



2023 ASSEMBLY BILL 161

April 10, 2023 - Introduced by Representatives KURTZ, DALLMAN, ARMSTRONG, BINSFELD, BROOKS, DITTRICH, DONOVAN, EDMING, GREEN, MOSES, MURSAU, NOVAK, PLUMER, ROZAR, SCHMIDT, SWEARINGEN and TITTL, cosponsored by Senators FELZKOWSKI, COWLES, JAMES, MARKLEIN and QUINN. Referred to Committee on Local Government.

1 **AN ACT** *to amend* 20.435 (4) (jw) and 256.23 (5); and *to create* 20.435 (4) (wa)
2 and 256.23 (6) of the statutes; **relating to:** ambulance assessment program
3 supplemental reimbursements, payment of administrative costs, and making
4 an appropriation.

Analysis by the Legislative Reference Bureau

This bill creates an appropriation to make payments from the ambulance service provider trust fund to eligible ambulance service providers as specified under 2021 Wisconsin Act 228. Act 228 implemented an ambulance service provider assessment on private ambulance service providers for supplemental reimbursements under the Medical Assistance program and a supplemental reimbursement under the Medical Assistance program to public ambulance service providers through certified public expenditures. Currently, the Department of Health Services administers the Medical Assistance program, which is a joint federal and state program that provides health services to individuals who have limited financial resources. Generally, under the Medical Assistance program, the state provides its share of the funding for benefits and the federal government then contributes its designated share of funding, also known as federal financial participation. Act 228 imposes on each private ambulance service provider a fee for the privilege of doing business in Wisconsin and established an ambulance service provider trust fund for the fees collected.

The bill also requires DHS to transfer moneys annually from the ambulance service provider trust fund to cover the administrative costs associated with

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administering the ambulance assessment and making supplemental reimbursements to ambulance providers.

For further information see the state and local 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:

1 **SECTION 1.** 20.435 (4) (jw) of the statutes is amended to read:

2 20.435 (4) (jw) *BadgerCare Plus and hospital assessment.* All moneys received
3 from payment of enrollment fees under the program under s. 49.45 (23), all moneys
4 transferred under s. 50.38 (9), all moneys transferred under s. 256.23 (6), all moneys
5 transferred from the appropriation account under par. (jz), and 10 percent of all
6 moneys received from penalty assessments under s. 49.471 (9) (c), for administration
7 of the program under s. 49.45 (23), to provide a portion of the state share of
8 administrative costs for the BadgerCare Plus Medical Assistance program under s.
9 49.471, ~~and~~ for administration of the hospital assessment under s. 50.38, and for
10 administration of the ambulance service provider fee under s. 256.23.

11 **SECTION 2.** 20.435 (4) (wa) of the statutes is created to read:

12 20.435 (4) (wa) *Ambulance service provider trust fund; ambulance payments.*
13 From the ambulance service provider trust fund, all moneys received from the
14 assessment collected under s. 256.23, except amounts transferred to the
15 appropriation under s. 20.435 (4) (jw) as specified in s. 256.23 (6), to make payments
16 to eligible ambulance service providers as specified under s. 49.45 (3) (em).

17 **SECTION 3.** 256.23 (5) of the statutes is amended to read:

18 256.23 (5) In accordance with s. 20.940, the department shall submit to the
19 federal department of health and human services a request for any state plan
20 amendment, waiver or other approval that is required to implement this section and

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1 s. 49.45 (3) (em). If federal approval is required, the department may not implement
2 the collection of the fee under sub. (2) until it receives approval from the federal
3 government to obtain federal matching funds. The department shall make the
4 payments to eligible ambulance service providers within 60 days after receipt of
5 federal approval.

6 **SECTION 4.** 256.23 (6) of the statutes is created to read:

7 256.23 (6) In each fiscal year, the secretary of administration shall transfer
8 from the ambulance service provider trust fund under s. 25.776 to the appropriation
9 under s. 20.435 (4) (jw) an amount equal to the annual costs of administering the
10 ambulance assessment as specified under this section and making supplemental
11 reimbursements to ambulance service providers under s. 49.45 (3) (em).

12 **SECTION 5. Effective date.**

13 (1) This act takes effect on the day after publication, or on the 2nd day after
14 publication of the 2023 biennial budget act, whichever is later.

15 (END)