

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/25/99**

Received By: **yacketa**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus 6-1452**

By/Representing: **Sande**

This file may be shown to any legislator: **NO**

Drafter: **yacketa**

May Contact:

Alt. Drafters:

Subject: **Health - long-term care**

Extra Copies: **DAK**

**Pre Topic:**

ARC:.....Sande - #21(200),

**Topic:**

COP funding for recipients in CBRFs

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	yacketa 06/25/99	ygeller 06/25/99	mclark 06/25/99	_____	lrb_docadmin 06/26/99		

FE Sent For:

<END>

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/?	yacketa	1 6/25 jlg	MRC 6/25	MRC/STH 6/25			

FE Sent For:

<END>

# Budget Amendments 1999- 2000

## Statement of Intent

DHFS. The motion allows counties, private non-profit agencies or aging units to use regular COP funds to provide services in any CBRF that has 20 beds or less.

## Legislator

Sykora

## Amendment#

2007

## Staff contact

Sara

## Status

## Agency

DHFS

## Tax Cut

## Summary

Under Wisconsin Statutes 46.27(7)(cm), no county, private non-profit agency or aging unit may use regular Community Options Program (COP) funding to provide services in any community-based residential facility that has more than 8 beds, with certain exceptions. Counties may request a variance to provide regular COP funds to CBRFs with more than 8 beds.

This motion would increase the 8-bed CBRF limit to 20 beds. Specifically, the motion would allow counties, private non-profit agencies and aging units to use COP funds to provide services in any CBRF that has 20 beds or less, without being required to request a variance.

## Fiscal Impact

The motion would have no state fiscal impact. Counties receive a set GPR allocation for regular COP funding which would not be altered by the administrative change created by this motion.

## ARC Analyst

Matt Sande

46.27(7)(cm)3.

Applies only to 20-bed CBRFs

Counties must use least costly option for care.

if a person is in a

CBRF at the facility

for COP program / county will have

as long as their health

are met do not exceed

what the CBRF is

able to provide

the county must provide the CBRF services at CBRF

(Monthly) (All Fund) (All Fund) (All Fund)

*[Handwritten scribbles and notes]*



*Soon*  
**State of Wisconsin**  
**1999 - 2000 LEGISLATURE**

LRBb1280/1

TAY.....

*RMK Jlg*

ARC:.....Sande - #21(200), COP funding for recipients in CBRFs

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the <sup>✓</sup>substitute amendment as follows:

2 **1.** Page 566, line 6: after that line insert:

3 **"SECTION 1032m.** <sup>✓</sup>46.27 (3) (f) <sup>x</sup>of the statutes is amended to read:

4 46.27 (3) (f) Beginning on January 1, 1996, from the annual allocation to the  
5 county for the provision of long-term community support services under subs. (7) (b)  
6 and (11), annually establish a maximum total amount that may be encumbered in  
7 a calendar year for services for eligible individuals in community-based residential  
8 facilities. Notwithstanding the maximum, however, a county may not deny services  
9 under this section <sup>✓</sup>to an eligible individual who resides in a community-based

1 residential facility when the individual becomes eligible solely because the  
2 maximum total amount has been reached. ✓ ↑

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

3 **2.** Page 570, line 4: after that line insert:

4 **“SECTION 1045c. 46.27 (7) (cj) 3. e. of the statutes is amended to read:**

5 46.27 (7) (cj) 3. e. The county department or aging unit determines that  
6 placement in the community-based residential facility is cost-effective compared to  
7 other options, including home care and nursing home care. In making that  
8 determination, the county shall consider all state and federal funds needed for all  
9 options considered. ✓

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

10 **SECTION 1045d. 46.27 (7) (ck) 1. of the statutes is amended to read:**

11 46.27 (7) (ck) 1. Subject to the approval of the department, and except as  
12 provided in sub. (3) (f), a county may establish and implement more restrictive  
13 conditions than those imposed under par. (cj) on the use of funds received under par.  
14 (b) for the provision of services to a person in a community-based residential facility.  
15 A county that establishes more restrictive conditions under this subdivision shall  
16 include the conditions in its community options plan under sub. (3) (cm).

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

17 **SECTION 1045e. 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:**

18 46.27 (7) (cm) 1. (intro.) Beginning on January 1, 1996, no county, private  
19 nonprofit agency or aging unit may use funds received under par. (b) to provide  
20 services in any community-based residential facility that has more than 8 20 beds,  
21 unless one of the following applies:

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237.

1  
2

SECTION 1045f. 46.27 (7) (cm) 1. c. <sup>X</sup> of the statutes is repealed. ” •

(END)



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1280/1  
TAY:jlg:mrc

ARC:.....Sande - #21(200), COP funding for recipients in CBRFs

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9 under this section to an eligible individual who resides in a community-based

1 residential facility when the individual becomes eligible, solely because the  
2 maximum total amount has been reached.”

3 **2.** Page 570, line 4: after that line insert:

4 “**SECTION 1045c.** 46.27 (7) (cj) 3. e. of the statutes is amended to read:

5 46.27 (7) (cj) 3. e. The county department or aging unit determines that  
6 placement in the community-based residential facility is cost-effective compared to  
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23 (END)