



1995 ASSEMBLY BILL 977

February 29, 1996 - Introduced by Representatives NASS, WARD, BOCK, MEYER, SERATTI, SILBAUGH, SPRINGER, R. YOUNG and GUNDERSON, cosponsored by Senator HUELSMAN. Referred to Committee on Aging and Long-Term Care.

1 **AN ACT to create** 46.27 (7) (b) 1r. am. and an. and 46.27 (11) (c) 3m. am. and an.
2 of the statutes; **relating to:** providing exceptions to the limitation on
3 reimbursement for services under the community options program.

Analysis by the Legislative Reference Bureau

Currently, the long-term support community options program provides long-term community support services to certain persons who are elderly, physically disabled, developmentally disabled, chronically mentally ill or chemically dependent as an alternative to nursing home care. Part of the community options program services are funded solely from state general purpose revenues and are commonly known as "regular COP" services; the other part of the community options program services are funded from state and federal moneys as a medical assistance benefit, under a waiver of federal medicaid laws, and are commonly known as "COP waiver" services.

Under current law, as affected by 1995 Wisconsin Act 27 (the budget act), the reimbursement for services that are provided under both regular COP and COP waiver is limited to the average monthly cost of nursing home care, as determined by the department of health and social services (DHSS), except for persons who are under age 22; ventilator-dependent persons; persons whose nursing home costs would exceed the cost of providing them with care in the community, as determined by DHSS; and persons for whom DHSS determines that nursing home care is not available or that public funding for institutional care is not available.

This bill creates 2 additional exceptions to the limitation on reimbursement for community options program services. One exception is for a person who is enrolled in an institution that grants a bachelor's degree, for a period of up to 10 semesters of the enrollment, less any semester that the person is enrolled in the institution of higher education while receiving community options program services and excepted from the reimbursement limitation because he or she is under age 22 and less any semester that the person is receiving services while enrolled in an institution that

grants an associate degree. The 2nd exception is for a person who is enrolled in an institution that grants an associate degree, for a period of up to 6 semesters of the enrollment, less any semester that the person is enrolled in the technical college system while receiving community options program services and excepted from the community options program services limitation because he or she is under age 22 and less any semester that the person is receiving services while enrolled in an institution that grants a bachelor's degree. These reimbursement limitation exceptions apply to both regular COP and COP waiver.

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.** 46.27 (7) (b) 1r. am. and an. of the statutes are created to read:

2 46.27 (7) (b) 1r. am. A person who is enrolled in an institution that grants a
3 bachelor's degree, for the period of up to 10 semesters of the enrollment, less any
4 semesters that the person is enrolled in the institution of higher education while
5 provided services under subd. 1r. a. and less any semesters that the person is enrolled
6 and provided services under subd. 1r. an.

7 an. A person who is enrolled in an institution that grants an associate degree,
8 for the period of up to 6 semesters of the enrollment, less any semesters that the
9 person is enrolled in the technical college system while provided services under subd.
10 1r. a. and less any semesters that the person is enrolled and provided services under
11 subd. 1r. an.

12 **SECTION 2.** 46.27 (11) (c) 3m. am. and an. of the statutes are created to read:

13 46.27 (11) (c) 3m. am. A person who is enrolled in an institution that grants a
14 bachelor's degree, for the period of up to 10 semesters of the enrollment, less any
15 semesters that the person is enrolled in the institution of higher education while
16 provided services under subd. 3m. a. and less any semesters that the person is
17 enrolled and provided services under subd. 3m. an.

1 an. A person who is enrolled in an institution that grants an associate degree,
2 for the period of up to 6 semesters of the enrollment, less any semesters that the
3 person is enrolled in the technical college system while provided services under subd.
4 3m. a. and less any semesters that the person is enrolled and provided services under
5 subd. 3m. an.

6

(END)