

2001 DRAFTING REQUEST

Bill

Received: **09/13/2000**

Received By: **isagerro**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Jablonsky**

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

Drafter: **isagerro**

May Contact:

Alt. Drafters:

Subject: **Health - public health**

Extra Copies: **DAK**

Pre Topic:

DOA:.....Jablonsky -

Topic:

Congenital disorders appropriation

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>
/P1	isagerro 09/19/2000	hhagen 09/20/2000	martykr 09/21/2000	_____	lrb_docadmin 09/21/2000		State
/1	isagerro 12/13/2000	hhagen 12/18/2000	martykr 12/19/2000	_____	lrb_docadmin 12/19/2000		State
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FE Sent For:

12 hmk
12/20/00
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KJ

<END>

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Extra Copies: DAK, DHFS

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		lpi 9/20 jld					

FE Sent For:

<END>

SJ

01-0295

DHFS

Department of Health and Family Services
2001-2003 Biennial Budget Statutory Language Request
July 11, 2000

Congenital Disorders Appropriation

Current Language

s. 20.435(1)(jb)

Proposed Change

Amend s.20.435(1)(jb) to allow the Department to pay operating costs for the Congenital Disorders Program from this appropriation.

Effect of the Change

The Department would be able to pay all the state operating costs of this program from this appropriation, rather than billing the State Laboratory of Hygiene for the costs as is currently the case.

Rationale for the Change

The State Laboratory of Hygiene (SLOH) collects the revenue from fees charged for the testing of newborns for congenital disorders. This revenue funds both the tests which SLOH performs and the Congenital Disorders program, which provides diagnostic services, special dietary treatment and follow-up counseling for congenital disorders. The Department incurs operating costs in administering this program; however, currently the only costs which can be paid from the state operations appropriation are those associated with expert consultation. To pay its other operating costs, the Department must submit bills to SLOH. SLOH then pays these bills directly from revenue it has collected on behalf of the Department. The remaining revenue is then transferred to the Department. This change allows the Department to follow good accounting practices by receiving all appropriate revenue and paying for all operating costs from the state operations appropriation.

Desired Effective Date: Upon Passage of the Budget Bill
Agency: DHFS
Agency Contact: Ellen Hadidian
Phone: 266-8155

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jld

DOA:.....Jablonsky - Congenital disorders appropriation

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

NOTE

Do Not Gen.

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

HEALTH

Under current law, DHFS administers a congenital disorders testing program under which DHFS coordinates the testing of infants for congenital disorders by the state laboratory of hygiene (SLOH), provides referral services, consults with experts on congenital disorders, and provides information on the need for and availability of follow-up counseling and special dietary treatment to families whose children suffer from congenital disorders and to at-risk women of child-bearing age. Under this program, a fee is imposed for each congenital disorders test performed by SLOH. The revenue generated by the fee is used to cover the costs incurred by SLOH in performing the congenital disorder tests and the costs incurred by DHFS in providing diagnostic services, dietary treatment, and follow-up counseling.

This bill authorizes DHFS to use its portion of the testing fee to also cover the costs of administering the congenital disorders program and the costs of consulting with experts on congenital disorders.

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:

1 SECTION 1. 20.435 (1) (jb) of the statutes is amended to read:

2 20.435 (1) (jb) *Congenital disorders; operations.* From all moneys received

3 under s. 253.13 (2), the amounts in the schedule to be used to administer the program

4 under s. ~~253.13~~ ^{253.13} and for the costs of consulting with appropriate experts as specified

5 in s. 253.13 (5).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186.

6 SECTION 2. 253.13 (2) of the statutes is amended to read:

7 253.13 (2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM;

8 FEES. The department shall contract with the state laboratory of hygiene to perform

9 the tests specified under this section and to furnish materials for use in the tests.

10 The department shall provide necessary diagnostic services, special dietary

11 treatment as prescribed by a physician for a patient with a congenital disorder as

12 identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and

13 his or her family. The state laboratory of hygiene board, on behalf of the department,

14 shall impose a fee for tests performed under this section sufficient to pay for services

15 provided under the contract and shall include as part of this fee and pay to the

16 department an amount credit to the appropriations under s. 20.435 (1) (jb) and (5)

17 (ja) amounts the department determines is are sufficient to fund the provision of

18 diagnostic and counseling services, special dietary treatment and periodic

19 evaluation of infant screening programs, the costs of consulting with experts under

20 sub. (5) and, the costs of administering the congenital disorder program under this

21 section.

History: 1977 c. 160; 1983 a. 157; 1985 a. 255; 1987 a. 27; 1989 a. 31; 1991 a. 39, 177; 1993 a. 27 s. 316; Stats. 1993 s. 253.13; 1995 a. 27 s. 9126 (19).

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0295/P1dn

ISR.....

kmh
+
jld

September 18, 2000
20

Sue Jablonsky and Ellen Hadidian:

Please note that I amended s. 253.13 (2), stats., so that the fees imposed by the state lab of hygiene can be used by DHFS for operating costs and for consulting with experts.

Please review this draft carefully to ensure that it is consistent with your intent.

Ivy

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0295/P1dn
ISR:hmh&jld:km

September 20, 2000

Sue Jablonsky and Ellen Hadidian:

Please note that I amended s. 253.13 (2), stats., so that the fees imposed by the state lab of hygiene can be used by DHFS for operating costs and for consulting with experts.

Please review this draft carefully to ensure that it is consistent with your intent.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: ivy.sager-rosenthal@legis.state.wi.us

Sager-Rosenthal, Ivy

To: Sager-Rosenthal, Ivy
Subject: RE: Statutory language requests

-----Original Message-----

From: Sager-Rosenthal, Ivy
Sent: Monday, November 27, 2000 10:10 AM
To: Hadidian, Ellen
Cc: Jablonsky, Sue
Subject: RE: Statutory language requests

*Yes 12/12/00
per Ellen Hadidian
11:30 am*

Sue and Ellen:

LRB 0295/P1: The language of this subsection is incredibly convoluted. I would advise amending the language to make it clear that the fee that SLOH charges is for SLOH's testing costs AND DHFS's costs of providing the services enumerated in sub. (2). Let me know if you wish to redraft this draft.

Please call if you have questions.

Ivy

-----Original Message-----

From: Hadidian, Ellen
Sent: Friday, November 24, 2000 1:58 PM
To: Sager-Rosenthal, Ivy
Cc: Jablonsky, Sue
Subject: Statutory language requests

Ivy, thanks for your drafts on Well-women and congenital disorders. Just a couple of comments from the program division:

LRB 0295: Does the phrase: "shall impose a fee for tests performed under this section sufficient to pay for services provided under the contract" refer to the contract DHFS has with SLOH to perform tests on newborns? If so, does this restrict the state lab to an imposed fee level the reimburses only their expenses, ignoring the surcharge which DHFS receives for the congenital disorders program. We did not ask that this language be changed but are now wondering if this is necessary. Can you advise us?

thanks very much.



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0295/RL
ISR:hmb/td:km

Jay R. Vink

DOA:.....Jablonsky - Congenital disorders appropriation

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

*Sevon
in 12/13/00*

Do not go

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
HEALTH AND HUMAN SERVICES

HEALTH

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

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6 **SECTION 2.** 253.13 (2) of the statutes is amended to read:

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17 (ja) amounts the department determines is are sufficient to fund the provision of

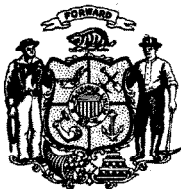
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20 sub. (5), and the costs of administering the congenital disorder program under this

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22 under s. 20.435 (1) (jb) and (5) (ja)
(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0295/1

ISR:fmh:km

2
RMR

DOA:.....Jablonsky - Congenital disorders appropriation

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

seen
in 12/19/00

DNOTE

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21 these amounts to the appropriations under s. 20.435 (1) (jb) and (5) (ja).

22

(END)

ISR: hmb

December 19, 2000

§

This "12" version corrects a technical error
in the bill.

- ISR -

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0295/2dn
ISR:hmh:jf

December 20, 2000

This "/2" version corrects a technical error in the bill.

Ivy G. Sager-Rosenthal
Legislative Attorney
Phone: (608) 261-4455
E-mail: ivy.sager-rosenthal@legis.state.wi.us



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0295/2

ISR:hmh:jf

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22

(END)