



2009 ASSEMBLY BILL 899

March 26, 2010 - Introduced by Representatives RICHARDS, RHOADES, VOS, PASCH, BENEDICT, GRIGSBY, KAUFERT, VRUWINK, KERKMAN, PARISI, BERCEAU, BERNARD SCHABER, SINICKI, NYGREN, NELSON, YOUNG, POPE-ROBERTS, TURNER, ZEPNICK and FIELDS, cosponsored by Senators CARPENTER, DARLING, LEHMAN, KREITLOW, OLSEN, TAYLOR, COGGS, PLALE, ERPENBACH, HANSEN, ROBSON, VINEHOUT, SCHULTZ and WIRCH. Referred to Committee on Health and Healthcare Reform.

1 **AN ACT to amend** 252.12 (2) (a) 8. (intro.); and **to create** 49.45 (6y) (c) of the
2 statutes; **relating to:** payments to hospitals for HIV-related services provided
3 to Medical Assistance recipients.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health Services (DHS) may award grants to nonprofit associations or public agencies to provide services to individuals who have the human immunodeficiency virus (HIV) or who are at risk of contracting HIV. Currently, DHS administers the Medical Assistance program (MA), which provides health services to individuals with limited resources.

Under this bill, if a nonprofit association or public agency that receives certain grants to provide services to individuals with HIV enters into an agreement with a hospital to coordinate HIV-related specialty care and hospital services, DHS must pay the grant or a portion of the grant to the hospital for HIV-related services provided to MA beneficiaries. Additionally, DHS must make a supplemental payment from its MA funds to those hospitals that receive the state share of payments from the grant and that have an agreement with a nonprofit association or public agency to coordinate HIV-related specialty care and hospital services. Any grant moneys paid to hospitals comprise the state share of payments for the purposes of those supplemental payments.

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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.** 49.45 (6y) (c) of the statutes is created to read:

2 49.45 **(6y)** (c) 1. In this paragraph, “HIV” has the meaning given in s. 252.01
3 (1m).

4 2. Notwithstanding sub. (3) (e), from the appropriation under s. 20.435 (4) (o)
5 the department shall provide supplemental payments for services to hospitals that
6 receive the state share of payments from the appropriation under s. 20.435 (1) (am)
7 and that enter into an agreement to coordinate HIV-related specialty care and
8 hospital services with an HIV care organization that is designated by the department
9 to receive a grant under s. 252.12 (2) (a) 8., except that the department may not
10 provide supplemental payments to any hospital that exceeds limitations based on
11 customary charges under 42 USC 1396b (i) (3).

12 **SECTION 2.** 252.12 (2) (a) 8. (intro.) of the statutes, as affected by 2009
13 Wisconsin Act 28, is amended to read:

14 252.12 **(2)** (a) 8. (intro.) ‘Mike Johnson life care and early intervention services
15 grants.’ The department shall award not more than \$3,569,900 in each fiscal year
16 in grants to applying organizations for the provision of needs assessments;
17 assistance in procuring financial, medical, legal, social and pastoral services;
18 counseling and therapy; homecare services and supplies; advocacy; and case
19 management services. These services shall include early intervention services. The
20 department shall also award not more than \$74,000 in each year from the
21 appropriation account under s. 20.435 (5) (md) for the services under this

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1 subdivision. The state share of payment for case management services that are
2 provided under s. 49.45 (25) (be) to recipients of medical assistance shall be paid from
3 the appropriation account under s. 20.435 (1) (am). If an organization that is
4 awarded a grant under this subdivision enters into an agreement with a hospital to
5 coordinate HIV-related specialty care and hospital services, the department shall
6 pay the grant, or a portion of the grant, to the hospital for such services that are
7 provided to recipients of medical assistance. Grant moneys paid to hospitals under
8 this subdivision shall comprise the state share of payments for purposes of
9 supplemental payments under s. 49.45 (6y) (c) 2. All of the following apply to grants
10 awarded under this subdivision:

11 **SECTION 3. Effective date.**

12 (1) This act takes effect on July 1, 2010.

13 (END)