



## 1997 ASSEMBLY BILL 857

March 2, 1998 - Introduced by Representatives WALKER, HANDRICK, WASSERMAN, UNDERHEIM, ROBSON, HUTCHISON, R. YOUNG, MORRIS-TATUM, SYKORA, STASKUNAS, HANSON, KREUSER, HUBER, L. YOUNG, MURAT, CULLEN, PLALE, LA FAVE, BOCK, VANDER LOOP and RILEY, cosponsored by Senators MOORE, FARROW, BURKE, ROSENZWEIG, ROESSLER, DARLING, WINEKE, GROBSCHMIDT and WIRCH. Referred to Committee on Health.

1     **AN ACT** *to repeal* 20.435 (5) (er); and *to create* 20.435 (5) (er) of the statutes;  
2           **relating to:** neonatal intensive care unit training grants, providing an  
3           exemption from emergency rule procedures, granting rule-making authority,  
4           and making an appropriation.

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### ***Analysis by the Legislative Reference Bureau***

This bill creates a grant program within the department of health and family services (DHFS) for the training, on-site consultation and support of medical personnel of hospital neonatal intensive care units in the principles and practices of developmentally supportive and family-centered care for high-risk infants and their families. Under the bill, DHFS must distribute up to \$170,000 of general purpose revenue in each fiscal year to hospitals to fund up to 10 grants for payment of the training, consultation and support. DHFS must promulgate rules establishing criteria and procedures awarding the grants and defining "specialized training and on-site consultation and support". The bill also authorizes DHFS to promulgate the rules as emergency rules, without requiring a finding of emergency.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

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1           **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert  
2 the following amounts for the purposes indicated:

	1997-98	1998-99
<b>20.435 Health and family services, department</b>		
<b>of</b>		

6           (5) HEALTH SERVICES PLANNING, REGULATION AND  
7 DELIVERY; AIDS & LOCAL ASSISTANCE

8           (er) Neonatal intensive care unit

training grants	GPR	C	-0-	170,000
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10           **SECTION 2.** 20.435 (5) (er) of the statutes is created to read:

11           20.435 (5) (er) *Neonatal intensive care unit training grants.* As a continuing  
12 appropriation, the amounts in the schedule for neonatal intensive care unit training  
13 grants under 1997 Wisconsin Act .... (this act), section 4 (1).

14           **SECTION 3.** 20.435 (5) (er) of the statutes, as created by 1997 Wisconsin Act ....  
15 (this act), is repealed.

16           **SECTION 4. Nonstatutory provisions.**

17           (1) NEONATAL INTENSIVE CARE UNIT TRAINING GRANTS.

18           (a) In this subsection:

19           1. “Developmentally supportive and family-centered care” includes all of the  
20 following:

21           a. Caregiving that is individualized, flexible and responsive to each infant,  
22 based on continuous skillful monitoring of the infant’s behavioral and physiologic  
23 responses.

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1           b. Modifications to the caregiving environment to minimize infant stress and  
2 promote optimal infant adjustment to his or her neonatal intensive care unit  
3 experience.

4           c. Support of the developing parent or family and infant relationship  
5 throughout the infant's neonatal intensive care unit stay and after discharge, using  
6 strategies that focus on developing parental competence in infant care through  
7 parental education, support and guidance in the practice of appropriate care.

8           2. "High-risk infant" means a neonatal child who has or is at risk of having  
9 serious physical disorders, biological complications or developmental impairment.

10           3. "Hospital" has the meaning given in section 50.33 (2) of the statutes.

11           4. "Neonatal" means within 4 weeks after birth.

12           5. "Neonatal intensive care unit" means a hospital unit in which are  
13 concentrated special equipment and skilled medical personnel for the care of  
14 high-risk infants requiring immediate or continuous attention.

15           (b) From the appropriation under section 20.435 (5) (er) of the statutes, the  
16 department shall distribute up to \$170,000 in each fiscal year to provide up to 10  
17 grants to applying public or private hospitals to pay for specialized training and  
18 on-site consultation and support of medical personnel of neonatal intensive care  
19 units in the principles and practice of developmentally supportive and  
20 family-centered care for high-risk infants and their families. An individual who has  
21 demonstrated proficiency in training professional caregivers in developmentally  
22 supportive and family centered care shall provide the training and consultation.

23           (c) The department shall promulgate all of the following rules to implement  
24 this section:

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1           1. Establishing the criteria and procedures for the awarding of grants under  
2 paragraph (b).

3           2. Defining “specialized training and on-site consultation and support”. The  
4 rule shall include a minimum of 40 hours of formal training and 160 hours of practice  
5 work.

6           (2) **EMERGENCY RULES FOR NEONATAL INTENSIVE CARE UNIT TRAINING GRANTS.** Using  
7 the procedure under section 227.24 of the statutes, the department of health and  
8 family services may promulgate rules defining “specialized training and on-site  
9 consultation and support” and regarding criteria and procedures for awarding  
10 grants under the neonatal intensive care unit training grant program under  
11 subsection (1) for the period before the effective date of the permanent rules  
12 promulgated under subsection (1) (c), but not to exceed the period authorized under  
13 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and  
14 (3) of the statutes, the department need not provide evidence of the necessity of  
15 preservation of the public peace, health, safety or welfare in promulgating rules  
16 under this subsection.

17           **SECTION 5. Effective dates.** This act takes effect on July 1, 1998, except as  
18 follows:

19           (1) **FUNDING FOR NEONATAL INTENSIVE CARE UNIT TRAINING GRANTS.** The repeal of  
20 section 20.435 (5) (er) of the statutes takes effect on July 1, 2000.

21           (2) **EMERGENCY RULES FOR NEONATAL INTENSIVE CARE UNIT TRAINING GRANTS.**  
22 **SECTION (4) (2)** of this act takes effect on the day after publication.

23   **(END)**