



March 17, 2017

The Honorable Chris Abele  
Milwaukee County Court House  
901 N. 9<sup>th</sup> Street, Room 306  
Milwaukee, WI 53233

The Honorable Tom Barrett  
City Hall  
200 E. Wells Street  
Milwaukee, WI 53202

Dear County Executive Abele and Mayor Barrett:

I write today to express ABC for Health Inc.'s significant concerns about health disparity and equity issues in Milwaukee County Wisconsin. We express public health concerns that the city and county could better coordinate to mitigate avoidable health disparities. We expect to discuss these issues with the public and the press at our annual [HealthWatch Conference](#) next week at a session on Thursday, March 23, at 3:45pm\* in Madison at the Masonic Center.

ABC for Health Inc. is alarmed by actions and policies followed by the Milwaukee County Child Support Services that affect low-income unmarried pregnant women. Specifically we express our concerns about a policy that targets unmarried parents of low-income children, primarily low income and minority residents of Milwaukee County. Policies, which Milwaukee County exercises, that target parents for repayment of birth costs simply because their marital status is single. This is wrong and creates legal and financial impediments to care and coverage for single women that exacerbate adverse birth outcomes and may drive single fathers further away from their families and children.

Let me illuminate this harmful policy as it affects health disparities and equity issues in Wisconsin communities. The persistently high mortality rate of black infants is one of the most disturbing and publicized health disparities in Wisconsin. In 2015, a black infant born in Milwaukee County was over 2 ½ times more likely to die in his/her first year of life than a white infant. What leads to this difference? Access to timely prenatal care, maternal life stressors, maternal behaviors, and paternal involvement are some factors that lead to poor birth outcomes.

Sadly, Birth Cost Recovery Policy as applied in Milwaukee County provides a fundamental barrier and economic stressor that confronts many unmarried pregnant women who rely on BadgerCare for health care coverage. This practice of "birth cost recovery" directly affects all of the identified factors for poor birth outcomes. However, birth cost recovery policy enforcement is buried deep within many county bureaucracies, is misunderstood and misconstrued as child



support and largely escapes the scrutiny of the press, many advocates and researchers. “Birth cost” encompasses all expenses associated with a pregnancy, including a baby’s birth. BadgerCare requires unmarried, pregnant women program applicants to identify the biological father of their baby, who is frequently required to pay these expenses. Wisconsin policy terminates BadgerCare after the baby is born for mothers that don’t cooperate with the process.

In Milwaukee County, unmarried mothers, considering a BadgerCare Plus application for a pregnancy, may fear that the requirement to identify the father for birth cost recovery purposes could lead to physical, emotional, or financial consequences. Alternatively, if a couple is unmarried, but both parties support the pregnancy and baby, birth cost recovery removes resources from a joint household. In both cases, this practice may lead to delayed applications, late prenatal care, and add to maternal and paternal stressors. For the father this means judicial involvement and unexpected expenses beyond expected child support contributions.

Milwaukee County and the City of Milwaukee should consider birth cost recovery as a factor contributing to poor birth outcomes and infant mortality. More research would certainly help connect and update the fragmented dots, but current evidence is already alarming. For example, in 2015, BadgerCare financed 37% of the 67,004 deliveries in Wisconsin and unmarried women accounted for the majority (69%) of BadgerCare births. **2015 data further indicates that 91% of black women receiving BadgerCare in Milwaukee County were unmarried at time of delivery. Putting the pieces of this puzzle together leads to strong circumstantial evidence that links birth cost recovery policy as a factor in the rising infant mortality rates for blacks.**

So who does the policy benefit? The state and federal government recoup the majority of costs, while a portion funds county and child support agencies. However, remember, there is an important distinction between child support and birth cost recovery. The goal of child support is to ensure that an unmarried father supports the mother and child. Moreover, we do not recommend eliminating paternity establishment for this reason. However, if the funds collected from the practice of birth cost recovery go directly to the government, how does this practice benefit the mom and child? In addition, in some cases, enforcement agencies incorrectly apply the BCR policy to fathers living in the home supporting the child!

Milwaukee County should follow the lead of most other counties across the country and certain Wisconsin counties and eliminate this harmful policy. County Corporation Counsel or affiliates should review opportunities to exercise prosecutorial discretion where birth cost recover actions do not support the best interests of the child or family. The \$18 million in birth costs recovered that ABC for Health research identified as collected by Wisconsin’s local child support agencies in 2010-11 and agency self-interest appear as the biggest obstacle to reform.

Unfortunately, Wisconsin and by extension Milwaukee County is the national leader of birth cost recovery collections, and 1 of only 9 states that still practice this outmoded policy. Most states



and some other Wisconsin Counties abandoned the idea of birth cost recovery as “not in the best interest of the mother and baby.” Even the Obama administration sought to eliminate this policy through the federal budget for the last several years. The persistently high mortality rates of black infants in Wisconsin should prod policymakers to take the needed steps to eliminate the harmful and inequitable policy of birth cost recovery.

Thank you for your attention to this important issue. I look forward to the opportunity to discuss with you and your staff approaches to addressing birth cost recovery in a way that encourages paternal involvement and support of Milwaukee County families and eliminates a potential risk factor contributing to birth outcome disparities within your county.

Rest assured, we will continue to research and advocate for the elimination of this harmful policy.

Sincerely,

Atty. Bobby Peterson  
Executive Director  
ABC for Health, Inc.

**\*HealthWatch Wisconsin Conference**

Birth Cost Recovery Workshop Session

March 23, 3:45-4:30pm

Madison Masonic Center, (301 Wisconsin Ave). Madison, WI

**Workshop:** Medicaid Birth Cost Recovery Policy and Its Impacts on Low-Income Pregnant Women and Families (Auditorium) This session will explain Wisconsin’s pernicious Birth Cost Recovery policy, who it impacts, and why the health of a baby may be in jeopardy as Wisconsin counties collect from unmarried partners of children born to mothers on Medicaid. Speakers: Jacquelyn Boggess, Center for Family Policy & Practice; Mike Rust, ABC for Rural Health; Rich Lavigne, ABC for Health