



2005 ASSEMBLY BILL 1121

March 14, 2006 - Introduced by Representatives WASSERMAN, AINSWORTH, KREUSER, ALBERS, BERCEAU, BOYLE, GUNDERSON, HEBL, LEHMAN, MOLEPSKE, NELSON, OTT, POPE-ROBERTS, SEIDEL, SHERMAN, SINICKI, TRAVIS and TURNER, cosponsored by Senator RISSER. Referred to Committee on Medicaid Reform.

1 **AN ACT** *to renumber* 49.45 (6v); *to amend* 20.435 (4) (b), 20.435 (4) (gp) and
2 20.435 (7) (bd); and *to create* 49.45 (6ur) of the statutes; **relating to:** requiring
3 Medical Assistance incentive payments to hospitals that establish a physician
4 order entry record system.

Analysis by the Legislative Reference Bureau

Beginning on January 1, 2007, or the day after publication of this bill as an act, whichever is later, this bill requires that, for each hospital that establishes and maintains a physician order entry record system for medical services, the Department of Health and Family Services annually make an incentive Medical Assistance (MA) payment that equals 1 percent of the MA reimbursement to the hospital for the previous fiscal year. The hospital must establish the physician order entry record system by January 1, 2009.

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

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

5 **SECTION 1.** 20.435 (4) (b) of the statutes is amended to read:

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1 20.435 (4) (b) *Medical Assistance program benefits*. Biennially, the amounts
2 in the schedule to provide a portion of the state share of Medical Assistance program
3 benefits administered under s. 49.45, to provide a portion of the Medical Assistance
4 program benefits administered under s. 49.45 that are not also provided under par.
5 (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion of the
6 facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services
7 provided by resource centers under s. 46.283, and for services under the family care
8 benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation account to the appropriation account under sub. (7)
10 (kb) funds in the amount of and for the purposes specified in s. 46.485.
11 Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or
12 deposit into this appropriation account and may transfer between fiscal years funds
13 that it transfers from the appropriation account under sub. (7) (kb) for the purposes
14 specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the department may
15 transfer from this appropriation account to the appropriation account under sub. (7)
16 (bd) funds in the amount and for the purposes specified in s. 49.45 (~~6v~~) (6L).

17 **SECTION 2.** 20.435 (4) (gp) of the statutes is amended to read:

18 20.435 (4) (gp) *Medical assistance Assistance; hospital assessments*. All
19 moneys received under s. 146.99, to provide a portion of the state share of Medical
20 Assistance program benefits administered under s. 49.45, to provide a portion of
21 Medical Assistance program benefits administered under s. 49.45 that are not also
22 provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide
23 a portion of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to
24 fund services provided by resource centers under s. 46.283, and for services under
25 the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the

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1 department may transfer from this appropriation account to the appropriation
2 account under sub. (7) (kb) funds in the amount of and for the purposes specified in
3 s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may
4 credit or deposit into this appropriation account and may transfer between fiscal
5 years funds that it transfers from the appropriation account under sub. (7) (kb) for
6 the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the
7 department may transfer from this appropriation account to the appropriation
8 account under sub. (7) (bd) funds in the amount and for the purposes specified in s.
9 49.45 (~~6v~~) (6L).

10 **SECTION 3.** 20.435 (7) (bd) of the statutes is amended to read:

11 20.435 (7) (bd) *Community options program; pilot projects; family care benefit.*

12 The amounts in the schedule for assessments, case planning, services,
13 administration and risk reserve escrow accounts under s. 46.27, for pilot projects
14 under s. 46.271 (1), to fund services provided by resource centers under s. 46.283 (5),
15 for services under the family care benefit under s. 46.284 (5) and for the payment of
16 premiums under s. 49.472 (5). If the department transfers funds to this
17 appropriation from the appropriation account under sub. (4) (b), the amounts in the
18 schedule for the fiscal year for which the transfer is made are increased by the
19 amount of the transfer for the purposes specified in s. 49.45 (~~6v~~) (6L).
20 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this
21 paragraph transfer moneys between fiscal years. Except for moneys authorized for
22 transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under
23 this appropriation that are allocated under s. 46.27 and are not spent or encumbered
24 by counties or by the department by December 31 of each year shall lapse to the

ASSEMBLY BILL 1121**SECTION 3**

1 general fund on the succeeding January 1 unless transferred to the next calendar
2 year by the joint committee on finance.

3 **SECTION 4.** 49.45 (6ur) of the statutes is created to read:

4 49.45 (6ur) PHYSICIAN ORDER ENTRY RECORD SYSTEM; INCENTIVE PAYMENTS. From
5 the appropriation accounts under s. 20.435 (4) (b) and (o), the department shall
6 annually make an incentive payment to each hospital that establishes, by January
7 1, 2009, and thereafter continues to maintain a physician order entry record system
8 for provided medical services that, at a minimum, include pharmacy, laboratory,
9 ultrasonography, and radiology services. The incentive payment shall equal 1
10 percent of the Medical Assistance reimbursement to the hospital for the previous
11 fiscal year.

12 **SECTION 5.** 49.45 (6v) of the statutes is renumbered 49.45 (6L).

13 **SECTION 6. Effective date.**

14 (1) This act takes effect on January 1, 2007, or on the day after publication,
15 whichever is later.

16 (END)