



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3365/2

DAK:kjf:rs

2005 ASSEMBLY BILL 1115

March 14, 2006 - Introduced by Representatives VOS, POPE-ROBERTS, PRIDEMORE, MUSSER, NEWCOMER, ALBERS, KRAWCZYK, KERKMAN, BERCEAU, GUNDERSON and LEMAHIEU, cosponsored by Senators STEPP, ERPENBACH, OLSEN and COGGS. Referred to Committee on Aging and Long-Term Care.

1 **AN ACT** *to create* 51.06 (8) of the statutes; **relating to:** requiring a report
2 concerning relocations and diversions from nursing homes, intermediate care
3 facilities for the mentally retarded, and centers for the developmentally
4 disabled.

Analysis by the Legislative Reference Bureau

This bill requires that the Department of Health and Family Services submit to the Joint Committee on Finance a report, by January 1, 2007, that includes information collected from July 1, 2003, through at least July 1, 2006, concerning relocations and diversions made from nursing homes, intermediate care facilities for the mentally retarded, and the state centers for the developmentally disabled. The report must include information on numerous matters, including the impact of the relocations and diversions on the health and safety of the individuals relocated or diverted; the nature and duration of relocations or diversions; and an accounting of the costs and savings, under the Medical Assistance program, of the relocations and diversions and the resulting reduction in capacity for services of nursing homes, intermediate care facilities for the mentally retarded, and centers for the developmentally disabled.

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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:

1 **SECTION 1.** 51.06 (8) of the statutes is created to read:

2 51.06 (8) RELOCATIONS; REPORT. (a) In this subsection:

3 1. "Intermediate care facility for the mentally retarded" has the meaning given
4 in 42 USC 1396d (d).

5 2. "Medical Assistance" has the meaning given in s. 49.43 (8).

6 3. "Nursing home" has the meaning given in s. 50.01 (3).

7 (b) By January 1, 2007, the department shall submit to the joint committee on
8 finance and to the appropriate standing committees of the legislature under s. 13.172
9 (3) a report that includes information collected from July 1, 2003, through at least
10 July 1, 2006, on the relocation or diversion of individuals who are Medical Assistance
11 eligibles or recipients from nursing homes, intermediate care facilities for the
12 mentally retarded, and centers for the developmentally disabled. The report shall
13 include all of the following information:

14 1. The impact of the relocations and diversions on the health and safety of the
15 individuals relocated or diverted.

16 2. The extent of involvement of guardians or family members of the individuals
17 in efforts to relocate or divert the individuals.

18 3. The nature and duration of relocations or diversions that specifies the
19 locations of relocated or diverted individuals every year after home or community
20 placement occurs, so as to keep track of the individuals on an ongoing basis.

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1 4. An accounting of the costs and savings under the Medical Assistance
2 program of relocations and diversions and the resulting reduction in capacity for
3 services of nursing homes, intermediate care facilities for the mentally retarded, and
4 centers for the developmentally disabled. The accounting shall include the per
5 individual savings as well as the collective savings of relocations and diversions.

6 5. The costs under the Medical Assistance program of administration, housing,
7 and other services, including nursing, personal care, and physical therapy services,
8 that are associated with the relocations and diversions.

9 6. The extent of Medical Assistance provided to relocated or diverted
10 individuals that is in addition to Medical Assistance provided to the individuals
11 under s. 46.27 (11), 46.275, 46.277, or 46.278, as a family care benefit under ss.
12 46.2805 to 46.2895, or under any other home-based or community-based program
13 for which the department has received a waiver under 42 USC 2396n (c).

14 7. Staff turnover rates for nursing homes, intermediate care facilities for the
15 mentally retarded, and centers for the developmentally disabled in communities in
16 which an individual relocated or diverted from a nursing home, intermediate care
17 facility for the mentally retarded, or center for the developmentally disabled
18 currently resides.

19 (END)