

**1999 DRAFTING REQUEST**

**Bill**

Received: **03/28/2000**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **John Gard (608) 266-2343**

By/Representing: **Himself**

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

Drafter: **kenneda**

May Contact:

Alt. Drafters:

Subject: **Public Assistance - med. assist.  
Tax - individual income**

Extra Copies: **JK**

**Pre Topic:**

No specific pre topic given

**Topic:**

Increase personal care worker hourly wage by \$1.00; change date for individual income tax modifications for medical insurance premiums

**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>
/?	kenneda 03/28/2000	gilfokm 03/28/2000		_____			S&L
/1			kfollet 03/28/2000	_____	lrb_docadmin 03/28/2000	lrb_docadmin 03/28/2000	

FE Sent For:

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1?	kenneda	1-3/28		_____			

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<END>

**1999 ASSEMBLY BILL 630**

December 30, 1999 - Introduced by Representatives MEYER, KRUSICK, PLOUFF, WAUKAU, BALOW, BLACK, SCHOOFF, SCHNEIDER, TRAVIS, MEYERHOFER, LASSA, GUNDERSON, JOHNSRUD, COLON, BERCEAU, HUEBSCH, HEBL, HUBER, MUSSER, YOUNG, RILEY, SYKORA, OLSEN, TURNER, LA FAVE, BOCK, OTT, KREIBICH, BOYLE, ALBERS, CARPENTER, KREUSER, J. LEHMAN, HANDRICK, GRONEMUS, HASENOHRL, MILLER, POCAN, RYBA, RICHARDS, SINICKI, PLALE, REYNOLDS, STEINBRINK, KRUG, WASSERMAN, CULLEN, COGGS, HUBLER, SHERMAN, STASKUNAS, ZIEGELBAUER, WILLIAMS and RHOADES, cosponsored by Senators MOEN, WIRCH, CLAUSING, ERPENBACH, PLACHE, RUDE, ROBSON, RISSER, BURKE, DRZEWIECKI, GROBSCHMIDT, BRESKE, ROESSLER, SHIBILSKI, ROSENZWEIG and GEORGE. Referred to Committee on Health.

1 *Gen Cat.* AN ACT to renumber and amend 49.45 (6t); and to create 49.45 (6t) (b) and  
2 49.45 (24p) of the statutes; relating to: designating personal care shortage  
3 areas, reimbursement for losses in the provision of personal care services,  
4 providing a supplement for hourly medical assistance reimbursement rates for  
5 in-home personal care services workers, providing an exemption from  
6 emergency rule procedures, requiring the exercise of rule-making authority  
7 and making <sup>an</sup> appropriations. *individual income tax modifications for medical insurance premiums*

**Analysis by the Legislative Reference Bureau**

This bill requires the department of health and family services (DHFS) to designate personal care shortage areas in the state and to reimburse providers of personal care services in those areas, from general program revenues, at 125% of the medical assistance reimbursement rate for the provision of personal care services in areas of the state that are not designated as personal care shortage areas. The bill requires DHFS to specify criteria, by rule, for the designation of areas as personal care shortage areas and authorizes DHFS to promulgate the rules as emergency rules without providing evidence of necessity for the preservation of the public peace, health, safety or welfare and without providing a finding of emergency.

Under current law, as affected by 1999 Wisconsin Act 9 (the biennial budget act), the hourly medical assistance reimbursement rate for workers providing

**ASSEMBLY BILL 630**

~~\$12.25~~

\$13.25

This

in-home personal care services is \$12.25. ~~The~~ bill increases the reimbursement rate by ~~\$2.25~~, to ~~\$15.50~~ per hour.

Under current law, county departments of social services, human services and community programs and local health departments provide certain services, including personal care services, to medical assistance recipients. DHFS distributes to these county departments and local health departments up to \$4,500,000 of federal medicaid moneys in each fiscal year, under a method developed by DHFS, to reduce losses incurred by the county departments and local health departments in providing the services. The bill requires that DHFS annually distribute general purpose revenues to supplement by 15% each of those distributions, in order to additionally reimburse county departments and local health departments for a portion of losses incurred in providing personal care services to medical assistance recipients after December 31, 1999.

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

INSERT  
A

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

INSERT  
B

1 SECTION 1. 49.45 (6t) of the statutes is renumbered 49.45 (6t) (a), and 49.45 (6t)

2 (a) 2. (intro.), 3. and 4., as renumbered, are amended to read:

3 49.45 (6t) (a) 2. (intro.) Based on the amount estimated to be available under  
4 ~~par. (a) subd. 1.~~, develop a method, which need not be promulgated as rules under  
5 ch. 227, to distribute this allocation to the individual county departments under s.  
6 46.215, 46.22, 46.23 or 51.42 or to local health departments that have incurred  
7 operating deficits that shall include all of the following:

8 3. Except as provided in ~~par. (d) subd. 4.~~, distribute the allocation under the  
9 distribution method that is developed.

10 4. If the federal department of health and human services approves for state  
11 expenditure in a fiscal year amounts under s. 20.435 (5) (o) that result in a lesser  
12 allocation amount than that allocated under this subsection or disallows use of the  
13 allocation of federal medicaid funds under ~~par. (e) subd. 3.~~, reduce allocations under  
14 this subsection and distribute on a prorated basis, as determined by the department.

**ASSEMBLY BILL 630**

1           **SECTION 2.** 49.45 (6t) (b) of the statutes is created to read:

2           49.45 (6t) (b) From the appropriation under s. 20.435 (5) (b), the department  
3 shall annually distribute moneys for reduction of operating deficits, as determined  
4 under criteria developed under par. (a) 2. a., incurred by a county department under  
5 s. 46.215, 46.22, 46.23 or 51.42 or by a local health department, as defined in s. 250.01  
6 (4), for services provided under s. 49.46 (2) (b) 6. j. The department shall distribute  
7 the moneys specified in this paragraph as a supplement of 15% to each distribution  
8 made under the method specified under par. (a) 2., for services provided under s.  
9 49.46 (2) (b) 6. j. after December 31, 1999.

10           **SECTION 3.** 49.45 (24p) of the statutes is created to read:

11           49.45 (24p) **PERSONAL CARE SHORTAGE AREAS.** (a) The department shall  
12 designate as a personal care shortage area any area that meets criteria that the  
13 department specifies by rule. From the appropriation under s. 20.435 (5) (b), the  
14 department shall reimburse providers of personal care services under s. 49.46 (2) (b)  
15 6. j. in personal care shortage areas at 125% of the reimbursement for the provision  
16 of personal care services in areas of the state that are not designated as personal care  
17 shortage areas.

18           (b) The department shall by rule specify criteria for the designation of an area  
19 as a personal care shortage area, including a criterion concerning the maximum  
20 number of personal care workers per area population.

21           (c) If an area designated as a personal care shortage area under par. (a) no  
22 longer meets criteria specified under par. (b), the department shall dissolve the  
23 designation.

24           **SECTION 4. Nonstatutory provisions.**

25           (1) **PERSONAL CARE SHORTAGE AREAS; RULES.**

**ASSEMBLY BILL 630****SECTION 4**

1 (a) The department of health and family services shall submit in proposed form  
2 the rules required under section 49.45 (24p) (b) of the statutes, as created by this act,  
3 to the legislative council staff under section 227.15 (1) of the statutes no later than  
4 the first day of the 4th month beginning after the effective date of this paragraph.

5 (b) Using the procedure under section 227.24 of the statutes, the department  
6 of health and family services may promulgate rules required under section 49.45  
7 (24p) (b) of the statutes, as created by this act, for the period before the effective date  
8 of the rules submitted under paragraph (a), but not to exceed the period authorized  
9 under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24  
10 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide  
11 evidence that promulgating a rule under this paragraph as an emergency rule is  
12 necessary for the preservation of the public peace, health, safety or welfare and is not  
13 required to provide a finding of emergency for a rule promulgated under this  
14 paragraph.

**SECTION 5. Appropriation changes.**

16 (1) ~~PERSONAL CARE SHORTAGE AREAS.~~ In the schedule under section 20.005 (3) of  
17 the statutes for the appropriation to the department of health and family services  
18 under section 20.435 (5) (b) of the statutes, as affected by the acts of 1999, the dollar  
19 amount is increased by \$-0- for fiscal year 1999-00 and the dollar amount is  
20 increased by \$-0- for fiscal year 2000-01 to provide increased medical assistance  
21 reimbursement for the provision of personal care services in personal care shortage  
22 areas.

23 ~~(#)~~ ~~(#)~~ **SUPPLEMENT; IN-HOME PERSONAL CARE WORKERS.** In the schedule under section  
24 20.005 (3) of the statutes for the appropriation to the department of health and family  
25 services under section 20.435 (5) (b) of the statutes, as affected by the acts of 1999,

ASSEMBLY BILL 630

2000

\$3,500,000

1 the dollar amount is increased by ~~\$5,200,000~~ for fiscal year ~~1999-00~~ and the dollar  
 2 amount is increased by ~~\$13,200,000~~ for fiscal year 2000-01 to supplement, beginning  
 3 ~~July 1, 1999~~, the hourly medical assistance reimbursement rates for workers  
 4 providing in-home personal care services by ~~\$0.25~~ \$1.00.

5 SECTION 6. Effective date.

6 (1) This act takes effect on January 1, 2000

7

(END)



INSERT A

# 1999 ASSEMBLY BILL 456

September 14, 1999 - Introduced by Representatives HAHN, KESTELL, RHOADES, LADWIG, HUNDERTMARK, REYNOLDS, FETTIS, LASSA, KELSO, WAUKAU, SKINDRUD, FREESE, SYKORA, HASENOHRL, URBAN, STONE, MUSSER, PLOUFF, F. LASEE, KEDZIE, PLALE, OWENS, GUNDERSON, SERATTI, KLUSMAN, GOETSCH, OLSEN, COLON, AINSWORTH, PETROWSKI, NASS, STASKUNAS, RYBA, BRANDEMUEHL, JESKEWITZ, UNDERHEIM, HUEBSCH, MEYERHOFER and JENSEN, cosponsored by Senators DRZEWIECKI, WIRCH, DARLING, PLACHE, HUELSMAN, LAZICH, SCHULTZ, ROESSLER and WELCH. Referred to Joint survey committee on Tax Exemptions.

1 AN ACT to amend 71.05 (6) (b) 20. (intro.) and 71.07 (5) (a) 15.; and to create  
2 71.05 (6) (b) 29. of the statutes; relating to: creating an individual income tax  
3 subtract modification for amounts spent on medical insurance premiums by  
4 certain individuals.

# 1999 Wisconsin Act.... (Assembly Bill 456)

### Analysis by the Legislative Reference Bureau

Under current law, there is an individual income tax deduction for 50% of the amount paid by a person for a medical care insurance policy that covers the person, his or her spouse and the person's dependents if the person's employer pays no amount of money toward the person's medical care insurance.

This bill creates an individual income tax deduction for 100% of the amount paid by an individual for a medical care insurance policy that covers the individual, his or her spouse and the individual's dependents if the individual, other than a self-employed person, has no employer or if the individual's employer pays no amount of money toward the individual's medical care insurance.

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

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:

changes the date of applicability of that tax deduction from January 1, 2000, to January 1, 2001.

**ASSEMBLY AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 860**

March 28, 2000 - Offered by Representatives HAHN and JENSEN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 9: after "purposes," insert "individual income tax modifications  
3 for medical insurance premiums,".

4 **2.** Page 36, line 20: after that line insert:

*ction: Act: amend*

5 ~~SECTION 251r.~~ 1999 Wisconsin Act .... (Assembly Bill 456), section 4 (1) is  
6 amended to read:

7 [1999 Wisconsin Act .... (Assembly Bill 456)] Section 4(1) This act first applies  
8 to taxable years beginning on January 1, 2000 2001.

9 (END)





State of Wisconsin  
1999-2000 LEGISLATURE

**CORRECTIONS IN:**

**1999 ASSEMBLY BILL 942**

Prepared by the Legislative Reference Bureau  
(March 30, 2000)

1. Page 2, line 4: delete "2001.." and substitute "2001.".