

## 2011 DRAFTING REQUEST

### Bill

Received: 10/07/2010

Received By: **tdodge**

Wanted: **As time permits**

Companion to LRB:

For: **Administration-Budget 6-2214**

By/Representing: **Dombrowski**

May Contact:

Drafter: **tdodge**

Subject: **Health - medical assistance**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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Carbon copy (CC:) to:

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### Pre Topic:

DOA:.....Dombrowski, BB0084 -

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### Topic:

Update resource utilization grouping terminology

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### Instructions:

See attached

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### 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>
/?	tdodge 10/19/2010	jdye 10/20/2010		_____			
/1			phenry 10/20/2010	_____	lparisi 10/20/2010		
/2	tdodge 01/06/2011	jdye 01/07/2011	rschlue 01/07/2011	_____	lparisi 01/07/2011		

FE Sent For:

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1?	tdodge	1 10/20 jld	12/30 ph	10/20 ph			

FE Sent For:

<END>

## 2011-13 Budget Bill Statutory Language Drafting Request

- Topic: Nursing Home RUG Methodology
- 
- Tracking Code: BB0084
- SBO team: HSI
- SBO analyst: Cindy Dombrowski (M)
  - Phone: 266-2214
  - Email: cynthia.dombrowski@wisconsin.gov
- Agency acronym: DHS
- Agency number: 435
- Priority (Low, Medium, High): Low

### Intent:

Current law references specifically Resource Utilization Groupings III (3) as a resource utilization grouping classifying nursing home residents.

Remove the "III" so the statutes would refer to the most recent Resource Utilization Grouping methodology (see examples below).

49.45(6m)(a)6.

"Resource Utilization Groupings III" means a comparative resource utilization grouping that classifies each facility resident based on information obtained from performing, for the resident, a minimum data set assessment developed by the federal Centers for Medicare and Medicaid Services.

49.45(6m)(ag)3p.a.

The system shall incorporate acuity measurements under the most recent Resource Utilization Groupings III methodology to determine factors for case-mix adjustment.



State of Wisconsin  
2011 - 2012 LEGISLATURE

In 10/19/10



LRB-0243(001  
TJD:..... JLD  
RMNR

DOA:.....Dombrowski, BB0084 - Update resource utilization grouping terminology

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

X  
1 do not gen  
AN ACT ...; relating to: the budget. ✓

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES ✓**

**MEDICAL ASSISTANCE ✓**

Currently, the federal Centers for Medicare and Medicaid Services (CMS) oversees the Medical Assistance (MA) program, which is administered in this state by DHS. MA provides benefits to eligible individuals who reside in a nursing home. CMS currently uses a method, called "Resource Utilization Groupings III," to categorize residents of nursing homes by the level of needed resources. These categories are used to calculate the payments to nursing homes under MA. This bill changes the terminology to "Resource Utilization Groupings." \*

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

- 2 SECTION 1. 49.45 (6m) (a) 6. of the statutes is amended to read: ✓
- 3 49.45 (6m) (a) 6. "Resource Utilization Groupings III" means a comparative ✓
- 4 resource utilization grouping that classifies each facility resident based on

1 information obtained from performing, for the resident, a minimum data set  
 2 assessment developed by the federal Centers for Medicare and Medicaid Services.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342.

3 **SECTION 2. 49.45 (6m) (ag) 3p. a. of the statutes is amended to read:**

4 **49.45 (6m) (ag) 3p. a.** The system shall incorporate acuity measurements  
 5 under the most recent Resource Utilization Groupings <sup>✓</sup>III methodology to determine  
 6 factors for case-mix adjustment.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109; 2003 a. 33, 318, 321; 2005 a. 22; 2005 a. 25 ss. 1120 to 1149f, 2503 to 2510; 2005 a. 107, 165, 253, 254, 264, 301, 340, 386, 441; 2007 a. 20 ss. 1513 to 1559h, 9121 (6) (a); 2007 a. 90, 97, 104, 141, 153; 2009 a. 2, 28, 113, 177, 180, 190, 221, 334, 342.

7 (END)

**Dodge, Tamara**

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**From:** Dombrowski, Cynthia A - DOA [cynthia.dombrowski@wisconsin.gov]

**Sent:** Thursday, January 06, 2011 2:38 PM

**To:** Dodge, Tamara

**Subject:** Update RUGS Terminology Draft

Hi Tamara -

I have a minor edit to LRB-0243 relating to the RUGS methodology. In section 2, please change the "shall incorporate acuity..." to "may..."

Please let me know if you have any questions.

Thanks,  
Cindy

**Cynthia Dombrowski**

Executive Policy and Budget Analyst

Department of Administration

Tel: (608)266-2214

Fax: (608)267-0372

cynthia.dombrowski@wisconsin.gov



In 1/6/11

RMR

DOA:.....Dombrowski, BB0084 - Update resource utilization grouping terminology

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

✓  
#20 This acuity-based payment system currently requires the incorporation of acuity measurements under the most recent "Resource Utilization Groupings III" methodology to set the case-mix adjustment.

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

no # or certain  
licensed community-based  
residential facility

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MEDICAL ASSISTANCE**

Currently, the federal Centers for Medicare and Medicaid Services (CMS) oversees the Medical Assistance (MA) program, which is administered in this state by DHS. MA provides benefits to eligible individuals who reside in a nursing home. CMS currently uses a method, called "Resource Utilization Groupings III," to categorize residents of nursing homes by the level of needed resources. These categories are used to calculate the payments to nursing homes under MA. This bill changes the terminology to "Resource Utilization Groupings III."

facilities ✓

facilities ✓

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2 **SECTION 1.** 49.45 (6m) (a) 6. of the statutes is amended to read:

3 49.45 (6m) (a) 6. "Resource Utilization Groupings III" means a comparative  
4 resource utilization grouping that classifies each facility resident based on

✓  
and allows, instead of requires, the incorporation of acuity measurements for case-mix adjustment.   
pain period

1 information obtained from performing, for the resident, a minimum data set  
2 assessment developed by the federal Centers for Medicare and Medicaid Services.

3 SECTION 2. 49.45 (6m) (ag) 3p. a. of the statutes is amended to read:

4 49.45 (6m) (ag) 3p. a. The system <sup>strike</sup>~~shall~~ incorporate acuity measurements *may* ✓  
5 under the most recent Resource Utilization Groupings III methodology to determine  
6 factors for case-mix adjustment.

7 (END)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0243/2  
TJD:jld:rs

DOA:.....Dombrowski, BB0084 - Update resource utilization grouping terminology

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

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**MEDICAL ASSISTANCE**

Currently, the federal Centers for Medicare and Medicaid Services (CMS) oversees the Medical Assistance (MA) program, which is administered in this state by DHS. MA provides benefits to eligible individuals who reside in a nursing home or a certain licensed community-based residential facility. CMS currently uses a method, called "Resource Utilization Groupings III," to categorize residents of facilities by the level of needed resources. These categories are used to calculate the payments to facilities under MA. This acuity-based payment system currently requires the incorporation of acuity measurements under the most recent "Resource Utilization Groupings III" methodology to set the case-mix adjustment. This bill changes the terminology to "Resource Utilization Groupings" and allows, instead of requires, the incorporation of acuity measurements for case-mix adjustment.

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