



Family Stories: Birth Cost Equity for Unmarried Women & Families - January 2020

ABC for Health, Inc.

February 2020

The Wisconsin Minority Health Program provides ABC for Health essential support to help reduce avoidable health disparities for unmarried, pregnant women across Wisconsin, with a particular focus in Dane and Milwaukee Counties. Our approach is to identify families in need, collect and share family stories, and conduct education and outreach on the issue of Birth Cost Recovery (BCR), the collection of Medicaid-supported birth expenses, unique to unmarried couples. Unfortunately, Wisconsin leads the nation in BCR, a policy we call the “Birth Tax,” causing stress and potentially more serious consequences to predominantly low-income and minority pregnant women and their families.

January 2020 Accomplishments:

As we entered the New Year, ABC for Health was able to use the Wisconsin Minority Health Program’s support to keep momentum going on our projects and initiatives aimed at eliminating the Birth Cost Recovery (BCR) policy across the state. As of January 1, 2020, Dane County eliminated its collection of birth costs! We wasted no time in working towards similar success in Milwaukee County, by having our Executive Director Atty. Bobby Peterson provide testimony for the Milwaukee County Board Committee hearings on this policy and the need for its elimination. We were able to reconnect with Dr. Geoff Swain, who joined in speaking on the negative impacts of the BCR policy from a medical and public health perspective. We are looking forward to collaborating with Dr. Swain in April 2020 on an educational video to go into more detail on his important perspective.

January 2020 Deliverables:



Talking to Families about BCR



Speaking to County Board Officials/Hearings



Compiling Family Stories



Responding to Requests for Information



Growing a List of Partners, Mailing List



Preparing Educational Video Content



Updating Web Content



Continuing Pro Bono Legal Assistance

Additional Assistance:

The Quarles & Brady Law Firm, under the stewardship of Attorney Richie Davis (and former ABC legal intern), will continue to evaluate and accept cases for pro bono representation of clients facing birth cost recovery judgments. Through our partnership, ABC staff will identify screen and refer potential clients to Quarles for possible representation related to the birth cost recovery issue. ABC attorneys will be available to consult Quarles attorneys in order to provide advice and information, as needed, based on our organizational knowledge and experience.



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About ABC for Health

ABC for Health is a Wisconsin-based nonprofit public interest law firm dedicated to linking children and families, particularly those with special health care needs, to health care benefits and services.

ABC for Health's mission is to provide information, advocacy tools, legal services, and expert support needed to obtain, maintain, and finance health care coverage services.

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Featured Family Story

The information below represents a service encounter by ABC for Health. The facts were de-identified to preserve confidentiality.



Maria's Story

ABC for Health met Maria 5 years ago when she had her first baby. She returned to our office in 2019 seeking additional assistance after her third child was born. She had her new baby in July 2019, and the Dane County Child Support Agency had sent a notice of a court date to her partner to determine birth cost. Maria and her partner shared an apartment, living expenses, and the duties of raising their three children. ABC for Health's advocates helped Maria's family prepare for the hearing: reminding the court that the State of Wisconsin Administrative Rule was changed in July 2018 (a full year before this summons) to read that it was *inappropriate* to assess birth cost recovery actions against intact families. Ultimately, the court found that because Maria's family was intact, with other children in common, \$0 in birth costs would be assessed. Maria and her partner were grateful, but frustrated that they had to take time, energy, and stress to go through this ordeal. By the close of 2019, Dane County was already finalizing the details on suspending the collection process from 2020 forward.

Visit our Birth Tax Webpage:

<https://www.safetyweb.org/healthwatchwi/birth-tax.html>

The Birth Tax in Milwaukee

ABC spoke with officials in multiple counties after sharing the news of Dane County's success. This led to an invitation to testify before a Committee of the Milwaukee County Board to encourage they to eliminate the practice in Milwaukee. The hearing was held at the end of January.

In late December 2019, the Chairman of Milwaukee's County Board had introduced a resolution to review birth cost recovery

practices to determine "the fiscal and racial equity impacts" of the practice in Milwaukee County after learning about Dane County's budget action.

ABC for Health's Bobby Peterson testified on the harmful impact of the collection actions on disparity families in Milwaukee and Wisconsin. That testimony is available [here](#). (Agenda item 11, video feed for this item begins just after minute 41) ABC for Health will continue to pursue additional conversations in Milwaukee, the most aggressive collectors of the birth tax in the State of Wisconsin.



ABC for Health's Bobby Peterson speaking to the Milwaukee County Board's Health & Human Needs Committee

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