

2001 Jr2 DRAFTING REQUEST

Senate Amendment (SA-SSA1-AB1)

Received: 06/19/2002

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 266-3847**

By/Representing: **Arsenault**

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

Drafter: **kenneda**

May Contact:

Addl. Drafters:

Subject: **Mental Health - protect place**

Extra Copies:

Submit via email: **NO**

Pre Topic:

LFB:.....Arsenault -

Topic:

Plan for state centers for developmentally disabled and other recommendations of Joint Legislative Council's Special Committee on Developmental Disabilities

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 06/19/2002	gilfokm 06/19/2002		_____			
/1			rschluet 06/20/2002	_____	lrb_docadmin 06/20/2002		

FE Sent For:

<END>

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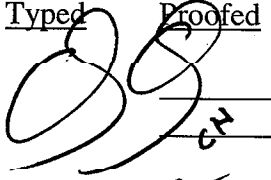
Topic:

Plan for state centers for ^{the} developmentally disabled and other recommendations of Joint Legislative Council's Special Committee on Developmental Disabilities

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1?	kenneda	1-6/19 kmq					

FE Sent For:

6-20-02
<END>



Legislative Fiscal Bureau

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

June 18, 2002

TO: Representative John Gard
Room 308 East, State Capitol

FROM: Bob Lang, Director

SUBJECT: Budget Proposal

At your request, I have prepared the attached document which identifies your proposal on 257 items of SS AB 1.

The proposal includes 255 of the 256 items of agreement from the June 14 proposals of the two houses. The one deleted item is Item #1 under Commerce ("Wisconsin Development Fund").

The two additional items of the proposal are the Assembly's position on Item #3 under Employment Relations Commission ("Teacher Preparation Time as a Mandatory Subject of Bargaining") and Item #2 under Financial Institutions ("Universal Banking").

BL/lah
Attachment

		<u>Chg. to Jr. Finance</u>	<u>Amount</u>	<u>Fund</u>
13.	Restrictions on Public Funding for Abortion-Related Activities	Senate (Current Law)		
15.	Multiple Sclerosis Education	Senate		
17.	Underage Tobacco Enforcement	Assembly		
18.	Intoxicated Driver Program	Senate (Current Law)		
19.	Access to Treatment Records	Assembly (Current Law)		
20.	Emergency Contraception for Alleged Victims of Sexual Assault	Assembly (Current Law)		
21.	Domestic Abuse Injunctions; Sexual Assault Victim Privilege and Criminal Stalking Modifications	Senate		
22.	Out-of-Home Placements	Assembly		
23.	Plan for State Centers and Other Recommendations of the Joint Legislative Council's Special Committee on Developmental Disabilities	Assembly modified to: (a) require the plan for the state centers for the developmentally disabled to be submitted within six months after enactment of the bill; and (b) delete the provisions that are identical to Assembly Bill 590 (as amended by Assembly Amendments 1 and 2).		
24.	Office of Federal-State Relations	Senate		
	HIRSP Premiums	Allow DHFS and the HIRSP Board to set HIRSP premium rates at between 140% and 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan. Current law sets the rate at 150% of the rate a standard risk would be charged.		

Assembly modified to: (a) require the plan for the state centers for the developmentally disabled to be submitted within six months after enactment of the bill; and (b) delete the provisions that are identical to Assembly Bill 590 (as amended by Assembly Amendments 1 and 2).

		<u>Chg. to Jr. Finance</u>	<u>Amount</u>	<u>Fund</u>
		Senate (Current Law)		
		Senate		
		Assembly		
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		Senate		
		Assembly		
		Assembly modified to: (a) require the plan for the state centers for the developmentally disabled to be submitted within six months after enactment of the bill; and (b) delete the provisions that are identical to Assembly Bill 590 (as amended by Assembly Amendments 1 and 2).		
		Senate		
		Allow DHFS and the HIRSP Board to set HIRSP premium rates at between 140% and 150% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as are provided under the plan. Current law sets the rate at 150% of the rate a standard risk would be charged.		

Insurance (Pg. 136)
 Fraternal Benefit Societies
 Senate (Current Law)

Senate (Current Law)

Thurs. ~~Insert~~ - In edit 4/19

2001 - 2002 LEGISLATURE
January 2002 Special Session

306011
LRBb23972
DAK/kmg:rs
STET

LFB:.....Arsenault - Council on developmental disabilities; services for developmental disabilities; state centers for the developmentally disabled

Plan for

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

Tip Request Sheet

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

and other recommendations of Joint Legislative Council's Special Committee on Developmental Disabilities

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 10, line 6: after that line insert:

3 "SECTION 14cg. 15.197 (11n) (cm) of the statutes is created to read:

4 15.197 (11n) (cm) Four members of the legislature, of which one each is
5 designated by the speaker of the assembly, the senate majority leader, and the
6 minority leader in each house of the legislature and appointed by the governor.

7 SECTION 14ch. 15.197 (11n) (e) of the statutes is created to read:

8 15.197 (11n) (e) By January 31 annually, the council shall prepare a report for
9 the preceding calendar year and shall submit the report to the legislature under s.

1 13.172 (2). The report shall evaluate the waiting lists compiled by the department
2 of health and family services for services for persons with developmental
3 disabilities.”.

4 **2.** Page 346, line 1: after that line insert:

5 “SECTION 1160dd. 2001 Wisconsin Act 16, section 9123 (16rs) (b) (intro.) is
6 amended to read:

7 [2001 Wisconsin Act 16] Section 9123 (16rs) (b) (intro.) The department of
8 health and family services shall, as soon as possible before July 1, 2002, seek waivers
9 of federal medical assistance statutes and regulations from the federal department
10 of health and human services that are necessary to implement, in pilot sites, the
11 program. If the waivers are granted, the department shall report this fact to relevant
12 standing committees of the legislature within 30 days after the granting of the
13 waivers and, otherwise, shall report on the status of the waiver requests to relevant
14 standing committees of the legislature within 12 months after submitting the
15 request for waivers. If the waivers are granted, the program shall have all of the
16 following characteristics:

17 SECTION 1160dr. 2001 Wisconsin Act 16, section 9123 (16rs) (c) is amended to
18 read:

19 [2001 Wisconsin Act 16] Section 9123 (16rs) (c) If the federal waivers specified
20 under paragraph (b) are approved, the department of health and family services
21 shall, as soon as possible before July 1, 2002, seek enactment of statutory language,
22 including appropriation of necessary funding, to implement the model described
23 under paragraph (b), as approved under the federal waivers. Any new resources for
24 supports and services for long-term care for children with disabilities and their

1 families shall be managed under the program after approval of the federal waivers
2 specified in paragraph (b) and enactment of necessary statutory language to
3 implement the model under paragraph (b).”

4 **3.** Page 358, line 15: after that line insert:

5 ~~“(3xx) PLAN FOR SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES. The~~
6 ~~department of health and family services shall develop a plan to administer and fund~~
7 ~~services for persons with developmental disabilities. The plan, which shall include~~
8 ~~any recommended statutory language changes that are needed to implement the~~
9 ~~plan, shall be included in that department’s budget request that is submitted to the~~
10 ~~department of administration for the 2003–05 biennium. The plan shall include the~~
11 ~~following components:~~

12 ~~(a) Institutional and community-based services for persons with~~
13 ~~developmental disabilities shall be administered within one administrative subunit~~
14 ~~of the department of health and family services. The subunit that is designated to~~
15 ~~administer these services shall be the subunit that is administering~~
16 ~~community-based services for persons with developmental disabilities on the~~
17 ~~effective date of this paragraph.~~

18 ~~(b) Funding under the medical assistance program for institutional services~~
19 ~~and home and community-based waiver services for persons with developmental~~
20 ~~disabilities shall be combined into one appropriation, to the extent permissible under~~
21 ~~federal law. The funding in this appropriation may not be tied to any specific~~
22 ~~program or service setting, but shall be individually tailored to enable the person to~~
23 ~~live in the least restrictive setting appropriate to his or her needs and preferences.~~

1 (3xy) MEDICAL ASSISTANCE WAIVERS FOR DEVELOPMENTAL DISABILITIES SERVICES.

2 The department of health and family services shall determine whether any new
3 waivers under the medical assistance program are necessary to administer funding
4 for medical assistance services as described in subsection (1) (b). That department
5 shall apply for any waivers of federal medical assistance statutes and regulations
6 from the federal department of health and human services that the department of
7 health and family services determines are necessary to administer funding for
8 medical assistance services as described in subsection (1) (b).

9 (3xz) STATE CENTERS TASK FORCE.

*the first day of the 7th month beginning
after the effective date of this
paragraph*

10 (a) The department of health and family services shall create a task force that
11 shall develop a plan for the state centers for the developmentally disabled. The plan,
12 which shall be completed by ~~September 1, 2002~~, shall include any recommended
13 statutory language changes needed to implement the plan. The department shall
14 submit this recommended statutory language to the department of administration
15 as part of the department of health and family services' 2003-05 biennial budget
16 request and to the legislature. The plan shall do the following:

17 1. Specify the future role of the state and the state centers for the
18 developmentally disabled in providing services for persons with developmental
19 disabilities.

20 2. Attempt to maximize the potential for independent living in the most
21 appropriate setting and ensure quality care and services for each person residing in
22 the state centers for the developmentally disabled, according to the person's wishes.

23 3. If the task force recommends closing a state center for the developmentally
24 disabled, define and recommend changes in the role of one or more of the state centers

1 for the developmentally disabled, including functioning other than as a state center
2 for the developmentally disabled.

3 4. Ensure the provision of quality community-based services for persons who
4 are able to be relocated from the state centers.

5 5. Provide for transitional employment opportunities and services for existing
6 staff of the state centers for the developmentally disabled, in the event that one or
7 more of the state centers close or are assigned new functions.

8 (b) The department of health and family services shall appoint the membership
9 of the task force described in paragraph (a). The task force shall include
10 representatives of all of the following:

- 11 1. The department of health and family services.
- 12 2. The department of veterans affairs.
- 13 3. The department of corrections.
- 14 4. The governor's office.
- 15 5. The American Federation of State, County and Municipal Employees union,
16 the Service Employees International union, District 1199, and other labor unions.
- 17 6. Parents or guardians of current residents of the state centers for the
18 developmentally disabled.
- 19 7. Former and current residents of the state centers for the developmentally
20 disabled.
- 21 8. Advocates for persons with developmental disabilities.
- 22 9. A member of the board of an intermediate care facility for the mentally
23 retarded.
- 24 10. Organizations that provide services to persons with developmental
25 disabilities in the community.

1 11. County departments that provide services to persons with developmental
2 disabilities.”

3

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb3060/1
DAK:kmg:rs

LFB:.....Arsenault – Plan for state centers for the developmentally disabled
and other recommendations of Joint Legislative Council's Special
Committee on Developmental Disabilities

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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6 which shall be completed by the first day of the 7th month beginning after the
7 effective date of this paragraph, shall include any recommended statutory language
8 changes needed to implement the plan. The department shall submit this
9 recommended statutory language to the department of administration as part of the

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