



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2963/1  
TJD:kjf

## 2019 ASSEMBLY BILL 346

July 31, 2019 - Introduced by Representatives KOLSTE, RIEMER, ANDERSON, BILLINGS, BOWEN, BROSTOFF, CABRERA, CONSIDINE, HEBL, HESSELBEIN, LOUDENBECK, L. MYERS, NEUBAUER, OHNSTAD, SARGENT, SHANKLAND, SINICKI, SPREITZER, STUBBS, SUBECK, C. TAYLOR, VINING, VRUWINK and ZAMARRIPA, cosponsored by Senators ERPENBACH, SHILLING, CARPENTER, JOHNSON, LARSON, RINGHAND, RISSER, L. TAYLOR and WIRCH. Referred to Committee on Medicaid Reform and Oversight.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to amend* 49.46 (1) (a) 1m., 49.46 (1) (j), 49.47 (4) (ag) 2., 49.471 (6) (b)  
2             and 49.471 (7) (b) 1.; and *to create* 49.471 (6) (L) of the statutes; **relating to:**  
3             extension of eligibility under the Medical Assistance program for post-partum  
4             women.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Department of Health Services to seek approval from the federal Department of Health and Human Services to extend to women who are eligible for Medical Assistance when pregnant Medical Assistance benefits until the last day of the month in which the 365th day after the last day of the pregnancy falls. Currently, post-partum women are eligible for Medical Assistance benefits until the last day of the month in which the 60th day after the last day of the pregnancy falls.

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

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

5             **SECTION 1.** 49.46 (1) (a) 1m. of the statutes is amended to read:  
6             49.46 (1) (a) 1m. Any pregnant woman whose income does not exceed the  
7             standard of need under s. 49.19 (11) and whose pregnancy is medically verified.

**ASSEMBLY BILL 346****SECTION 1**

1 Eligibility continues to the last day of the month in which the 60th day or, if approved  
2 by the federal government, the 365th day after the last day of the pregnancy falls.

3 **SECTION 2.** 49.46 (1) (j) of the statutes is amended to read:

4 49.46 (1) (j) An individual determined to be eligible for benefits under par. (a)  
5 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and  
6 to the last day of the month in which the 60th day or, if approved by the federal  
7 government, the 365th day after the last day of the pregnancy falls without regard  
8 to any change in the individual's family income.

9 **SECTION 3.** 49.47 (4) (ag) 2. of the statutes is amended to read:

10 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified  
11 Eligibility continues to the last day of the month in which the 60th day or, if approved  
12 by the federal government, the 365th day after the last day of the pregnancy falls.

13 **SECTION 4.** 49.471 (6) (b) of the statutes is amended to read:

14 49.471 (6) (b) A pregnant woman who is determined to be eligible for benefits  
15 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the  
16 pregnancy and to the last day of the month in which the 60th day or, if approved by  
17 the federal government, the 365th day after the last day of the pregnancy falls  
18 without regard to any change in the woman's family income.

19 **SECTION 5.** 49.471 (6) (L) of the statutes is created to read:

20 49.471 (6) (L) The department shall request from the federal department of  
21 health and human services approval of a state plan amendment, a waiver of federal  
22 Medicaid law, or approval of a demonstration project to maintain eligibility for  
23 post-partum women to the last day of the month in which the 365th day after the  
24 last day of the pregnancy falls under ss. 49.46 (1) (a) 1m. and 9. and (j), 49.47 (4) (ag)  
25 2., and 49.471 (4) (a) 1g. and 1m., (6) (b), and (7) (b) 1.

**ASSEMBLY BILL 346****SECTION 6**

1           **SECTION 6.** 49.471 (7) (b) 1. of the statutes is amended to read:

2           49.471 **(7)** (b) 1. A pregnant woman whose family income exceeds 300 percent  
3 of the poverty line may become eligible for coverage under this section if the  
4 difference between the pregnant woman's family income and the applicable income  
5 limit under sub. (4) (a) is obligated or expended for any member of the pregnant  
6 woman's family for medical care or any other type of remedial care recognized under  
7 state law or for personal health insurance premiums or for both. Eligibility obtained  
8 under this subdivision continues without regard to any change in family income for  
9 the balance of the pregnancy and to the last day of the month in which the 60th day  
10 or, if approved by the federal government, the 365th day after the last day of the  
11 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this  
12 subdivision extends to all pregnant women in the pregnant woman's family.

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(END)