

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/26/2001**

Received By: **kenneda**

Wanted: **As time permits**

Identical to LRB:

For: **Administration 266-2214**

By/Representing: **Jennifer Kraus**

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

Drafter: **kenneda**

May Contact:

Addl. Drafters:

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

Extra Copies: **ISR**

**Pre Topic:**

No specific pre topic given

**Topic:**

MA supplemental payments to reduce operating deficits of county nursing homes

**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 01/26/2001	hhagen 01/26/2001		_____			S&L
/1			martykr 01/28/2001	_____	lrb_docadmin 01/28/2001		S&L
/2	kenneda 02/05/2001	hhagen 02/05/2001	rschluet 02/06/2001	_____	lrb_docadmin 02/06/2001		S&L
/3	kenneda 02/28/2001	hhagen 03/01/2001	martykr 03/01/2001	_____	lrb_docadmin 03/01/2001	lrb_docadmin 03/08/2001	

FE Sent For:

**<END>**

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/2	kenneda 02/05/2001	hhagen 02/05/2001	rschluet 02/06/2001		lrb_docadmin 02/06/2001		

FE Sent For:

13 hnh  
sl.101

km 3/1

PG 3/1  
km

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/?	kenneda 01/26/2001	hhagen 01/26/2001					S&L
/1		<i>12hpt</i> <i>2/5/01</i>	martykr 01/28/2001		lrb_docadmin 01/28/2001		

FE Sent For:

*[Signature]*  
2-5-1

*[Signature]*  
2-6-1  
<END>

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1/?	kenneda	11/26/01 <i>hent</i>	<i>jm/28</i>	<i>cmh</i> <i>jm/28</i>			

FE Sent For:

<END>

4/25/01 From Jennifer Kraus

Amend 49.45 (6v.) to delete "Ourada amendment"  
and substitute \$40,100,000 for figure given,  
effective on passage.





(SOON - In edit 1/26)  
State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2268/1

DAK  
hml

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT <sup>Generate</sup> ...; relating to: supplemental medical assistance payments to reduce  
2 operating deficits of county, city, village, or town nursing homes.

*Analysis by the Legislative Reference Bureau*

*medical assistance*

Under current law, the department of health and family services (DHFS) may, in each fiscal year, distribute up to \$38,600,000 received as federal financial participation to supplement payments under (MA) in order to reduce operating deficits of county, city, village, or town nursing homes. DHFS must also distribute for this purpose additional moneys received as federal financial participation that were not anticipated before enactment of the biennial budget act or before enactment of other legislation that affects the appropriation of such federal moneys. The distribution of these supplemental payments is made under a method that includes consideration of the size of a nursing home's operating deficit and an agreement by the affected county, city, town, or village to provide funds to match the federal moneys. DHFS must revise the method, for approval by the joint committee on finance, if the federal department of health and human services approves a lesser amount of federal moneys for expenditure. If the federal department of health and human services disallows use of the federal moneys for the purpose of these supplemental payments, DHFS must reduce allocations to counties, and a city, town, or village that owns or operates a nursing home that has received funds must reimburse the county in which the city, town, or village is located.

This bill eliminates, in the program to supplement MA payments to reduce operating deficits of county, city, village, or town nursing homes, the requirement that DHFS distribute for this purpose additional, unanticipated moneys received as

federal financial participation and increases, to up to \$40,100,000, the amount of federal financial participation that may be distributed.

For further information see the *state and local* 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.** 49.45 (6u) (intro.) of the statutes is amended to read:

2           **49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES.** (intro.)

3           Notwithstanding sub. (6m), from the appropriation under s. 20.435 (4) (o), for  
4           reduction of operating deficits, as defined under criteria developed by the  
5           department, incurred by a facility, as defined under sub. (6m) (a) 3., that is  
6           established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
7           the department may not distribute to these facilities more than \$38,600,000  
8           \$40,100,000 in each fiscal year, as determined by the department, ~~except that the~~  
9           ~~department shall also distribute for this same purpose from the appropriation under~~  
10          ~~s. 20.435 (4) (o) any additional federal medical assistance moneys that were not~~  
11          ~~anticipated before enactment of the biennial budget act or other legislation affecting~~  
12          ~~s. 20.435 (4) (o).~~ The total amount that a county certifies under this subsection may  
13          not exceed 100% of otherwise-unreimbursed care. In distributing funds under this  
14          subsection, the department shall perform all of the following:

History: 1971 c. 40 s. 93; 1971 c. 42, 125; 1971 c. 213 s. 5; 1971 c. 215, 217, 307; 1973 c. 62, 90, 147; 1973 c. 333 ss. 106g, 106h, 106j, 201w; 1975 c. 39; 1975 c. 223 s. 28; 1975 c. 224 ss. 54h, 56 to 59m; 1975 c. 383 s. 4; 1975 c. 411; 1977 c. 29, 418; 1979 c. 34 ss. 837f to 838, 2102 (20) (a); 1979 c. 102, 177, 221, 355; 1981 c. 20 ss. 839 to 854, 2202 (20) (r); 1981 c. 93, 317; 1983 a. 27 ss. 1046 to 1062m, 2200 (42); 1983 a. 245, 447, 527; 1985 a. 29 ss. 1026m to 1031d, 3200 (23), (56), 3202 (27); 1985 a. 120, 176, 269; 1985 a. 332 ss. 91, 251 (5), 253; 1985 a. 340; 1987 a. 27 ss. 989r to 1000s, 2247, 3202 (24); 1987 a. 186, 307, 339, 399; 1987 a. 403 s. 256; 1987 a. 413; 1989 a. 6; 1989 a. 31 ss. 1402 to 1452g, 2909g, 2909i; 1989 a. 107, 173, 310, 336, 351, 359; 1991 a. 22, 39, 80, 250, 269, 315, 316; 1993 a. 16 ss. 1362g to 1403, 3883; 1993 a. 27, 107, 112, 183, 212, 246, 269, 335, 356, 437, 446, 469; 1995 a. 20; 1995 a. 27 ss. 2947 to 3002r, 7299, 9126 (19), 9130 (4), 9145 (1); 1995 a. 191, 216, 225, 289, 303, 398, 417, 457; 1997 a. 3, 13, 27, 114, 175, 191, 237, 252, 293; 1999 a. 9, 63, 103, 180, 185.

(END)

**Kennedy, Debora**

---

**From:** Kraus, Jennifer  
**Sent:** Sunday, February 04, 2001 3:27 PM  
**To:** Kennedy, Debora  
**Subject:** FW: LRB-2268: MA Supplemental Payments

Hi Debora

Can you make the following changes to this bill draft? Note: This is not a budget draft. It is the FY01 separate legislation related to IGI.

- 1) Make the repeal of the Ouarada amendment retroactive to July 1, 2000.
- 2) Include the creation of the Medicaid Trust fund in this draft as well as in the budget draft.

Call if you have questions - Thanks

Jenny

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

**From:** Bove, Fredi-Ellen  
**Sent:** Friday, February 02, 2001 10:48 AM  
**To:** Kraus, Jennifer; Mullikin, Melissa  
**Cc:** Gebhart, Neil; Bartels, Peggy; Bormett, Michael; Boroniec, Priscilla; Lund, C. David  
**Subject:** RE: LRB-2268: MA Supplemental Payments

DHFS supports the inclusion of the creation of the Medicaid Trust Fund in the separate legislation. We concur with you instructing LRB to modify LRB-2268 (MA Supplemental Payments) to do so.

2/5 From Jennifer:

20.435(4)(w) should pay out only to 49.45(bu); no other  
payout  
double draft 49.45(bu) to deal w/ retro. eff date  
No amend to 20.435(4)(o)



SOON - In edit 2/5

# State of Wisconsin 2001 - 2002 LEGISLATURE

LRB-2268-2

DAK:hmh:

Says

D-NOTE

## 2001 BILL

REGENERATE

1 AN ACT to amend 49.45 (6u) (intro.) of the statutes; relating to: supplemental  
 2 medical assistance payments to reduce operating deficits of county, city, village,  
 3 or town nursing homes.

creating a medical assistance trust fund, and making an appropriation

INSERT A1

### Analysis by the Legislative Reference Bureau

Under current law, the department of health and family services (DHFS) may, in each fiscal year, distribute up to \$38,600,000 received as federal financial participation to supplement payments under medical assistance (MA) in order to reduce operating deficits of county, city, village, or town nursing homes. DHFS must also distribute for this purpose additional moneys received as federal financial participation that were not anticipated before enactment of the biennial budget act or before enactment of other legislation that affects the appropriation of such federal moneys. The distribution of these supplemental payments is made under a method that includes consideration of the size of a nursing home's operating deficit and an agreement by the affected county, city, town, or village to provide funds to match the federal moneys. DHFS must revise the method, for approval by the joint committee on finance, if the federal department of health and human services approves a lesser amount of federal moneys for expenditure. If the federal department of health and human services disallows use of the federal moneys for the purpose of these supplemental payments, DHFS must reduce allocations to counties, and a city, town, or village that owns or operates a nursing home that has received funds must reimburse the county in which the city, town, or village is located.

This bill eliminates, in the program to supplement MA payments to reduce operating deficits of county, city, village, or town nursing homes, the requirement

as of 6/1/2000, retroactively

**BILL**

that DHFS distribute for this purpose additional, unanticipated moneys received as federal financial participation and increases, to up to \$40,100,000, the amount of federal financial participation that may be distributed.

For further information see the *state and local* 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:*

INSERT 2-1

AUTOREF

1 SECTION ~~1~~ 49.45 (6u) (intro.) of the statutes is amended to read:

2 49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)

3 Notwithstanding sub. (6m), from the appropriation under s. 20.435 (4) (o), for

4 reduction of operating deficits, as defined under criteria developed by the

5 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is

6 established under s. 49.70 (1) or that is owned and operated by a city, village or town,

7 the department may not distribute to these facilities more than \$38,600,000

8 \$40,100,000 in each fiscal year, as determined by the department, ~~except that the~~

9 ~~department shall also distribute for this same purpose from the appropriation under~~

10 ~~s. 20.435 (4) (o) any additional federal medical assistance moneys that were not~~

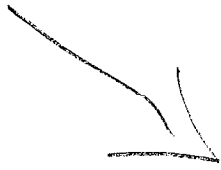
11 ~~anticipated before enactment of the biennial budget act or other legislation affecting~~

12 ~~s. 20.435 (4) (o).~~ The total amount that a county certifies under this subsection may

13 not exceed 100% of otherwise ~~unreimbursed~~ care. In distributing funds under this

14 subsection, the department shall perform all of the following:

15 ~~(END)~~



**BILL**

that DHFS distribute for this purpose additional, unanticipated moneys received as federal financial participation and increases, to up to \$40,100,000, the amount of federal financial participation that may be distributed.

For further information see the *state and local* 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:*

~~IN SECT 24~~

as affected by 2001 Wisconsin Act ... (this act),

1 SECTION 1. 49.45 (6u) (intro.) of the statutes is amended to read:

2 49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)

3 Notwithstanding sub. (6m), from the ~~appropriation~~ <sup>appropriations</sup> under s. 20.435 (4) (o), for  
4 reduction of operating deficits, as defined under criteria developed by the <sup>and</sup>  
5 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is <sub>(w)</sub>  
6 established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
7 the department may not distribute to these facilities more than ~~\$38,600,000~~

8 ~~\$40,100,000~~ in each fiscal year, as determined by the department, ~~except that the~~  
9 ~~department shall also distribute for this same purpose from the appropriation under~~  
10 ~~s. 20.435 (4) (o) any additional federal medical assistance moneys that were not~~  
11 ~~anticipated before enactment of the biennial budget act or other legislation affecting~~

12 ~~s. 20.435 (4) (o)~~. The total amount that a county certifies under this subsection may  
13 not exceed 100% of otherwise-unreimbursed care. In distributing funds under this  
14 subsection, the department shall perform all of the following:

15 (END)

**EFFECTIVE DATE**

1. In the component bar: For the action phrase, execute: ... create → action: → \*NS: → effdate  
For the text, execute: ..... create → text: → \*NS: → effdateA
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_\_ . Effective date.

( #1 ) ( ) ..... This act takes effect on .....

1. In the component bar: For the action phrase, execute: .. create → action: → \*NS: → effdateE  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed.

**SECTION #** \_\_\_\_\_ . Effective dates

AUTODEF

..... This act takes effect on the day after publication, except as follows:

( #1 ) ~~W~~ SUPPLEMENTAL MEDICAL ASSISTANCE (S) PAYMENTS TO NURSING HOMES. The treatment of sections 49.45 (Lu) (intro) (by SECTION (4)) amendment of the statutes takes effect ~~on~~ retroactively to July 1, 2000.

1. In the component bar: For the budget action phrase, execute:..create → action: → \*NS: → 94XX  
For the text, execute: ..... create → text: → \*NS: → effdate
2. Nonstatutory subunits are numbered automatically. Fill in the SECTION # or subsection # only if a "frozen" number is needed. Below, for the budget, fill in the 9400 department code.

**SECTION 94** \_\_\_\_\_ . Effective dates;

( #1 ) ( ) ..... The treatment of sections ..... of the statutes takes effect on .....

(End)

D-NOTE

DOA:.....Mullikin - Appropriation for intergovernmental transfer program funds

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

Supplemental payments to reduce operating deficits of county, city, village nursing homes

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

Under current federal law, medical assistance (MA) is a jointly funded, federal-state program; federal funds (known as "federal financial participation") are provided to match state funds expended for MA. Public funds that are not federal funds, that are transferred to the state, and that are expended for MA purposes may be considered as the state's share in claiming federal financial participation.

This bill creates a separate, nonlapsible trust fund, designated as the MA trust fund, from: 1) moneys received as federal financial participation to match public moneys transferred to the state or certified by (DHFS) as the state share of financial participation for payments related to nursing homes under the MA program; and 2) public moneys transferred to the state or certified by DHFS as the state and federal share of financial participation for payments related to nursing homes under the MA program. The moneys are appropriated to meet costs of MA, and the administrative costs associated with augmenting federal financial participation.

Under current law, DHFS may, in each fiscal year, distribute up to \$38,600,000 received as federal financial participation to supplement payments under MA in order to reduce operating deficits of county, city, village, or town nursing homes.

the department of health and family services

INGERS  
A15



P. 13  
2

INSERT 0-1

DHFS must also distribute for this purpose additional moneys received as federal financial participation that were not anticipated before enactment of the biennial budget act or before enactment of other legislation that affects the appropriation of such federal moneys. The distribution of these supplemental payments is made under a method that includes consideration of the size of a nursing home's operating deficit and an agreement by the affected county, city, town, or village to provide funds to match the federal moneys. DHFS must revise the method, for approval by JCF, if the federal department of health and human services approves a lesser amount of federal moneys for expenditure. If the federal department of health and human services disallows use of the federal moneys for the purpose of these supplemental payments, DHFS must reduce allocations to counties, and a city, town, or village that owns or operates a nursing home that has received funds must reimburse the county in which the city, town, or village is located.

This bill as of July 1, 2000, retroactively eliminates, in the program to supplement MA payments to reduce operating deficits of county, city, village, or town nursing homes, the requirement that DHFS distribute for this purpose additional, unanticipated moneys received as federal financial participation and increases, to up to \$40,100,000, the amount of federal financial participation that may be distributed. Further, the bill specifies amounts that may be distributed, beginning in state fiscal year 2001-02, depending on whether or not federal financial participation in the amount of at least \$115,200,000 is received.

For further information see the *state and local* 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 (4) (o) of the statutes is amended to read:

2 20.435 (4) (o) *Federal aid; medical assistance.* All federal moneys received for  
3 meeting costs of medical assistance administered under ss. 46.284 (5), 49.45 and  
4 49.665, to be used for those purposes and for transfer to the medical assistance trust  
5 fund, for those purposes.

6 SECTION 2. 20.435 (4) (w) of the statutes is created to read:

7 20.435 (4) (w) *Medical assistance trust fund.* From the medical assistance trust  
8 fund, all moneys received for meeting costs of medical assistance administered under

9 ~~ss. 46.27, 46.275 (5), 46.278 (6), 46.283 (5), 46.284 (5), 49.45, 49.472 (6), and 49.665~~

S.

(low)

INSERT 2-1

1 and for administrative costs associated with augmenting the amount of federal  
2 moneys received under 42 CFR 433.51.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3 SECTION 3. 25.17 (1) (jv) of the statutes is created to read:

4 25.17 (1) (jv) Medical assistance trust fund (s. 25.77);

5 SECTION 4. 25.77 of the statutes is created to read:

6 25.77 Medical assistance trust fund. There is created a separate  
7 nonlapsible trust fund designated as the medical assistance trust fund, consisting  
8 of all of the following:

9 (1) All federal moneys received, including moneys that the department of  
10 health and family services may transfer from the appropriation under s. 20.435 (4)

11 that are related to payments under s. 49.45 (6m) and are based on public funds  
12 that are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal  
13 share of medical assistance funding.

14 (2) All public funds that are related to payments under s. 49.45 (6m) and that  
15 are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal and  
16 federal share of medical assistance funding.

17 SECTION 5. 46.27 (9) (a) of the statutes is amended to read:

18 46.27 (9) (a) The department may select up to 5 counties that volunteer to  
19 participate in a pilot project under which they will receive certain funds allocated for  
20 long-term care. The department shall allocate a level of funds to these counties  
21 equal to the amount that would otherwise be paid under s. 20.435 (4) (b) or (w) to  
22 nursing homes for providing care because of increased utilization of nursing home  
23 services, as estimated by the department. In estimating these levels, the department

End of INSERT  
2-1

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

LRB-2268/2dn

DAK:hmh:km

*DAK*

To Jennifer Kraus:

Please note that I deleted language from s. 25.77 (1) ("including moneys that the department of health and family services may transfer from the appropriation under s. 20.435(4) (o),"), because no amendment to s. 20.435 (4) (o) to allow for this transfer is made in this draft. Okay?

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

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

LRB-2268/2dn  
DAK:hmh:rs

February 5, 2001

To Jennifer Kraus:

Please note that I deleted language from s. 25.77 (1) (“, including moneys that the department of health and family services may transfer from the appropriation under s. 20.435 (4) (o),”), because no amendment to s. 20.435 (4) (o) to allow for this transfer is made in this draft. Okay?

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



SOON - In edit 2/28

State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-2268/3

DAK:hmh:ms

stop

2001 BILL

Regenerate

regenerate

1 AN ACT to amend 49.45 (6u) (intro.) and 49.45 (6u) (intro.); and to create 20.435  
 2 (4) (w), 25.17 (1) (jv) and 25.77 of the statutes; relating to: supplemental  
 3 medical assistance payments to reduce operating deficits of county, city, village,  
 4 or town nursing homes, <sup>and</sup> creating a medical assistance trust fund, ~~and making~~  
 5 ~~an appropriation.~~

**Analysis by the Legislative Reference Bureau**

Under current federal law, medical assistance (MA) is a jointly funded, federal-state program; federal funds (known as "federal financial participation") are provided to match state funds expended for MA. Public funds that are not federal funds, that are transferred to the state, and that are expended for MA purposes may be considered as the state's share in claiming federal financial participation.

This bill creates a separate, nonlapsible trust fund, designated as the MA trust fund, from: 1) moneys received as federal financial participation to match public moneys transferred to the state or certified by the department of health and family services (DHFS) as the state share of financial participation for payments related to nursing homes under the MA program; and 2) public moneys transferred to the state or certified by DHFS as the state and federal share of financial participation for payments related to nursing homes under the MA program. The moneys are appropriated to meet costs of MA supplemental payments to reduce operating deficits of county, city, village, or town nursing homes.

Under current law, DHFS may, in each fiscal year, distribute up to \$38,600,000 received as federal financial participation to supplement payments under MA in

**BILL**

order to reduce operating deficits of county, city, village, or town nursing homes. DHFS must also distribute for this purpose additional moneys received as federal financial participation that were not anticipated before enactment of the biennial budget act or before enactment of other legislation that affects the appropriation of such federal moneys. The distribution of these supplemental payments is made under a method that includes consideration of the size of a nursing home's operating deficit and an agreement by the affected county, city, town, or village to provide funds to match the federal moneys. DHFS must revise the method, for approval by the joint committee on finance, if the federal department of health and human services approves a lesser amount of federal moneys for expenditure. If the federal department of health and human services disallows use of the federal moneys for the purpose of these supplemental payments, DHFS must reduce allocations to counties, and a city, town, or village that owns or operates a nursing home that has received funds must reimburse the county in which the city, town, or village is located.

This bill as of July 1, 2000, retroactively eliminates, in the program to supplement MA payments to reduce operating deficits of county, city, village, or town nursing homes, the requirement that DHFS distribute for this purpose additional, unanticipated moneys received as federal financial participation and increases, to up to \$40,100,000, the amount of federal financial participation that may be distributed.

For further information see the *state and local* 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 (4) (w) of the statutes is created to read:~~

2            ~~20.435 (4) (w) *Medical assistance trust fund.* From the medical assistance trust~~

3            ~~fund, all moneys received for meeting costs of medical assistance administered under~~

4            ~~s. 49.45 (6u).~~

5            **SECTION 2.** 25.17 (1) (jv) of the statutes is created to read:

6            25.17 (1) (jv) Medical assistance trust fund (s. 25.77);

7            **SECTION 3.** 25.77 of the statutes is created to read:

8            **25.77 Medical assistance trust fund.** There is created a separate

9            nonlapsible trust fund designated as the medical assistance trust fund, consisting

10          of all of the following:

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1           (1) All federal moneys received that are related to payments under s. 49.45  
2           (6m) and are based on public funds that are transferred or certified under 42 CFR  
3           433.51 (b) and used as the non-federal share of medical assistance funding.

4           (2) All public funds that are related to payments under s. 49.45 (6m) and that  
5           are transferred or certified under 42 CFR 433.51 (b) and used as the non-federal and  
6           federal share of medical assistance funding.

7           SECTION 4 49.45 (6u) (intro.) of the statutes is amended to read:

8           49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)  
9           Notwithstanding sub. (6m), from the appropriation under s. 20.435 (4) (o), for  
10          reduction of operating deficits, as defined under criteria developed by the  
11          department, incurred by a facility, as defined under sub. (6m) (a) 3., that is  
12          established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
13          the department may not distribute to these facilities more than \$38,600,000  
14          \$40,100,000 in each fiscal year, as determined by the department, except that the  
15          department shall also distribute for this same purpose from the appropriation under  
16          s. 20.435 (4) (o) any additional federal medical assistance moneys that were not  
17          anticipated before enactment of the biennial budget act or other legislation affecting  
18          s. 20.435 (4) (o). The total amount that a county certifies under this subsection may  
19          not exceed 100% of otherwise-unreimbursed care. In distributing funds under this  
20          subsection, the department shall perform all of the following:

21          SECTION 5. 49.45 (6u) (intro.) of the statutes, as affected by 2001 Wisconsin Act  
22          .... (this act), is amended to read:

23          49.45 (6u) SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)  
24          Notwithstanding sub. (6m), from the appropriation appropriations under s. 20.435  
25          (4) (o) and (w), for reduction of operating deficits, as defined under criteria developed

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1 by the department, incurred by a facility, as defined under sub. (6m) (a) 3., that is  
 2 established under s. 49.70 (1) or that is owned and operated by a city, village or town,  
 3 the department may not distribute to these facilities more than \$40,100,000 in each  
 4 fiscal year, as determined by the department. The total amount that a county  
 5 certifies under this subsection may not exceed 100% of otherwise-unreimbursed  
 6 care. In distributing funds under this subsection, the department shall perform all  
 7 of the following:

8 **SECTION 6. Effective dates.** This act takes effect on the day after publication,  
 9 except as follows:

10 (1) SUPPLEMENTAL MEDICAL ASSISTANCE PAYMENTS TO NURSING HOMES. The  
 11 amendment of section 49.45 (6u) (intro.) (by SECTION 3) of the statutes takes effect  
 12 retroactively to July 1, 2000.

13 (END)

3 AR



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LRB - 2268/3

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CCC to AB 274

\*. Page 3, line 18: delete "amendment"  
and substitute "treatment".

\*. Page 3, line 18: delete "(by  
SECTION 3)".  
CS

cjs



State of Wisconsin  
2001-2002 LEGISLATURE

**CORRECTIONS IN:**

**2001 ASSEMBLY BILL 274**

Prepared by the Legislative Reference Bureau  
(April 3, 2001)

1. Page 3, line 18: delete "amendment" and substitute "treatment".
2. Page 3, line 18: delete "(by SECTION 3)".