

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: **06/21/2001**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus 7-4887**

By/Representing: **Hughes**

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

Drafter: **kenneda**

May Contact: **LFB**

Addl. Drafters:

Subject: **Public Assistance - med. assist.**

Extra Copies: **ISR**

Submit via email: **NO**

Requester's email:

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**Pre Topic:**

ARC:.....Hughes -

---

**Topic:**

AM22--MA intergovernmental transfers; MA trust account

---

**Instructions:**

See Attached

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**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 06/24/2001	wjackson 06/25/2001		_____			
/1			rschluet 06/25/2001	_____	lrb_docadmin 06/25/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	kenneda 06/26/2001	wjackson 06/27/2001	kfollet 06/27/2001	_____	lrb_docadmin 06/27/2001		
/3	kenneda 06/27/2001	wjackson 06/27/2001	kfollet 06/27/2001	_____	lrb_docadmin 06/27/2001		
/4	kenneda 06/28/2001	csicilia 06/28/2001	rschluet 06/28/2001	_____	lrb_docadmin 06/28/2001		

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FE Sent For:

14 cjs 6/28  
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*[Signature]*  
6-28<END>

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/1		13 WLj 6/27	rschluet 06/25/2001		lrb_docadmin 06/25/2001		
			6/27		James		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	kenneda 06/24/2001	wjackson 06/25/2001					
/1		1/2 Wlj 6/27	rschluet 06/25/2001		lrb_docadmin 06/25/2001		
			KJ 6/27		KJ/bct 6/27		

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/?	kenneda	1 WJ 6/25					
				6-25-1			

FE Sent For:

<END>



# Memorandum

H

**To:** Fred Ammerman – Fiscal Bureau  
Cathlene Hanaman – Reference Bureau  
**CC:** Heather Smith – Assembly Republican Caucus  
**From:** Paul Tessmer – Assembly Republican Caucus  
**Date:** 06/21/01  
**Re:** ARC Amendments – Passed 6-20-01

---

Please find enclosed copies of the budget amendments passed by the Assembly Republicans in Caucus on Tuesday, June 20, 2001. The amendments are provided in the following four areas:

- The Health Care Working Group Package. Associated freestanding amendments incorporated in this package are also provided. Contact Carolyn Hughes (ARC) at 7-4887.
- The Agriculture Working Group Package. Associated freestanding amendments incorporated in this package are also provided. Contact Mark Jefferson (ARC) at 7-0900.
- The Higher Education Working Group Package. Associated freestanding amendments incorporated in this package are also provided. Contact Jim Emerson (ARC) at 7-0904.
- Other Freestanding Amendments. Contact the ARC analyst listed on the amendment at 6-1452.

**NOTE:** The Working Group Package document takes precedence over its associated freestanding amendments. Please call the contact person listed above (or the ARC analyst listed on the amendment) for supporting documentation.

**Hard copies of the Working Group Packages are also being sent to your office. The hard copies may contain supporting documentation not included in the Word document.**

I am also available to help answer questions at 4-8587.

(b) *Family Medicine and practice*. The amounts in the schedule for the development and operation of programs to support the recruitment and training of medical students and residents in Family and Community Medicine.

### 18. DHFS Provision Requests:

Include the following provisions at the request of DHFS:

- SMM  
+  
MGD  
RLR
- a) Court-Ordered Placements (Jeskewitz Request # 261)
    - Require that all out of home care placement orders include the language necessary under the new federal regulations to receive IV-E reimbursement. The language would require courts to specifically state that they have given due consideration to county or state recommendations when placing a child in a foster home or other setting.
  - b) Permanency Plans for Court-Ordered Placements with a Relative (Jeskewitz Request #261, Ladwig Request #23)
    - Require that an agency responsible for a child who, under the order of a juvenile court, is living in the home of a relative to prepare a permanency plan for the child. Also require the agency, upon request of a guardian or grandparent in whose home a child is placed under a juvenile court order to issue a foster care license to the grandparent or guardian. The requirement would first apply to children and juveniles who are placed in the home of a relative under a court's order on the bill's general effective date.
  - c) Sexually Violent Persons Patient Rights- Sand Ridge Treatment Center Operational Plan (Information attached)

ISR

### 19. Governor's BadgerCare Revision Language:

Require DHFS to request a waiver from the DHHS to: (a) permit DHFS to verify whether a family or a child has access or has had access to employer-subsidized health care prior to enrolling the family or child in BadgerCare; and (b) increase the time period a family or a child is required to be without coverage to employer-subsidized health care before the family or child would be eligible for BadgerCare.

Specify that the waiver would propose to increase the time period that a family must not have had coverage under employer-subsidized health care from three months to six months, with the following exceptions:

- If the family or child, lost employer-subsidized health care coverage through no fault of the family or child as determined by DHFS, the waiting period would be 45 days.
- If the family or child, lost employer-subsidized health care coverage, but no longer has access because they have exhausted their COBRA coverage, the waiting period would at least be three months.
- If the family or child had employer-subsidized health care but no longer has access because employment was terminated, the waiting period would at least be three months.

Currently, families or children meeting the above requirements would have no waiting period.

### 20. Intergovernmental Transfers – MA Trust Account

DAK  
(Leibham Request # 91)

Requires that all IGT received by the state of Wisconsin after June 30, 2001 in excess of \$75 million in each fiscal year shall be retained and expended solely to increase Medicaid nursing home per diem payments and county and Municipal supplemental IGT payments in the next biennium.

**21. Health Insurance Risk Sharing Pool (HIRSP):**

PJK Direct the HIRSP Board of Governors to study alternative funding sources for the Health Insurance Risk Sharing program, and state that the recommendations of the Board shall be reported to the Joint Committee on Finance and the Senate and Assembly Health Committees by January 1, 2002.

**22. Comprehensive Quality Assessment – Pilot Program:**

DAK Pathway Health Services - Create a pilot program of Comprehensive Quality Assessment (CQA). A CQA is a comprehensive assessment of the quality of care/services provided to residents in long term care settings (nursing homes) and clients of assisted living centers. The CQA is considered an "Alternative Survey Process" aimed at giving providers a more positive process to determine if they are providing quality care and services to residents/clients. (See attached)

Pilot this program in the following counties:

- a) Waukesha
- b) Brown
- c) Polk
- d) Grant

**23. Cemetery Plots Deletion:**

MDK Delete JFC language created by motion #122 relating to conveyance of Cemetery plots. Under this motion, the person holding the rights of burial to a cemetery plot would be allowed to transfer that right to a member of his/her immediate family (spouse, child, sister, brother or parent). The person owning the rights to that plot would not need to have the permission of the cemetery authority or religious society to make such a transfer. This provision deletes this language

**24. Legislative Council Study on Developmental Disabilities Non-Fiscal Items:**

DAK Include non-fiscal language from the Legislative Council Study Committee on Developmental Disabilities which includes:

- a. Requiring the Governor to include 4 legislative members, one from each caucus, to the Wisconsin Council on Developmental Disabilities
- b. Amending current CIP IB statute to include the Brain Injury Waiver program.
- c. Requires the Department to seek waivers of federal MA statutes and regulations that are necessary to implement the Children's Long-Term Support Redesign in pilot sites.
- d. Requiring DHFS to promulgate rules to require that the written plan of care for persons receiving personal care services be reviewed at least every 60 days.
- e. Requires the Department of Health and Family Services to develop a plan to administer and fund services for persons with developmental disabilities, and to submit that plan to the department of Administration as part of the department's budget request for the 2003-2005 biennium.

**25. Supply Requirement for Nursing Home Medications:**

# Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

DAK

**Statement of Intent**    Intergovernmental Transfer Fund

**Legislator**    Leibham

**Amendment**    22

**Legislator 2**

**Pass or Fail**    Pass

**Legislator 3**

**Spending Cut**

**Legislator 4**

**Withdrawn**

**Staff contact**    Patrick

**Package**

**Agency**    Health and Family Services

**Summary**    Requires that all Intergovernmental Transfer Funds (IGTs) received by the State of Wisconsin after June 30, 2001 in excess of \$75 million in each fiscal year shall be retained and expended solely to increase Medicaid nursing home per diem payments and county and municipal supplemental IGT payments.

**Fiscal Impact**    All IGT monies over \$75 million in a fiscal year will be reserved for nursing home per diem payments and county and municipal supplemental IGT payments.

**Drafting Inst**

**ARC Analyst**    Hughes

**Request #**    91

Thursday, June 21, 2001

Page 3 of 8

2001

Date (time)  
needed

SOON - Su edit 6/24 LRB b 1400 11

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

DAK : WJ :

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

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 SENATE BILL 55**

D-NOTE

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

**SENATE AMENDMENT ,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55**

1 ~~At the locations indicated, amend the substitute amendment as follows.~~

2 **1.** Page 361, line 21: delete "all moneys received" and substitute "the first  
3 \$77,800,000 of all moneys annually received,".

4 **2.** Page 361, line 24: delete "433.51. The" and substitute "433.51, and the  
5 remainder for payment of facilities under s. 49.45 (6m) and (6u). From the first  
6 \$77,800,000 of all moneys annually received under this appropriation, the".

7 **3.** Page 362, line 6: delete "all moneys received" and substitute "the first  
8 \$77,800,000 of all moneys annually received,".

9 **4.** Page 362, line 9: delete "433.51. The" and substitute "433.51, and the  
10 remainder for payment of facilities under s. 49.45 (6m) and (6u). ~~From the first~~  
11 ~~\$77,800,000 of all moneys annually received under this appropriation, the".~~



D-NOTE

¶ According to Charlie Morgan of the legislative  
Fiscal Bureau, the correct figure for this amendment  
is \$77,800,000, not \$75,000,000

DAK



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

LRBb1400/1dn  
DAK:wlj:rs

June 25, 2001

According to Charlie Morgan of the Legislative Fiscal Bureau, the correct figure for this amendment is \$77,800,000, not \$75,000,000.

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

**Joint Finance:** Reduce funding by \$9,867,700 SEG and \$14,054,000 FED in 2001-02 and reduce funding by \$108,706,700 GPR and \$14,310,000 FED and increase funding by \$98,556,200 SEG in 2002-03 to: (a) decrease funding for the regular per diem nursing home rates by \$23,921,700 (\$9,867,700 SEG and \$14,054,000 FED) in 2001-02 and by \$24,460,500 (\$10,150,500 SEG and \$14,310,000 FED) in 2002-03 to provide rate increases of 6.0% in 2001-02 and 4.73% in 2002-03, rather than 8.81% and 4.73%, respectively; and (b) increase funding to support MA benefits costs by \$108,706,700 SEG in 2002-03 and reduce GPR funding by a corresponding amount. Additionally, specify that the appropriation created in the bill would fund costs under MA exclusively and delete references to BadgerCare.

Because of new proposed federal regulations relating to IGT claiming, the projections for IGT revenues in 2001-03 are reduced to \$77.8 million in 2001-02 and \$77.8 million in 2002-03. The table below reflects these reestimates, as well as incorporating estimated interest earnings from the MA trust account, and lists expenditures, as modified by the Joint Committee on Finance, from the IGT trust account. As the table indicates, the closing balance in the MA trust account would be zero at the end of the 2001-03 biennium.

**IGT Claiming**  
**Estimated Revenues and Expenditures**  
**Fiscal Years 2000-01 through 2002-03**  
**(\$ in Millions)**

	<u>2000-01</u>	<u>2001-02</u>	<u>2002-03</u>
Opening Balance	\$0.0	\$278.2	\$212.7
Revenue			
Enhanced IGT Claims	\$254.5	\$0.0	\$0.0
Current Claims	118.2	77.8	77.8
Interest Earnings	0.0	12.2	6.9
Subtotal	\$372.7	\$90.0	\$84.7
Total Available	\$372.7	\$368.2	\$297.4
Expenditures			
Offset to State MA Costs	\$78.1	\$91.9	\$211.0
Nursing Homes			
County and Municipal Supplement	\$16.4	\$31.8	\$31.9
General Rate Increase	0.0	21.0	38.3
Subtotal	\$16.4	\$52.8	\$70.2
Hospital Services	\$0.0	\$6.6	\$6.9
Noninstitutional Services	0.0	4.2	9.1
Hearing Aid Services	0.0	0.0	0.2
Subtotal	\$0.0	\$10.8	\$16.2
Total Expenditures	\$94.5	\$155.5	\$297.4
Closing Balance	\$278.2	\$212.7	\$0.0



D-NOTE

ARC:.....Hughes - AM22—MA intergovernmental transfers; MA trust account

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1  
INSERT 1-1

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

2 1. Page 361, line 21: delete "all moneys received" and substitute "the first

3 ~~\$77,800,000 of all moneys annually received~~. biennially, the amounts in the schedule

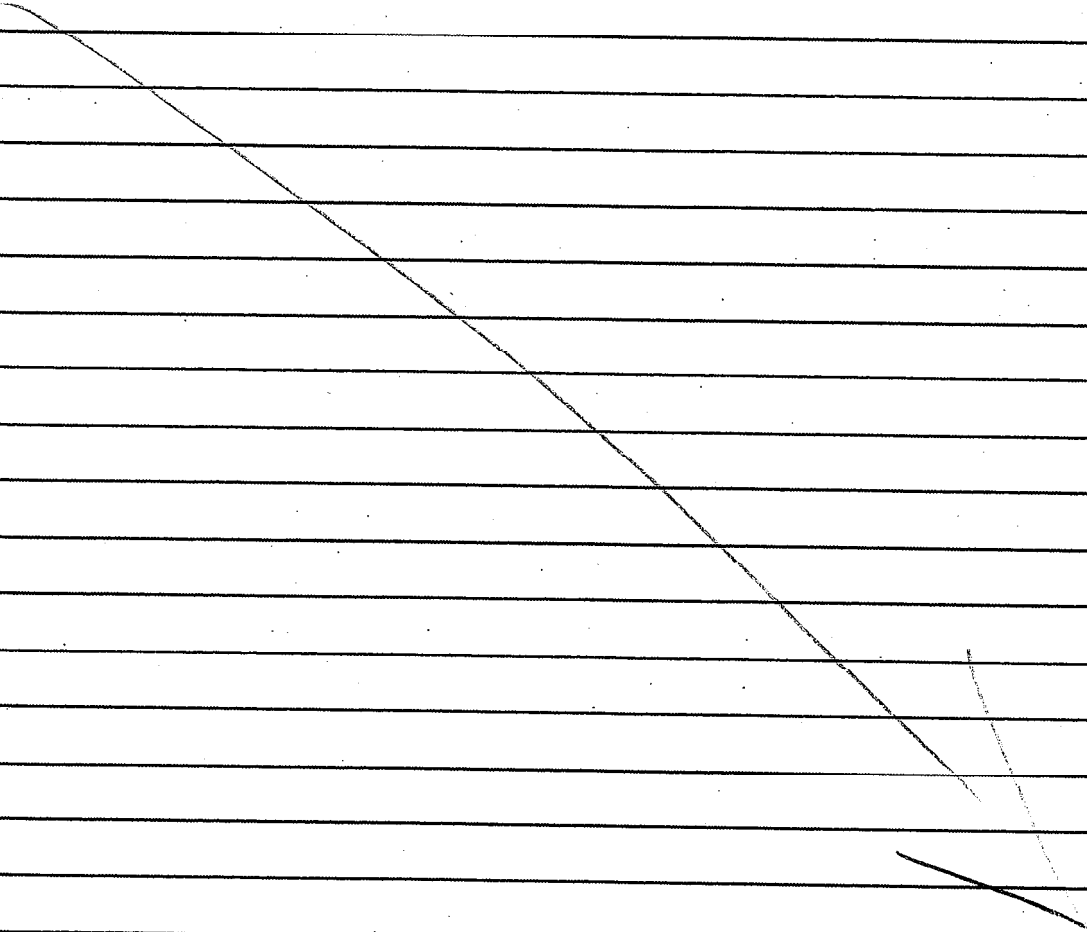
4 2. Page 361, line 24: delete "433.51. The" and substitute "433.51, and the  
5 remainder for payment of facilities under s. 49.45 (6m) and (6u). From the first  
6 \$77,800,000 of all moneys annually received under this appropriation, the".

7 3. Page 362, line 6: delete "all moneys received" and substitute "the first  
8 \$77,800,000 of all moneys annually received,".



# . Page 210, line 10: delete "~~C~~" and substitute "~~B~~"

# . Page 210, line 10: after that line insert <sup>^</sup>



2001

INSERT-1

p-2072

LRB \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

File With Statute **20.005 (3)** Schedule

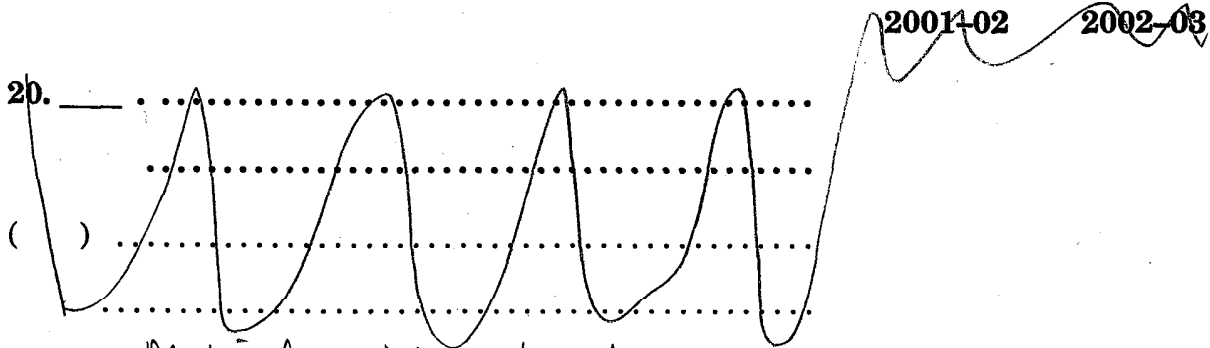
**\$\$\$ SCHEDULE**

In the component bar:

For the action phrase, execute: ..... create → action: → ch20

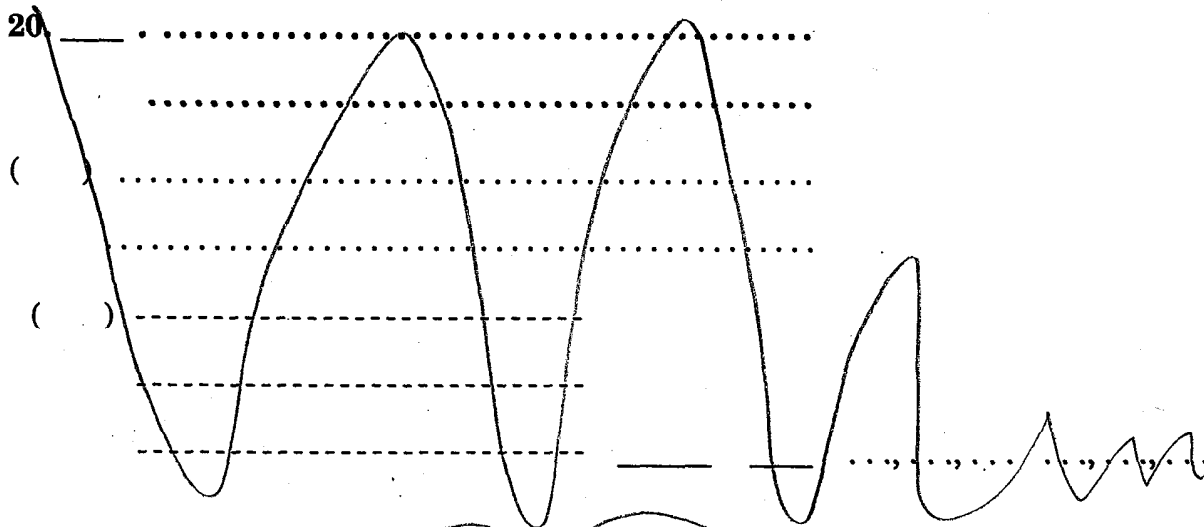
For the table layout, execute: ..... create → <Table> → \$sched

**SECTION #.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:



"(wm) Medical assistance trust  
fund ; nursing  
 homes

SEC C ..... -0- ..... -0- ✓/0



End of  
 INSERT  
 1-1

D-NOTE

¶ This redraft makes s. 20.435(4)(w) a sum certain and creates a new appropriation (s. 20.435(4)(wm)), which will draw all remaining moneys from the MA trust fund, for expenditure for nursing home reimbursement and county nursing home supplements. The new appropriation specifies that revenues <sup>not</sup> expended from s. 20.435(4)(w) (which is limited to the amounts in the schedule) that are received in 2001-03 will be expended for nursing home reimbursement and county nursing home supplements.

DAK

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

LRBb1400/2dn  
DAK:wlj:kjf

June 27, 2001

This redraft makes s. 20.435 (4) (w) a sum certain and creates a new appropriation (s. 20.435 (4) (wm)), which will draw all remaining moneys from the MA trust fund, for expenditure for nursing home reimbursement and county nursing home supplements. The new appropriation specifies that revenues not expended from s. 20.435 (4) (w) (which is limited to the amounts in the schedule) that are received in 2001–03 will be expended for nursing home reimbursement and county nursing home supplements.

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





D-NOTE

ARC:.....Hughes - AM22—MA intergovernmental transfers; MA trust account

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION  
CAUCUS ASSEMBLY AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55

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

2 1. Page 210, line 10: delete "C" and substitute "B".

3 2. Page 210, line 10: after that line insert:

4 "(wm) Medical assistance trust fund;

5 nursing homes SEG ~~§~~ (S) -0- -0-".

6 3. Page 361, line 21: delete "all moneys received" and substitute "biennially,  
7 the amounts in the schedule".

8 4. Page 362, line 6: delete "all moneys received" and substitute "biennially, the  
9 amounts in the schedule".



DAK:Wlj:

D-NOTE

¶ This redraft clarifies that the newly created  
appropriation (S. 20.435 (4) (wm)), which will  
draw all remaining moneys from the MA trust  
fund for expenditure for nursing home reimbursement  
and county nursing home supplements, has a  
delayed effective date of July 1, 2003. The  
redraft also fixes a schedule designation of  
"sum sufficient" for S. 20.435 (4) (wm).

DAK

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

LRBb1400/3dn  
DAK:wlj:kjf

June 27, 2001

This redraft clarifies that the newly created appropriation (s. 20.435 (4) (wm)), which will draw all remaining moneys from the MA trust fund for expenditure for nursing home reimbursement and county nursing home supplements, has a delayed effective date of July 1, 2003. The redraft also fixes a schedule designation of "sum sufficient" for s. 20.435 (4) (wm).

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

6/24 From Liebham -

Wants to spend for nls in  
2001-02



1           **5.** Page 362, line 11: after that line insert:

2           “**SECTION 717bd.** 20.435 (4) (wm) of the statutes is created to read:

3           20.435 (4) (wm) *Medical assistance trust fund; nursing homes.* From the

4           medical assistance trust fund, ~~beginning July 1, 2002,~~ a sum sufficient equal to the

5           balance in the fund ~~including any revenue not expended from the trust fund in the~~

6           ~~2001-03 fiscal biennium,~~ less the amounts appropriated under par. (w), for meeting

7           medical assistance reimbursement costs under s. 49.45 (6m) and (6u).”

8           **6.** Page 622, line 8: delete “, or (w)” and substitute “, (w), or (wm)”.

9           **7.** Page 624, line 21: delete “and (w)” and substitute “, (w), and (wm)”.

10          **8.** Page 1335, line 7: after “to” insert “attempt to”.

11

(END)

D - NOTE

D NOTE

DAK:cjs:

¶ This redraft makes expenditures for nursing homes possible in the 2001-03 biennium.

DAK



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

LRBb1400/4dn  
DAK:cjs:rs

June 28, 2001

This redraft makes expenditures for nursing homes possible in the 2001–03 biennium.

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

ARC:.....Hughes - AM22—MA intergovernmental transfers; MA trust  
account

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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TO 2001 SENATE BILL 55

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1           **5.** Page 362, line 11: after that line insert:

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3           20.435 (4) (wm) *Medical assistance trust fund; nursing homes.* From the  
4           medical assistance trust fund, a sum sufficient equal to the balance in the fund, less  
5           the amounts appropriated under par. (w), for meeting medical assistance  
6           reimbursement costs under s. 49.45 (6m) and (6u).”.

7           **6.** Page 622, line 8: delete “, or (w)” and substitute “, (w), or (wm)”.

8           **7.** Page 624, line 21: delete “and (w)” and substitute “, (w), and (wm)”.

9           **8.** Page 1335, line 7: after “to” insert “attempt to”.

10

(END)