

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-AB1)

Received: **03/06/2002**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 266-8799**

By/Representing: **Morgan**

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

Drafter: **kenneda**

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Subject: **Hcalth - capital expenditure**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Morgan -

Topic:

Redistribute nursing home beds to replace beds transferred by owner of nursing home to another location

Instructions:

See Attached--same as 01s0365/2

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 03/06/2002	gilfokm 03/06/2002		_____			
/1			jfrantze 03/07/2002	_____	lrb_docadmin 03/07/2002		

FE Sent For:

<END>

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Legislative Fiscal Bureau
One East Main, Suite 301 • Madison, WI 53703 • (608) 266-3847 • Fax: (608) 267-6873

Date: MARCH 6, 2002

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3

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CM

From:

Charlie Morgan

Message:

DK -

Here is the motion I prepared.
I think it's close enough to
the draft I later received, so
you may just ^{redraft} ~~insert~~ that
draft as a budget amendment.
(This was adopted on a 16-0 vote
by JFC)

Charlie

MO#		
Burke	Y	N
Decker	Y	N
Moore	Y	N
Shibiiski	Y	N
Plache	Y	N
Wirch	Y	N
Darling	Y	N
Rosenz	Y	N
Gard	Y	N
Kaufert	Y	N
Albers	Y	N
Duff	Y	N
Ward	Y	N
Huebsch	Y	N
Huber	Y	N
Cogga	Y	N

Representative Gard
Senator Burke

HEALTH AND FAMILY SERVICES

Nursing Home Bed Limit

Motion:

Move to require the Department of Health and Family Services to redistribute a number of nursing home beds that corresponds to the number of approved beds of a nursing home whose owner has transferred to another location, resulting in the loss of a nursing home within 15 miles of a city with a population of 4,474 in 1990 in a county with a population of 30,226 in 1990. Exempt this redistribution from the requirements of Subchapter II of Chapter 150 of the statutes, except require the applicant to submit an application that meets the requirement under s. 150.33(2). Provide that this redistribution may only occur if the beds are redistributed to a location in the city with a population of 4,474 in 1990 in a county with a population of 30,226 in 1990.

Note:

Section 150.31 of the statutes establishes a statewide limit on the number of nursing home beds at 51,795 and a statewide limit on the number of beds in facilities that primarily service persons with developmental disabilities at 3,704. DHFS may adjust these limits under certain circumstances prescribed in Subchapter II of Chapter 150 of the statutes.

Currently, DHFS is required to review applications for approval of nursing home beds, hold a public meeting on the request, and may approve or reject the application based on statutory criteria. In considering the application, DHFS must consider cost containment as its first priority in applying statutory criteria and may not approve any project unless the applicant demonstrates:

- The MA funds appropriated are sufficient to reimburse the applicant for providing the nursing home care;
- The cost of providing an equal number of nursing home beds or an equal expansion would be consistent with the cost at similar nursing homes, and the applicant's per diem rates would be consistent with those of similar nursing homes;
- The project does not conflict with the statewide bed limit;
- A need for additional beds in the health planning area where the project would be

located;

- The project is consistent with local plans for developing community-based services to provide long-term care;
- Health care personnel, capital and operating funds and other resources needed to provide the proposed services are available;
- The project can be undertaken with the period of validity of the approval and completed within a reasonable period thereafter;
- Appropriate methods alternative to providing nursing home care in the health planning area are unavailable;
- The quality of care to be provided is satisfactory, as determined by DHFS investigations, materials submitted by the applicant and recommendations from affected parties concerning the quality of care provided in nursing homes owned or operated by the applicant; and
- For a project that would result in the relocation of nursing home beds, there are other adequate and appropriate resources available in the counties served by the nursing home to serve the nursing home residents who would be displaced by the relocation.

This motion would provide for the redistribution of nursing home beds for a facility in the City of Oconto in Oconto County and would exempt an applicant for these beds from the requirements of Subchapter II of Chapter 150, except the requirement that the application state certain information required under s. 150.33(2).

2001

Date (time)
needed

Today
~~2001~~

LRB b 2308/1

**LFB BDGT ADJSTMNT AMDMNT
[ONLY FOR LFB]**

DAK: King

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**LFB ADJUSTMENT AMENDMENT
TO 2001 SPECIAL SESSION ASSEMBLY BILL 1**

>>FOR JT. FIN. SUB. — NOT FOR INTRODUCTION<<

At the locations indicated, amend the bill as follows:

✓ #. Page 207, line 10...: after that line insert:

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

#. Page , line :

**SENATE SUBSTITUTE AMENDMENT,
TO 2001 SENATE BILL 433**

1 **AN ACT to create** 150.401 of the statutes; **relating to:** requiring redistribution
2 of nursing home beds to replace nursing home licensed beds that are
3 transferred.

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

4 " ^{336L} SECTION ~~7~~ 150.401 of the statutes is created to read:
5 **150.401 Redistribution of nursing home beds to replace transferred**
6 **beds.** (1) Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home
7 beds that are available under s. 150.31, the department shall redistribute a number
8 of beds that corresponds to the number of approved bcds of a nursing home whose
9 owner has transferred to another location, resulting in the loss of a nursing home
10 within 15 miles of a city with a population of 4,474 in 1990 in a county with a
11 population of 30,226 in 1990.



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2308/1
DAK:kmg:jf

LFB:.....Morgan - Redistribute nursing home beds to replace beds transferred by owner of nursing home to another location

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 1

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

2 1. Page 207, line 10: after that line insert:

3 "SECTION 336L. 150.401 of the statutes is created to read:

4 **150.401 Redistribution of nursing home beds to replace transferred**
5 **beds.** (1) Notwithstanding ss. 150.33, 150.35, and 150.39, from the nursing home
6 beds that are available under s. 150.31, the department shall redistribute a number
7 of beds that corresponds to the number of approved beds of a nursing home whose
8 owner has transferred to another location, resulting in the loss of a nursing home
9 within 15 miles of a city with a population of 4,474 in 1990 in a county with a
10 population of 30,226 in 1990.

1 (2) All of the following apply to the redistributed nursing home beds under sub.

2 (1):

3 (a) The beds may be redistributed only to a location in a city that is specified
4 in sub. (1).

5 (b) A person may not receive approval for the beds unless the person submits
6 to the department, on a form provided by the department, an application that meets
7 the requirements under s. 150.33 (2).”

8

(END)