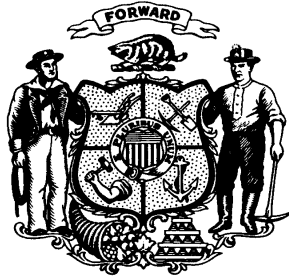


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November __, 2012

Secretary Dennis Smith
Wisconsin Department of Health Services
One West Wilson Street
P.O. Box 7850
Madison, WI 53707-7850

RE: Medicaid Expansion

Dear Secretary Smith:

We are writing on behalf of the Joint Legislative Council's Special Committee on Review of Emergency Detention and Admission of Minors Under Chapter 51 to encourage the Department of Health Services to pursue an expansion of the state's Medicaid program. The Special Committee has examined the utilization of emergency detention procedures under s. 51.15, Stats., which has included consideration of potential changes to the law that may lead to a decrease in unnecessary emergency detentions among certain groups.

One group that is particularly at risk are offenders who are released from incarceration and eligible for Medicaid as a result of a *physical or developmental disability*. Too often, the Special Committee has learned, these individuals lack access to Medicaid immediately upon their release. Instead, they often experience a costly gap in coverage after release, due to the complex and lengthy process of determining Medicaid eligibility based on a disability. By contrast, offenders who are released from incarceration and are eligible for Medicaid based on *income* are not as likely to experience a gap in coverage after they are released. This is due to the relatively simple process of determining Medicaid eligibility based on income.

Currently in Wisconsin, non-Medicare eligible childless adults under age 65 are not eligible for Medicaid or any MA-related program, apart from only 20,000 or so individuals currently enrolled in the BadgerCare Plus Core Plan.¹ Meanwhile, current federal law allows

¹ The Special Committee notes that enrollment in the BadgerCare Plus Core Plan program is capped at around 20,000 individuals. In addition, coverage under the BadgerCare Plus Core Plan is more limited than the coverage under traditional MA, including more limited coverage for mental health.



states the option to expand Medicaid to all non-Medicare eligible individuals under age 65 with incomes up to 138% of the federal poverty level (FPL). States that carry out this expansion will receive significant financial assistance from the federal government for the cost of covering these individuals.

The Special Committee asks you to consider pursuing the expansion of Wisconsin's Medicaid program to allow coverage for all non-Medicare eligible individuals under age 65 with incomes up to 138% FPL. This relatively simple change in Wisconsin's Medicaid program could lead to a significant improvement in issues examined by the Special Committee. It would allow many offenders who are eligible for Medicaid based on disability to *also obtain eligibility based on income*. The Special Committee believes that this change would reduce the number of offenders who experience a gap in healthcare coverage upon their release from incarceration. This, in turn, would reduce the amount of state and local resources expended on this group both as a result of unnecessary emergency detentions and, ultimately, recidivism and re-incarceration.

Thank you for your consideration of this request.

Sincerely,

SPECIAL COMMITTEE ON REVIEW OF
EMERGENCY DETENTION AND ADMISSION OF
MINORS UNDER CHAPTER 51

BTL:jal