

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: **06/22/2001**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Assembly Republican Caucus 74887**

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:

Pre Topic:

ARC:.....Hughes -

Topic:

AM38--Recovering MA general relief medical costs for persons who retroactively qualified for MA

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 06/23/2001	wjackson 06/25/2001		_____			
/1			jfrantze 06/26/2001	_____	lrb_docadmin 06/26/2001		
/2	kenneda 06/27/2001	wjackson 06/27/2001	rschluet 06/27/2001	_____	lrb_docadmin 06/27/2001		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
				_____	lrb_docadmin		
				_____	06/27/2001		
/3	kenneda	wjackson	pgreensl	_____	lrb_docadmin		
	06/28/2001	06/28/2001	06/28/2001	_____	06/28/2001		

FE Sent For:

<END>

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/2	kenneda 06/27/2001	wjackson 06/27/2001	rschluet 06/27/2001	_____	lrb_docadmin 06/27/2001		

1/3 Wlj 6/28

4/28 ps

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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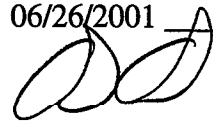
Instructions:

See Attached

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FE Sent For:


627-1

2001 DRAFTING REQUEST

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Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus 74887

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:

Pre Topic:

ARC:.....Hughes -

Topic:

AM38--Recovering MA general relief medical costs for persons who retroactively qualified for MA

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	1 WLJ 6/25	Jew/25	==			

FE Sent For:

<END>

Budget Amendments 2001 - 2003

Prepared by the Assembly Republican Caucus

61547

60239

Statement of Intent Recovering MA General Relief Medical Costs for Persons who Retroactively Qualified for MA

Legislator	Walker	Amendment	38
Legislator 2		Pass or Fail	Pass
Legislator 3		Spending Cut	
Legislator 4		Withdrawn	
Staff contact	Missy	Package	

Agency Health and Family Services

Summary This motion would authorize DHFS to consider for payment under MA, claims received by the MA fiscal agent more than one year from the date of service if the service was initially reimbursed under a county general assistance program and if the entity that submits the claim for reimbursement has entered into a contract with DHFS before DIIFS receives the claim.

This motion would require that, if a provider received reimbursement under MA for a service that was initially paid under a county general assistance program, the provider must, as a condition of MA certification, refund to the county the amount that was initially reimbursed to the provider by the county. The county would be required to separately identify this refund and remit to DHFS the amount that represents the state's contribution to the original payment.

It specifies that if the federal Health Care Financing Administration disallows payment of the state federal financial participation for any MA payments made under this provision, the county must remit to DHFS an amount equal to the federal funds paid under MA for the service provided.

This motion would create to PR appropriations for the receipt of funds remitted to DHFS by counties under this provision. One of these appropriations would authorize DHFS to expend all moneys received from the counties for administrative costs associated with the processing of claims under this provision. The second appropriation would authorize DHFS spend all moneys received from counties for MA costs as a result of claims paid under these provisions.

Provide authority for the Joint Finance Committee to transfer funds from the general assistance program to MA. This transfer would cover any difference between the amount provided through additional MA claims paid by the state and the amount returned to the state from general assistance.

} GPR transfer
no emergency clause

These provisions would not apply after June 30, 2005.

20.435 (4)(b)

Fiscal Impact According to LFB, the fiscal effect is unknown.

DAK

to
20.435 (4)(b)

Drafting Inst

ARC Analyst Hughes

Request # 302

2001

Date (time) needed

2001 - Inedit 6/23 LRB b 1547 1 1

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

DAK : Wlj :

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 :

LFB:.....Carabell – Recovering from MA general relief medical costs for persons who retroactively qualified for MA

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

LFB AMENDMENT

TO 2001 SENATE BILL 55 AND 2001 ASSEMBLY BILL 144

Substitute Amendment

1

At the locations indicated, amend the bill as follows:

2

1. Page ³⁵⁷~~525~~, line ¹²~~29~~: after that line insert:

3
4
5
6
7
8
9
10
11

“SECTION 705m. 20.435 (4) (b) of the statutes is amended to read:
20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to provide medical assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers under s. 46.283 and for services under the family care benefit under s. 46.284 (5). Notwithstanding s. 20.002 (1), the department may transfer from this appropriation

1 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
2 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
3 department may credit or deposit into this appropriation and may transfer between
4 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
5 purposes specified in s. 46.485 (3r) or funds that it transfers from the appropriation
6 under par. (ib) for the state share of medical assistance program benefits
7 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
8 transfer from this appropriation to the appropriation account under sub. (7) (bd)
9 funds in the amount and for the purposes specified in s. 49.45 (6v). INSERT 2-9

10 **SECTION 705n.** 20.435 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
11 (this act), is amended to read:

12 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
13 the schedule to provide the state share of medical assistance program benefits
14 administered under s. 49.45, to provide medical assistance program benefits
15 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
16 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
17 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
18 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).
19 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
20 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
21 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
22 department may credit or deposit into this appropriation and may transfer between
23 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
24 purposes specified in s. 46.485 (3r) ~~or funds that it transfers from the appropriation~~
25 ~~under par. (ib) for the state share of medical assistance program benefits~~

1 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
2 transfer from this appropriation to the appropriation account under sub. (7) (bd)
3 funds in the amount and for the purposes specified in s. 49.45 (6v)."

INSERT 3-3 ✓

4 2. Page 536, line 13: after that line insert:

358 11

5 "SECTION 707d. 20.435 (4) (bt) of the statutes is amended to read:

6 20.435 (4) (bt) *Relief block grants to counties*. The amounts in the schedule for
7 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding ss.
8 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this
9 appropriation and may transfer between fiscal years funds that it transfers from the
10 appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and
11 49.027.

INSERT 3-11 ✓

12 SECTION 707e. 20.435 (4) (bt) of the statutes, as affected by 2001 Wisconsin Act
13 (this act), is amended to read:

14 20.435 (4) (bt) *Relief block grants to counties*. The amounts in the schedule for
15 relief block grants to counties under ss. 49.025 and 49.027. ~~Notwithstanding ss.~~
16 ~~20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this~~
17 ~~appropriation and may transfer between fiscal years funds that it transfers from the~~
18 ~~appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and~~
19 ~~49.027.~~

INSERT 3-19 ✓

20 3. Page 536, line 26: after that line insert:

358 18

21 "SECTION 708d. 20.435 (4) (ib) of the statutes is created to read:

22 20.435 (4) (ib) *Refund of medical relief and general relief*. 1. All moneys
23 received from counties as provided under s. 49.45 (53), to be expended for the state
24 share of medical assistance program benefits administered under s. 49.45 and for

1 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding s.
2 20.002 (1), the department of health and family services may transfer funds from this
3 appropriation to the appropriation under par. (b) or to the appropriation under par.
4 (bt).

5 2. This paragraph does not apply after June 30, 2005.

6 **SECTION 708e.** 20.435 (4) (ic) of the statutes is created to read:

7 20.435 (4) (ic) *Medical relief and general relief refund administrative costs.* 1.

8 All moneys received from entities for additional departmental administrative costs
9 to process claims under s. 49.45 (2) (a) 2m., to be used for administrative contract
10 costs for the medical assistance program.

11 2. This paragraph does not apply after June 30, 2005.”.

12 4. Page 819, line 3: after that line insert:

(620) (25)

13 “**SECTION 1748r.** 49.45 (2) (a) 2m. of the statutes is created to read:

14 49.45 (2) (a) 2m. Consider for payment a correct and complete claim or
15 adjustment received by the department’s fiscal agent within no more than 365 days
16 after the date of service, except in any of the following circumstances:

17 a. Circumstances specified by the department by rule.

18 b. If services that are reimbursable under this subdivision were initially
19 reimbursed as general relief under s. 49.02, 1991 stats., or as medical relief under
20 a relief block grant under s. 49.025, 49.027, or 49.029 and if the entity that submits
21 the claim reimburses the department under a contract with the department that is
22 entered into before the department receives the claim, for any additional
23 departmental administrative costs necessary to process the claim.

county

24 **SECTION 1748s.** 49.45 (2) (a) 2n. of the statutes is created to read:

1 49.45 (2) (a) 2n. Subdivision 2m. does not apply after June 30, 2005.”

2 5. Page ~~328~~⁽⁶³⁰⁾, line ~~6~~⁽²⁰⁾; after that line insert:

3 “SECTION ~~1786r~~^(1792r) 49.45 (53) of the statutes is created to read:

4 49.45 (53) REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. (a) If a service
5 provider receives reimbursement under this section for a claim submitted by or on
6 behalf of the service provider under the circumstance specified under s. 49.45 (2) (a)
7 2m. b., the service provider shall, as a condition of certification under sub. (2) (a) 11.,
8 refund to the county that initially reimbursed the services as general relief or as
9 medical relief, any medical relief under a relief block grant or any general relief paid
10 to the service provider for the medical assistance-reimbursable services rendered.
11 The county shall separately identify this refund and remit to the department for
12 deposit in the appropriation account under s. 20.435 (4) (ib) an amount that
13 represents the state’s contribution toward the original medical relief or general relief
14 paid.

15 (b) If the federal health care financing administration disallows payment to the
16 state of federal financial participation for a claim submitted by or on behalf of a
17 service provider under the circumstance specified under sub. (2) (a) 2m. b., the
18 county shall remit to the department for deposit in the appropriation account under
19 s. 20.435 (4) (ib) an amount that is equal to the amount of federal financial
20 participation paid by the department to the service provider under par. (a).

21 (c) This subsection does not apply after June 30, 2005.”

22 6. Page ~~1321~~⁽¹⁴²⁰⁾, line ~~13~~⁽³⁾; after that line insert:

1 ^K
2 “(11^h) REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. The treatment of section
3 20.435 (4) (b) (by SECTION 705n) of the statutes takes effect on July 1, 2005.”.

(END)

and (bt) (by ^(C6) SECTION 707e.)

NO #

Notwithstanding s. 20.001 (3)(a) and (b), the joint committee on finance may credit or deposit into this appropriation moneys that it transfers from the appropriation under par. (bt) that are the difference between any medical assistance claims paid under this appropriation as the result of operation of s. 49.45 (2)(a) 2m. and the amount transferred by the department from the appropriation under par. (it) to the appropriation under par. (bt) ✓

no #

~~Notwithstanding s. 20.001 (3)(a) and (b), the joint committee on finance may credit or deposit into this appropriation moneys that it transfers from the appropriation under par. (b1) that are the difference between any medical assistance claims paid under this appropriation and the result of operation of s. 49.45 (2)(a) 2m. and the amount transferred by the department from the appropriation under par. (1t) to the appropriation under par. (b1).~~

no #

Notwithstanding s. 20.001 (3) (a) and (b), the joint

committee on finance may transfer from this

appropriation to the appropriation under par.

(b) moneys that are the difference between

any medical assistance claims paid from the

appropriation under par. (b) as the result of

operation of s. 49.45 (2) (a) 2m. and the

deposited into this appropriation
amount credited or by the department

from the appropriation under par. (it).

~~Notwithstanding s. 20.001 (3) (a) and (b), the joint~~

~~committee on finance may transfer from this~~

~~appropriation to the appropriation under par.~~

~~(b) moneys that are the difference between~~

~~any medical assistance claims paid from the~~

~~appropriation under par. (b) as the result of~~

~~operation of s. 49.45 (2) (a) 2m. and the~~

~~amount credited or deposited into this appropriation
by the department~~

~~from the appropriation under par. (1).~~

D-NOTE

¶ Please note that s. 49.45 (2)(a) 2m. ^{b.} in this amendment
draft refers to reimbursement to DHFS under a
contract between the entity that submits
a claim and a ^(I) county, rather than DHFS.

This is a technical correction that was suggested
by Rachel Carabell of the Legislative Fiscal
Bureau.

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1547/1dn
DAK:wlj:jf

June 25, 2001

Please note that s. 49.45 (2) (a) 2m. b. in this amendment draft refers to reimbursement to DHFS under a contract between the entity that submits a claim and a *county*, rather than DHFS. This is a technical correction that was suggested by Rachel Carabell of the Legislative Fiscal Bureau.

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Managing Attorney
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E-mail: debora.kennedy@legis.state.wi.us



DATE

ARC:.....Hughes - AM38—Recovering MA general relief medical costs for persons who retroactively qualified for MA

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 357, line 12: after that line insert:

3 "SECTION 705m. 20.435 (4) (b) of the statutes is amended to read:

4 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
5 the schedule to provide the state share of medical assistance program benefits
6 administered under s. 49.45, to provide medical assistance program benefits
7 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
8 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
9 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
10 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) or funds that it transfers from the appropriation
7 under par. (ib) for the state share of medical assistance program benefits
8 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). Notwithstanding
11 s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this
12 appropriation moneys that it transfers from the appropriation under par. (bt) that
13 are the difference between any medical assistance claims paid under this
14 appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount
15 transferred by the department from the appropriation under par. (it) to the
16 appropriation under par. (bt).

17 **SECTION 705n.** 20.435 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
18 (this act), is amended to read:

19 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
20 the schedule to provide the state share of medical assistance program benefits
21 administered under s. 49.45, to provide medical assistance program benefits
22 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
23 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
24 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
25 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) ~~or funds that it transfers from the appropriation~~
7 ~~under par. (ib) for the state share of medical assistance program benefits~~
8 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). ~~Notwithstanding~~
11 ~~s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this~~
12 ~~appropriation moneys that it transfers from the appropriation under par. (bt) that~~
13 ~~are the difference between any medical assistance claims paid under this~~
14 ~~appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount~~
15 ~~transferred by the department from the appropriation under par. (it) to the~~
16 ~~appropriation under par. (bt).”.~~

17 **2.** Page 358, line 11: after that line insert:

18 “SECTION 707d. 20.435 (4) (bt) of the statutes is amended to read:

19 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
20 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding ss.
21 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this
22 appropriation and may transfer between fiscal years funds that it transfers from the
23 appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and
24 49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may

1 transfer from this appropriation to the appropriation under par. (b) moneys that are
2 the difference between any medical assistance claims paid from the appropriation
3 under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited
4 or deposited into this appropriation by the department from the appropriation under
5 par. (it).

6 **SECTION 707e.** 20.435 (4) (bt) of the statutes, as affected by 2001 Wisconsin Act
7 (this act), is amended to read:

8 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
9 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding ss.
10 ~~20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this~~
11 ~~appropriation and may transfer between fiscal years funds that it transfers from the~~
12 ~~appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and~~
13 ~~49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may~~
14 ~~transfer from this appropriation to the appropriation under par. (b) moneys that are~~
15 ~~the difference between any medical assistance claims paid from the appropriation~~
16 ~~under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited~~
17 ~~or deposited into this appropriation by the department from the appropriation under~~
18 ~~par. (it).”.~~

19 **3.** Page 538, line 18: after that line insert:

20 “**SECTION 708d.** 20.435 (4) (ib) of the statutes is created to read:

21 20.435 (4) (ib) *Refund of medical relief and general relief.* 1. All moneys
22 received from counties as provided under s. 49.45 (53), to be expended for the state
23 share of medical assistance program benefits administered under s. 49.45 and for
24 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding s.

1 20.002 (1), the department of health and family services may transfer funds from this
2 appropriation to the appropriation under par. (b) or to the appropriation under par.
3 (bt).

4 2. This paragraph does not apply after June 30, 2005.

5 **SECTION 708c.** 20.435 (4) (ic) of the statutes is created to read:

6 20.435 (4) (ic) *Medical relief and general relief refund administrative costs.* 1.
7 All moneys received from entities for additional departmental administrative costs
8 to process claims under s. 49.45 (2) (a) 2m., to be used for administrative contract
9 costs for the medical assistance program.

10 2. This paragraph does not apply after June 30, 2005.”.

11 **4.** Page 620, line 25: after that line insert:

12 **“SECTION 1748r.** 49.45 (2) (a) 2m. of the statutes is created to read:

13 49.45 (2) (a) 2m. Consider for payment a correct and complete claim or
14 adjustment received by the department’s fiscal agent within no more than 365 days
15 after the date of service, except in any of the following circumstances:

16 a. Circumstances specified by the department by rule.

17 b. If services that are reimbursable under this subdivision were initially
18 reimbursed as general relief under s. 49.02, 1991 stats., or as medical relief under
19 a relief block grant under s. 49.025, 49.027, or 49.029 and if the entity that submits
20 the claim reimburses the department under a contract with the county that is
21 entered into before the department receives the claim, for any additional
22 departmental administrative costs necessary to process the claim.

23 **SECTION 1748s.** 49.45 (2) (a) 2n. of the statutes is created to read:

24 49.45 (2) (a) 2n. Subdivision 2m. does not apply after June 30, 2005.”.

that originally paid the claim

1 **5.** Page 630, line 20: after that line insert:

2 “**SECTION 1792r.** 49.45 (53) of the statutes is created to read:

3 49.45 **(53)** REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. (a) If a service
4 provider receives reimbursement under this section for a claim submitted by or on
5 behalf of the service provider under the circumstance specified under s. 49.45 (2) (a)
6 2m. b., the service provider shall, as a condition of certification under sub. (2) (a) 11.,
7 refund to the county that initially reimbursed the services as general relief or as
8 medical relief, any medical relief under a relief block grant or any general relief paid
9 to the service provider for the medical assistance–reimbursable services rendered.
10 The county shall separately identify this refund and remit to the department for
11 deposit in the appropriation account under s. 20.435 (4) (ib) an amount that
12 represents the state’s contribution toward the original medical relief or general relief
13 paid.

14 (b) If the federal health care financing administration disallows payment to the
15 state of federal financial participation for a claim submitted by or on behalf of a
16 service provider under the circumstance specified under sub. (2) (a) 2m. b., the
17 county shall remit to the department for deposit in the appropriation account under
18 s. 20.435 (4) (ib) an amount that is equal to the amount of federal financial
19 participation paid by the department to the service provider under par. (a).

20 (c) This subsection does not apply after June 30, 2005.”.

21 **6.** Page 1420, line 3: after that line insert:

DAK: WLj

D-NOTE

To Carolyn Hughes ↗

¶ This redraft adds "that originally paid the claim" to language under s. 49.45 (2)(a) 2m. b., to clarify the parties to a contract under that subdivision unit; the language was suggested by Rachel Carabell of the Legislative Fiscal Bureau

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1547/2dn
DAK:wlj:rs

June 27, 2001

To Carolyn Hughes:

This redraft adds "that originally paid the claim" to language under s. 49.45 (2) (a) 2m. b., to clarify the parties to a contract under that subdivision unit; the language was suggested by Rachel Carabell of the Legislative Fiscal Bureau.

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TODAY
State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1547/33

DAK:wlj:rs

D-NOTE

ARC:.....Hughes – AM38—Recovering MA general relief medical costs for persons who retroactively qualified for MA

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 357, line 12: after that line insert:

3 “SECTION 705m. 20.435 (4) (b) of the statutes is amended to read:

4 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
5 the schedule to provide the state share of medical assistance program benefits
6 administered under s. 49.45, to provide medical assistance program benefits
7 administered under s. 49.45 that are not also provided under par. (c), to fund the pilot
8 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
9 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
10 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) or funds that it transfers from the appropriation
7 under par. (ib) for the state share of medical assistance program benefits
8 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). Notwithstanding
11 s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this
12 appropriation moneys that it transfers from the appropriation under par. (bt) that
13 are the difference between any medical assistance claims paid under this
14 appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount
15 transferred by the department from the appropriation under par. (it) to the
16 appropriation under par. (bt).

17 **SECTION 705n.** 20.435 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
18 (this act), is amended to read:

19 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
20 the schedule to provide the state share of medical assistance program benefits
21 administered under s. 49.45, to provide medical assistance program benefits
22 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
23 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
24 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
25 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) ~~or funds that it transfers from the appropriation~~
7 ~~under par. (ib) for the state share of medical assistance program benefits~~
8 ~~administered under s. 49.45.~~ Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). ~~Notwithstanding~~
11 ~~s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this~~
12 ~~appropriation moneys that it transfers from the appropriation under par. (bt) that~~
13 ~~are the difference between any medical assistance claims paid under this~~
14 ~~appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount~~
15 ~~transferred by the department from the appropriation under par. (it) to the~~
16 ~~appropriation under par. (bt).”.~~

17 **2.** Page 358, line 11: after that line insert:

18 “**SECTION 707d.** 20.435 (4) (bt) of the statutes is amended to read:

19 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
20 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding ss.
21 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this
22 appropriation and may transfer between fiscal years funds that it transfers from the
23 appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and
24 49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may

1 transfer from this appropriation to the appropriation under par. (b) moneys that are
2 the difference between any medical assistance claims paid from the appropriation
3 under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited
4 or deposited into this appropriation by the department from the appropriation under
5 par. (it).

6 **SECTION 707e.** 20.435 (4) (bt) of the statutes, as affected by 2001 Wisconsin Act
7 (this act), is amended to read:

8 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
9 relief block grants to counties under ss. 49.025 and 49.027. ~~Notwithstanding ss.~~
10 ~~20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this~~
11 ~~appropriation and may transfer between fiscal years funds that it transfers from the~~
12 ~~appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and~~
13 ~~49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may~~
14 ~~transfer from this appropriation to the appropriation under par. (b) moneys that are~~
15 ~~the difference between any medical assistance claims paid from the appropriation~~
16 ~~under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited~~
17 ~~or deposited into this appropriation by the department from the appropriation under~~
18 ~~par. (it).”.~~

19 **3.** Page 538, line 18: after that line insert:

20 **“SECTION 708d.** 20.435 (4) (ib) of the statutes is created to read:

21 20.435 (4) (ib) *Refund of medical relief and general relief.* 1. All moneys
22 received from counties as provided under s. 49.45 (53), to be expended for the state
23 share of medical assistance program benefits administered under s. 49.45 and for
24 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding s.

1 20.002 (1), the department of health and family services may transfer funds from this
2 appropriation to the appropriation under par. (b) or to the appropriation under par.
3 (bt).

4 2. This paragraph does not apply after June 30, 2005.

5 **SECTION 708e.** 20.435 (4) (ic) of the statutes is created to read:

6 20.435 (4) (ic) *Medical relief and general relief refund administrative costs.* 1.
7 All moneys received from entities for additional departmental administrative costs
8 to process claims under s. 49.45 (2) (a) 2m., to be used for administrative contract
9 costs for the medical assistance program.

10 2. This paragraph does not apply after June 30, 2005.”.

11 **4.** Page 620, line 25: after that line insert:

12 **“SECTION 1748r.** 49.45 (2) (a) 2m. of the statutes is created to read:

13 49.45 (2) (a) 2m. Consider for payment a correct and complete claim or
14 adjustment received by the department’s fiscal agent within no more than 365 days
15 after the date of service, except in any of the following circumstances:

16 a. Circumstances specified by the department by rule.

17 b. If services that are reimbursable under this subdivision were initially
18 reimbursed as general relief under s. 49.02, 1991 stats., or as medical relief under
19 a relief block grant under s. 49.025, 49.027, or 49.029 and if the entity that submits
20 the claim reimburses the department under a contract with the county that
21 originally paid the claim that is entered into before the department receives the
22 claim, for any additional departmental administrative costs necessary to process the
23 claim.

24 **SECTION 1748s.** 49.45 (2) (a) 2n. of the statutes is created to read:

1 49.45 (2) (a) 2n. Subdivision 2m. does not apply after June 30, 2005.”

2 **5.** Page 630, line 20: after that line insert:

3 “**SECTION 1792r.** 49.45 (53) of the statutes is created to read:

4 49.45 (53) REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. (a) If a service
5 provider receives reimbursement under this section for a claim submitted by or on
6 behalf of the service provider under the circumstance specified under s. 49.45 (2) (a)
7 2m. b., the service provider shall, as a condition of certification under sub. (2) (a) 11.,
8 refund to the county that initially reimbursed the services as general relief or as
9 medical relief, any medical relief under a relief block grant or any general relief paid
10 to the service provider for the medical assistance–reimbursable services rendered.
11 The county shall separately identify this refund and remit to the department for
12 deposit in the appropriation account under s. 20.435 (4) (ib) an amount that
13 represents the state’s contribution toward the original medical relief or general relief
14 paid. *department of health and human services*

15 (b) If the federal ~~health care financing administration~~ disallows payment to the
16 state of federal financial participation for a claim submitted by or on behalf of a
17 service provider under the circumstance specified under sub. (2) (a) 2m. b., the
18 county shall remit to the department for deposit in the appropriation account under
19 s. 20.435 (4) (ib) an amount that is equal to the amount of federal financial
20 participation paid by the department to the service provider under par. (a).

21 (c) This subsection does not apply after June 30, 2005.”

22 **6.** Page 1420, line 3: after that line insert:

1 “(11k) REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. The treatment of section
2 20.435 (4) (b) (by SECTION 705n) and (bt) (by SECTION 707e) of the statutes takes effect
3 on July 1, 2005.”.

4

(END)

D-NOTE

D-NOTE

¶ This redraft corrects^a reference to the health
care financing administration (which has a new
name); on page^{age} 6, line 15; I have instead referred
to the federal department of health and human
services.

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb1547/3dn
DAK:wlj:pg

June 28, 2001

This redraft corrects a reference to the health care financing administration (which has a new name), on page 6, line 15; I have instead referred to the federal department of health and human services.

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRBb1547/3
DAK:wlj:pg

ARC:.....Hughes - AM38—Recovering MA general relief medical costs for persons who retroactively qualified for MA

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 357, line 12: after that line insert:

3 **"SECTION 705m.** 20.435 (4) (b) of the statutes is amended to read:

4 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
5 the schedule to provide the state share of medical assistance program benefits
6 administered under s. 49.45, to provide medical assistance program benefits
7 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
8 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
9 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
10 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) or funds that it transfers from the appropriation
7 under par. (ib) for the state share of medical assistance program benefits
8 administered under s. 49.45. Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). Notwithstanding
11 s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this
12 appropriation moneys that it transfers from the appropriation under par. (bt) that
13 are the difference between any medical assistance claims paid under this
14 appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount
15 transferred by the department from the appropriation under par. (it) to the
16 appropriation under par. (bt).

17 **SECTION 705n.** 20.435 (4) (b) of the statutes, as affected by 2001 Wisconsin Act
18 (this act), is amended to read:

19 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
20 the schedule to provide the state share of medical assistance program benefits
21 administered under s. 49.45, to provide medical assistance program benefits
22 administered under s. 49.45 that are not also provided under par. (o), to fund the pilot
23 project under s. 46.27 (9) and (10), to provide the facility payments under 1999
24 Wisconsin Act 9, section 9123 (9m), to fund services provided by resource centers
25 under s. 46.283 and for services under the family care benefit under s. 46.284 (5).

1 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
2 to the appropriation under sub. (7) (kb) funds in the amount of and for the purposes
3 specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
4 department may credit or deposit into this appropriation and may transfer between
5 fiscal years funds that it transfers from the appropriation under sub. (7) (kb) for the
6 purposes specified in s. 46.485 (3r) ~~or funds that it transfers from the appropriation~~
7 ~~under par. (ib) for the state share of medical assistance program benefits~~
8 ~~administered under s. 49.45.~~ Notwithstanding s. 20.002 (1), the department may
9 transfer from this appropriation to the appropriation account under sub. (7) (bd)
10 funds in the amount and for the purposes specified in s. 49.45 (6v). ~~Notwithstanding~~
11 ~~s. 20.001 (3) (a) and (b), the joint committee on finance may credit or deposit into this~~
12 ~~appropriation moneys that it transfers from the appropriation under par. (bt) that~~
13 ~~are the difference between any medical assistance claims paid under this~~
14 ~~appropriation as the result of operation of s. 49.45 (2) (a) 2m. and the amount~~
15 ~~transferred by the department from the appropriation under par. (it) to the~~
16 ~~appropriation under par. (bt).”~~

17 **2.** Page 358, line 11: after that line insert:

18 “SECTION 707d. 20.435 (4) (bt) of the statutes is amended to read:

19 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
20 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding ss.
21 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this
22 appropriation and may transfer between fiscal years funds that it transfers from the
23 appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and
24 49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may

1 transfer from this appropriation to the appropriation under par. (b) moneys that are
2 the difference between any medical assistance claims paid from the appropriation
3 under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited
4 or deposited into this appropriation by the department from the appropriation under
5 par. (it).

6 **SECTION 707e.** 20.435 (4) (bt) of the statutes, as affected by 2001 Wisconsin Act
7 (this act), is amended to read:

8 20.435 (4) (bt) *Relief block grants to counties.* The amounts in the schedule for
9 relief block grants to counties under ss. 49.025 and 49.027. ~~Notwithstanding ss.~~
10 ~~20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this~~
11 ~~appropriation and may transfer between fiscal years funds that it transfers from the~~
12 ~~appropriation under par. (ib), for relief block grants to counties under ss. 49.025 and~~
13 ~~49.027. Notwithstanding s. 20.001 (3) (a) and (b), the joint committee on finance may~~
14 ~~transfer from this appropriation to the appropriation under par. (b) moneys that are~~
15 ~~the difference between any medical assistance claims paid from the appropriation~~
16 ~~under par. (b) as the result of operation of s. 49.45 (2) (a) 2m. and the amount credited~~
17 ~~or deposited into this appropriation by the department from the appropriation under~~
18 ~~par. (it).”.~~

19 **3.** Page 538, line 18: after that line insert:

20 **“SECTION 708d.** 20.435 (4) (ib) of the statutes is created to read:

21 20.435 (4) (ib) *Refund of medical relief and general relief.* 1. All moneys
22 received from counties as provided under s. 49.45 (53), to be expended for the state
23 share of medical assistance program benefits administered under s. 49.45 and for
24 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding s.

1 20.002 (1), the department of health and family services may transfer funds from this
2 appropriation to the appropriation under par. (b) or to the appropriation under par.
3 (bt).

4 2. This paragraph does not apply after June 30, 2005.

5 **SECTION 708e.** 20.435 (4) (ic) of the statutes is created to read:

6 20.435 (4) (ic) *Medical relief and general relief refund administrative costs.* 1.
7 All moneys received from entities for additional departmental administrative costs
8 to process claims under s. 49.45 (2) (a) 2m., to be used for administrative contract
9 costs for the medical assistance program.

10 2. This paragraph does not apply after June 30, 2005.”

11 **4.** Page 620, line 25: after that line insert:

12 “**SECTION 1748r.** 49.45 (2) (a) 2m. of the statutes is created to read:

13 49.45 (2) (a) 2m. Consider for payment a correct and complete claim or
14 adjustment received by the department’s fiscal agent within no more than 365 days
15 after the date of service, except in any of the following circumstances:

16 a. Circumstances specified by the department by rule.

17 b. If services that are reimbursable under this subdivision were initially
18 reimbursed as general relief under s. 49.02, 1991 stats., or as medical relief under
19 a relief block grant under s. 49.025, 49.027, or 49.029 and if the entity that submits
20 the claim reimburses the department under a contract with the county that
21 originally paid the claim that is entered into before the department receives the
22 claim, for any additional departmental administrative costs necessary to process the
23 claim.

24 **SECTION 1748s.** 49.45 (2) (a) 2n. of the statutes is created to read:

1 49.45 (2) (a) 2n. Subdivision 2m. does not apply after June 30, 2005.”.

2 **5.** Page 630, line 20: after that line insert:

3 “**SECTION 1792r.** 49.45 (53) of the statutes is created to read:

4 49.45 (53) REFUND OF MEDICAL RELIEF AND GENERAL RELIEF. (a) If a service
5 provider receives reimbursement under this section for a claim submitted by or on
6 behalf of the service provider under the circumstance specified under s. 49.45 (2) (a)
7 2m. b., the service provider shall, as a condition of certification under sub. (2) (a) 11.,
8 refund to the county that initially reimbursed the services as general relief or as
9 medical relief, any medical relief under a relief block grant or any general relief paid
10 to the service provider for the medical assistance–reimbursable services rendered.
11 The county shall separately identify this refund and remit to the department for
12 deposit in the appropriation account under s. 20.435 (4) (ib) an amount that
13 represents the state’s contribution toward the original medical relief or general relief
14 paid.

15 (b) If the federal department of health and human services disallows payment
16 to the state of federal financial participation for a claim submitted by or on behalf of
17 a service provider under the circumstance specified under sub. (2) (a) 2m. b., the
18 county shall remit to the department for deposit in the appropriation account under
19 s. 20.435 (4) (ib) an amount that is equal to the amount of federal financial
20 participation paid by the department to the service provider under par. (a).

21 (c) This subsection does not apply after June 30, 2005.”.

22 **6.** Page 1420, line 3: after that line insert:

