

2003 DRAFTING REQUEST

Bill

Received: **10/04/2002**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-2213**

By/Representing: **Steinmetz**

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

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Children - juvenile justice
Health - medical assistance**

Extra Copies: **PJK**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Steinmetz - BB0093,

Topic:

Eligibility of DOC youth for MA targeted case management services

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>
/?	gmalaise 10/16/2002	kgilfoy 10/16/2002		_____			S&L
/1			jfrantze 10/17/2002	_____	sbasford 10/17/2002		S&L
/2	gmalaise	kgilfoy	jfrantze	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	02/06/2003	02/06/2003	02/06/2003	_____	02/07/2003		

FE Sent For:

<END>

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Handwritten signatures and dates: Jb 2/6, Jb 1/16, 2/6

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FE Sent For:		11-10/16 KMG	10/17	10/17 J/Pg <END>			

Attachment 9

FY03-05 Statutory Language Cover Sheet

Topic: DOC Eligibility for Targeted Case Management (TCM) Services Under MA

Team: HPS

Contact: Steinmetz DOA

Agency: DOC

Agency #: 410

BB0093

**Department of Corrections
2003-2005 Biennial Budget
Statutory Language Request**

Topic: DOC Eligibility for Targeted Case Management (TCM) services under MA

Current Language

Current language at §49.45(25) Wisconsin Statutes defines a severely emotionally disturbed child under Medical Assistance (MA) Case Management services and provides that case management services are reimbursable under medical assistance only if provided to a medical assistance beneficiary who receives case management services from or through a certified case management provider in a county, city, village or town that to make the services available and who meets at least one of several conditions specified in the statutes.

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Proposed Change

Amend §49.45(25) to provide the authority for the Department of Corrections to provide targeted case management services to youth under its supervision statewide, notwithstanding any election by a county, city, village or the Department of Health and Family Services under s. 49.49 (25) (b) to provide TCM services.

(Am)(int.) + (c) CR 49.45 (25) (b)

Effect of the Change

The effect of this change will be to allow the Department to obtain federal medical assistance funds for services provided to MA-eligible youth.

Rationale for the Change

The Targeted Case Management benefit under MA represents an effort by the State of Wisconsin to capture federal funding for activities otherwise financed solely by local tax dollars and state GPR. The availability of additional federal funding permits expansion and enhancement of programs without increasing the amount of tax levy and GPR in the budget. Proposals to add funding for POS to the DJC aftercare budget have been denied in the past due to their effect of raising the aftercare daily rate charged to counties. Being able to purchase services from TCM federal funding allows DJC to provide more effective supervision of youth without raising the daily aftercare rate.

Desired Effective Date: Upon Passage of Bill
Agency: DOC
Agency Contact: Shelley Hagan
Phone: (608) 240-5917



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0360/R 1
GMM... King

DOA:.....Steinmetz – BB0093, Eligibility of DOC youth for MA targeted case management services

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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GEN. CAT.

1

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

Analysis by the Legislative Reference Bureau

CORRECTIONAL SYSTEM

JUVENILE CORRECTIONAL SYSTEM

Under current law, subject to certain exceptions, case management services are reimbursable under ~~the~~ Medical Assistance (MA) ~~Program~~ only if provided to a MA beneficiary who receives case management services from a certified case management provider in a county, city, village, or town, that elects to make those services available and who meets one or more conditions for eligibility for those services, such as the condition of being a severely emotionally disturbed child. This bill permits DOC to elect to provide case management services to a person who has been adjudged delinquent and placed under the supervision of DOC, who is a MA beneficiary, and who meets a condition for eligibility for those services. Under the bill, DOC is reimbursed for the amount of allowable charges for those services under ~~the MA Program~~ that is provided by the federal government and must pay the amount of allowable charges for those services under ~~the MA Program~~ that is not provided by the federal government.

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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 (25) (am) (intro.) of the statutes is amended to read:

2 49.45 (25) (am) (intro.) Except as provided under pars. (be) and, (bg), and (bj) ✓
3 and sub. (24), case management services under s. 49.46 (2) (b) 9. and (bm) are
4 reimbursable under medical assistance only if provided to a medical assistance
5 beneficiary who receives case management services from or through a certified case
6 management provider in a county, city, village, or town that elects, under par. (b), to
7 make the services available and who meets at least one of the following conditions:

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; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109.

8 **SECTION 2.** 49.45 (25) (bj) of the statutes is created to read:

9 49.45 (25) (bj) The department of corrections may elect to provide case
10 management services under this subsection to person^s who are under the supervision
11 of that department under s. 938.183, 938.34 (4h), (4m), or (4n), or 938.357 (4), who
12 are medical assistance beneficiaries, and who meet one or more of the conditions
13 specified in par. (am). The amount of the allowable charges for those services under
14 the medical assistance program that is not provided by the federal government shall
15 be paid from the appropriation account under s. 20.410 (3) (hm), (ho), or (hr).

16 **SECTION 3.** 49.45 (25) (c) of the statutes is amended to read:

17 49.45 (25) (c) Except as provided in pars. (b), (be) and, (bg), and (bj), the
18 department shall reimburse a provider of case management services under this

1 subsection only for the amount of the allowable charges for those services under the
2 medical assistance program that is provided by the federal government.

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, 2909j; 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; 2001 a. 13, 16, 35, 38, 57, 67, 104, 109.

3 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0360/1
GMM:kmg:jf

NOTE

2
DNR

DOA:.....Steinmetz – BB0093, Eligibility of DOC youth for MA targeted case management services

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

1

AN ACT ^{Dont} _{sten.} relating to: the budget.

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JUVENILE CORRECTIONAL SYSTEM

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

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(END)

DN = TE

Jana:

This redraft simply capitalizes "Medical Assistance" wherever found to conform to new LRB policy relating to capitalization of the proper names of programs. GMM

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

LRB-0360/2dn
GMM:kmg:jf

February 6, 2003

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This redraft simply capitalizes "Medical Assistance" wherever found to conform to new LRB policy relating to capitalization of the proper names of programs.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.state.wi.us



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-0360/2
GMM:kmg:jf

DOA:.....Steinmetz – BB0093, Eligibility of DOC youth for MA targeted case management services

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24

(END)