

SOON - In edit 2/5

1999 - 2000 LEGISLATURE

LRB-0028/8  
DAK:jlg:18

D-NOTE

DOA:.....Jablonsky - Public health and health care financing appropriation changes

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**HEALTH**

Under current law, the appropriation accounts for expenditure of moneys by the department of health and family services (DHFS) are specified for several categories, including state operations and aids and local assistance for health services planning, regulation and delivery.

This bill reclassifies current categories of appropriation accounts for DHFS for health services planning, regulation and delivery into categories of health care financing and public health state operations and aids and local assistance.

For further information see the *state* 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:*

\*\*\*\*NOTE: This redraft (-0028/5) eliminates treatment of s. 16.0095, which is repealed in LRB-0829. If LRB-0829 is not included in the budget bill, the treatment should be restored.

1           **SECTION 1.** 20.435 (1) (title) of the statutes is amended to read:

2           20.435 (1) (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND  
3           DELIVERY; STATE OPERATIONS.

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 2.** 20.435 (1) (a) of the statutes is amended to read:

5           20.435 (1) (a) *General program operations.* The amounts in the schedule for  
6           general program operations, including public health services regulation,  
7           administration and field services.

8           **SECTION 3.** 20.435 (1) (gm) of the statutes is amended to read:

9           20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and*  
10          services. The amounts in the schedule for the purposes specified in ss. 146.50 (8),  
11          250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31 to  
12          254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) and ch. ~~150~~ 69, for the  
13          purchase and distribution of medical supplies and to analyze and provide data under  
14          s. 250.04. All moneys received under ss. 146.50 (5) (f) (8) (d), ~~150.13~~ and (10) (a) 2.  
15          and 3., 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176,  
16          254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and  
17          255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited  
18          to this appropriation account. ~~From the fees collected under s. 50.135 (2), \$444,700~~  
19          ~~in fiscal year 1997-98 and \$451,600 in fiscal year 1998-99 shall be credited to this~~  
20          ~~appropriation account.~~

          \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

          \*\*\*\*NOTE: This is reconciled s. 20.435 (1) (gm). This SECTION has been affected by drafts with the following LRB numbers: LRB-0027/4, LRB-0028/6 and LRB-0329/3.

21          **SECTION 4.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 5.** 20.435 (1) (hg) of the statutes is renumbered 20.435 (4) (hg).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2       **SECTION 6.** 20.435 (1) (hi) of the statutes is renumbered 20.435 (4) (hi).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3       **SECTION 7.** 20.435 (1) (in) of the statutes is renumbered 20.435 (4) (in).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4       **SECTION 8.** 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 9.** 20.435 (4) (title) of the statutes is created to read:

6       20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH  
7       CARE FINANCING.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8       **SECTION 10.** 20.435 (4) (a) of the statutes is created to read:

9       20.435 (4) (a) *General program operations.* The amounts in the schedule for  
10       general program operations, including health care financing regulation,  
11       administration and field services.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12       **SECTION 11.** 20.435 (4) (e) of the statutes is created to read:

13       20.435 (4) (e) *Disease aids.* Biennially, the amounts in the schedule for  
14       assisting victims of diseases, as provided in ss. 49.68, 49.683 and 49.685.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15       **SECTION 12.** 20.435 (4) (gm) of the statutes is created to read:

1           20.435 (4) (gm) *Health services regulation and vital statistics*. The amounts in  
2 the schedule for the purposes specified in chs. 69 and 150. All moneys received under  
3 ch. 69 and s. 150.13 shall be credited to this appropriation account. From the fees  
4 collected under s. 50.135 (2), \$247,000 in fiscal year 1999–2000 and \$297,200 in fiscal  
5 year 2000–01 shall be credited to this appropriation account.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 13.** 20.435 (4) (i) of the statutes is created to read:

7           20.435 (4) (i) *Gifts and grants; health care financing*. All moneys received from  
8 gifts, grants, bequests and trust funds to provide health care financing consistent  
9 with the purpose of the gift, grant, bequest or trust fund.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 14.** 20.435 (4) (kx) of the statutes is created to read:

11          20.435 (4) (kx) *Interagency and intra-agency programs*. All moneys received  
12 from other state agencies and all moneys received by the department from the  
13 department for the administration of programs or projects, for the purposes for which  
14 received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 15.** 20.435 (4) (ky) of the statutes is created to read:

16          20.435 (4) (ky) *Interagency and intra-agency aids*. All moneys received from  
17 other state agencies, including moneys transferred from s. 20.505 (8) (hm) 7., and all  
18 moneys received by the department from the department for aids to individuals and  
19 organizations, for the purpose of providing those aids.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: The inclusion of the reference to s. 20.505 (8) (hm) in this paragraph is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this paragraph will need to be redrafted.

1           **SECTION 16.** 20.435 (4) (kz) of the statutes is created to read:

2           20.435 (4) (kz) *Interagency and intra-agency local assistance.* All moneys  
3 received from other state agencies and all moneys received by the department from  
4 the department for local assistance, for the purpose of providing that assistance.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 17.** 20.435 (4) (m) of the statutes is created to read:

6           20.435 (4) (m) *Federal project operations.* All moneys received from the federal  
7 government or any of its agencies for the state administration of specific limited term  
8 projects, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 18.** 20.435 (4) (ma) of the statutes is created to read:

10          20.435 (4) (ma) *Federal project aids.* All moneys received from the federal  
11 government or any of its agencies for specific limited term projects of aids to  
12 individuals or organizations, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13          **SECTION 19.** 20.435 (4) (md) of the statutes is created to read:

14          20.435 (4) (md) *Federal block grant aids.* All block grant moneys received from  
15 the federal government or any of its agencies for aids to individuals or organizations,  
16 other than for specific limited term projects and continuing programs, to be expended  
17 for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18          **SECTION 20.** 20.435 (4) (n) of the statutes is created to read:

1           20.435 (4) (n) *Federal program operations*. All moneys received from the  
2 federal government or any of its agencies for the state administration of continuing  
3 programs, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 21.** 20.435 (4) (na) of the statutes is created to read:

5           20.435 (4) (na) *Federal program aids*. All moneys received from the federal  
6 government or any of its agencies for continuing programs of aids to individuals or  
7 organizations, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 22.** 20.435 (5) (title) of the statutes is amended to read:

9           20.435 (5) (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND  
10 DELIVERY; AIDS AND LOCAL ASSISTANCE.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 23.** 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 24.** 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13          **SECTION 25.** 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14          **SECTION 26.** 20.435 (5) (bs) of the statutes is renumbered 20.435 (4) (bs).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 27.** 20.435 (5) (d) of the statutes is renumbered 20.435 (4) (d).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16          **SECTION 28.** 20.435 (5) (e) of the statutes is amended to read:

1           20.435 (5) (e) *Disease aids*. Biennially, the amounts in the schedule for  
2 assisting victims of diseases, as provided in ~~ss. 49.68, 49.683, 49.685, 58.06, 252.08~~  
3 ~~(4) and (5) and s. 252.10~~ (6) and (7), as ~~allocated~~ distributed by the department.

\*\*\*\*NOTE: This is reconciled s. 20.435 (5) (e). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0028/6 and LRB-0183/1.

4           **SECTION 29.** 20.435 (5) (gh) of the statutes is renumbered 20.435 (4) (gh).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 30.** 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 31.** 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 32.** 20.435 (5) (p) of the statutes is renumbered 20.435 (4) ~~(p)~~. (P)

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 33.** 20.435 (7) (kb) of the statutes is amended to read:

9           20.435 (7) (kb) *Severely emotionally disturbed children*. As a continuing  
10 appropriation, all moneys transferred from the appropriation under sub. (5) (4) (b)  
11 to this appropriation to provide, under s. 46.485, mental health care and treatment  
12 and community-based mental health services for severely emotionally disturbed  
13 children. Notwithstanding s. 20.002 (1), the department of health and family  
14 services may transfer from this appropriation to the appropriation under sub. (5) (4)  
15 (b) funds as specified in s. 46.485 (3r).

16           **SECTION 34.** 20.505 (8) (hm) 7. of the statutes is created to read:

17           20.505 (8) (hm) 7. The amount transferred to the appropriation account under  
18 s. 20.435 (4) (ky) shall be \$2,055,000 in fiscal year 1999–2000 and \$2,115,000 in fiscal  
19 year 2000–01.

\*\*\*\*NOTE: The creation of this subdivision is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this subdivision should be eliminated.

1           **SECTION 35.** 46.27 (9) (a) of the statutes is amended to read:

2           46.27 (9) (a) The department may select up to 5 counties that volunteer to  
3 participate in a pilot project under which they will receive certain funds allocated for  
4 long-term care. The department shall allocate a level of funds to these counties  
5 equal to the amount that would otherwise be paid under s. 20.435 (5) (4) (b) to nursing  
6 homes for providing care because of increased utilization of nursing home services,  
7 as estimated by the department. In estimating these levels, the department shall  
8 exclude any increased utilization of services provided by state centers for the  
9 developmentally disabled. The department shall calculate these amounts on a  
10 calendar year basis under sub. (10).

11           **SECTION 36.** 46.27 (10) (a) 1. of the statutes is amended to read:

12           46.27 (10) (a) 1. The department shall determine for each county participating  
13 in the pilot project under sub. (9) a funding level of state medical assistance  
14 expenditures to be received by the county. This level shall equal the amount that the  
15 department determines would otherwise be paid under s. 20.435 (5) (4) (b) because  
16 of increased utilization of nursing home services, as estimated by the department.

17           **SECTION 37.** 46.27 (11) (c) 3. of the statutes is amended to read:

18           46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a  
19 private nonprofit agency or an aging unit with which the department contracts  
20 provides under this subsection shall be made from the appropriations under s. 20.435  
21 (5) (4) (o) and (7) (b) and (bd).

22           **SECTION 38.** 46.27 (11) (c) 4. of the statutes is amended to read:



1           46.27 (11) (c) 4. The department may, from the appropriation under s. 20.435  
2       ~~(5)~~ (4) (o), provide reimbursement for services provided under this subsection by  
3       counties that are in excess of the current average annual per person rate, as  
4       established by the department, and are less than or equal to the average amount  
5       approved in the waiver received under par. (am).

6           **SECTION 39.** 46.275 (5) (a) of the statutes is amended to read:

7           46.275 (5) (a) Medical assistance reimbursement for services a county, or the  
8       department under sub. (3r), provides under this program is available from the  
9       appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o). If 2 or more counties jointly contract  
10      to provide services under this program and the department approves the contract,  
11      medical assistance reimbursement is also available for services provided jointly by  
12      these counties.

13          **SECTION 40.** 46.275 (5) (c) of the statutes is amended to read:

14          46.275 (5) (c) The total allocation under s. 20.435 ~~(5)~~ (4) (b) and (o) to counties  
15      and to the department under sub. (3r) for services provided under this section may  
16      not exceed the amount approved by the federal department of health and human  
17      services. A county may use funds received under this section only to provide services  
18      to persons who meet the requirements under sub. (4) and may not use unexpended  
19      funds received under this section to serve other developmentally disabled persons  
20      residing in the county.

21          **SECTION 41.** 46.275 (5) (d) of the statutes is amended to read:

22          46.275 (5) (d) The department may, from the appropriation under s. 20.435 ~~(5)~~  
23      (4) (o), provide reimbursement for services provided under this section by counties  
24      that are in excess of the current average annual per person rate, as established by

1 the department, and are less than the average amount approved in the waiver  
2 received under sub. (2).

3 **SECTION 42.** 46.278 (6) (d) of the statutes is amended to read:

4 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
5 share of service costs under the waiver received under sub. (3), the department may,  
6 from the appropriation under s. 20.435 (5) (4) (o), provide reimbursement for services  
7 that the county provides under this section to persons who are in addition to those  
8 who may be served under this section with funds from the appropriation under s.  
9 20.435 (5) (4) (b).

10 **SECTION 43.** 46.485 (2g) (intro.) of the statutes is amended to read:

11 46.485 (2g) (intro.) From the appropriation under s. 20.435 (5) (4) (b), the  
12 department may in each fiscal year transfer funds to the appropriation under s.  
13 20.435 (7) (kb) for distribution under this section and from the appropriation under  
14 s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in each  
15 fiscal year to applying counties in this state that meet all of the following  
16 requirements, as determined by the department:

17 **SECTION 44.** 46.485 (3r) of the statutes is amended to read:

18 46.485 (3r) Funds that a county does not encumber before 24 months after  
19 June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse  
20 to the appropriation under s. 20.435 (5) (4) (b).

21 **SECTION 45.** 49.45 (2) (a) 4. of the statutes is amended to read:

22 49.45 (2) (a) 4. To the extent funds are available under s. 20.435 (1) (4) (bm),  
23 certify all proper charges and claims for administrative services to the department  
24 of administration for payment and the department of administration shall draw its  
25 warrant forthwith.

1           **SECTION 46.** 49.45 (2) (a) 17. of the statutes is amended to read:

2           49.45 (2) (a) 17. Notify the governor, the joint committee on legislative  
3 organization, the joint committee on finance and appropriate standing committees,  
4 as determined by the presiding officer of each house, if the appropriation under s.  
5 20.435 ~~(5)~~ (4) (b) is insufficient to provide the state share of medical assistance.

6           **SECTION 47.** 49.45 (3) (am) 1. of the statutes is amended to read:

7           49.45 (3) (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the  
8 department shall make incentive payments to counties to encourage counties to  
9 identify medical assistance applicants and recipients who have other health care  
10 coverage and the providers of the health care coverage and give that information to  
11 the department.

12           **SECTION 48.** 49.45 (3) (j) of the statutes is amended to read:

13           49.45 (3) (j) Reimbursement for administrative contract costs under this  
14 section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

15           **SECTION 49.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

16           49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this  
17 subsection made under s. 20.435 ~~(1) (4) (m) (p) or (5) (b) or (o)~~ shall, except as provided  
18 in pars. (bg), (bm) and (br), be determined according to a prospective payment system  
19 updated annually by the department. The payment system shall implement  
20 standards that are necessary and proper for providing patient care and that meet  
21 quality and safety standards established under subch. II of ch. 50 and ch. 150. The  
22 payment system shall reflect all of the following:

\*\*\*\*NOTE: This redraft (-0028/5) deletes treatment of s. 49.45 (6m) (ag) 8., which is  
repealed in LRB-1756. If LRB-1756 is not included in the budget bill, the treatment  
should be restored.

23           **SECTION 50.** 49.45 (6t) (intro.) of the statutes is amended to read:

✓  
(4) (b), (pa)

1           **49.45 (6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING  
2 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for  
3 reduction of operating deficits, as defined under criteria developed by the  
4 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42  
5 or by a local health department, as defined in s. 250.01 (4), for services provided  
6 under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management  
7 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for  
8 minors provided under the authorization under 42 USC 1396d (r) (5), the department  
9 shall allocate up to \$4,500,000 in each fiscal year to these county departments, or  
10 local health departments as determined by the department, and shall perform all of  
11 the following:

12           **SECTION 51.** 49.45 (6t) (d) of the statutes is amended to read:

13           **49.45 (6t)** (d) If the federal department of health and human services approves  
14 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
15 in a lesser allocation amount than that allocated under this subsection or disallows  
16 use of the allocation of federal medicaid funds under par. (c), reduce allocations under  
17 this subsection and distribute on a prorated basis, as determined by the department.

18           **SECTION 52.** 49.45 (6u) (d) of the statutes is amended to read:

19           **49.45 (6u)** (d) If the federal department of health and human services approves  
20 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
21 in a lesser allocation amount than that allocated under this subsection, allocate not  
22 more than the lesser amount so approved by the federal department of health and  
23 human services.

24           **SECTION 53.** 49.45 (6u) (e) of the statutes is amended to read:

1           49.45 (6u) (e) If the federal department of health and human services approves  
2 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
3 in a lesser allocation amount than that allocated under this subsection, submit a  
4 revision of the method developed under par. (b) for approval by the joint committee  
5 on finance in that state fiscal year.

6           **SECTION 54.** 49.45 (6w) (intro.) of the statutes is amended to read:

7           49.45 (6w) HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the  
8 appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined  
9 under criteria developed by the department, incurred by a hospital, as defined under  
10 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or  
11 owned and operated by a city or village, the department shall allocate up to  
12 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,  
13 and shall perform all of the following:

14           **SECTION 55.** 49.45 (6w) (d) of the statutes is amended to read:

15           49.45 (6w) (d) If the federal department of health and human services approves  
16 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
17 in a lesser allocation amount than that allocated under this subsection or disallows  
18 use of the allocation of federal medicaid funds under par. (c), reduce allocations under  
19 this subsection and distribute on a prorated basis, as determined by the department.

20           **SECTION 56.** 49.45 (6x) (a) of the statutes is amended to read:

21           49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
22 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than \$4,748,000  
23 in each fiscal year, to provide funds to an essential access city hospital, except that  
24 the department may not allocate funds to an essential access city hospital to the  
25 extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

1           **SECTION 57.** 49.45 (6x) (d) of the statutes is amended to read:

2           49.45 (6x) (d) If the federal department of health and human services approves  
3 for state expenditure in any state fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that  
4 result in a lesser distribution amount than that distributed under this subsection or  
5 disallows use of federal medicaid funds under par. (a), the department of health and  
6 family services shall reduce the distributions under this subsection.

7           **SECTION 58.** 49.45 (6y) (a) of the statutes is amended to read:

8           49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
9 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each fiscal year  
10 to provide supplemental payment to hospitals that enter into a contract under s.  
11 49.02 (2) to provide health care services funded by a relief block grant, as determined  
12 by the department, for hospital services that are not in excess of the hospitals'  
13 customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief  
14 block grant is awarded under this chapter or if the allocation of funds to such  
15 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
16 may distribute funds to hospitals that have not entered into a contract under s. 49.02  
17 (2).

18           **SECTION 59.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

19           49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations  
20 under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each  
21 fiscal year to supplement payment for services to hospitals that enter into a contract  
22 under s. 49.02 (2) to provide health care services funded by a relief block grant under  
23 this chapter, if the department determines that the hospitals serve a  
24 disproportionate number of low-income patients with special needs. If no medical  
25 relief block grant under this chapter is awarded or if the allocation of funds to such

1 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
2 may distribute funds to hospitals that have not entered into a contract under s. 49.02  
3 (2). The department may not distribute funds under this subsection to the extent  
4 that the distribution would do any of the following:

5 **SECTION 60.** 49.45 (8) (b) of the statutes is amended to read:

6 49.45 (8) (b) Reimbursement under s. 20.435 ~~(5)~~ (4) (b) and (o) for home health  
7 services provided by a certified home health agency or independent nurse shall be  
8 made at the home health agency's or nurse's usual and customary fee per patient care  
9 visit, subject to a maximum allowable fee per patient care visit that is established  
10 under par. (c).

11 **SECTION 61.** 49.45 (24m) (intro.) of the statutes is amended to read:

12 49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.)  
13 From the appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o), in order to test the  
14 feasibility of instituting a system of reimbursement for providers of home health care  
15 and personal care services for medical assistance recipients that is based on  
16 competitive bidding, the department shall:

17 **SECTION 62.** 49.475 (5) of the statutes is amended to read:

18 49.475 (5) REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435  
19 ~~(1)~~ (4) (bm) and ~~(p)~~, the department shall reimburse an insurer that provides  
20 information under this section for the insurer's reasonable costs incurred in  
21 providing the requested information, including its reasonable costs, if any, to develop  
22 and operate automated systems specifically for the disclosure of information under  
23 this section.

24 **SECTION 63.** 49.496 (5) of the statutes is amended to read:

1           49.496 (5) USE OF FUNDS. From the appropriation under s. 20.435 (5) (4) (im),  
2           the department shall pay the amount of the payments under sub. (4) that is not paid  
3           from federal funds, shall pay to the federal government the amount of the funds  
4           recovered under this section equal to the amount of federal funds used to pay the  
5           benefits recovered under this section and shall spend the remainder of the funds  
6           recovered under this section for medical assistance benefits under this subchapter.

7           **SECTION 64.** 49.683 (2) of the statutes is amended to read:

8           49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the  
9           appropriation under s. 20.435 (5) (4) (e).

10          **SECTION 65.** 49.687 (2) of the statutes is amended to read:

11          49.687 (2) The department shall develop and implement a sliding scale of  
12          patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.  
13          49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to  
14          pay for treatment. To ensure that the needs for treatment of patients with lower  
15          incomes receive priority within the availability of funds under s. 20.435 (5) (4) (e),  
16          the department shall revise the sliding scale for patient liability by January 1, 1994,  
17          and shall, every 3 years thereafter by January 1, review and, if necessary, revise the  
18          sliding scale.

19          **SECTION 66.** 50.135 (2) (c) of the statutes is amended to read:

20          50.135 (2) (c) The fees collected under par. (a) shall be credited to the  
21          appropriations under s. 20.435 (1) (4) (gm) and (6) (jm) as specified in those  
22          appropriations for licensing, review and certifying activities.

23          **SECTION 67.** 146.93 (1) (a) of the statutes is amended to read:

24          146.93 (1) (a) From the appropriation under s. 20.435 (1) (4) (gp), the  
25          department shall maintain a program for the provision of primary health care



1 services based on the primary health care program in existence on June 30, 1987.

2 The department may promulgate rules necessary to implement the program.

3 **SECTION 68.** 146.99 of the statutes is amended to read:

4 **146.99 Assessments.** The department shall, within 90 days after the  
5 commencement of each fiscal year, estimate the total amount of expenditures and the  
6 department shall assess the estimated total amount under s. 20.435 ~~(1)~~ (4) (gp) to  
7 hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross  
8 private-pay patient revenues during the hospital's most recently concluded entire  
9 fiscal year. Each hospital shall pay its assessment on or before December 1 for the  
10 fiscal year. All payments of assessments shall be deposited in the appropriation  
11 under s. 20.435 ~~(1)~~ (4) (gp).

12 **SECTION 69.** 149.143 (1) (a) of the statutes is amended to read:

13 149.143 (1) (a) First from the appropriation under s. 20.435 ~~(5)~~ (4) (af).

14 **SECTION 70.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

15 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage  
16 under s. 149.14 set at 150% of the rate that a standard risk would be charged under  
17 an individual policy providing substantially the same coverage and deductibles as  
18 are provided under the plan, including amounts received for premium and deductible  
19 subsidies under ss. 20.435 ~~(5)~~ (4) (ah) and 149.144, and from premiums collected from  
20 eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2)  
21 (b).

22 **SECTION 71.** 149.143 (1) (b) 1. b. of the statutes is amended to read:

23 149.143 (1) (b) 1. b. Second, from the appropriation under s. 20.435 ~~(5)~~ (4) (gh),  
24 to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan  
25 costs.

1           **SECTION 72.** 149.143 (1) (b) 1. c. of the statutes is amended to read:

2           149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with  
3 coverage under s. 149.14 to more than 150% but not more than 200% of the rate that  
4 a standard risk would be charged under an individual policy providing substantially  
5 the same coverage and deductibles as are provided under the plan, including  
6 amounts received for premium and deductible subsidies under ss. 20.435 (5) (4) (ah)  
7 and 149.144, and by increasing premiums from eligible persons with coverage under  
8 s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under  
9 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

10           **SECTION 73.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

11           149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be  
12 received in the new plan year if the enrollee premiums were set at a level sufficient,  
13 when including amounts received for premium and deductible subsidies under ss.  
14 20.435 (5) (4) (ah) and 149.144 and from premiums collected from eligible persons  
15 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60%  
16 of the estimated plan costs for the new plan year, after deducting from the estimated  
17 plan costs the amount available in the appropriation under s. 20.435 (5) (4) (af) for  
18 that plan year.

19           **SECTION 74.** 149.143 (2) (a) 1. c. of the statutes is amended to read:

20           149.143 (2) (a) 1. c. If the amount estimated to be received under subd. 1. a. is  
21 less than the amount estimated to be received under subd. 1. b., direct the plan  
22 administrator to provide to the department, prior to the beginning of the plan year  
23 and according to procedures specified by the department, the amount of the  
24 difference. The department shall deposit all amounts received under this subd. 1.  
25 c. in the appropriation account under s. 20.435 (5) (4) (gh).

1           **SECTION 75.** 149.144 of the statutes is amended to read:

2           **149.144 Adjustments to insurer assessments and provider payment**  
3 **rates for premium and deductible reductions.** If the moneys under s. 20.435  
4 ~~(5)~~ (4) (ah) are insufficient to reimburse the plan for premium reductions under s.  
5 149.165 and deductible reductions under s. 149.14 (5) (a), or the department  
6 determines that the moneys under s. 20.435 ~~(5)~~ (4) (ah) will be insufficient to  
7 reimburse the plan for premium reductions under s. 149.165 and deductible  
8 reductions under s. 149.14 (5) (a), the department shall, by rule, adjust in equal  
9 proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the  
10 provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143 (1) (b) 1.,  
11 sufficient to reimburse the plan for premium reductions under s. 149.165 and  
12 deductible reductions under s. 149.14 (5) (a). The department shall notify the  
13 commissioner so that the commissioner may levy any increase in insurer  
14 assessments.

15           **SECTION 76.** 149.165 (4) of the statutes is amended to read:

16           **149.165 (4)** The department shall reimburse the plan for premium reductions  
17 under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys from the  
18 appropriation under s. 20.435 ~~(5)~~ (4) (ah).

19           **SECTION 77.** 153.05 (6m) of the statutes is amended to read:

20           **153.05 (6m)** The department may contract with the group insurance board for  
21 the provision of data collection and analysis services related to health maintenance  
22 organizations and insurance companies that provide health insurance for state  
23 employees. The department shall establish contract fees for the provision of the  
24 services. All moneys collected under this subsection shall be credited to the  
25 appropriation under s. 20.435 ~~(1)~~ (4) (hg).

1           **SECTION 78.** 153.60 (1) of the statutes is amended to read:

2           153.60 (1) The department shall, by the first October 1 after the  
3 commencement of each fiscal year, estimate the total amount of expenditures under  
4 this chapter for the department and the board for that fiscal year for data collection,  
5 data base development and maintenance, generation of data files and standard  
6 reports, orientation and training provided under s. 153.05 (9) and maintaining the  
7 board. The department shall assess the estimated total amount for that fiscal year  
8 less the estimated total amount to be received for purposes of administration of this  
9 chapter under s. 20.435 ~~(1)~~ (4) (hi) during the fiscal year, the unencumbered balance  
10 of the amount received for purposes of administration of this chapter under s. 20.435  
11 ~~(1)~~ (4) (hi) from the prior fiscal year and the amount in the appropriation account  
12 under s. 20.435 (1) (dg) for the fiscal year, to health care providers who are in a class  
13 of health care providers from whom the department collects data under this chapter  
14 in a manner specified by the department by rule. The department shall obtain  
15 approval from the board for the amounts of assessments for health care providers  
16 other than hospitals and ambulatory surgery centers. The department shall work  
17 together with the department of regulation and licensing to develop a mechanism for  
18 collecting assessments from health care providers other than hospitals and  
19 ambulatory surgery centers. No health care provider that is not a facility may be  
20 assessed under this subsection an amount that exceeds \$75 per fiscal year. Each  
21 hospital shall pay the assessment on or before December 1. All payments of  
22 assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

23           **SECTION 79.** 153.60 (3) of the statutes is amended to read:

24           153.60 (3) The department shall, by the first October 1 after the  
25 commencement of each fiscal year, estimate the total amount of expenditures

1 required for the collection, database development and maintenance and generation  
2 of public data files and standard reports for health care plans that voluntarily agree  
3 to supply health care data under s. 153.05 (6r). The department shall assess the  
4 estimated total amount for that fiscal year to health care plans in a manner specified  
5 by the department by rule and may enter into an agreement with the office of the  
6 commissioner of insurance for collection of the assessments. Each health plan that  
7 voluntarily agrees to supply this information shall pay the assessments on or before  
8 December 1. All payments of assessments shall be deposited in the appropriation  
9 under s. 20.435 ~~(1)~~ (4) (hg) and may be used solely for the purposes of s. 153.05 (6r).

10 **SECTION 80.** 153.65 of the statutes is amended to read:

11 **153.65 Provision of special information; user fees.** The department may,  
12 but is not required to, provide, upon request from a person, a data compilation or a  
13 special report based on the information collected by the department. The  
14 department shall establish user fees for the provision of these compilations or  
15 reports, payable by the requester, which shall be sufficient to fund the actual  
16 necessary and direct cost of the compilation or report. All moneys collected under  
17 this section shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hi).

18 **SECTION 81.** 867.035 (4) of the statutes is amended to read:

19 867.035 (4) From the appropriation under s. 20.435 ~~(5)~~ (4) (im), with respect  
20 to funds collected by the department under sub. (1) related to medical assistance paid  
21 on behalf of the decedent or the decedent's spouse, the department of health and  
22 family services shall pay claims under sub. (3), shall pay to the federal government  
23 from the amount recovered under this section and not paid out as claims under sub.  
24 (3) an amount equal to the amount of federal funds used to pay the benefits recovered

1 under this section and shall spend the remainder of the amount recovered under this  
2 section for medical assistance benefits under subch. IV of ch. 49.

3 (END)

D-NOTE

D-NOTE

To Sue Gabelowsky and Jeff Geisler:

¶ This redraft changes the renumbering of s. 20.435 (5) (p),<sup>✓</sup> stats., to 20.435 (4) (p),<sup>✓</sup> in response to Jeff's request, and changes appropriate cross-references to reflect that change and the change in LRB-0030 in the renumbering of s. 20.435 (1) (p),<sup>✓</sup> stats., to s. 20.435 (4) (pa).<sup>✓</sup>

DAK

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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0028/8dn  
DAK:jlj:jf

February 9, 1999

To Sue Jablonsky and Jeff Geisler:

This redraft changes the renumbering of s. 20.435 (5) (p), stats., to 20.435 (4) (p), in response to Jeff's request, and changes appropriate cross-references to reflect that change and the change in LRB-0030 in the renumbering of s. 20.435 (1) (p), stats., to s. 20.435 (4) (pa).

Debra A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-0028/8

DAK:jlj:jf

DOA:.....Jablonsky – Public health and health care financing appropriation changes

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**HEALTH**

Under current law, the appropriation accounts for expenditure of moneys by the department of health and family services (DHFS) are specified for several categories, including state operations and aids and local assistance for health services planning, regulation and delivery.

This bill reclassifies current categories of appropriation accounts for DHFS for health services planning, regulation and delivery into categories of health care financing and public health state operations and aids and local assistance.

For further information see the *state* 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:*

\*\*\*NOTE: This redraft (-0028/5) eliminates treatment of s. 16.0095, which is repealed in LRB-0829. If LRB-0829 is not included in the budget bill, the treatment should be restored.

1           **SECTION 1.** 20.435 (1) (title) of the statutes is amended to read:

2           20.435 (1) (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND  
3 DELIVERY; STATE OPERATIONS.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 2.** 20.435 (1) (a) of the statutes is amended to read:

5           20.435 (1) (a) *General program operations.* The amounts in the schedule for  
6 general program operations, including public health services regulation,  
7 administration and field services.

8           **SECTION 3.** 20.435 (1) (gm) of the statutes is amended to read:

9           20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and*  
10 *services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8),  
11 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31 to  
12 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) and ch. ~~150~~ 69, for the  
13 purchase and distribution of medical supplies and to analyze and provide data under  
14 s. 250.04. All moneys received under ss. 146.50 (5) (f) (8) (d), ~~150.13~~ and (10) (a) 2.  
15 and 3., 250.04 (3m), 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176,  
16 254.178, 254.20 (5) and (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and  
17 255.08 (2) (b) and ch. 69 and as reimbursement for medical supplies shall be credited  
18 to this appropriation account. ~~From the fees collected under s. 50.135 (2), \$444,700~~  
19 ~~in fiscal year 1997-98 and \$451,600 in fiscal year 1998-99 shall be credited to this~~  
20 ~~appropriation account.~~

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

      \*\*\*\*NOTE: This is reconciled s. 20.435 (1) (gm). This SECTION has been affected by drafts with the following LRB numbers: LRB-0027/4, LRB-0028/6 and LRB-0329/3.

21           **SECTION 4.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 5.** 20.435 (1) (hg) of the statutes is renumbered 20.435 (4) (hg).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2       **SECTION 6.** 20.435 (1) (hi) of the statutes is renumbered 20.435 (4) (hi).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3       **SECTION 7.** 20.435 (1) (in) of the statutes is renumbered 20.435 (4) (in).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4       **SECTION 8.** 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 9.** 20.435 (4) (title) of the statutes is created to read:

6       20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH  
7       CARE FINANCING.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8       **SECTION 10.** 20.435 (4) (a) of the statutes is created to read:

9       20.435 (4) (a) *General program operations.* The amounts in the schedule for  
10       general program operations, including health care financing regulation,  
11       administration and field services.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12       **SECTION 11.** 20.435 (4) (e) of the statutes is created to read:

13       20.435 (4) (e) *Disease aids.* Biennially, the amounts in the schedule for  
14       assisting victims of diseases, as provided in ss. 49.68, 49.683 and 49.685.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15       **SECTION 12.** 20.435 (4) (gm) of the statutes is created to read:

1           20.435 (4) (gm) *Health services regulation and vital statistics*. The amounts in  
2 the schedule for the purposes specified in chs. 69 and 150. All moneys received under  
3 ch. 69 and s. 150.13 shall be credited to this appropriation account. From the fees  
4 collected under s. 50.135 (2), \$247,000 in fiscal year 1999–2000 and \$297,200 in fiscal  
5 year 2000–01 shall be credited to this appropriation account.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 13.** 20.435 (4) (i) of the statutes is created to read:

7           20.435 (4) (i) *Gifts and grants; health care financing*. All moneys received from  
8 gifts, grants, bequests and trust funds to provide health care financing consistent  
9 with the purpose of the gift, grant, bequest or trust fund.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 14.** 20.435 (4) (kx) of the statutes is created to read:

11          20.435 (4) (kx) *Interagency and intra-agency programs*. All moneys received  
12 from other state agencies and all moneys received by the department from the  
13 department for the administration of programs or projects, for the purposes for which  
14 received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 15.** 20.435 (4) (ky) of the statutes is created to read:

16          20.435 (4) (ky) *Interagency and intra-agency aids*. All moneys received from  
17 other state agencies, including moneys transferred from s. 20.505 (8) (hm) 7., and all  
18 moneys received by the department from the department for aids to individuals and  
19 organizations, for the purpose of providing those aids.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

\*\*\*\*NOTE: The inclusion of the reference to s. 20.505 (8) (hm) in this paragraph is based on the creation of s. 20.505 (8) (hm) in LRB–0757. If LRB–0757 is not included in the budget bill, this paragraph will need to be redrafted.

1           **SECTION 16.** 20.435 (4) (kz) of the statutes is created to read:

2           20.435 (4) (kz) *Interagency and intra-agency local assistance.* All moneys  
3 received from other state agencies and all moneys received by the department from  
4 the department for local assistance, for the purpose of providing that assistance.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 17.** 20.435 (4) (m) of the statutes is created to read:

6           20.435 (4) (m) *Federal project operations.* All moneys received from the federal  
7 government or any of its agencies for the state administration of specific limited term  
8 projects, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           **SECTION 18.** 20.435 (4) (ma) of the statutes is created to read:

10           20.435 (4) (ma) *Federal project aids.* All moneys received from the federal  
11 government or any of its agencies for specific limited term projects of aids to  
12 individuals or organizations, to be expended for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13           **SECTION 19.** 20.435 (4) (md) of the statutes is created to read:

14           20.435 (4) (md) *Federal block grant aids.* All block grant moneys received from  
15 the federal government or any of its agencies for aids to individuals or organizations,  
16 other than for specific limited term projects and continuing programs, to be expended  
17 for the purposes specified.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18           **SECTION 20.** 20.435 (4) (n) of the statutes is created to read:

1           20.435 (4) (n) *Federal program operations.* All moneys received from the  
2 federal government or any of its agencies for the state administration of continuing  
3 programs, to be expended for the purposes specified.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 21.** 20.435 (4) (na) of the statutes is created to read:

5           20.435 (4) (na) *Federal program aids.* All moneys received from the federal  
6 government or any of its agencies for continuing programs of aids to individuals or  
7 organizations, to be expended for the purposes specified.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 22.** 20.435 (5) (title) of the statutes is amended to read:

9           20.435 (5) (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND  
10 DELIVERY; AIDS AND LOCAL ASSISTANCE.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 23.** 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 24.** 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

13          **SECTION 25.** 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

14          **SECTION 26.** 20.435 (5) (bs) of the statutes is renumbered 20.435 (4) (bs).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 27.** 20.435 (5) (d) of the statutes is renumbered 20.435 (4) (d).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

16          **SECTION 28.** 20.435 (5) (e) of the statutes is amended to read:

1           20.435 (5) (e) *Disease aids*. Biennially, the amounts in the schedule for  
2 assisting victims of diseases, as provided in ~~ss. 49.68, 49.683, 49.685, 58.06, 252.08~~  
3 ~~(4) and (5) and s. 252.10~~ (6) and (7), as ~~allocated~~ distributed by the department.

      \*\*\*\*NOTE: This is reconciled s. 20.435 (5) (e). This SECTION has been affected by  
drafts with the following LRB numbers: LRB-0028/6 and LRB-0183/1.

4           **SECTION 29.** 20.435 (5) (gh) of the statutes is renumbered 20.435 (4) (gh).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 30.** 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 31.** 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 32.** 20.435 (5) (p) of the statutes is renumbered 20.435 (4) (p).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

8           **SECTION 33.** 20.435 (7) (kb) of the statutes is amended to read:

9           20.435 (7) (kb) *Severely emotionally disturbed children*. As a continuing  
10 appropriation, all moneys transferred from the appropriation under sub. (5) ~~(4)~~ (b)  
11 to this appropriation to provide, under s. 46.485, mental health care and treatment  
12 and community-based mental health services for severely emotionally disturbed  
13 children. Notwithstanding s. 20.002 (1), the department of health and family  
14 services may transfer from this appropriation to the appropriation under sub. ~~(5) (4)~~  
15 (b) funds as specified in s. 46.485 (3r).

16           **SECTION 34.** 20.505 (8) (hm) 7. of the statutes is created to read:

17           20.505 (8) (hm) 7. The amount transferred to the appropriation account under  
18 s. 20.435 (4) (ky) shall be \$2,055,000 in fiscal year 1999-2000 and \$2,115,000 in fiscal  
19 year 2000-01.

\*\*\*\*NOTE: The creation of this subdivision is based on the creation of s. 20.505 (8) (hm) in LRB-0757. If LRB-0757 is not included in the budget bill, this subdivision should be eliminated.

1           **SECTION 35.** 46.27 (9) (a) of the statutes is amended to read:

2           46.27 (9) (a) The department may select up to 5 counties that volunteer to  
3 participate in a pilot project under which they will receive certain funds allocated for  
4 long-term care. The department shall allocate a level of funds to these counties  
5 equal to the amount that would otherwise be paid under s. 20.435 ~~(5)~~ (4) (b) to nursing  
6 homes for providing care because of increased utilization of nursing home services,  
7 as estimated by the department. In estimating these levels, the department shall  
8 exclude any increased utilization of services provided by state centers for the  
9 developmentally disabled. The department shall calculate these amounts on a  
10 calendar year basis under sub. (10).

11           **SECTION 36.** 46.27 (10) (a) 1. of the statutes is amended to read:

12           46.27 (10) (a) 1. The department shall determine for each county participating  
13 in the pilot project under sub. (9) a funding level of state medical assistance  
14 expenditures to be received by the county. This level shall equal the amount that the  
15 department determines would otherwise be paid under s. 20.435 ~~(5)~~ (4) (b) because  
16 of increased utilization of nursing home services, as estimated by the department.

17           **SECTION 37.** 46.27 (11) (c) 3. of the statutes is amended to read:

18           46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a  
19 private nonprofit agency or an aging unit with which the department contracts  
20 provides under this subsection shall be made from the appropriations under s. 20.435  
21 ~~(5)~~ (4) (o) and (7) (b) and (bd).

22           **SECTION 38.** 46.27 (11) (c) 4. of the statutes is amended to read:



1           46.27 (11) (c) 4. The department may, from the appropriation under s. 20.435  
2     ~~(5)~~ (4) (o), provide reimbursement for services provided under this subsection by  
3     counties that are in excess of the current average annual per person rate, as  
4     established by the department, and are less than or equal to the average amount  
5     approved in the waiver received under par. (am).

6           **SECTION 39.** 46.275 (5) (a) of the statutes is amended to read:

7           46.275 (5) (a) Medical assistance reimbursement for services a county, or the  
8     department under sub. (3r), provides under this program is available from the  
9     appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o). If 2 or more counties jointly contract  
10    to provide services under this program and the department approves the contract,  
11    medical assistance reimbursement is also available for services provided jointly by  
12    these counties.

13          **SECTION 40.** 46.275 (5) (c) of the statutes is amended to read:

14          46.275 (5) (c) The total allocation under s. 20.435 ~~(5)~~ (4) (b) and (o) to counties  
15    and to the department under sub. (3r) for services provided under this section may  
16    not exceed the amount approved by the federal department of health and human  
17    services. A county may use funds received under this section only to provide services  
18    to persons who meet the requirements under sub. (4) and may not use unexpended  
19    funds received under this section to serve other developmentally disabled persons  
20    residing in the county.

21          **SECTION 41.** 46.275 (5) (d) of the statutes is amended to read:

22          46.275 (5) (d) The department may, from the appropriation under s. 20.435 ~~(5)~~  
23    (4) (o), provide reimbursement for services provided under this section by counties  
24    that are in excess of the current average annual per person rate, as established by

1 the department, and are less than the average amount approved in the waiver  
2 received under sub. (2).

3 **SECTION 42.** 46.278 (6) (d) of the statutes is amended to read:

4 46.278 (6) (d) If a county makes available nonfederal funds equal to the state  
5 share of service costs under the waiver received under sub. (3), the department may,  
6 from the appropriation under s. 20.435 (5) (4) (o), provide reimbursement for services  
7 that the county provides under this section to persons who are in addition to those  
8 who may be served under this section with funds from the appropriation under s.  
9 20.435 (5) (4) (b).

10 **SECTION 43.** 46.485 (2g) (intro.) of the statutes is amended to read:

11 46.485 (2g) (intro.) From the appropriation under s. 20.435 (5) (4) (b), the  
12 department may in each fiscal year transfer funds to the appropriation under s.  
13 20.435 (7) (kb) for distribution under this section and from the appropriation under  
14 s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in each  
15 fiscal year to applying counties in this state that meet all of the following  
16 requirements, as determined by the department:

17 **SECTION 44.** 46.485 (3r) of the statutes is amended to read:

18 46.485 (3r) Funds that a county does not encumber before 24 months after  
19 June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse  
20 to the appropriation under s. 20.435 (5) (4) (b).

21 **SECTION 45.** 49.45 (2) (a) 4. of the statutes is amended to read:

22 49.45 (2) (a) 4. To the extent funds are available under s. 20.435 (1) (4) (bm),  
23 certify all proper charges and claims for administrative services to the department  
24 of administration for payment and the department of administration shall draw its  
25 warrant forthwith.

1           **SECTION 46.** 49.45 (2) (a) 17. of the statutes is amended to read:

2           49.45 (2) (a) 17. Notify the governor, the joint committee on legislative  
3 organization, the joint committee on finance and appropriate standing committees,  
4 as determined by the presiding officer of each house, if the appropriation under s.  
5 20.435 ~~(5)~~ (4) (b) is insufficient to provide the state share of medical assistance.

6           **SECTION 47.** 49.45 (3) (am) 1. of the statutes is amended to read:

7           49.45 (3) (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the  
8 department shall make incentive payments to counties to encourage counties to  
9 identify medical assistance applicants and recipients who have other health care  
10 coverage and the providers of the health care coverage and give that information to  
11 the department.

12           **SECTION 48.** 49.45 (3) (j) of the statutes is amended to read:

13           49.45 (3) (j) Reimbursement for administrative contract costs under this  
14 section is limited to the funds available under s. 20.435 ~~(1)~~ (4) (bm).

15           **SECTION 49.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

16           49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this  
17 subsection made under s. 20.435 ~~(1)(p) or (5)(b)~~ (4) (b), (pa) or (o) shall, except as  
18 provided in pars. (bg), (bm) and (br), be determined according to a prospective  
19 payment system updated annually by the department. The payment system shall  
20 implement standards that are necessary and proper for providing patient care and  
21 that meet quality and safety standards established under subch. II of ch. 50 and ch.  
22 150. The payment system shall reflect all of the following:

      \*\*\*NOTE: This redraft (-0028/5) deletes treatment of s. 49.45 (6m) (ag) 8., which is  
repealed in LRB-1756. If LRB-1756 is not included in the budget bill, the treatment  
should be restored.

23           **SECTION 50.** 49.45 (6t) (intro.) of the statutes is amended to read:

1           **49.45 (6t)** COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING  
2 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 ~~(5)~~ (4) (o), for  
3 reduction of operating deficits, as defined under criteria developed by the  
4 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42  
5 or by a local health department, as defined in s. 250.01 (4), for services provided  
6 under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management  
7 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for  
8 minors provided under the authorization under 42 USC 1396d (r) (5), the department  
9 shall allocate up to \$4,500,000 in each fiscal year to these county departments, or  
10 local health departments as determined by the department, and shall perform all of  
11 the following:

12           **SECTION 51.** 49.45 (6t) (d) of the statutes is amended to read:

13           **49.45 (6t)** (d) If the federal department of health and human services approves  
14 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
15 in a lesser allocation amount than that allocated under this subsection or disallows  
16 use of the allocation of federal medicaid funds under par. (c), reduce allocations under  
17 this subsection and distribute on a prorated basis, as determined by the department.

18           **SECTION 52.** 49.45 (6u) (d) of the statutes is amended to read:

19           **49.45 (6u)** (d) If the federal department of health and human services approves  
20 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
21 in a lesser allocation amount than that allocated under this subsection, allocate not  
22 more than the lesser amount so approved by the federal department of health and  
23 human services.

24           **SECTION 53.** 49.45 (6u) (e) of the statutes is amended to read:

1           49.45 **(6u)** (e) If the federal department of health and human services approves  
2 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
3 in a lesser allocation amount than that allocated under this subsection, submit a  
4 revision of the method developed under par. (b) for approval by the joint committee  
5 on finance in that state fiscal year.

6           **SECTION 54.** 49.45 (6w) (intro.) of the statutes is amended to read:

7           49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the  
8 appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined  
9 under criteria developed by the department, incurred by a hospital, as defined under  
10 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or  
11 owned and operated by a city or village, the department shall allocate up to  
12 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,  
13 and shall perform all of the following:

14           **SECTION 55.** 49.45 (6w) (d) of the statutes is amended to read:

15           49.45 **(6w)** (d) If the federal department of health and human services approves  
16 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result  
17 in a lesser allocation amount than that allocated under this subsection or disallows  
18 use of the allocation of federal medicaid funds under par. (c), reduce allocations under  
19 this subsection and distribute on a prorated basis, as determined by the department.

20           **SECTION 56.** 49.45 (6x) (a) of the statutes is amended to read:

21           49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
22 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than \$4,748,000  
23 in each fiscal year, to provide funds to an essential access city hospital, except that  
24 the department may not allocate funds to an essential access city hospital to the  
25 extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

1           **SECTION 57.** 49.45 (6x) (d) of the statutes is amended to read:

2           49.45 (6x) (d) If the federal department of health and human services approves  
3 for state expenditure in any state fiscal year amounts under s. 20.435 (5) (4) (o) that  
4 result in a lesser distribution amount than that distributed under this subsection or  
5 disallows use of federal medicaid funds under par. (a), the department of health and  
6 family services shall reduce the distributions under this subsection.

7           **SECTION 58.** 49.45 (6y) (a) of the statutes is amended to read:

8           49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriations under s.  
9 20.435 (5) (4) (b) and (o) the department shall distribute funding in each fiscal year  
10 to provide supplemental payment to hospitals that enter into a contract under s.  
11 49.02 (2) to provide health care services funded by a relief block grant, as determined  
12 by the department, for hospital services that are not in excess of the hospitals'  
13 customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief  
14 block grant is awarded under this chapter or if the allocation of funds to such  
15 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
16 may distribute funds to hospitals that have not entered into a contract under s. 49.02  
17 (2).

18           **SECTION 59.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

19           49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations  
20 under s. 20.435 (5) (4) (b) and (o) the department shall distribute funding in each  
21 fiscal year to supplement payment for services to hospitals that enter into a contract  
22 under s. 49.02 (2) to provide health care services funded by a relief block grant under  
23 this chapter, if the department determines that the hospitals serve a  
24 disproportionate number of low-income patients with special needs. If no medical  
25 relief block grant under this chapter is awarded or if the allocation of funds to such

1 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department  
2 may distribute funds to hospitals that have not entered into a contract under s. 49.02  
3 (2). The department may not distribute funds under this subsection to the extent  
4 that the distribution would do any of the following:

5 **SECTION 60.** 49.45 (8) (b) of the statutes is amended to read:

6 49.45 (8) (b) Reimbursement under s. 20.435 (5) (4) (b) and (o) for home health  
7 services provided by a certified home health agency or independent nurse shall be  
8 made at the home health agency's or nurse's usual and customary fee per patient care  
9 visit, subject to a maximum allowable fee per patient care visit that is established  
10 under par. (c).

11 **SECTION 61.** 49.45 (24m) (intro.) of the statutes is amended to read:

12 49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.)  
13 From the appropriations under s. 20.435 (5) (4) (b) and (o), in order to test the  
14 feasibility of instituting a system of reimbursement for providers of home health care  
15 and personal care services for medical assistance recipients that is based on  
16 competitive bidding, the department shall:

17 **SECTION 62.** 49.475 (5) of the statutes is amended to read:

18 49.475 (5) REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435  
19 (1) (4) (bm) and (p) (pa), the department shall reimburse an insurer that provides  
20 information under this section for the insurer's reasonable costs incurred in  
21 providing the requested information, including its reasonable costs, if any, to develop  
22 and operate automated systems specifically for the disclosure of information under  
23 this section.

24 **SECTION 63.** 49.496 (5) of the statutes is amended to read:

1           **49.496 (5) USE OF FUNDS.** From the appropriation under s. 20.435 ~~(5)~~ (4) (im),  
2 the department shall pay the amount of the payments under sub. (4) that is not paid  
3 from federal funds, shall pay to the federal government the amount of the funds  
4 recovered under this section equal to the amount of federal funds used to pay the  
5 benefits recovered under this section and shall spend the remainder of the funds  
6 recovered under this section for medical assistance benefits under this subchapter.

7           **SECTION 64.** 49.683 (2) of the statutes is amended to read:

8           **49.683 (2)** Approved costs for medical care under sub. (1) shall be paid from the  
9 appropriation under s. 20.435 ~~(5)~~ (4) (e).

10          **SECTION 65.** 49.687 (2) of the statutes is amended to read:

11          **49.687 (2)** The department shall develop and implement a sliding scale of  
12 patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.  
13 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to  
14 pay for treatment. To ensure that the needs for treatment of patients with lower  
15 incomes receive priority within the availability of funds under s. 20.435 ~~(5)~~ (4) (e),  
16 the department shall revise the sliding scale for patient liability by January 1, 1994,  
17 and shall, every 3 years thereafter by January 1, review and, if necessary, revise the  
18 sliding scale.

19          **SECTION 66.** 50.135 (2) (c) of the statutes is amended to read:

20          **50.135 (2) (c)** The fees collected under par. (a) shall be credited to the  
21 appropriations under s. 20.435 ~~(1)~~ (4) (gm) and (6) (jm) as specified in those  
22 appropriations for licensing, review and certifying activities.

23          **SECTION 67.** 146.93 (1) (a) of the statutes is amended to read:

24          **146.93 (1) (a)** From the appropriation under s. 20.435 ~~(1)~~ (4) (gp), the  
25 department shall maintain a program for the provision of primary health care



1 services based on the primary health care program in existence on June 30, 1987.

2 The department may promulgate rules necessary to implement the program.

3 **SECTION 68.** 146.99 of the statutes is amended to read:

4 **146.99 Assessments.** The department shall, within 90 days after the  
5 commencement of each fiscal year, estimate the total amount of expenditures and the  
6 department shall assess the estimated total amount under s. 20.435 ~~(1)~~ (4) (gp) to  
7 hospitals, as defined in s. 50.33 (2), in proportion to each hospital's respective gross  
8 private-pay patient revenues during the hospital's most recently concluded entire  
9 fiscal year. Each hospital shall pay its assessment on or before December 1 for the  
10 fiscal year. All payments of assessments shall be deposited in the appropriation  
11 under s. 20.435 ~~(1)~~ (4) (gp).

12 **SECTION 69.** 149.143 (1) (a) of the statutes is amended to read:

13 149.143 (1) (a) First from the appropriation under s. 20.435 ~~(5)~~ (4) (af).

14 **SECTION 70.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

15 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage  
16 under s. 149.14 set at 150% of the rate that a standard risk would be charged under  
17 an individual policy providing substantially the same coverage and deductibles as  
18 are provided under the plan, including amounts received for premium and deductible  
19 subsidies under ss. 20.435 ~~(5)~~ (4) (ah) and 149.144, and from premiums collected from  
20 eligible persons with coverage under s. 149.146 set in accordance with s. 149.146 (2)  
21 (b).

22 **SECTION 71.** 149.143 (1) (b) 1. b. of the statutes is amended to read:

23 149.143 (1) (b) 1. b. Second, from the appropriation under s. 20.435 ~~(5)~~ (4) (gh),  
24 to the extent that the amounts under subd. 1. a. are insufficient to pay 60% of plan  
25 costs.

1           **SECTION 72.** 149.143 (1) (b) 1. c. of the statutes is amended to read:

2           149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with  
3 coverage under s. 149.14 to more than 150% but not more than 200% of the rate that  
4 a standard risk would be charged under an individual policy providing substantially  
5 the same coverage and deductibles as are provided under the plan, including  
6 amounts received for premium and deductible subsidies under ss. 20.435 ~~(5)~~ (4) (ah)  
7 and 149.144, and by increasing premiums from eligible persons with coverage under  
8 s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under  
9 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

10           **SECTION 73.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

11           149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be  
12 received in the new plan year if the enrollee premiums were set at a level sufficient,  
13 when including amounts received for premium and deductible subsidies under ss.  
14 20.435 ~~(5)~~ (4) (ah) and 149.144 and from premiums collected from eligible persons  
15 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60%  
16 of the estimated plan costs for the new plan year, after deducting from the estimated  
17 plan costs the amount available in the appropriation under s. 20.435 ~~(5)~~ (4) (af) for  
18 that plan year.

19           **SECTION 74.** 149.143 (2) (a) 1. c. of the statutes is amended to read:

20           149.143 (2) (a) 1. c. If the amount estimated to be received under subd. 1. a. is  
21 less than the amount estimated to be received under subd. 1. b., direct the plan  
22 administrator to provide to the department, prior to the beginning of the plan year  
23 and according to procedures specified by the department, the amount of the  
24 difference. The department shall deposit all amounts received under this subd. 1.  
25 c. in the appropriation account under s. 20.435 ~~(5)~~ (4) (gh).

1           **SECTION 75.** 149.144 of the statutes is amended to read:

2           **149.144 Adjustments to insurer assessments and provider payment**  
3           **rates for premium and deductible reductions.** If the moneys under s. 20.435  
4           ~~(5)~~ (4) (ah) are insufficient to reimburse the plan for premium reductions under s.  
5           149.165 and deductible reductions under s. 149.14 (5) (a), or the department  
6           determines that the moneys under s. 20.435 ~~(5)~~ (4) (ah) will be insufficient to  
7           reimburse the plan for premium reductions under s. 149.165 and deductible  
8           reductions under s. 149.14 (5) (a), the department shall, by rule, adjust in equal  
9           proportions the amount of the assessment set under s. 149.143 (2) (a) 3. and the  
10          provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143 (1) (b) 1.,  
11          sufficient to reimburse the plan for premium reductions under s. 149.165 and  
12          deductible reductions under s. 149.14 (5) (a). The department shall notify the  
13          commissioner so that the commissioner may levy any increase in insurer  
14          assessments.

15          **SECTION 76.** 149.165 (4) of the statutes is amended to read:

16          **149.165 (4)** The department shall reimburse the plan for premium reductions  
17          under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys from the  
18          appropriation under s. 20.435 ~~(5)~~ (4) (ah).

19          **SECTION 77.** 153.05 (6m) of the statutes is amended to read:

20          **153.05 (6m)** The department may contract with the group insurance board for  
21          the provision of data collection and analysis services related to health maintenance  
22          organizations and insurance companies that provide health insurance for state  
23          employees. The department shall establish contract fees for the provision of the  
24          services. All moneys collected under this subsection shall be credited to the  
25          appropriation under s. 20.435 ~~(1)~~ (4) (hg).

1           **SECTION 78.** 153.60 (1) of the statutes is amended to read:

2           153.60 (1) The department shall, by the first October 1 after the  
3 commencement of each fiscal year, estimate the total amount of expenditures under  
4 this chapter for the department and the board for that fiscal year for data collection,  
5 data base development and maintenance, generation of data files and standard  
6 reports, orientation and training provided under s. 153.05 (9) and maintaining the  
7 board. The department shall assess the estimated total amount for that fiscal year  
8 less the estimated total amount to be received for purposes of administration of this  
9 chapter under s. 20.435 ~~(1)~~ (4) (hi) during the fiscal year, the unencumbered balance  
10 of the amount received for purposes of administration of this chapter under s. 20.435  
11 ~~(1)~~ (4) (hi) from the prior fiscal year and the amount in the appropriation account  
12 under s. 20.435 (1) (dg) for the fiscal year, to health care providers who are in a class  
13 of health care providers from whom the department collects data under this chapter  
14 in a manner specified by the department by rule. The department shall obtain  
15 approval from the board for the amounts of assessments for health care providers  
16 other than hospitals and ambulatory surgery centers. The department shall work  
17 together with the department of regulation and licensing to develop a mechanism for  
18 collecting assessments from health care providers other than hospitals and  
19 ambulatory surgery centers. No health care provider that is not a facility may be  
20 assessed under this subsection an amount that exceeds \$75 per fiscal year. Each  
21 hospital shall pay the assessment on or before December 1. All payments of  
22 assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

23           **SECTION 79.** 153.60 (3) of the statutes is amended to read:

24           153.60 (3) The department shall, by the first October 1 after the  
25 commencement of each fiscal year, estimate the total amount of expenditures

1 required for the collection, database development and maintenance and generation  
2 of public data files and standard reports for health care plans that voluntarily agree  
3 to supply health care data under s. 153.05 (6r). The department shall assess the  
4 estimated total amount for that fiscal year to health care plans in a manner specified  
5 by the department by rule and may enter into an agreement with the office of the  
6 commissioner of insurance for collection of the assessments. Each health plan that  
7 voluntarily agrees to supply this information shall pay the assessments on or before  
8 December 1. All payments of assessments shall be deposited in the appropriation  
9 under s. 20.435 ~~(1)~~ (4) (hg) and may be used solely for the purposes of s. 153.05 (6r).

10 **SECTION 80.** 153.65 of the statutes is amended to read:

11 **153.65 Provision of special information; user fees.** The department may,  
12 but is not required to, provide, upon request from a person, a data compilation or a  
13 special report based on the information collected by the department. The  
14 department shall establish user fees for the provision of these compilations or  
15 reports, payable by the requester, which shall be sufficient to fund the actual  
16 necessary and direct cost of the compilation or report. All moneys collected under  
17 this section shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hi).

18 **SECTION 81.** 867.035 (4) of the statutes is amended to read:

19 867.035 (4) From the appropriation under s. 20.435 ~~(5)~~ (4) (im), with respect  
20 to funds collected by the department under sub. (1) related to medical assistance paid  
21 on behalf of the decedent or the decedent's spouse, the department of health and  
22 family services shall pay claims under sub. (3), shall pay to the federal government  
23 from the amount recovered under this section and not paid out as claims under sub.  
24 (3) an amount equal to the amount of federal funds used to pay the benefits recovered

