

2001 DRAFTING REQUEST

Bill

Received: **04/25/2001**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Christine Sinicki (608) 266-8588**

By/Representing: **Jan (aide)**

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

Drafter: **kenneda**

May Contact:

Addl. Drafters:

Subject: **Health - long-term care
Public Assistance - med. assist.**

Extra Copies: **ISR**

Submit via email: **NO**

Pre Topic:

No specific pre topic given

Topic:

Priority for COP services for disabled domestic violence victims

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 05/14/2001 isagerro 08/03/2001			_____			S&L
/1	kenneda 08/05/2001	jdyer 08/06/2001	pgreensl 08/06/2001 pgreensl 08/06/2001	_____	lrb_docadmin 08/06/2001 lrb_docadmin 08/06/2001	lrb_docadmin 12/18/2001	

FE Sent For:

<END>

↳ At
Intro.

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Public Assistance - med. assist.

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Requester's email:

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Please change

Topic:

Priority for COP services for disabled ~~sexual assault~~ domestic violence victims

Instructions:

See Attached

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/?	kenneda	11/3/01 jld	8/6 PS	8/6 PSTR			

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<END>

4/25/01 From Jan (aide) - Sinicki's office

Want a priority for home health care (within available funding), for COP-R + COP-W eligibles for sexual assault or domestic violence victims who are disabled (currently, they must be sent to nursing homes for care b/c the primary caregiver is the perpetrator).

Would not be displacing anyone who is currently receiving COP; initially applicable to assessments on eff. date.



SOON - In edit 8/5
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-3156/1

DAK:.....

D-NOTE

JLD

2001 BILL

LPS - please fix request sheet

gen

1 AN ACT ...; relating to: providing priority for long-term support community
2 options program services to certain disabled ~~victims~~ victims of sexual assault
3 or domestic abuse.

Analysis by the Legislative Reference Bureau

Under current law, the long-term support Community Options Program (COP) * provides functionality assessments of, and home and community-based care to, among others, elderly and disabled persons as an alternative to institutionalized care. One part of COP (often referred to as COP-Regular) is funded by state general purpose revenues and the other part (often referred to as COP-Waiver) is funded jointly by federal medicaid and state medical assistance moncys under a waiver of federal medicaid laws.

This bill requires that the entity that administers COP-Regular and COP-Waiver in a county give priority for the receipt of available funding to provide COP services to otherwise-eligible disabled victims of domestic abuse for whom the perpetrator of the domestic abuse is a primary caregiver.

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:

BILL

#1. "Disabled" has the meaning given in s. 46.985(1)(d).
 text: treat #2.

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SECTION 1. 46.27 (6s) of the statutes is created to read:

46.27 (6s) PRIORITY FOR SERVICES FOR DISABLED VICTIMS OF SEXUAL ASSAULT OR

DOMESTIC ABUSE. (a) In this subsection, "victim of domestic abuse" means an individual who has encountered domestic abuse, as defined in s. 46.95 (1) (a).

(b) Within the limits of funds allocated under sub. (7), the administrator, as specified in sub. (3) (b), of the program in a county shall give priority for the receipt of available funding under sub. (7) for long-term community support services, including home health care, to otherwise-eligible disabled victims of domestic abuse for whom the perpetrator of the domestic abuse is a primary caregiver.

SECTION 2. 46.27 (11) (cm) of the statutes is created to read:

46.27 (11) (cm) 1. In this paragraph, "victim of domestic abuse" means an individual who has encountered domestic abuse, as defined in s. 46.95 (1) (a).

2. Within the limits of state and federal funds allocated under this subsection, the administrator, as specified in sub. (3) (b), of the program in a county shall give priority for the receipt of available funding under this subsection for long-term community support services, including home health care, to otherwise-eligible disabled victims of domestic abuse for whom the perpetrator of the domestic abuse is a primary caregiver.

SECTION 3. Initial applicability.

(1) **PRIORITY FOR COMMUNITY OPTIONS PROGRAM SERVICES FOR VICTIMS OF DOMESTIC ABUSE.** This act first applies to initial assessments that are conducted under section 46.27 (6) of the statutes on the effective date of this subsection.

(END)

D-NOTE

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3156/1dn

DAK.

JLD

To Representative Sinicki:

In this bill, I did not separately specify a category of victims of sexual assault, since sexual assault is one of the crimes that is specified in the definition of "domestic abuse" under s. 46.95 (1) (a), stats., to which the bill refers. I also did not indicate that the domestic abuse is alleged, since the definition appears to assume that the domestic abuse indeed took place.

Please let me know if I can help you further with this bill.

Debora A. Kennedy
Managing Attorney
Phone: (608) 266-0137
E-mail: debora.kennedy@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3156/1dn
DAK:jld:pg

August 6, 2001

To Representative Sinicki:

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Please jacket 01-3156
for Sinicki.

Thanks.

DAK