

1985 Assembly Bill 471

Date of enactment: November 14, 1985
Date of publication: November 22, 1985

1985 Wisconsin Act 72

AN ACT to amend 150.11 (3) (c) and (4) and 150.81 of the statutes; and to affect 1985 Wisconsin Act 29, section 3204 (23) (is), relating to nursing home and hospital capital expenditure review requirements.

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

SECTION 1. 150.11 (3) (c) and (4) of the statutes are amended to read:

150.11 (3) (c) Any person required to submit an application under this subsection for the department's approval under s. 150.21 shall comply with the time limits for submission of applications under s. 150.33. The department shall afford an applicant under this subsection a reasonable time to obtain its approval but if it rejects the application it may refuse to issue or renew a license or approval, as specified in sub. (1), and costs associated with the project may not be recovered through charges or rates, as specified in sub. (2). If the department approves the project it shall ~~fine~~ impose a forfeiture on the person who operates the project of not less than 10% and not more than 50% of the costs exceeding the threshold under par. (a) or of the cost overrun under par. (b). Project approval takes effect only after payment of the forfeiture has been made.

(4) The department's approval of any project is revoked if the capital expenditures specified in the approval have not been obligated, if ~~permanent financing in an amount sufficient to complete the project~~ has not been obtained or if substantial and continuing progress has not been undertaken within the period specified in the approval. In addition, the department's approval of any project is revoked if the

person who operates a project misses any other deadlines specified in the approval and fails to make a good faith effort to meet these deadlines.

SECTION 2. 150.81 of the statutes is amended to read:

150.81 Capital budget reporting. Each hospital shall annually report to the department a proposed capital budget for the 5-year period that begins with July 2, 1983. This budget shall specify all anticipated capital expenditures subject to this subchapter. This requirement does not apply to purchase or other acquisitions of a hospital under s. 150.61 (4). Each hospital shall submit its report and its anticipated application dates to the department no later than 180 days after July 2, 1983. No application from a hospital under s. 150.65 to approve a project is complete until the department receives this information.

SECTION 3. 1985 Wisconsin Act 29, section 3204 (23) (is) is amended to read:

(1985 Wisconsin Act 29) Section 3204 (23) (is) *Capital expenditure review.*

1. The treatment of sections ~~150.01 (21), 150.61 (1) to (4), 150.613, and (3) and 150.615 of the statutes takes effect on January 1, 1986.~~

2. The treatment of sections 150.01 (21), 150.61 (2), 150.613 and 150.69 (13) of the statutes takes effect on July 1, 1986.