

B



State of Wisconsin  
2007 - 2008 LEGISLATURE

1/30/07

P3  
LRB-1562/P2  
RLR:kjf&lmk:pwn  
STAYS RMNR  
JN

DOA:.....Milioto, BB0385b - Family care resource center governing boards and local and regional committees

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a later version.

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

- 2 SECTION 1. 46.27 (4) (am) of the statutes is amended to read:
- 3 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board
- 4 of a resource center assumes under s. ~~46.282 (3) (b)~~ 46.283 (6) (b) 10. the duties of the
- 5 county long-term support planning committee under this subsection, the county
- 6 long-term support planning committee for the county is dissolved.
- 7 SECTION 2. 46.27 (4) (c) (intro.) of the statutes is amended to read:
- 8 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~
- 9 ~~long-term care council~~ the governing board of a resource center has under s. ~~46.282~~

1 ~~(3) (b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the local  
2 ~~long-term care council governing board of the resource center~~ shall recommend a  
3 community options plan for participation in the program. The plan shall include:

4 **SECTION 3.** 46.27 (4) (c) 5. of the statutes is amended to read:

5 46.27 (4) (c) 5. A description of the method to be used by the committee or, if  
6 ~~a local long-term care council the governing board of a resource center~~ has under  
7 s. 46.282 (3) (b) ~~46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the  
8 ~~local long-term care council governing board of the resource center~~ to monitor the  
9 implementation of the program.

10 **SECTION 4.** 46.2805 (7m) of the statutes is repealed.

11 **SECTION 5.** 46.281 (1) (e) 1. of the statutes is amended to read:

12 46.281 (1) (e) 1. Subject to the requirements of par. (d), if ~~the local long-term~~  
13 ~~care council for the applicable area has developed the initial plan under s. 46.282 (3)~~  
14 ~~(a) 1.,~~ contract with entities specified under par. (d) and may, only if specifically  
15 authorized by the legislature and if the legislature appropriates necessary funding,  
16 contract as so authorized with one or more entities in addition to those specified in  
17 par. (d) certified as meeting requirements under s. 46.284 (3) for services of the entity  
18 as a care management organization.

19 **SECTION 6.** 46.281 (1) (j) of the statutes is created to read:

20 46.281 (1) (j) 1. Establish regions for long-term care advisory committees  
21 under s. 46.2825, periodically review the boundaries of the regions, and, as  
22 appropriate, revise the boundaries.

23 2. Specify the number of members that each governing board of a resource  
24 center shall appoint to a regional long-term care advisory committee. The total  
25 number of committee members shall not exceed 25, and the department shall allot

1 committee membership equally among the governing boards of resource centers  
2 operating within the boundaries of the regional long-term care advisory committee.

3 3. Provide information and staff assistance to assist regional long-term care  
4 advisory committees in performing the duties under s. 46.2825 (2).

5 SECTION 7. 46.282 (title) of the statutes is repealed.

6 SECTION 8. 46.282 (2) of the statutes is repealed.

INS 3-6  
7

7 SECTION 9. 46.282 (3) (title) of the statutes is repealed.

8 SECTION 10. 46.282 (3) (a) (intro.) of the statutes is repealed.

9 SECTION 11. 46.282 (3) (a) 1. of the statutes is repealed.

INS 3-9  
10

10 SECTION 12. 46.282 (3) (a) 2. of the statutes is repealed.

11 SECTION 13. 46.282 (3) (a) 3. of the statutes is repealed.

12 SECTION 14. 46.282 (3) (a) 4. of the statutes is repealed.

13 SECTION 15. 46.282 (3) (a) 5. of the statutes is repealed.

14 SECTION 16. 46.282 (3) (a) 6. of the statutes is repealed.

15 SECTION 17. 46.282 (3) (a) 7. of the statutes is repealed.

16 SECTION 18. 46.282 (3) (a) 8. of the statutes is renumbered 46.2825 (2) (e) and  
17 amended to read:

18 46.2825 (2) (e) Monitor the pattern of enrollments and disenrollments in local  
19 care management organizations that provide services in the committee's region.

20 SECTION 19. 46.282 (3) (a) 9. of the statutes is renumbered 46.283 (6) (b) 3. and  
21 amended to read:

22 46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and  
23 community resources ~~and develop strategies to build local capacity to serve~~ needed  
24 by ~~older persons and persons with physical or developmental disabilities, especially~~  
25 those with long-term care needs.

needed by individuals belonging to the client groups served by the resource center

1 SECTION 20. 46.282 (3) (a) 10. of the statutes is renumbered 46.2825 (2) (g) and  
2 amended to read:

3 46.2825 (2) (g) Perform long-range planning on long-term care policy for older  
4 persons and persons with physical or developmental disabilities

5 SECTION 21. 46.282 (3) (a) 11. of the statutes is renumbered 46.283 (6) (b) 8. and  
6 amended to read:

7 46.283 (6) (b) 8. Annually review interagency agreements between ~~a~~ the  
8 resource center and care management organization or organizations that provide  
9 services in the area served by the resource center and make recommendations, as  
10 appropriate, on the interaction between the resource center and the care  
11 management ~~organization or~~ organizations to assure coordination between or  
12 among them and to assure access to and timeliness in provision of services by the  
13 resource center and the care management organizations.

14 SECTION 22. 46.282 (3) (a) 12. of the statutes is renumbered 46.283 (6) (b) 9. and  
15 amended to read:

16 46.283 (6) (b) 9. Annually review Review the number and types of complaints  
17 and grievances about and appeals concerning the long-term care system by persons  
18 who receive or may receive care under the system in the area served by the resource  
19 center, to determine if a need exists for system changes, and recommend system or  
20 other changes if appropriate.

21 SECTION 23. 46.282 (3) (a) 13. of the statutes is renumbered 46.283 (6) (b) 6. and  
22 amended to read:

23 46.283 (6) (b) 6. Identify potential new sources of community resources and  
24 funding for needed services for ~~older persons and persons with physical or~~

*individuals belonging to the client groups served by the resource center*

1 ~~developmental disabilities~~ individuals belonging to the client groups served by the  
2 resource center.

3 **SECTION 24.** 46.282 (3) (a) 14. of the statutes is repealed.

4 **SECTION 25.** 46.282 (3) (a) 15. of the statutes is repealed.

5 **SECTION 26.** 46.282 (3) (b) of the statutes is renumbered 46.283 (6) (b) 10. and  
6 amended to read:

7 46.283 (6) (b) 10. ~~A local long-term care council may, within the local~~  
8 ~~long-term care council's area~~ If directed to do so by the county board, assume the  
9 duties of the county long-term community support planning committee as specified  
10 under s. 46.27 (4) for a county served by the resource center.

11 **SECTION 27.** 46.2825 of the statutes is created to read:

12 **46.2825 Regional long-term care advisory committees. (1) CREATION.**  
13 The governing board of each resource center operating in a region established by the  
14 department under s. 46.281 (1) (j) 1. shall appoint the number of its members that  
15 is specified by the department under s. 46.281 (1) (j) 2. to a regional long-term care  
16 advisory committee. At least 50 percent of the persons a resource center board  
17 appoints to a regional long-term care advisory committee shall be older persons or  
18 persons with a physical or developmental disability or their family members,  
19 guardians, or other advocates.

20 **(2) DUTIES.** A regional long-term care advisory committee shall do all of the  
21 following:

22 (a) Evaluate the performance of care management organizations and entities  
23 that operate a program described under s. 46.2805 (1) (a) or (b) in the committee's  
24 region with respect to responsiveness to recipients of their services, fostering choices  
25 for recipients, and other issues affecting recipients; and make recommendations

1 based on the evaluation to the department and to the care management  
2 organizations and entities, as appropriate.

3 (b) Evaluate the performance of resource centers operating in the committee's  
4 region and, as appropriate, make recommendations, concerning their performance  
5 to the department and the resource centers.

6 (c) Monitor grievances and appeals made to care management organizations  
7 or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the  
8 committee's region.

9 (d) Review utilization of long-term care services in the committee's region.

10 (f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards  
11 of resources centers operating in the committee's region and other available  
12 information, identify any gaps in the availability of services, living arrangements,  
13 and community resources needed by older persons and persons with physical or  
14 developmental disabilities, and develop strategies to build capacity to provide those  
15 services, living arrangements, and community resources in the committee's region.

16 (h) Annually report to the department regarding significant achievements and  
17 problems relating to the provision of long-term care services in the committee's  
18 region.

19 **SECTION 28.** 46.283 (4) (j) of the statutes is created to read:

20 46.283 (4) (j) Target any outreach, education, and prevention services it  
21 provides and any service development efforts it conducts on the basis of findings  
22 made by the governing board of the resource center under sub. (6) (b) 2. and 3.

23 **SECTION 29.** 46.283 (6) of the statutes is amended to read:

1           46.283 (6) GOVERNING BOARD. (a) 1. A resource center shall have a governing  
2 board that reflects the ethnic and economic diversity of the geographic area served  
3 by the resource center.

4           2. At least one-fourth of the members of the governing board shall be older  
5 persons or persons with physical or developmental disabilities individuals who  
6 belong to a client group served by the resource center or their family members,  
7 guardians, or other advocates. The proportion of these board members who belong  
8 to each client group, or their family members, guardians, or advocates, shall be the  
9 same, respectively, as the proportion of individuals in this state who receive services  
10 under s. 46.2805 to 46.2895 and belong to each client group.

11           **SECTION 30.** 46.283 (6) (a) 3. of the statutes is created to read:

12           46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the  
13 governing board of, a care management organization or an organization that  
14 administers a program described under s. 46.2805 (1) (a) or (b) or a managed care  
15 program under s. 49.45 for individuals who are eligible to receive supplemental  
16 security income under 42 USC 1381 to 1383c, which serves any geographic area also  
17 served by a resource center, and the individual's family members, may not serve as  
18 members of the governing board of the resource center.

19           **SECTION 31.** 46.283 (6) (b) of the statutes is created to read:

20           46.283 (6) (b) The governing board of a resource center shall do all of the  
21 following:

22           1. Determine the structure, policies, and procedures of, and oversee the  
23 operations of, the resource center. The operations of a resource center that is  
24 operated by a county are subject to the county's ordinances and budget.

1           2. Annually gather information from consumers and providers of long-term  
2 care services and other interested persons concerning the adequacy of long-term  
3 care services offered in the area served by the resource center. The board shall  
4 provide well-advertised opportunities for persons to participate in the board's  
5 information gathering activities conducted under this subdivision.

6           4. Report findings made under subds. 2. and 3. to the applicable regional  
7 long-term care advisory committee.

8           5. Recommend strategies for building local capacity to serve older persons and  
9 persons with physical or developmental disabilities, as appropriate, to local elected  
10 officials, the regional long-term care advisory committee, or the department.

11           7. Appoint members to the regional long-term care advisory committee, as  
12 provided under s. 46.2825 (1).

13           **SECTION 32.** 46.284 (1) (a) (intro.) of the statutes is amended to read:

14           46.284 (1) (a) (intro.) ~~After considering recommendations of the local~~  
15 ~~long-term care council under s. 46.282(3)(a) 1., a~~ A county board of supervisors and,  
16 in a county with a county executive or a county administrator, the county executive  
17 or county administrator, may decide all of the following:

18           **SECTION 33.** 46.284 (2) (b) 1. a. of the statutes is amended to read:

19           46.284 (2) (b) 1. a. The county ~~and the local long-term care council agree~~ agrees  
20 in writing that at least one additional care management organization is necessary  
21 or desirable.

22           **SECTION 34.** 46.284 (2) (b) 3. of the statutes is amended to read:

23           46.284 (2) (b) 3. After December 31, 2003, the department may contract with  
24 counties, family care districts, the governing body of a tribe or band or the Great  
25 Lakes inter-tribal council, inc., or under a joint application of any of these, or with

1 a private organization that has no significant connection to an entity that operates  
2 a resource center. Proposals for contracts under this subdivision shall be solicited  
3 under a competitive sealed proposal process under s. 16.75 (2m) and, ~~after consulting~~  
4 ~~with the local long-term care council for the county or counties,~~ the department shall  
5 evaluate the proposals primarily as to the quality of care that is proposed to be  
6 provided, certify those applicants that meet the requirements specified in sub. (3) (a),  
7 select certified applicants for contract, and contract with the selected applicants.

8 **SECTION 35.** 46.284 (3) (a) of the statutes is amended to read:

9 46.284 (3) (a) If an entity meets the requirements under par. (b) and applicable  
10 rules of the department and submits to the department an application for initial  
11 certification or certification renewal, the department shall certify that the entity  
12 meets the requirements for a care management organization. ~~An application shall~~  
13 ~~include comments about the applicant and recommendations about the application~~  
14 ~~that are provided by the appropriate local long-term care council, as specified under~~  
15 ~~s. 46.282 (3) (a) 3.~~

16 (END)

D- Note

**2007-2008 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1562/P3 ins  
RLR:.....

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**Ins 3-6:**

\*\*\*NOTE: This is reconciled s. 46.282 (2). This SECTION has been affected by drafts with the following LRB numbers: 0330 and 1562.

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4

**Ins 3-9**

\*\*\*NOTE: This is reconciled s. 46.282 (3) (a) 1. This SECTION has been affected by drafts with the following LRB numbers: 1524 and 1562.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1562/P3dn  
RLR: *kyf*

*Date*

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Steve:

This draft makes the changes requested by DHFS in your e-mail of January 30, 2007, although it does not amend s. 46.284 (6), because the requested change is covered in LRB-1524.

This draft reconciles LRB-0330, LRB-1524, and LRB-1562. All of these drafts should continue to appear in the compiled bill.

Robin Ryan  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1562/P3dn  
RLR:kjf:nwn

January 30, 2007

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Robin Ryan  
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State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1562/P3  
RLR:kjf&lmk:wn

py  
D Note

2/1/07

DOA:.....Milioto, BB0385b - Family care resource center governing boards  
and local and regional committees

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

DO NOT GO

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a later version.

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

2 SECTION 1. 46.27 (4) (am) of the statutes is amended to read:

3 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
4 of a resource center assumes under s. 46.282 (3) (b) 46.283 (6) (b) 10, the duties of the  
5 county long-term support planning committee under this subsection, the county  
6 long-term support planning committee for the county is dissolved.

7 SECTION 2. 46.27 (4) (c) (intro.) of the statutes is amended to read:

8 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
9 ~~long-term care council~~ the governing board of a resource center has under s. 46.282

1 (3) ~~(b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the local  
2 ~~long-term care council governing board of the resource center~~ shall recommend a  
3 community options plan for participation in the program. The plan shall include:

4 SECTION 3. 46.27 (4) (c) 5. of the statutes is amended to read:

5 46.27 (4) (c) 5. A description of the method to be used by the committee or, if  
6 ~~a local long-term care council~~ the governing board of a resource center has under  
7 s. 46.282 (3) ~~(b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the  
8 ~~local long-term care council governing board of the resource center~~ to monitor the  
9 implementation of the program.

10 SECTION 4. 46.2805 (7m) of the statutes is repealed. (In)(d)

11 SECTION 5. 46.281 (1) (j) of the statutes is created to read:

12 46.281 (1) (j) 1. Establish regions for long-term care advisory committees  
13 under s. 46.2825, periodically review the boundaries of the regions, and, as  
14 appropriate, revise the boundaries.

15 2. Specify the number of members that each governing board of a resource  
16 center shall appoint to a regional long-term care advisory committee. The total  
17 number of committee members shall not exceed 25, and the department shall allot  
18 committee membership equally among the governing boards of resource centers  
19 operating within the boundaries of the regional long-term care advisory committee.

20 3. Provide information and staff assistance to assist regional long-term care  
21 advisory committees in performing the duties under s. 46.2825 (2).

22 SECTION 6. 46.282 (title) of the statutes is repealed.

23 SECTION 7. 46.282 (2) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.282 (2). This SECTION has been affected by drafts with the following LRB numbers: 0330 and 1562.

NOTE: This is reconciled s. 46.281 (In)(d). This section has been affected by LRB numbers: 0330 and 1562.

1           **SECTION 8.** 46.282 (3) (title) of the statutes is repealed.

2           **SECTION 9.** 46.282 (3) (a) (intro.) of the statutes is repealed.

3           **SECTION 10.** 46.282 (3) (a) 1. of the statutes is repealed.

      \*\*\*\*NOTE: This is reconciled s. 46.282 (3) (a) 1. This SECTION has been affected by drafts with the following LRB numbers: 1524 and 1562.

4           **SECTION 11.** 46.282 (3) (a) 2. of the statutes is repealed.

5           **SECTION 12.** 46.282 (3) (a) 3. of the statutes is repealed.

6           **SECTION 13.** 46.282 (3) (a) 4. of the statutes is repealed.

7           **SECTION 14.** 46.282 (3) (a) 5. of the statutes is repealed.

8           **SECTION 15.** 46.282 (3) (a) 6. of the statutes is repealed.

9           **SECTION 16.** 46.282 (3) (a) 7. of the statutes is repealed.

10          **SECTION 17.** 46.282 (3) (a) 8. of the statutes is renumbered 46.2825 (2) (e) and  
11 amended to read:

12           46.2825 (2) (e) Monitor the pattern of enrollments and disenrollments in local  
13 care management organizations that provide services in the committee's region.

14          **SECTION 18.** 46.282 (3) (a) 9. of the statutes is renumbered 46.283 (6) (b) 3. and  
15 amended to read:

16           46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and  
17 community resources and develop strategies to build local capacity to serve older  
18 persons and persons with physical or developmental disabilities needed by  
19 individuals belonging to the client groups served by the resource center, especially  
20 those with long-term care needs.

21          **SECTION 19.** 46.282 (3) (a) 10. of the statutes is renumbered 46.2825 (2) (g) and  
22 amended to read:

1           46.2825 (2) (g) Perform long-range planning on long-term care policy for ~~elder~~  
2 ~~persons and persons with physical or developmental disabilities~~ individuals  
3 belonging to the client groups served by the resource center.

4           **SECTION 20.** 46.282 (3) (a) 11. of the statutes is renumbered 46.283 (6) (b) 8. and  
5 amended to read:

6           46.283 (6) (b) 8. Annually review interagency agreements between ~~a~~ the  
7 resource center and care management organization or organizations that provide  
8 services in the area served by the resource center and make recommendations, as  
9 appropriate, on the interaction between the resource center and the care  
10 management ~~organization or organizations~~ to assure coordination between or  
11 among them and to assure access to and timeliness in provision of services by the  
12 resource center and the care management organizations.

13           **SECTION 21.** 46.282 (3) (a) 12. of the statutes is renumbered 46.283 (6) (b) 9. and  
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15           46.283 (6) (b) 9. ~~Annually review~~ Review the number and types of complaints  
16 and grievances about and appeals concerning the long-term care system by persons  
17 who receive or may receive care under the system in the area served by the resource  
18 center, to determine if a need exists for system changes, and recommend system or  
19 other changes if appropriate.

20           **SECTION 22.** 46.282 (3) (a) 13. of the statutes is renumbered 46.283 (6) (b) 6. and  
21 amended to read:

22           46.283 (6) (b) 6. Identify potential new sources of community resources and  
23 funding for needed services for ~~older persons and persons with physical or~~  
24 ~~developmental disabilities~~ individuals belonging to the client groups served by the  
25 resource center.

1           **SECTION 23.** 46.282 (3) (a) 14. of the statutes is repealed.

2           **SECTION 24.** 46.282 (3) (a) 15. of the statutes is repealed.

3           **SECTION 25.** 46.282 (3) (b) of the statutes is renumbered 46.283 (6) (b) 10. and  
4 amended to read:

5           46.283 (6) (b) 10. ~~-A local long-term care council may, within the local~~  
6 ~~long-term care council's area~~ If directed to do so by the county board, assume the  
7 duties of the county long-term community support planning committee as specified  
8 under s. 46.27 (4) for a county served by the resource center.

9           **SECTION 26.** 46.2825 of the statutes is created to read:

*(In) (d)*

10           **46.2825 Regional long-term care advisory committees. (1) CREATION.**

11           The governing board of each resource center operating in a region established by the  
12 department under s. 46.281 *(1) (j)* 1. shall appoint the number of its members that  
13 is specified by the department under s. 46.281 *(1) (j)* 2. to a regional long-term care  
14 advisory committee. At least 50 percent of the persons a resource center board  
15 appoints to a regional long-term care advisory committee shall be older persons or  
16 persons with a physical or developmental disability or their family members,  
17 guardians, or other advocates.

18           **(2) DUTIES.** A regional long-term care advisory committee shall do all of the  
19 following:

20           (a) Evaluate the performance of care management organizations and entities  
21 that operate a program described under s. 46.2805 (1) (a) or (b) in the committee's  
22 region with respect to responsiveness to recipients of their services, fostering choices  
23 for recipients, and other issues affecting recipients; and make recommendations  
24 based on the evaluation to the department and to the care management  
25 organizations and entities, as appropriate.

*XXX Note: This is reconciled section 46.2825 (1). This section has been affected by drafts w/ the following LRB numbers: 0330 and 15620*

1 (b) Evaluate the performance of resource centers operating in the committee's  
2 region and, as appropriate, make recommendations, concerning their performance  
3 to the department and the resource centers.

4 (c) Monitor grievances and appeals made to care management organizations  
5 or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the  
6 committee's region.

7 (d) Review utilization of long-term care services in the committee's region.

8 (f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards  
9 of resources centers operating in the committee's region and other available  
10 information, identify any gaps in the availability of services, living arrangements,  
11 and community resources needed by older persons and persons with physical or  
12 developmental disabilities, and develop strategies to build capacity to provide those  
13 services, living arrangements, and community resources in the committee's region.

14 (h) Annually report to the department regarding significant achievements and  
15 problems relating to the provision of long-term care services in the committee's  
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18 46.283 (4) (j) Target any outreach, education, and prevention services it  
19 provides and any service development efforts it conducts on the basis of findings  
20 made by the governing board of the resource center under sub. (6) (b) 2. and 3.

21 **SECTION 28.** 46.283 (6) of the statutes is amended to read:

22 46.283 (6) **GOVERNING BOARD.** (a) 1. A resource center shall have a governing  
23 board that reflects the ethnic and economic diversity of the geographic area served  
24 by the resource center.

1           2. At least one-fourth of the members of the governing board shall be ~~elder~~  
2 ~~persons or persons with physical or developmental disabilities~~ individuals who  
3 belong to a client group served by the resource center or their family members,  
4 guardians, or other advocates. The proportion of these board members who belong  
5 to each client group, or their family members, guardians, or advocates, shall be the  
6 same, respectively, as the proportion of individuals in this state who receive services  
7 under s. 46.2805 to 46.2895 and belong to each client group.

8           **SECTION 29.** 46.283 (6) (a) 3. of the statutes is created to read:

9           46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the  
10 governing board of, a care management organization or an organization that  
11 administers a program described under s. 46.2805 (1) (a) or (b) or a managed care  
12 program under s. 49.45 for individuals who are eligible to receive supplemental  
13 security income under 42 USC 1381 to 1383c, which serves any geographic area also  
14 served by a resource center, and the individual's family members, may not serve as  
15 members of the governing board of the resource center.

16           **SECTION 30.** 46.283 (6) (b) of the statutes is created to read:

17           46.283 (6) (b) The governing board of a resource center shall do all of the  
18 following:

19           1. Determine the structure, policies, and procedures of, and oversee the  
20 operations of, the resource center. The operations of a resource center that is  
21 operated by a county are subject to the county's ordinances and budget.

22           2. Annually gather information from consumers and providers of long-term  
23 care services and other interested persons concerning the adequacy of long-term  
24 care services offered in the area served by the resource center. The board shall

1 provide well-advertised opportunities for persons to participate in the board's  
2 information gathering activities conducted under this subdivision.

3 4. Report findings made under subds. 2. and 3. to the applicable regional  
4 long-term care advisory committee.

5 5. Recommend strategies for building local capacity to serve older persons and  
6 persons with physical or developmental disabilities, as appropriate, to local elected  
7 officials, the regional long-term care advisory committee, or the department.

8 7. Appoint members to the regional long-term care advisory committee, as  
9 provided under s. 46.2825 (1).

10 **SECTION 31.** 46.284 (1) (a) (intro.) of the statutes is amended to read:

11 46.284 (1) (a) (intro.) ~~After considering recommendations of the local~~  
12 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors and,  
13 in a county with a county executive or a county administrator, the county executive  
14 or county administrator, may decide all of the following:

15 **SECTION 32.** 46.284 (3) (a) of the statutes is amended to read:

16 46.284 (3) (a) If an entity meets the requirements under par. (b) and applicable  
17 rules of the department and submits to the department an application for initial  
18 certification or certification renewal, the department shall certify that the entity  
19 meets the requirements for a care management organization. ~~An application shall~~  
20 ~~include comments about the applicant and recommendations about the application~~  
21 ~~that are provided by the appropriate local long-term care council, as specified under~~  
22 ~~s. 46.282 (3) (a) 3.~~

23 (END)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1562/P4dn

RLR:.....

mk

(date)

This redraft renumbers proposed s. 46.281 (1) (j) to be s. 46.281 (1n) (d) to conform to the renumbering in LRB-0330.

Robin Ryan  
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**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1562/P4dn  
RLR:lmk:jf

February 1, 2007

This redraft renumbers proposed s. 46.281 (1) (j) to be s. 46.281 (1n) (d) to conform to the renumbering in LRB-0330.

Robin Ryan  
Legislative Attorney  
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State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-1562/P4  
RLR:kjf&lmk:jf

DOA:.....Milioto, BB0385b - Family care resource center governing boards  
and local and regional committees

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

This is a preliminary draft. An analysis will be provided in a later version.

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

2 SECTION 1. 46.27 (4) (am) of the statutes is amended to read:

3 46.27 (4) (am) If ~~a local long-term care council in a county~~ the governing board  
4 of a resource center assumes under s. 46.282 (3) (b) ~~46.283 (6) (b) 10.~~ the duties of the  
5 county long-term support planning committee under this subsection, the county  
6 long-term support planning committee for the county is dissolved.

7 SECTION 2. 46.27 (4) (c) (intro.) of the statutes is amended to read:

8 46.27 (4) (c) (intro.) The planning committee shall develop, or, if ~~a local~~  
9 ~~long-term care council~~ the governing board of a resource center has under s. 46.282

1 ~~(3) (b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the local  
2 ~~long-term care council governing board of the resource center~~ shall recommend a  
3 community options plan for participation in the program. The plan shall include:

4 **SECTION 3.** 46.27 (4) (c) 5. of the statutes is amended to read:

5 46.27 (4) (c) 5. A description of the method to be used by the committee or, if  
6 ~~a local long-term care council~~ the governing board of a resource center has under  
7 s. ~~46.282 (3) (b) 46.283 (6) (b) 10.~~ assumed the duties of the planning committee, the  
8 ~~local long-term care council governing board of the resource center~~ to monitor the  
9 implementation of the program.

10 **SECTION 4.** 46.2805 (7m) of the statutes is repealed.

11 **SECTION 5.** 46.281 (1n) (d) of the statutes is created to read:

12 46.281 (1n) (d) 1. Establish regions for long-term care advisory committees  
13 under s. 46.2825, periodically review the boundaries of the regions, and, as  
14 appropriate, revise the boundaries.

15 2. Specify the number of members that each governing board of a resource  
16 center shall appoint to a regional long-term care advisory committee. The total  
17 number of committee members shall not exceed 25, and the department shall allot  
18 committee membership equally among the governing boards of resource centers  
19 operating within the boundaries of the regional long-term care advisory committee.

20 3. Provide information and staff assistance to assist regional long-term care  
21 advisory committees in performing the duties under s. 46.2825 (2).

\*\*\*NOTE: This is reconciled s. 46.281 (1n) (d). This SECTION has been affected by  
the following LRB numbers: 0330 and 1562.

22 **SECTION 6.** 46.282 (title) of the statutes is repealed.

23 **SECTION 7.** 46.282 (2) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.282 (2). This SECTION has been affected by drafts with the following LRB numbers: 0330 and 1562.

1           **SECTION 8.** 46.282 (3) (title) of the statutes is repealed.

2           **SECTION 9.** 46.282 (3) (a) (intro.) of the statutes is repealed.

3           **SECTION 10.** 46.282 (3) (a) 1. of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 46.282 (3) (a) 1. This SECTION has been affected by drafts with the following LRB numbers: 1524 and 1562.

4           **SECTION 11.** 46.282 (3) (a) 2. of the statutes is repealed.

5           **SECTION 12.** 46.282 (3) (a) 3. of the statutes is repealed.

6           **SECTION 13.** 46.282 (3) (a) 4. of the statutes is repealed.

7           **SECTION 14.** 46.282 (3) (a) 5. of the statutes is repealed.

8           **SECTION 15.** 46.282 (3) (a) 6. of the statutes is repealed.

9           **SECTION 16.** 46.282 (3) (a) 7. of the statutes is repealed.

10          **SECTION 17.** 46.282 (3) (a) 8. of the statutes is renumbered 46.2825 (2) (e) and  
11 amended to read:

12           46.2825 (2) (e) Monitor ~~the pattern of~~ enrollments and disenrollments in local  
13 care management organizations that provide services in the committee's region.

14          **SECTION 18.** 46.282 (3) (a) 9. of the statutes is renumbered 46.283 (6) (b) 3. and  
15 amended to read:

16           46.283 (6) (b) 3. Identify any gaps in services, living arrangements, and  
17 community resources and ~~develop strategies to build local capacity to serve older~~  
18 ~~persons and persons with physical or developmental disabilities~~ needed by  
19 individuals belonging to the client groups served by the resource center, especially  
20 those with long-term care needs.

21          **SECTION 19.** 46.282 (3) (a) 10. of the statutes is renumbered 46.2825 (2) (g) and  
22 amended to read:

1           46.2825 (2) (g) Perform long-range planning on long-term care policy for ~~older~~  
2 ~~persons and persons with physical or developmental disabilities~~ individuals  
3 belonging to the client groups served by the resource center.

4           **SECTION 20.** 46.282 (3) (a) 11. of the statutes is renumbered 46.283 (6) (b) 8. and  
5 amended to read:

6           46.283 (6) (b) 8. Annually review interagency agreements between ~~a~~ the  
7 resource center and care management organization or organizations that provide  
8 services in the area served by the resource center and make recommendations, as  
9 appropriate, on the interaction between the resource center and the care  
10 management ~~organization or organizations~~ to assure coordination between or  
11 among them and to assure access to and timeliness in provision of services by the  
12 resource center and the care management organizations.

13           **SECTION 21.** 46.282 (3) (a) 12. of the statutes is renumbered 46.283 (6) (b) 9. and  
14 amended to read:

15           46.283 (6) (b) 9. Annually review Review the number and types of ~~complaints~~  
16 ~~and grievances about~~ and appeals concerning the long-term care system by persons  
17 ~~who receive or may receive care under the system~~ in the area served by the resource  
18 center, to determine if a need exists for system changes, and recommend system or  
19 other changes if appropriate.

20           **SECTION 22.** 46.282 (3) (a) 13. of the statutes is renumbered 46.283 (6) (b) 6. and  
21 amended to read:

22           46.283 (6) (b) 6. Identify potential new sources of community resources and  
23 funding for needed services for ~~older persons and persons with physical or~~  
24 ~~developmental disabilities~~ individuals belonging to the client groups served by the  
25 resource center.

1           **SECTION 23.** 46.282 (3) (a) 14. of the statutes is repealed.

2           **SECTION 24.** 46.282 (3) (a) 15. of the statutes is repealed.

3           **SECTION 25.** 46.282 (3) (b) of the statutes is renumbered 46.283 (6) (b) 10. and  
4 amended to read:

5           46.283 (6) (b) 10. ~~A local long-term care council may, within the local~~  
6 ~~long-term care council's area~~ If directed to do so by the county board, assume the  
7 duties of the county long-term community support planning committee as specified  
8 under s. 46.27 (4) for a county served by the resource center.

9           **SECTION 26.** 46.2825 of the statutes is created to read:

10           **46.2825 Regional long-term care advisory committees. (1) CREATION.**  
11 The governing board of each resource center operating in a region established by the  
12 department under s. 46.281 (1n) (d) 1. shall appoint the number of its members that  
13 is specified by the department under s. 46.281 (1n) (d) 2. to a regional long-term care  
14 advisory committee. At least 50 percent of the persons a resource center board  
15 appoints to a regional long-term care advisory committee shall be older persons or  
16 persons with a physical or developmental disability or their family members,  
17 guardians, or other advocates.

          \*\*\*NOTE: This is reconciled section 46.2825 (1). This SECTION has been affected by  
drafts with the following LRB numbers: 0330 and 1562.

18           **(2) DUTIES.** A regional long-term care advisory committee shall do all of the  
19 following:

20           (a) Evaluate the performance of care management organizations and entities  
21 that operate a program described under s. 46.2805 (1) (a) or (b) in the committee's  
22 region with respect to responsiveness to recipients of their services, fostering choices  
23 for recipients, and other issues affecting recipients; and make recommendations

1 based on the evaluation to the department and to the care management  
2 organizations and entities, as appropriate.

3 (b) Evaluate the performance of resource centers operating in the committee's  
4 region and, as appropriate, make recommendations, concerning their performance  
5 to the department and the resource centers.

6 (c) Monitor grievances and appeals made to care management organizations  
7 or entities that operate a program described under s. 46.2805 (1) (a) or (b) within the  
8 committee's region.

9 (d) Review utilization of long-term care services in the committee's region.

10 (f) Using information gathered under s. 46.283 (6) (b) 2. by governing boards  
11 of resources centers operating in the committee's region and other available  
12 information, identify any gaps in the availability of services, living arrangements,  
13 and community resources needed by older persons and persons with physical or  
14 developmental disabilities, and develop strategies to build capacity to provide those  
15 services, living arrangements, and community resources in the committee's region.

16 (h) Annually report to the department regarding significant achievements and  
17 problems relating to the provision of long-term care services in the committee's  
18 region.

19 **SECTION 27.** 46.283 (4) (j) of the statutes is created to read:

20 46.283 (4) (j) Target any outreach, education, and prevention services it  
21 provides and any service development efforts it conducts on the basis of findings  
22 made by the governing board of the resource center under sub. (6) (b) 2. and 3.

23 **SECTION 28.** 46.283 (6) of the statutes is amended to read:

1           46.283 (6) GOVERNING BOARD. (a) 1. A resource center shall have a governing  
2 board that reflects the ethnic and economic diversity of the geographic area served  
3 by the resource center.

4           2. At least one-fourth of the members of the governing board shall be ~~older~~  
5 ~~persons or persons with physical or developmental disabilities~~ individuals who  
6 belong to a client group served by the resource center or their family members,  
7 guardians, or other advocates. The proportion of these board members who belong  
8 to each client group, or their family members, guardians, or advocates, shall be the  
9 same, respectively, as the proportion of individuals in this state who receive services  
10 under s. 46.2805 to 46.2895 and belong to each client group.

11           **SECTION 29.** 46.283 (6) (a) 3. of the statutes is created to read:

12           46.283 (6) (a) 3. An individual who has a financial interest in, or serves on the  
13 governing board of, a care management organization or an organization that  
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15 program under s. 49.45 for individuals who are eligible to receive supplemental  
16 security income under 42 USC 1381 to 1383c, which serves any geographic area also  
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18 members of the governing board of the resource center.

19           **SECTION 30.** 46.283 (6) (b) of the statutes is created to read:

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21 following:

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23 operations of, the resource center. The operations of a resource center that is  
24 operated by a county are subject to the county's ordinances and budget.

1           2. Annually gather information from consumers and providers of long-term  
2 care services and other interested persons concerning the adequacy of long-term  
3 care services offered in the area served by the resource center. The board shall  
4 provide well-advertised opportunities for persons to participate in the board's  
5 information gathering activities conducted under this subdivision.

6           4. Report findings made under subds. 2. and 3. to the applicable regional  
7 long-term care advisory committee.

8           5. Recommend strategies for building local capacity to serve older persons and  
9 persons with physical or developmental disabilities, as appropriate, to local elected  
10 officials, the regional long-term care advisory committee, or the department.

11           7. Appoint members to the regional long-term care advisory committee, as  
12 provided under s. 46.2825 (1).

13           **SECTION 31.** 46.284 (1) (a) (intro.) of the statutes is amended to read:

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23 ~~include comments about the applicant and recommendations about the application~~

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3 (END)