

2001 DRAFTING REQUEST

Bill

Received: **01/09/2001**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 267-7980**

By/Representing: **Mullikin**

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

Drafter: **kenneda**

May Contact:

Alt. Drafters:

Subject: **Health - public health**

Extra Copies: **ISR**

Pre Topic:

DOA:.....Mullikin -

Topic:

Study of nursing home construction reviews by DHFS and Dept. of Commerce

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>
/1	kenneda 01/10/2001	wjackson 01/11/2001	jfrantze 01/11/2001	_____	lrb_docadmin 01/11/2001		State
/2	kenneda 02/12/2001	wjackson 02/12/2001	jfrantze 02/12/2001	_____	lrb_docadmin 02/12/2001		State

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<END>

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



10:30 am

-1950

1-8-01

Office of the Secretary
Post Office Box 7864
Madison, WI 53707-7864
Voice (608) 266-1741
Fax (608) 267-3842
TTY (608) 267-9629

Date: January 8, 2001
To: Steve Miller
Legislative Reference Bureau
From: Melissa Mullikin
State Budget Office
Subject: Statutory Language Budget Draft for DHFS

The Department of Health and Family Services and the Department of Commerce are both involved in reviewing construction plans submitted to the state by nursing homes, community based residential facilities (CBRFs), and hospitals and other medical facilities. The Governor is concerned about duplication of effort and would like to see a comprehensive review of the responsibilities of each department in performing this function and an assessment of the appropriateness of the division of duties.

Please prepare a statutory language draft that directs the Department of Administration to coordinate a study that reviews the responsibilities of each department in performing this function and addresses the feasibility of centralizing the construction plan review function in one of the departments. The study should be completed and presented to the Secretary of Administration no later than June 30, 2002.

Thank you for your attention to this request. I can be reached at 267-7980.

1/10 From Melissa, in response to DAK's questions:

- (a) Should be nonstatutory
- (b) DOA will conduct the study, not coordinate it

See ① 101.12(1) exception to 50.02(2)(b) + 50.36(2)
② Definition of "place of employment" in s. 101.01(11), which excepts adult family homes + previously-constructed building used as a C-BRF, wh/serve 20 or fewer, except for 101.11 (Employer's duty to furnish safe employment place)
③ See 50.02(2)(a) + (b), 50.025



SOON - In edit 01/10
State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1900/1

DAK.../:...
Wlj

DOA:.....Mullikin – Study of nursing home construction reviews by DHFS
and Dept. of Commerce

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

OTHER STATE GOVERNMENT ✓

Under current law, DHFS must conduct plan reviews of all capital construction and remodeling of nursing homes and hospitals to ensure that they comply with building code requirements that are otherwise regulated by the department of commerce and may conduct plan reviews of all capital construction and remodeling of community-based residential facilities. The department of commerce regulates the construction, repair, and maintenance of public buildings, which are defined to include buildings used by the public. In addition, by rule, the department of commerce regulates the design, construction and alteration of medical facilities so as to ensure that they are accessible and useable by persons with disabilities.

This bill requires DOA to conduct and present to the secretary of administration, by June 30, 2002, a study that reviews the separate responsibilities of DHFS and the department of commerce to review capital construction and remodeling plans of nursing home, community-based residential facilities, hospitals and other medical facilities. The study must address the feasibility of centralizing the construction plan reviews in one of the departments.

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 9101. Nonstatutory provisions; administration.** ✓

2 (1) STUDY ON FACILITY CONSTRUCTION PLANS. By June 30, 2002, ✓
3 of administration shall conduct and present to the secretary of administration a
4 study that reviews the separate responsibilities of the department of health and
5 family services and the department of commerce to review capital construction and
6 remodeling plans of nursing homes, community-based residential facilities,
7 hospitals, and other medical facilities. The study shall address the feasibility of
8 centralizing the construction plan reviews in one of the departments.

9 (END)

Redraft

1900/1

OK from Melissa Mueller - Add governor as
recip. of study



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State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-1900/2

DAK:wlj:jf

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