



JUDITH B. ROBSON

STATE SENATOR • WISCONSIN LEGISLATURE
CHAIR, HUMAN SERVICES AND AGING COMMITTEE
CO-CHAIR, JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES

To: Members of the Senate Committee on Human Services and Aging

Re: Paper Ballots

Date: March 27, 2000

Attached please find paper ballots on the following bills:

- **AB 706**, relating to eligibility for kinship care or long-term kinship care payments of a relative who is providing care and maintenance for a person 18 years of age or over, but under 19 years of age, who is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent and is reasonably expected to complete his or her program of study and be granted a high school or high school equivalency diploma; and
- **SB 504**, a bill by the Law Revisions Committee on behalf of the Department of Health and Family Services.

I am taking the unusual step of balloting these bills without a hearing because the end of session time crunch.

Please return your ballots to me no later than 2:00 p.m. on Tuesday, March 28, 2000.

SENATE COMMITTEE ON HUMAN SERVICES AND AGING

Paper Ballot on Senate Bill 504

Senate Bill 504 was introduced by the Law Revisions Committee at the request of DHFS. It makes a number of technical changes, as well as some "minor substantive changes" that the Law Revision Committee deems to be "desirable as a matter of public policy."

A summary of the bill's provision, put together by DHFS, is attached.

Moved by: Senator Robson

Motion: passage

Aye

No

Signature: _____

John B. Robson

Date: _____

3-22-00

SENATE COMMITTEE ON HUMAN SERVICES AND AGING

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A summary of the bill's provision, put together by DHFS, is attached.

Moved by: Senator Robson

Motion: passage

Aye

No

Signature: Carol Rossler

Date: March 28, 2000

SENATE COMMITTEE ON HUMAN SERVICES AND AGING

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A summary of the bill's provision, put together by DHFS, is attached.

Moved by: Senator Robson

Motion: passage

Aye

No

Signature: _____

Date: _____

[Handwritten Signature]
[Handwritten Date: 4/28/2000]

SENATE COMMITTEE ON HUMAN SERVICES AND AGING

Paper Ballot on Senate Bill 504

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A summary of the bill's provision, put together by DHFS, is attached.

Moved by: Senator Robson

Motion: passage

Aye

No

Signature: _____

Robert W. Wines

Date: _____

March 27, 2000

SENATE COMMITTEE ON HUMAN SERVICES AND AGING

Paper Ballot on Senate Bill 504

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A summary of the bill's provision, put together by DHFS, is attached.

Moved by: Senator Robson

Motion: passage

Aye

No

Signature: 

Date: March 28, 2000

SB 504



State of Wisconsin
Department of Health and Family Services

Tommy G. Thompson, Governor
Joe Lecaen, Secretary

DHFS Remedial Legislation, LRB 4801/1

Reserve Requirements for Agencies Receiving DHFS Funds

This proposal is remedial because it matches the language of the statutes with the original legislative intent. The original intent of the reserve allowance under s. 46.036(5m)(b) was for the caps to be calculated as a percentage of the actual revenue awarded under the contract. Nevertheless, some have interpreted the language to be more expansive and apply the percentage to the "payment not to exceed" amount of the contract. The "payment not to exceed" amount of a contract can be much larger than the amount of revenue actually received under a contract. When the "payment not to exceed" amount is used to calculate the caps on the reserve, a contracted entity could keep a much larger portion of the excess revenue than the legislature intended as a reserve.

Eliminating obsolete language in s. 46.70

This eliminates references to funding for a program which were applicable only to SFY 92 and 93, as well as clarifying the program's appropriation authority and eliminating invalid cross-references.

Eliminating obsolete language, s. 46.717

S. 46.717 specifies a distribution that was required in SFY 94 and should therefore be removed from our laws.

Kinship Care Requirements

The intent of the Kinship Care program is to assist children. It has always been a premise of the program that the state has no direct interest in whether or not the relative caretaker is eligible for other programs. Rather the locus of attention is on the child and whether the child is eligible for other assistance programs. Eligibility for Kinship Care – a child based benefit – is supposed to hinge on what other forms of public assistance for which the child is eligible, not the caretaker relative.

Licensing of Foster Homes

At the present time, a county agency may not license one of its own employees to be a foster parent. This is true even when the employe works outside of the foster care program. This proposal adds an option to the list of possibilities that public licensing agencies may use to license a foster home located in another county. Other provisions of statutes that are designed to prevent conflicts of interest will still be in force with this added exception.

Financial Information for IV-E Determinations

Current law allows a court to require parents to provide financial information in order for the court or the child support agency to determine the amount of support. However, our laws lack authorization for this information to be shared with either the appropriate county department or,

in the case of Milwaukee, the department of health and family services. DHFS and the county departments need this information in order to determine if a child placed in out-of-home care is eligible under federal Title IV-E. This proposal will improve the state's ability to claim federal funds to support the child's placement.

Medical Leave Premium Subsidies

DHFS administers both a medical leave and health insurance premium policy program for persons infected with HIV. Both programs more than pay for themselves by preventing the rapid onset of more costly healthcare that then becomes a Medicaid liability in the absence of other insurance. In order to increase the effectiveness of this approach, the Legislature agreed to increase the income threshold from 200% to 300% of the federal poverty level contingent on the participant's cost-sharing on a sliding scale basis. However, the medical leave premium subsidy program was inadvertently left out of this change. Medical leave policies are typically of a duration no longer than six months whereas COBRA coverage can extend for up to 29 months. Making this parallel change to the medical leave premium subsidies language is consistent with the Legislature's original intent and does not impose any additional cost to the state.

Disproportionate Share Payments

Existing statutes make no allowance for disproportionate share adjustments for those hospitals that are paid under a retrospective reimbursement system. In other words, current statutes make no room for these disproportionate share payments to retrospectively paid hospitals outside of the federal Medicaid upper limit requirements. This remedial change will recognize that disproportionate share payments are not to be counted against the upper limit requirements for any retrospectively paid hospital. This methodology has already been approved by the federal government and affected providers as of June 1997.

Case Conferences

Changing the name of the state procedure to "case conference" would distinguish it from the federal "informal dispute resolution" process. The change would reduce confusion about the process in appealing a state nursing home violation to the Division of Hearings and Appeals.

CBRF Classification

This proposal eliminates from statutes references to a class of CBRF that no longer exists. Because there is no longer a "Class B" designation for community-based residential facilities, statutory references should be deleted.