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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2011-12

(session year)

Assembly

(Assembly, Senate or Joint)

Committee on Health...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

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

* Contents organized for archiving by: Stefanie Rose (LRB) (October 2013)

DATE: March 1, 2011

TO: Marsha Dake

Committee on Health

FROM: Patrick E. Fuller, Assembly Chief Clerk

RE: Clearinghouse Rules Referral

The following Clearinghouse Rule has been referred to your committee.

CLEARINGHOUSE RULE 10-146

AN ORDER to repeal and recreate DHS 1.03 (20) (c) and 1.06 (3) (d) and (e), relating to records status and retention period for records of clients who have unpaid liability to the department or counties.

Submitted by **Department of Health Services.**

Report received from Agency on **February 15, 2011.**

To committee on **Health.**

Referred on **Monday, February 28, 2011.**

Last day for action - **Wednesday, March 30, 2011.**

Under section 227.19 (4) of the Wisconsin Statutes, your committee has 30 days to take action or get an extension. The day **after** the official referral date is day one of your review period. Therefore, the 30th day should fall four weeks and two days after the referral date. For example, for Clearinghouse Rules referred on a Monday, a Wednesday would be your 30th day. For Clearinghouse Rules referred on a Thursday or Friday, your 30th day would fall on a weekend. Therefore, your time would expire on the next working day (Monday) as provided for in s. 990.001 of the Wisconsin Statutes. Also, if the 30th day falls on a legal holiday, time would expire on the next working day.

To extend your review period for an additional 30 days, your committee has one of two options. Section 227.19(4)(b) states that you can request in writing that the agency meet with the committee to review the proposed rule. Another option is to publish or post notice that the committee will hold a meeting or hearing to review the proposed rule and immediately send a copy of the notice to the agency.

Section 227.19 **requires** you to notify each member of your committee that you have received this Clearinghouse Rule. Although some committee chairs choose to do so, you are not required by law or rule to send a copy of the text of the rule to each member at this time. Instead, your notice could state that members should contact you if they wish to receive a hard copy of the rule. Another option would be to email the rule to members. Please put a copy of your official notification memo in the rule jacket.

Three copies of the Clearinghouse Rule and its accompanying documents are contained in the jacket. If you wish to have your Legislative Council attorney review the Clearinghouse Rule, send him/her a copy. I only need one copy remaining in the jacket when you report it out of committee at the end of the review period.

The identical process is happening simultaneously in the Senate. Keep track of their action on the rule.

For assistance with the Clearinghouse Rule process, please consult Kay Inabnet (6-5550) or your Legislative Council attorney. If you wish to learn more on this subject, read *Review of Administrative Rules* which is part of the Legislative Council's Wisconsin Legislator Briefing Book series, section 227.19 of the Wisconsin Statutes or part 2 of the *Administrative Rules Procedures Manual* written by the Revisor of Statutes Bureau and the Wisconsin Legislative Council staff.



Dake, Marsha

From: Dake, Marsha
Sent: Wednesday, March 02, 2011 4:06 PM
To: Rep.Kaufert; Rep.Severson; Rep.Van Roy; Rep.Strachota; Rep.Petersen; Rep.Litjens; Rep.Richards; Rep.Pasch; Rep.Pocan; Rep.Seidel; Field, Adam; Scholz, Andrew; Hein, Tanya; Buschman, Sara; Bowers, Deborah; Turke, Jon; Kostelic, Jeff; Ludwig, Frederic; Trost, Craig; McKinny, Chris; Sweet, Richard; Frechette, Heidi; Rep.Stone
Subject: Clearinghouse Rule 10-146
Attachments: TransmittaltoCH_121010[1].pdf; DHS_1_RecordsRetention_FE_toClearinghouse_121010[1].pdf; DHS_1_RecordsRetention_Order_toClearinghouse_121010[1].pdf

Members of the Assembly Committee on Health:

The following Clearinghouse Rule has been referred to the Assembly Committee on Health:

Clearinghouse Rule 10-146 (DHS): relating to records status and retention period for records of clients who have unpaid liability to the department or counties

Please contact my office (6-8590) by March 23 if you have any questions or would like to request a hearing on this rule.

The final date for committee action on CHR 10-146 is March 30, 2011.

Thank you,

Marsha Dake
Committee Clerk
Office of Rep. Jeff Stone



TransmittaltoCH_121010[1].pdf ...



DHS_1_RecordsReDHS_1_RecordsRetention_FE_toCl...
DHS_1_RecordsRetention_Order_t...



Tracking:

Recipient

Rep.Kaufert
Rep.Severson
Rep.Van Roy
Rep.Strachota
Rep.Petersen
Rep.Litjens
Rep.Richards
Rep.Pasch
Rep.Pocan
Rep.Seidel
Field, Adam
Scholz, Andrew
Hein, Tanya
Buschman, Sara
Bowers, Deborah

Delivery

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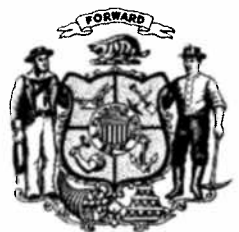
Turke, Jon
Kostelic, Jeff
Ludwig, Frederic
Trost, Craig
McKinny, Chris
Sweet, Richard
Frechette, Heidi
Rep.Stone

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WISCONSIN STATE LEGISLATURE



Rule to be changed:

1) DHS 1.03(20)



(20) PAYMENT PERIOD. Monthly billing to responsible parties with ability to pay shall continue until:

DHS 1.03(20)(a)



(a) Liability has been met or

DHS 1.03(20)(b)



(b) A waiver of remaining liability is obtained or

DHS 1.03(20)(c)



(c) Client records for inpatient mental health services are placed in inactive status as specified under s. DHS 1.06 (3) (d).

DHS 1.06(3)(b)



(b) *Individual account control record.* Each billing and collection unit has broad flexibility to design a system that best fits the agency's needs and also satisfies the requirements of the uniform fee system. A record system is required that brings together all units of services provided for those clients whose accounts must be set up for billing a responsible party or third-party under the uniform fee system. For such cases, financial information forms and other information to prepare billings must be reported to the billing unit. The billing and collection unit is responsible for posting data to individual account control records from information received as soon as possible, including services provided and payments made as well as dates of service and dates of payments.

DHS 1.06(3)(c)



(c) *Client collection file.* There shall be a client collection file for every account billed. The file shall include:

DHS 1.06(3)(c)1.



1. Copies of financial information forms for all responsible parties who elect to be billed according to their ability to pay.

DHS 1.06(3)(c)2.



2. Updated information after each year (6 months for social service clients) concerning the family's ability to pay when billing extends for more than one year (6 months for social service clients).

DHS 1.06(3)(c)3.



3. Copies of all invoices sent to responsible parties.

DHS 1.06(3)(c)4.



4. Copies of all invoices sent to third-party payers.

DHS 1.06(3)(c)5.



5. Copies of all correspondence.

DHS 1.06(3)(c)6.



6. Documentation of all other actions taken on the account.

DHS 1.06(3)(d)



2) (d) *Active client record.* Records remain active as long as liability exists with the following exception: For inpatient mental health services, client records may be placed in inactive status when third-party sources have been exhausted and it has been determined the responsible parties have a permanent inability or unlikely future ability to pay.

DHS 1.06(3)(e)



(e) *Inactive client records.* Inactive client records shall be available for audit purposes and kept a minimum of 5 years with the following exception: Where liability for inpatient mental health services remains, client records shall be kept a minimum of 10 years after the last transaction is posted to the record.