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Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2007-08**

(session year)

**Assembly**

(Assembly, Senate or Joint)

**Committee on ... Public Health  
(AC-PH)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

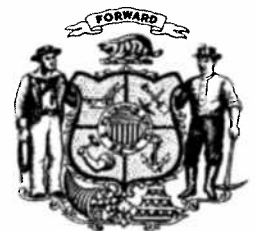
**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)
  - (**ajr** = Assembly Joint Resolution)
  - (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**





# WISCONSIN STATE LEGISLATURE





State of Wisconsin  
**Department of Health and Family Services**

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Jim Doyle, Governor  
Kevin R. Hayden, Secretary

February 13, 2008

TO: Assembly Committee on Public Health  
FROM: Katie Plona, DHFS legislative liaison  
RE: Senate Bills 324, 325, 326, 327 and 328

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Good morning. I'm Katie Plona, legislative liaison for the Department of Health and Family Services. Representative Hines and committee members, thank you for the opportunity to testify in favor of five pieces of remedial legislation that DHFS requested to the Legislative Council Special Committee on Law Revision and that have come to this committee with unanimous approval in the Senate.

**Senate Bill 324**

SB 324 deletes references in statute for one-time grants and appropriations to specific community health centers. These were historical one-time grants and funding to support the continued operation of Milwaukee Immediate Care, which subsequently closed, and to support a one-time expansion at the Isaac Coggs Community Health Center. This bill also deletes reference to a one-time grant to the Mary Mahoney Center in Milwaukee in the 1999-2000 biennium. This home closed in 2000.

The Department would like to remove these statutory references to update the statutes and reduce confusion for the administration of the remaining grants and appropriations for community health centers.

**Senate Bill 325**

SB 325 makes a technical correction to state statute that governs the AIDS Drug Assistance Program, known as ADAP. ADAP reimburses pharmacies for the cost of certain medications used in the treatment of HIV for qualified low-income individuals. Currently, the statute references the operations appropriation for federal funds that ADAP uses when it should reference the federal aid appropriation. SB 325 would amend the statute to reference the correct appropriation.

This bill changes nothing about the program from the consumer's perspective, and the Department would like to correct the statute so that the spending authority and the actual spending practices are in agreement.

**Senate Bill 326**

SB 326 eliminates the hourly Medicaid reimbursement rate in statute for respiratory care services for ventilator-dependent recipients from nurses in independent care. Under current law, this MA reimbursement rate is the only service for which a specified dollar amount is provided in statute.

Having this rate specified in statute is inconsistent with Medicaid rate setting for all other non-institutional providers, whose rates are not established in statute but are based on a maximum allowable cost schedule that the Department issues. The Department updates these rates based on Legislative approval, which usually occurs during the biennial budget process.

The current statute has not been updated since 1997 and does not reflect three provider rate increases since that time. This language is obsolete and DHFS would like to correct the language so it is not out of compliance with the statutory language.

To be consistent with how other rates are set for non-institutional providers, this statutory provision should be removed. Given that the Department seeks legislative approval for rate alterations, legislative oversight would continue to be maintained.

**Senate Bill 327**

SB 327 changes the term “lead inspection” to “lead investigation” throughout the statutes and deletes an obsolete date. The purpose of this language change is to be consistent with federal language, state rule language and definitions within the lead industry. The word “investigation” is broader in scope than inspection, which has a specific narrow definition in federal and state lead rules and as used in the regulated lead industry. The word “investigation” encompasses lead inspection, lead risk assessment and lead clearance activities. The word “inspection” was used in state statutes before federal regulations were published to provide a narrower definition for the term.

**Senate Bill 328**

SB 328 would allow the Division of Quality Assurance to communicate survey results to DQA regulated facilities in a means other than certified mail, creating a potential for cost savings and ensures more timely delivery of information to providers. Many providers have requested to receive a Statement of Deficiency and to submit plans of correction via electronically. The federal government is also exploring electronic means for communicating survey findings. The current state statute is an obstacle to that process.

Thank you again for the opportunity to testify in favor of these bills. I’m happy to answer any questions that committee members have.