767.805 (4) (d) of the statutes is repealed.

5 **SECTION 2119m.** 767.89 (3) (e) of the statutes is repealed.”.

6 **106.** Page 460, line 2: after that line insert:

7 “**SECTION 2264g.** 2017 Wisconsin Act 370, Section 44 (2) and (3) are repealed.”.

8 **107.** Page 488, line 8: after that line insert:

9 “(1) **PRESCRIPTION DRUG POOLING STUDY.** The department of employee trust
10 funds, in consultation with the department of corrections, the department of health
11 services, and the department of veterans affairs, shall study the options and
12 opportunities for cost savings to state agencies through prescription drug pooling.
13 No later than January 1, 2020, the department of employee trust funds shall submit
14 a report of the study to the governor and the appropriate standing committees of the
15 legislature, as determined by the speaker of the assembly and the president of the
16 senate, in the manner provided under s. 13.172 (3).”.

17 **108.** Page 488, line 16: after that line insert:

18 “(1s) **FORENSIC UNIT EXPANSION AT SAND RIDGE SECURE TREATMENT CENTER.** From
19 the appropriation under s. 20.435 (2) (bm), the department of health services shall
20 allocate \$3,430,900 in fiscal year 2020-21 and create 36.50 FTE GPR positions to
21 operate a 20-bed unit for forensic patients at the Sand Ridge Secure Treatment
22 Center.

23 (1t) **YOUTH CRISIS STABILIZATION FACILITIES AND PEER-RUN RESPITE CENTERS FOR**
24 **VETERANS.** The department of health services shall award in each fiscal year \$996,400

1 in grants to youth crisis stabilization facilities and \$450,000 in grants to a peer-run
2 respite center for veterans.”.

3 **109.** Page 488, line 17: delete the material beginning with that line and
4 ending with page 489, line 3, and substitute:

5 “(2b) MEDICAL ASSISTANCE REIMBURSEMENT FOR SERVICES PROVIDED THROUGH
6 TELEHEALTH. The department of health services shall develop, by rule, a method of
7 reimbursing providers under the Medical Assistance program for a service that is
8 covered by the Medical Assistance program under subch. IV of ch. 49 and that
9 satisfies any of the following:

10 (a) The service is a consultation between a provider at an originating site and
11 a provider at a remote location using a combination of interactive video, audio, and
12 externally acquired images through a networking environment.

13 (b) The service is an asynchronous transmission of digital clinical information
14 through a secure electronic system from a Medical Assistance recipient or provider
15 to a provider.”.

16 **110.** Page 489, line 3: after that line insert:

17 “(2g) CHILDLESS ADULTS DEMONSTRATION PROJECT REFORM WAIVER. The
18 department of health services may submit a request to the federal department of
19 health and human services to modify or withdraw the waiver granted under s. 49.45
20 (23) (g), 2017 stats.

21 (3g) ACADEMIC DETAILING TRAINING PROGRAM.

22 (a) In this subsection, “academic detailing” means a teaching model under
23 which health care experts are taught techniques for engaging in interactional
24 educational outreach to other health care providers and clinical staff to provide

1 information on evidence-based practices and successful therapeutic interventions
2 with the goal of improving patient care.

3 (b) The department of health services shall establish and implement a 2-year
4 academic detailing primary care clinic dementia training program in 10 primary
5 care clinics in the state through a contract with the Wisconsin Alzheimer's Institute.

6 (c) The department shall, as part of the training program, provide primary care
7 providers with clinical training and access to educational resources on best practices
8 for diagnosis and management of common cognitive disorders, and referral
9 strategies to dementia specialists for complicated or rare cognitive or behavioral
10 disorders.

11 (d) The department shall ensure that the training program under this
12 subsection includes at least the following three components:

13 1. The most current research on effective clinical treatments and practices is
14 systematically evaluated by the academic detailing team.

15 2. Information gathered and evaluated under subd. 1. is packaged into an
16 easily accessible format that is clinically relevant, rigorously sourced, and
17 compellingly formatted.

18 3. Training is provided for clinicians to serve as academic detailers that equips
19 them with clinical expertise and proficiency in conducting an interactive educational
20 exchange to facilitate individualized learning among participating primary care
21 practitioners in the target clinics.”.

22 **111.** Page 489, line 14: after that line insert:

23 “(4c) CHILDLESS ADULTS DEMONSTRATION PROJECT. The department of health
24 services shall submit any necessary request to the federal department of health and

1 human services for a state plan amendment or waiver of federal Medicaid law or to
2 modify or withdraw from any waiver of federal Medicaid law relating to the childless
3 adults demonstration project under s. 49.45 (23), 2017 stats., to reflect the
4 incorporation of recipients of Medical Assistance under the demonstration project
5 into the BadgerCare Plus program under s. 49.471 and the termination of the
6 demonstration project.”.

7 **112.** Page 489, line 15: delete lines 15 to 20 and substitute:

8 “(6b) EVIDENCE-BASED ORAL HEALTH GRANTS AND SEAL-A-SMILE PROGRAM.
9 Notwithstanding s. 250.10 (1m) (b), in fiscal year 2019–20, the department of health
10 services shall, from the appropriation under s. 20.435 (1) (de), award to qualified
11 applicants grants totaling \$50,000 for fluoride varnish and other evidence-based
12 oral health activities, \$525,000 for school-based preventive dental services, and
13 \$100,000 for school-based restorative dental services.”.

14 **113.** Page 489, line 20: after that line insert:

15 “(6d) PRESCRIPTION DRUG IMPORTATION PROGRAM. The department of health
16 services shall submit the first report required under s. 250.048 (5) by the next
17 January 1 or July 1, whichever is earliest, that is at least 180 days after the date the
18 prescription drug importation program is fully operational under s. 250.048 (4). The
19 department of health services shall include in the first 3 reports submitted under s.
20 250.048 (5) information on the implementation of the audit functions under s.
21 250.048 (1) (n).”.

22 **114.** Page 490, line 5: after that line insert:

23 “(8m) COMMUNITY-BASED DOULAS. From the appropriation under s. 20.435 (4)
24 (bm), the department of health services shall in fiscal year 2019–20 allocate \$192,000

1 to public or private entities, American Indian tribes or tribal organizations, or
2 community-based organizations for grants for community-based doulas. The
3 recipients of the grants shall use the moneys to identify and train local community
4 workers to mentor pregnant women.”.

5 **115.** Page 490, line 6: delete lines 6 to 11 and substitute:

6 “(9b) DENTAL SERVICES UNDER MEDICAL ASSISTANCE. During the 2019-21 fiscal
7 biennium, the department of health services shall allocate a total of \$2,000,000 in the
8 2019-20 fiscal year and \$3,000,000 in the 2020-21 fiscal year from all funding
9 sources to increase reimbursement rates for dental services that are covered under
10 the Medical Assistance program under subch. IV of ch. 49 and that are provided to
11 recipients of Medical Assistance who have disabilities.”.

12 **116.** Page 490, line 11: after that line insert:

13 “(9r) WISCONSIN CHRONIC DISEASE PROGRAM. In fiscal year 2019-20, the
14 department of health services shall allocate \$3,782,200 from the appropriation
15 under s. 20.435 (4) (e) and \$983,500 from the appropriation under s. 20.435 (4) (je)
16 to fund the Wisconsin Chronic Disease Program as provided under ss. 49.68, 49.683,
17 and 49.685. In fiscal year 2020-21, the department of health services shall allocate
18 \$3,939,300 from the appropriation under s. 20.435 (4) (e) and \$1,027,300 from the
19 appropriation under s. 20.435 (4) (je) to fund the Wisconsin Chronic Disease Program
20 as provided under ss. 49.68, 49.683, and 49.685.”.

21 **117.** Page 490, line 12: delete lines 12 to 16 and substitute:

22 “(10c) INFANT MORTALITY PREVENTION PROGRAM. The department of health
23 services shall allocate 5.0 FTE positions that are authorized for the department of
24 health services to staff an infant mortality prevention program. The department of

1 health services shall report in its 2021-23 budget request any necessary budget
2 adjustments to reflect this allocation of positions.”.

3 **118.** Page 490, line 16: after that line insert:

4 “(10d) DISPATCHER ASSISTED CARDIOPULMONARY RESUSCITATION. Beginning in
5 fiscal year 2019-20, the department of health services shall allocate \$105,900 each
6 fiscal year to assist public safety answering points in complying with dispatcher
7 training requirements on telephonic assistance on administering cardiopulmonary
8 resuscitation enacted in 2017 Wisconsin Act 296, including \$75,900 under 20.435 (1)
9 (cj) for the department of health services to distribute, either as grants to public
10 safety answering points or by contracting with an entity to provide training to public
11 safety answering points, and \$30,000 to fund supplies and services for the program
12 under the department of health services general program operations appropriation
13 under s. 20.435 (1) (a).”.

14 **119.** Page 491, line 3: delete lines 3 to 15.

15 **120.** Page 491, line 15: after that line insert:

16 “(10s) ONE-TIME FUNDING FOR INFORMATION TECHNOLOGY INFRASTRUCTURE
17 IMPROVEMENTS. In fiscal year 2019-20, the department of health services shall
18 allocate \$500,000 on a one-time basis to fund information technology infrastructure
19 improvements as part of an automated licensing project and to enable assisted living
20 providers to enter reports online.”.

21 **121.** Page 491, line 20: delete the material beginning with “facilities;” and
22 ending with “2020-21” on line 23 and substitute “facilities and an additional
23 \$15,000,000, as the state share of payments, and the matching federal share of
24 payments in each of fiscal years 2019-20 and 2020-21”.

1 **122.** Page 492, line 1: delete lines 1 to 7 and substitute:

2 “(12b) MEDICAL ASSISTANCE REIMBURSEMENT RATE INCREASE FOR DIRECT CARE IN
3 PERSONAL CARE AGENCIES. The department of health services shall increase the
4 Medical Assistance rates paid for direct care to agencies that provide personal care
5 services by \$15,300,000, as the state share of payments and the matching federal
6 share of payments in fiscal year 2019-20 and \$21,600,000, as the state share of
7 payments and the matching federal share of payments in fiscal year 2020-21 to
8 support staff in those agencies who perform direct care.”.

9 **123.** Page 492, line 7: after that line insert:

10 “(13) LEAD EXPOSURE AND POISONING PREVENTION STAFF. The authorized FTE
11 positions for the department of health services are increased by 1.0 GPR project
12 position for the period ending June 30, 2021, and 1.14 GPR positions beginning on
13 July 1, 2019, to be funded from the appropriation under s. 20.435 (1) (a), for the
14 purpose of administering the department’s lead public health outreach initiative and
15 for enhancing the department’s lead poisoning prevention programs.”.

16 **124.** Page 492, line 18: after that line insert:

17 “(1k) PRESCRIPTION DRUG COST SURVEY. The commissioner of insurance shall
18 conduct a statistically valid survey of pharmacies in this state regarding whether the
19 pharmacy agreed to not disclose that customer drug benefit cost sharing exceeds the
20 cost of the dispensed drug.

21 (2k) PRESCRIPTION DRUG COST REPORTING POSITIONS. The authorized FTE
22 positions for the office of the commissioner of insurance are increased by 2.0 PR
23 positions, to be funded from the appropriation under s. 20.145 (1) (g), for the purpose

1 of administering prescription drug cost reporting and registration of pharmacy
2 benefit managers under ss. 632.796, 632.865 (3), and 632.866.”.

3 **125.** Page 501, line 11: delete lines 11 to 20.

4 **126.** Page 505, line 11: after that line insert:

5 “(2m) ELIMINATION OF BIRTH COST RECOVERY. The treatment of ss. 49.45 (19) (a)
6 and (c), 49.855 (3) (with respect to the elimination of statutory reference to court
7 authority to issue new orders for birth expenses) and (4m) (b), 767.805 (4) (d), and
8 767.89 (3) (e) first applies to an order or judgment relating to paternity issued on the
9 effective date of this subsection.”.

10 **127.** Page 505, line 16: after that line insert:

11 “(1i) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH
12 BENEFITS, AND PREVENTIVE SERVICES.

13 (a) For policies and plans containing provisions inconsistent with these
14 sections, the treatment of ss. 40.51 (8) and (8m), 66.0137 (4), 120.13 (2) (g), 185.983
15 (1) (intro.), 609.713, 609.847, 625.12 (1) (a) and (e) and (2), 625.15 (1), 628.34 (3) (a),
16 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3.,
17 (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac) 1., 2., and 3., 632.795 (4)
18 (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c) and (d) 3., (14m), (16m)
19 (b), and (17) (b) 2. and (c), and 632.897 (11) (a) first applies to policy or plan years
20 beginning on January 1 of the year following the year in which this paragraph takes
21 effect, except as provided in par. (b).

22 (b) For policies and plans that are affected by a collective bargaining agreement
23 containing provisions inconsistent with these sections, the treatment of ss. 40.51 (8)
24 and (8m), 66.0137 (4), 120.13 (2) (g), 185.983 (1) (intro.), 609.713, 609.847, 625.12 (1)

1 (a) and (e) and (2), 625.15 (1), 628.34 (3) (a), 632.728, 632.746 (1) (a) and (b), (2) (a),
2 (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76
3 (2) (a) and (ac) 1., 2., and 3., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and
4 k. to o., (b), (c) and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11)
5 (a) first applies to policy or plan years beginning on the effective date of this
6 paragraph or on the day on which the collective bargaining agreement is entered
7 into, extended, modified, or renewed, whichever is later.”

8 **128.** Page 509, line 1: after that line insert:

9 “(1c) MEDICAID EXPANSION. The treatment of ss. 20.435 (4) (jw) and 49.45 (23)
10 takes effect on January 1, 2020.”

11 **129.** Page 509, line 6: after that line insert:

12 “(1i) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH
13 BENEFITS, AND PREVENTIVE SERVICES. The treatment of ss. 40.51 (8) and (8m), 66.0137
14 (4), 120.13 (2) (g), 185.983 (1) (intro.), 609.713, 609.847, 625.12 (1) (a) and (e) and (2),
15 625.15 (1), 628.34 (3) (a), 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3)
16 (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac) 1.,
17 2., and 3., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c)
18 and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11) (a) and SECTION
19 9323 (1i) of this act take effect on the first day of the 4th month beginning after
20 publication.”

21 (END)

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.