

1999 DRAFTING REQUEST

Bill

Received: **09/24/98**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2288**

By/Representing: **Fossum**

This file may be shown to any legislator: **NO**

Drafter: **kenneda**

May Contact: **Lisa Kelly (DHFS)**

Alt. Drafters:

Subject: **Public Assistance - med. assist.
Mental Health - protect place**

Extra Copies: **TAY**

Topic:

DOA:.....Fossum - Enhanced CIP 1B rate for relocations from ICF-MRs

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kenneda 10/22/98	gilfokm 10/22/98	jfrantze 10/23/98	_____	lrb_docadmin 10/23/98		

FE Sent For:

<END>

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Subject: **Public Assistance - med. assist.
Mental Health - protect place**

Extra Copies: **TAY, DHFS**

Topic:

DOA:.....Fossum - Enhanced CIP 1B rate for services to persons relocated from closing ICF-MR facilities

Instructions:

See Attached

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/?	kenneda			_____			

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DHFS

Department of Health and Family Services
1999-2001 Biennial Budget Statutory Language Request
September 11, 1998

Topic: CIP 1B Enhanced Rate

Current Language

Under current law, the Department has the authority to establish an enhanced CIP 1B rate for persons who are relocated from ICF-MR facilities which close. The enhanced rate is higher than the current CIP 1B rate of \$48.33 per day, but does not exceed the cost of Medicaid payments made by the Department on behalf of the individual for care in an ICF-MR.

Proposed Change

Amend §46.278(6)(e) to provide enhanced reimbursement for services for an individual who is relocated from a distinct-part ICF-MR facilities.

Effect of the Change

Under this proposal, the enhanced CIP 1B rate would be available for any free-standing or distinct-part ICF-MR facility that has a plan of closure approved by DHCF and DSL with the intent to close within 12 month. It is expected that facilities will be able to close beds at this rate. This change would not have a negative fiscal impact as the enhanced rate cannot exceed the existing nursing home rate.

Rationale for the Change

There are many instances where facilities wish to close a distinct part of a facility and relocate the residents in them, but the regular CIP 1B rate is insufficient to pay for the community placement. By restricting the use of the enhanced rate only to situations where an entire facility is closing, the opportunity to close a significant number of beds or a wing of a nursing facility and relocate residents to the community is lost. As a result, the beds are not closed.

Desired Effective Date: Upon Passage of Bill
Agency: DHFS
Agency Contact: Lisa Kelly
Phone: 266-5364



SOON

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0316/1

DAK... King

DOA:.....Fossum - Enhanced CIP 1B rate for relocations from ICF-MRs
FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

Print
w/ June
#15

Don't
even call
AN ACT relating to: the budget.

**Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES**

PUBLIC ASSISTANCE

Currently, under a waiver of federal medicaid laws, state revenues and federal medicaid moneys provide home or community-based care for persons who are eligible for medical assistance (MA) and who are diagnosed as developmentally disabled. These persons are either relocated into the community from institutions other than a state center for the developmentally disabled, or they meet requirements for MA-reimbursed care in intermediate care facilities for the mentally retarded. The program providing this care is one of several "community integration" programs and is commonly known as "CIP 1B". The department of health and family services (DHFS) is authorized to provide enhanced reimbursement under the CIP 1B program for a person who was relocated to the community from an intermediate care facility for the mentally retarded that closes.

This bill additionally authorizes DHFS to provide enhanced reimbursement under the CIP 1B program for a person who is relocated to the community from an intermediate care facility for the mentally retarded, or a distinct part thereof, that has a DHFS-approved plan of closure and that intends to close within 12 months.

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

SECTION 1. 46.278 (6) (e) of the statutes is renumbered 46.278 (6) (e) 1. (intro.) and amended to read:

46.278 (6) (e) 1. (intro.) The department may provide enhanced reimbursement for services under the program for an individual who was relocated to the community by a county department from ~~an~~ one of the following:

a. An intermediate care facility for the mentally retarded that closes under s. 50.03 (14).

2. ✓ The enhanced reimbursement rate under this paragraph shall be determined under a formula that is developed by the department.

History: 1987 a. 27, 186; 1989 a. 31; 1991 a. 269; 1993 a. 16; 1995 a. 27; 1997 a. 27.

SECTION 2. 46.278 (6) (e) 1. b. of the statutes is created to read:

46.278 (6) (e) 1. b. An intermediate care facility for the mentally retarded or a distinct part thereof that has a plan of closure approved by the department and that intends to close within 12 months.

(END)

CORRESPONDENCE MEMORANDUM

**STATE OF WISCONSIN
Department of Administration**

Date: November 27, 1998

To: Debora A. Kennedy, Assistant Chief Counsel
Legislative Reference Bureau

From: Gretchen A. Fossum, Budget Analyst *GAF*
State Budget Office

Subject: LRB Draft 0316/1, CIP 1B Enhanced Rate

The department's drafting instructions failed to mention that in order to receive the enhanced rate, the beds in the distinct part that closes would have to be delicensed. Please add this provision to LRB draft 0316/1.

If you have any questions, please contact me at 266-2288.

*From Gretchen Fossum 12/1/98: ignore
this memo - do not redraft 0316/1.*

Debora Kennedy



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0316/1
DAK:kmg:jf

DOA:.....Fossum – Enhanced CIP 1B rate for relocations from ICF–MRs
FOR 1999–01 BUDGET — NOT READY FOR INTRODUCTION

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