



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1257/P1

JPC:skw

DOA:.....Rice, BB0255 - Elimination of Birth Cost Recovery

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Elimination of birth cost recovery

Under current law, as a condition of eligibility for benefits under the Medical Assistance program, a person is deemed to have assigned to the state by applying for or receiving benefits under the Medical Assistance program any rights to medical support or other payment of medical expenses from any other person. Current law further provides that if a mother of a child was enrolled in a health maintenance organization or other prepaid health care plan under the Medical Assistance program at the time of the child's birth, then birth expenses that were incurred by the health maintenance organization or other prepaid health care plan may be recovered by the state. This bill provides that no birth expenses may be recovered by the state under this process. The Medical Assistance program is a joint state and federal program that provides health services to individuals with limited financial resources.

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

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

SECTION 1. 49.45 (19) (a) of the statutes is amended to read:

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

BILL

SECTION 1

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

SECTION 2. 49.45 (19) (c) of the statutes is repealed.

SECTION 3. 49.45 (19) (cm) of the statutes is created to read:

49.45 **(19)** (cm) Notwithstanding par. (a), birth expenses may not be recovered by the state under this subsection.

(END)