



SOON - In edit. 12/28

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0326/21
DAK:cmh&jlg:jf
✓
stamp

DOA:.....Fossum - Blue Ribbon Commission on Mental Health
recommendations

FOR 1999-01 BUDGET -- NOT READY FOR INTRODUCTION

don't get out

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

~~This is a preliminary draft. An analysis will be provided on a later version.~~

INSERT ANALYSIS

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

2 SECTION 1. 51.001 (1) of the statutes is amended to read:

3 51.001 (1) It is the policy of the state ~~to~~ that, within the limits of available state
4 and federal funds and of county funds required to be appropriated to match state
5 funds, all persons in need of services for mental disorders, developmental
6 disabilities, mental illness and alcohol and other drug abuse shall have access to
7 resources that strengthen self-determination and self-sufficiency by promoting

1 health, wellness, improvement, recovery, quality of life and dignity. The state shall
2 assure the provision of a full range of treatment and , rehabilitation services and
3 habilitation services in the state for all mental disorders and developmental
4 disabilities and , for mental illness, and for alcoholism and other drug abuse. There
5 shall be a unified system of prevention of such conditions and provision of services
6 which will assure all people in need of care access to the least restrictive treatment
7 alternative appropriate to their needs, and movement through all treatment
8 components to assure continuity of care, within the limits of available state and
9 federal funds and of county funds required to be appropriated to match state funds.

10 **SECTION 2.** 51.01 (8m) of the statutes is created to read:

11 51.01 (8m) “Habilitation” means education, training or other service provided
12 to persons to assist them in acquiring skills that will, in turn, enable the persons to
13 learn, practice and refine skills necessary for independent living, productive and
14 meaningful employment and community participation.

15 **SECTION 3.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

16 **SECTION 4.** 51.03 (1g) of the statutes is created to read:

17 51.03 (1g) In this section:

18 (a) “Early intervention” means action to hinder or alter a person’s mental
19 disorder or abuse of alcohol or other drugs in order to reduce the duration of early
20 symptoms or to reduce the duration or severity of mental illness or alcohol or other
21 drug abuse that may result.

22 (b) “Individualized service planning” means a process under which a person
23 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
24 family, receives information, education and skills to enable the person to participate
25 mutually and creatively with his or her mental health or alcohol or other drug abuse

1 service provider in identifying his or her personal goals and developing his or her
2 assessment, crisis protocol, treatment and treatment plan. "Individualized service
3 planning" is tailored to the person and is based on his or her strengths, abilities and
4 needs.

5 (c) "Prevention" means action to reduce the instance, delay the onset or lessen
6 the severity of mental disorder, before the disorders may progress to mental illness,
7 by reducing risk factors for, enhancing protections against and promptly treating
8 early warning signs of mental disorder.

9 (d) "Recovery" means the process of a person's growth and improvement,
10 despite a history of mental illness or alcohol or other drug abuse, in attitudes,
11 feelings, values, goals, skills and behavior and is measured by a decrease in
12 dysfunctional symptoms and an increase in maintaining the person's highest level
13 of health, wellness, stability, self-determination and self-sufficiency.

14 (e) "Stigma" means disqualification from social acceptance, derogation,
15 marginalization and ostracism encountered by persons with mental illness or
16 persons who abuse alcohol or other drugs as the result of societal negative attitudes,
17 feelings, perceptions, representations and acts of discrimination.

18 SECTION 5. 51.03 (4) of the statutes is created to read:

19 51.03 (4) The department ~~shall~~ do all of the following:

✓
Within the
limits of available
state and federal
funds,

20 (a) Promote the creation of coalitions among the state, counties, providers of
21 mental health and alcohol and other drug abuse services, consumers of the services
22 and their families and advocates for persons with mental illness and for alcoholic and
23 drug dependent persons to develop, coordinate and provide a full range of resources
24 to advance prevention; early intervention; treatment; recovery; safe and affordable

1 housing; opportunities for education, employment and recreation; family and peer
2 support; self-help; and the safety and well-being of communities.

3 (b) In cooperation with counties, providers of mental health and alcohol and
4 other drug abuse services, consumers of the services, interested community
5 members and advocates for persons with mental illness and for alcoholic and drug
6 dependent persons, develop and implement a comprehensive strategy to ~~eradicate~~ reduce
7 stigma of and discrimination against persons with mental illness, alcoholics and
8 drug dependent persons.

9 (c) Develop and implement a comprehensive strategy to involve counties,
10 providers of mental health and alcohol and other drug abuse services, consumers of
11 the services and their families, interested community members and advocates for
12 persons with mental illness and for alcoholic and drug dependent persons as equal
13 participants in service system planning and delivery.

14 (d) Promote responsible stewardship of human and fiscal resources in the
15 provision of mental health and alcohol and other drug abuse services.

16 (e) Develop and implement methods to identify and measure outcomes for
17 consumers of mental health and alcohol and other drug abuse services.

18 (f) ~~Promote the provision of mental health and alcohol and other drug abuse~~
19 ~~treatment services that are individualized, culturally relevant, flexible, cost~~
20 ~~effective, clinically appropriate and based on consumer choice and participation in~~
21 ~~treatment and service planning.~~

22 ~~(g)~~ ^(f) Promote access to ~~high quality~~ appropriate mental health and alcohol and other drug
23 abuse services regardless of a person's geographic location, age, degree of mental
24 illness, alcoholism or drug dependency or availability of personal financial resources.

1

~~1~~ Promote consumer ~~empowerment~~ ^{decision making} to enable persons with mental illness and

2

alcoholic or drug dependent persons ^{dependency} to take more control of their lives. ^{be more self-sufficient}

3

~~2~~ ^(h) Promote use by providers of mental health and alcohol and other drug abuse

4

services of individualized service planning, under which the providers develop

5

written individualized service plans that promote treatment and recovery, together

6

with service consumers, families of service consumers who are children and

7

advocates chosen by consumers. Each individualized service plan should establish

8

meaningful and measurable goals; be based on a comprehensive assessment of the

9

~~service~~ consumer's strengths, abilities, ~~stand~~ needs and preferences; be kept

10

current; and be modified as necessary.

INSERT 5-7

11

~~SECTION 6. 51.45 (5) (a) of the statutes is renumbered 51.45 (5) (a) (intro.) and~~

12

~~amended to read:~~

13

~~51.45 (5) (a) (intro.) In this section, "primary:~~

14

~~2. "Primary prevention" means a process which promotes health by providing~~

15

~~individuals with the resources that are necessary for them to confront complex,~~

16

~~stressful life conditions and by enabling individuals to lead personally satisfying and~~

17

~~enriching lives.~~

18

~~SECTION 7. 51.45 (5) (a) 1. of the statutes is created to read:~~

19

~~51.45 (5) (a) 1. "Early intervention" means action to hinder or alter a person's~~

20

~~abuse of alcohol or other drugs in order to reduce the duration of early symptoms or~~

21

~~to reduce the duration or severity of alcohol or other drug abuse that may result.~~

22

~~SECTION 8. 51.45 (5) (b) 2. of the statutes is amended to read:~~

23

~~51.45 (5) (b) 2. Develop and implement community-wide alcohol and other~~

24

~~drug abuse programs relating to early intervention and to primary prevention.~~

25

SECTION 9123. Nonstatutory provisions; health and family services.

1 (1) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
2 DEMONSTRATION PROJECTS.

3 (a) From the appropriation under section 20.435 ~~(b) and (c)~~ and ~~(d)~~ of the statutes,
4 the department of health and family services shall contract with counties or ~~cities~~
5 to provide up to 3 demonstration projects in state fiscal year 1999-2000 and up to 5
6 additional such projects in state fiscal year 2000-01. The demonstration projects
7 shall be to provide mental health and alcohol or other drug abuse services under
8 managed care programs to persons who suffer from both mental illness and alcohol
9 or other drug dependency ~~and who are eligible for medical assistance under section~~
10 ~~49.46 or 49.47 of the statutes.~~ *(b)(a) (n)*
mental illness, alcohol or other drug dependency or

11 (b) The department of health and family services shall submit for approval by
12 the secretary of the federal department of health and human services any requests
13 for waiver of federal medical assistance laws that are necessary to effectuate the
14 managed care demonstration projects under this subsection.

15 (c) The department of health and family services shall establish an advisory
16 committee for ~~each~~ ^{the} demonstration project^s under this subsection. ~~Each~~ ^{The} advisory
17 committee shall be comprised of representatives of the county or ~~cities~~ with which the
18 department of health and family ^{services} has contracted under paragraph (a), providers of
19 mental health and alcohol or other drug abuse services and persons who suffer from
20 ~~both~~ mental illness ^{or} alcohol or other drug dependency ^{or both,} and their families. ~~Each~~
21 advisory committee shall ^{The} ~~participate in developing~~ ^{advise the department in the development of} policy and planning for delivery
22 of services under the ~~relevant~~ managed care demonstration project^s under paragraph

23 (a). *federally recognized American Indian tribe or band*

24 (END)

federally recognized American Indian tribes or bands

INSERT ANALYSIS

Under current law, state policy is to assure the provision of a full range of treatment and rehabilitation services for all mental disorders and developmental disabilities and for mental illness, alcoholism and other drug abuse. State policy also is that alcoholics and intoxicated persons may not be subjected to criminal prosecution because of their consumption of alcohol beverages but should instead be afforded a continuum of treatment.

This bill eliminates the statement of policy prohibiting criminal prosecution of alcoholics and intoxicated persons because of their consumption of alcohol beverages.

The bill requires the department of health and family services (DHFS) to contract with counties or federally recognized American Indian tribes or bands to provide, from state general purpose revenues and federal moneys, up to three demonstration projects in fiscal year 1999-2000 and up to five additional projects in fiscal year 2000-01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency. DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medical assistance laws to effectuate these managed care demonstration projects. Also, DHFS must establish an advisory committee for the demonstration projects.

The bill defines various terms and authorizes DHFS, within the limits of available state and federal funds, to do all of the following:

1. Promote the creation of coalitions to develop, coordinate and provide resources to advance prevention, early intervention, treatment, recovery and other achievements for consumers of mental health and alcohol and other drug abuse services.
2. In cooperation with specified parties, develop and implement a comprehensive strategy to reduce stigma of and discrimination against persons with mental illness, alcoholics and drug dependent persons.
3. Develop and implement a comprehensive strategy to involve counties, service providers for mental health and alcohol and other drug abuse services, consumers, interested community members and advocates as equal participants in service system planning and delivery.
4. Promote responsible stewardship of human and fiscal resources in the provision of mental health and alcohol and other drug abuse services.
5. Develop and implement methods to identify and measure outcomes for consumers.
6. Promote access to appropriate mental health and alcohol and other drug abuse services regardless of a person's geographic location, age and other factors.
7. Promote consumer decision making.
8. Promote provider use of individualized service planning.



P.2
of 2

The bill requires DHFS to ensure that service providers who use individualized service planning meet certain requirements in using the planning.

Lastly, the bill changes the general statement of policy for mental illness, developmental disability and alcohol and other drug abuse to require, within the limits of available state and federal funds and of county funds required to be appropriated to match state funds, that all persons in need of services for mental disorders, developmental disabilities, mental illness and alcohol and other drug abuse have access to specified resources and to require that the state assure the provision, among other services, of habilitation services (as defined in the bill) for these persons.

FE-S/L

End of INSERT

SECTION # . CR; 51.03(5)

51.03(5) The department shall ensure that

~~individualized service plans used by providers~~

of mental health and alcohol and other drug abuse services, who use individualized service plans, as specified in sub. (4)(h),

do all of the following in using a plan:

(a) Establish meaningful and measurable goals for the consumer.

(b) Base the plan on a comprehensive assessment of the consumer's strengths, abilities, needs and preferences.

(c) Keep the plan current.

(d) Modify the plan as necessary.

CS.
SECTION # . RP; 51.45(1)

End of
INSERT

Date: January 15, 1999

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

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

Subject: LRB Draft 0326/1

Please make the following changes to LRB draft 0326/1:

- ✓ 1. Delete section 1.
- ✓ 2. Delete section 7.
- ✓ 3. On page 7 line 2 change the fiscal year from 1999-2000 to 2000-01 and delete the rest of the sentence. The demonstration projects will be delayed for one year.
- ✓ 4. On page 7, delete lines 11 through 19.

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



(SOON - In edd. '15)

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0326/22
DAK:cmh&jlg:js

DOA:.....Fossum - Blue Ribbon Commission on Mental Health
recommendations

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

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, state policy is to assure the provision of a full range of treatment and rehabilitation services for all mental disorders and developmental disabilities and for mental illness, alcoholism and other drug abuse. State policy also is that alcoholics and intoxicated persons may not be subjected to criminal prosecution because of their consumption of alcohol beverages but should instead be afforded a continuum of treatment.

This bill eliminates the statement of policy prohibiting criminal prosecution of alcoholics and intoxicated persons because of their consumption of alcohol beverages.

The bill requires the department of health and family services (DHFS) to contract with counties or federally recognized American Indian tribes or bands to provide, from state general purpose revenues and federal moneys, up to three demonstration projects in fiscal year ~~1999-2000~~ and up to five additional projects in ~~fiscal year~~ 2000-01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency.

This

DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medical assistance laws to effectuate these managed care demonstration projects. ~~Also, DHFS must establish an advisory committee for the demonstration projects.~~

The bill defines various terms and authorizes DHFS, within the limits of available state and federal funds, to do all of the following:

1. Promote the creation of coalitions to develop, coordinate and provide resources to advance prevention, early intervention, treatment, recovery and other achievements for consumers of mental health and alcohol and other drug abuse services.

2. In cooperation with specified parties, develop and implement a comprehensive strategy to reduce stigma of and discrimination against persons with mental illness, alcoholics and drug dependent persons.

3. Develop and implement a comprehensive strategy to involve counties, service providers for mental health and alcohol and other drug abuse services, consumers, interested community members and advocates as equal participants in service system planning and delivery.

4. Promote responsible stewardship of human and fiscal resources in the provision of mental health and alcohol and other drug abuse services.

5. Develop and implement methods to identify and measure outcomes for consumers.

6. Promote access to appropriate mental health and alcohol and other drug abuse services regardless of a person's geographic location, age and other factors.

7. Promote consumer decision making.

8. Promote provider use of individualized service planning.

The bill requires DHFS to ensure that service providers who use individualized service planning meet certain requirements in using the planning.

~~Lastly, the bill changes the general statement of policy for mental illness, developmental disability and alcohol and other drug abuse to require, within the limits of available state and federal funds and of county funds required to be appropriated to match state funds, that all persons in need of services for mental disorders, developmental disabilities, mental illness and alcohol and other drug abuse have access to specified resources and to require that the state assure the provision, among other services, of habilitation services (as defined in the bill) for these persons.~~

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

~~SECTION 1. 51.001 (1) of the statutes is amended to read:~~

1 51.001 (1) It is the policy of the state ~~to that, within the limits of available state~~
2 ~~and federal funds and of county funds required to be appropriated to match state~~
3 ~~funds, all persons in need of services for mental disorders, developmental~~
4 ~~disabilities, mental illness and alcohol and other drug abuse shall have access to~~
5 ~~resources that strengthen self-determination and self-sufficiency by promoting~~
6 ~~health, wellness, improvement, recovery, quality of life and dignity. The state shall~~
7 ~~assure the provision of a full range of treatment and , rehabilitation services and~~
8 ~~habilitation services in the state for all mental disorders and developmental~~
9 ~~disabilities and , for mental illness, and for alcoholism and other drug abuse. There~~
10 ~~shall be a unified system of prevention of such conditions and provision of services~~
11 ~~which will assure all people in need of care access to the least restrictive treatment~~
12 ~~alternative appropriate to their needs, and movement through all treatment~~
13 ~~components to assure continuity of care, within the limits of available state and~~
14 ~~federal funds and of county funds required to be appropriated to match state funds.~~

15 **SECTION 2.** 51.01 (8m) of the statutes is created to read:

16 51.01 (8m) "Habilitation" means education, training or other service provided
17 to persons to assist them in acquiring skills that will, in turn, enable the persons to
18 learn, practice and refine skills necessary for independent living, productive and
19 meaningful employment and community participation.

20 **SECTION 3.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

21 **SECTION 4.** 51.03 (1g) of the statutes is created to read:

22 51.03 (1g) In this section:

23 (a) "Early intervention" means action to hinder or alter a person's mental
24 disorder or abuse of alcohol or other drugs in order to reduce the duration of early

1 symptoms or to reduce the duration or severity of mental illness or alcohol or other
2 drug abuse that may result.

3 (b) "Individualized service planning" means a process under which a person
4 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
5 family, receives information, education and skills to enable the person to participate
6 mutually and creatively with his or her mental health or alcohol or other drug abuse
7 service provider in identifying his or her personal goals and developing his or her
8 assessment, crisis protocol, treatment and treatment plan. "Individualized service
9 planning" is tailored to the person and is based on his or her strengths, abilities and
10 needs.

11 (c) "Prevention" means action to reduce the instance, delay the onset or lessen
12 the severity of mental disorder, before the disorders may progress to mental illness,
13 by reducing risk factors for, enhancing protections against and promptly treating
14 early warning signs of mental disorder.

15 (d) "Recovery" means the process of a person's growth and improvement,
16 despite a history of mental illness or alcohol or other drug abuse, in attitudes,
17 feelings, values, goals, skills and behavior and is measured by a decrease in
18 dysfunctional symptoms and an increase in maintaining the person's highest level
19 of health, wellness, stability, self-determination and self-sufficiency.

20 (e) "Stigma" means disqualification from social acceptance, derogation,
21 marginalization and ostracism encountered by persons with mental illness or
22 persons who abuse alcohol or other drugs as the result of societal negative attitudes,
23 feelings, perceptions, representations and acts of discrimination.

24 **SECTION 5.** 51.03 (4) of the statutes is created to read:

1 51.03 (4) Within the limits of available state and federal funds, the department
2 may do all of the following:

3 (a) Promote the creation of coalitions among the state, counties, providers of
4 mental health and alcohol and other drug abuse services, consumers of the services
5 and their families and advocates for persons with mental illness and for alcoholic and
6 drug dependent persons to develop, coordinate and provide a full range of resources
7 to advance prevention; early intervention; treatment; recovery; safe and affordable
8 housing; opportunities for education, employment and recreation; family and peer
9 support; self-help; and the safety and well-being of communities.

10 (b) In cooperation with counties, providers of mental health and alcohol and
11 other drug abuse services, consumers of the services, interested community
12 members and advocates for persons with mental illness and for alcoholic and drug
13 dependent persons, develop and implement a comprehensive strategy to reduce
14 stigma of and discrimination against persons with mental illness, alcoholics and
15 drug dependent persons.

16 (c) Develop and implement a comprehensive strategy to involve counties,
17 providers of mental health and alcohol and other drug abuse services, consumers of
18 the services and their families, interested community members and advocates for
19 persons with mental illness and for alcoholic and drug dependent persons as equal
20 participants in service system planning and delivery.

21 (d) Promote responsible stewardship of human and fiscal resources in the
22 provision of mental health and alcohol and other drug abuse services.

23 (e) Develop and implement methods to identify and measure outcomes for
24 consumers of mental health and alcohol and other drug abuse services.

1 (f) Promote access to appropriate mental health and alcohol and other drug
2 abuse services regardless of a person's geographic location, age, degree of mental
3 illness, alcoholism or drug dependency or availability of personal financial resources.

4 (g) Promote consumer decision making to enable persons with mental illness
5 and alcohol or drug dependency to be more self-sufficient.

6 (h) Promote use by providers of mental health and alcohol and other drug abuse
7 services of individualized service planning, under which the providers develop
8 written individualized service plans that promote treatment and recovery, together
9 with service consumers, families of service consumers who are children and
10 advocates chosen by consumers.

11 **SECTION 6.** 51.03 (5) of the statutes is created to read:

12 51.03 (5) The department shall ensure that providers of mental health and
13 alcohol and other drug abuse services who use individualized service plans, as
14 specified in sub. (4) (h), do all of the following in using a plan:

15 (a) Establish meaningful and measurable goals for the consumer.

16 (b) Base the plan on a comprehensive assessment of the consumer's strengths,
17 abilities, needs and preferences.

18 (c) Keep the plan current.

19 (d) Modify the plan as necessary.

20 ~~SECTION 7. 51.45 (1) of the statutes is repealed.~~ ✓

21 **SECTION 9123. Nonstatutory provisions; health and family services.**

22 (1) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
23 DEMONSTRATION PROJECTS.

24 (a) From the appropriation under section 20.435 (6) (a) and (n) of the statutes,
25 the department of health and family services shall contract with counties or federally

2000-01 ✓

1 recognized American Indian tribes or bands to provide up to 3 demonstration projects
 2 in state fiscal year ~~1999-2000~~ and up to 5 additional such projects in state fiscal year
 3 ~~2000-01~~. The demonstration projects shall be to provide mental health and alcohol
 4 or other drug abuse services under managed care programs to persons who suffer
 5 from mental illness, alcohol or other drug dependency or both mental illness and
 6 alcohol or other drug dependency.

7 (b) The department of health and family services shall submit for approval by
 8 the secretary of the federal department of health and human services any requests
 9 for waiver of federal medical assistance laws that are necessary to effectuate the
 10 managed care demonstration projects under this subsection.

11 (c) The department of health and family services shall establish an advisory
 12 committee for the demonstration projects under this subsection. The advisory
 13 committee shall be comprised of representatives of the county or federally recognized
 14 American Indian tribe or band with which the department of health and family
 15 services has contracted under paragraph (a), providers of mental health and alcohol
 16 or other drug abuse services and persons who suffer from mental illness or alcohol
 17 or other drug dependency, or both, and their families. The advisory committee shall
 18 advise the department in the development of policy and planning for delivery of
 19 services under the managed care demonstration projects under paragraph (a).

Kennedy, Debora

From: Fossum, Gretchen
Sent: Monday, January 25, 1999 11:29 AM
To: Kennedy, Debora
Subject: FW: Draft Changes

-----Original Message-----

From: Fossum, Gretchen
Sent: Monday, January 25, 1999 11:10 AM
To: 'debora.kennedy@legis.wi.us'
Subject: Draft Changes

Please make changes to the following draft:

1. LRB draft 1547/1: on line 2 revise to read "a person in the facility".
2. LRB draft 0326/2: on page 5, line 17 change the number of pilots from 3 to 2.

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

SOON - Inedit 1/25f

1999 - 2000 LEGISLATURE

LRB-0326/3

DAK:cmh&jlg:bmb

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DOA:.....Fossum - Blue Ribbon Commission on Mental Health recommendations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

1

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

don't beat

two ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

This bill requires the department of health and family services (DHFS) to contract with counties or federally recognized American Indian tribes or bands to provide, from state general purpose revenues and federal moneys, up to ~~three~~ demonstration projects in fiscal year 2000-01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency. DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medical assistance laws to effectuate these managed care demonstration projects.

The bill defines various terms and authorizes DHFS, within the limits of available state and federal funds, to do all of the following:

1. Promote the creation of coalitions to develop, coordinate and provide resources to advance prevention, early intervention, treatment, recovery and other achievements for consumers of mental health and alcohol and other drug abuse services.

2. In cooperation with specified parties, develop and implement a comprehensive strategy to reduce stigma of and discrimination against persons with mental illness, alcoholics and drug dependent persons.

3. Develop and implement a comprehensive strategy to involve counties, service providers for mental health and alcohol and other drug abuse services, consumers, interested community members and advocates as equal participants in service system planning and delivery.

4. Promote responsible stewardship of human and fiscal resources in the provision of mental health and alcohol and other drug abuse services.

5. Develop and implement methods to identify and measure outcomes for consumers.

6. Promote access to appropriate mental health and alcohol and other drug abuse services regardless of a person's geographic location, age and other factors.

7. Promote consumer decision making.

8. Promote provider use of individualized service planning.

The bill requires DHFS to ensure that service providers who use individualized service planning meet certain requirements in using the planning.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

2 **SECTION 2.** 51.03 (1g) of the statutes is created to read:

3 **51.03 (1g)** In this section:

4 (a) "Early intervention" means action to hinder or alter a person's mental
5 disorder or abuse of alcohol or other drugs in order to reduce the duration of early
6 symptoms or to reduce the duration or severity of mental illness or alcohol or other
7 drug abuse that may result.

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9 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
10 family, receives information, education and skills to enable the person to participate
11 mutually and creatively with his or her mental health or alcohol or other drug abuse
12 service provider in identifying his or her personal goals and developing his or her

1 assessment, crisis protocol, treatment and treatment plan. “Individualized service
2 planning” is tailored to the person and is based on his or her strengths, abilities and
3 needs.

4 (c) “Prevention” means action to reduce the instance, delay the onset or lessen
5 the severity of mental disorder, before the disorders may progress to mental illness,
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7 early warning signs of mental disorder.

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10 feelings, values, goals, skills and behavior and is measured by a decrease in
11 dysfunctional symptoms and an increase in maintaining the person’s highest level
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22 and their families and advocates for persons with mental illness and for alcoholic and
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24 to advance prevention; early intervention; treatment; recovery; safe and affordable

1 housing; opportunities for education, employment and recreation; family and peer
2 support; self-help; and the safety and well-being of communities.

3 (b) In cooperation with counties, providers of mental health and alcohol and
4 other drug abuse services, consumers of the services, interested community
5 members and advocates for persons with mental illness and for alcoholic and drug
6 dependent persons, develop and implement a comprehensive strategy to reduce
7 stigma of and discrimination against persons with mental illness, alcoholics and
8 drug dependent persons.

9 (c) Develop and implement a comprehensive strategy to involve counties,
10 providers of mental health and alcohol and other drug abuse services, consumers of
11 the services and their families, interested community members and advocates for
12 persons with mental illness and for alcoholic and drug dependent persons as equal
13 participants in service system planning and delivery.

14 (d) Promote responsible stewardship of human and fiscal resources in the
15 provision of mental health and alcohol and other drug abuse services.

16 (e) Develop and implement methods to identify and measure outcomes for
17 consumers of mental health and alcohol and other drug abuse services.

18 (f) Promote access to appropriate mental health and alcohol and other drug
19 abuse services regardless of a person's geographic location, age, degree of mental
20 illness, alcoholism or drug dependency or availability of personal financial resources.

21 (g) Promote consumer decision making to enable persons with mental illness
22 and alcohol or drug dependency to be more self-sufficient.

23 (h) Promote use by providers of mental health and alcohol and other drug abuse
24 services of individualized service planning, under which the providers develop
25 written individualized service plans that promote treatment and recovery, together

1 with service consumers, families of service consumers who are children and
2 advocates chosen by consumers.

3 **SECTION 4.** 51.03 (5) of the statutes is created to read:

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8 (b) Base the plan on a comprehensive assessment of the consumer's strengths,
9 abilities, needs and preferences.

10 (c) Keep the plan current.

11 (d) Modify the plan as necessary.

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13 (1) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
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15 (a) From the appropriation under section 20.435 (6) (a) and (n) of the statutes,
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20 persons who suffer from mental illness, alcohol or other drug dependency or both
21 mental illness and alcohol or other drug dependency.

22 (b) The department of health and family services shall submit for approval by
23 the secretary of the federal department of health and human services any requests

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2 managed care demonstration projects under this subsection.

3 (END)

SOON - in edit. 2/16

1999 - 2000 LEGISLATURE

LRB-0326/4

DAK:cmh&jlg

D-NOTE

DOA:.....Fossum - Blue Ribbon Commission on Mental Health
recommendations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

This bill requires the department of health and family services (DHFS) to contract with counties or federally recognized American Indian tribes or bands to provide, from state general purpose revenues and federal moneys, up to two demonstration projects in fiscal year 2000-01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency. DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medical assistance laws to effectuate these managed care demonstration projects.

The bill defines various terms and authorizes DHFS, within the limits of available state and federal funds, to do all of the following:

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2. In cooperation with specified parties, develop and implement a comprehensive strategy to reduce stigma of and discrimination against persons with mental illness, alcoholics and drug dependent persons.

3. Develop and implement a comprehensive strategy to involve counties, service providers for mental health and alcohol and other drug abuse services, consumers, interested community members and advocates as equal participants in service system planning and delivery.

4. Promote responsible stewardship of human and fiscal resources in the provision of mental health and alcohol and other drug abuse services.

5. Develop and implement methods to identify and measure outcomes for consumers.

6. Promote access to appropriate mental health and alcohol and other drug abuse services regardless of a person's geographic location, age and other factors.

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The bill requires DHFS to ensure that service providers who use individualized service planning meet certain requirements in using the planning.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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6 symptoms or to reduce the duration or severity of mental illness or alcohol or other
7 drug abuse that may result.

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9 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
10 family, receives information, education and skills to enable the person to participate
11 mutually and creatively with his or her mental health or alcohol or other drug abuse
12 service provider in identifying his or her personal goals and developing his or her

1 assessment, crisis protocol, treatment and treatment plan. “Individualized service
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12 of health, wellness, stability, self-determination and self-sufficiency.

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15 persons who abuse alcohol or other drugs as the result of societal negative attitudes,
16 feelings, perceptions, representations and acts of discrimination.

17 **SECTION 3.** 51.03 (4) of the statutes is created to read:

18 **51.03 (4)** Within the limits of available state and federal funds, the department
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1 housing; opportunities for education, employment and recreation; family and peer
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3 (b) In cooperation with counties, providers of mental health and alcohol and
4 other drug abuse services, consumers of the services, interested community
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6 dependent persons, develop and implement a comprehensive strategy to reduce
7 stigma of and discrimination against persons with mental illness, alcoholics and
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9 (c) Develop and implement a comprehensive strategy to involve counties,
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12 persons with mental illness and for alcoholic and drug dependent persons as equal
13 participants in service system planning and delivery.

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20 illness, alcoholism or drug dependency or availability of personal financial resources.

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- 8 (b) Base the plan on a comprehensive assessment of the consumer's strengths,
9 abilities, needs and preferences.
- 10 (c) Keep the plan current.
- 11 (d) Modify the plan as necessary.

✓
*of the statutes,
 as affected by this
 act and section
 20.435(6)*

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13 (1) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
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 21 mental illness and alcohol or other drug dependency.

22 (b) The department of health and family services shall submit for approval by
23 the secretary of the federal department of health and human services any requests

1 for waiver of federal medical assistance laws that are necessary to effectuate the
2 managed care demonstration projects under this subsection.

3 (END)

D-NOTE

D-NOTE

To Gretchen Fossum:

P This redraft adds "as affected by this act," to the reference to s. 20.435 (b) (a), stat., in SECTION 9123 (1) (a), dealing with the mental health pilot projects.

DAK

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

LRB-0326/4dn
DAK:cmh:lp

February 8, 1999

To Gretchen Fossum:

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

SOON - In edit 2/5

1999 - 2000 LEGISLATURE

LRB-0326/5

DAK:cmh&jlg

D-NOTE

DOA:.....Fossum - Blue Ribbon Commission on Mental Health recommendations

FOR 1999-01 BUDGET - NOT READY FOR INTRODUCTION

do not gen

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

DHFS may, however, contract for provision of the demonstration projects, regardless of whether a waiver is received.

secure federal financial participation for

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

This bill requires the department of health and family services (DHFS) to contract with counties or federally recognized American Indian tribes or bands to provide, from state general purpose revenues and federal moneys, up to two demonstration projects in fiscal year 2000-01. The projects are to provide mental health and alcohol or other drug abuse services under managed care programs to persons who suffer from mental illness, alcohol or other drug dependency, or both illness and dependency. DHFS must submit for approval by the secretary of the federal department of health and human services any necessary requests for waiver of federal medical assistance laws to ~~effectuate~~ these managed care demonstration projects.

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3. Develop and implement a comprehensive strategy to involve counties, service providers for mental health and alcohol and other drug abuse services, consumers, interested community members and advocates as equal participants in service system planning and delivery.

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14 DEMONSTRATION PROJECTS.

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21 from mental illness, alcohol or other drug dependency or both mental illness and
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3 (END)

Secure federal
financial
participation
for

~~§~~ [§] Regardless of whether a waiver is approved, the department may contract for the provision of the managed care demonstration projects under this subsection. ✓

D-NOTE

of health
and family
services

D-NOTE

To Gretchen Fossum:

If this redraft permits DHFS to contract
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of whether a waiver is received.

DAK

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

LRB-0326/5dn
DAK:cmh&jlg:ijs

February 9, 1999

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This redraft permits DHFS to contract for the demonstration projects, regardless of whether a waiver is received.

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



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0326/5
DAK:cmh&jlg:ijs

DOA:.....Fossum - Blue Ribbon Commission on Mental Health
recommendations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

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

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5 (END)