

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB44)**

Received: **05/28/2003**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau 266-3847**

By/Representing: **Stoller**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - medical assistance**

Extra Copies: **RLR**

Submit via email: **NO**

**Pre Topic:**

LFB:.....Stoller -

**Topic:**

Nursing home bed tax

**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	dkennedy 05/30/2003	wjackson 06/02/2003	jfrantze 06/02/2003	_____	sbasford 06/02/2003		
/2	dkennedy 06/04/2003	wjackson 06/04/2003	rschluet 06/04/2003	_____	sbasford 06/04/2003		
/3	dkennedy 06/08/2003	jdye 06/09/2003 jdye 06/09/2003	chaskett 06/09/2003	_____ _____ _____	lemery 06/09/2003		

FE Sent For:

**<END>**

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/?				<i>see rs/jfr</i>			
/1	dkennedy 05/30/2003	wjackson 06/02/2003	jfrantze 06/02/2003	<u>6/5</u>	sbasford 06/02/2003		
/2	dkennedy 06/04/2003	wjackson 06/04/2003	rschluet 06/04/2003		sbasford 06/04/2003		

FE Sent For:

*13 6/4 JW*  
*13 6/9*  
*sp4*

<END>

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LFB:.....Stoller -

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**Topic:**

Nursing home bed tax

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**Instructions:**

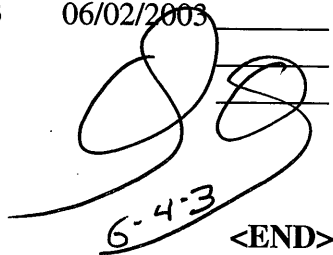
See Attached

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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>
/?							
/1	dkennedy 05/30/2003 dkennedy	wjackson 06/02/2003	jfrantze 06/02/2003		sbasford 06/02/2003		

FE Sent For:



6-4-3  
<END>

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Addl. Drafters:

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Extra Copies: **RLR**

Submit via email: **NO**

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**Pre Topic:**

LFB:.....Stoller -

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**Topic:**

Nursing home rate increase and bed tax

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**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>
/?							
/1	dkennedy 05/30/2003	wjackson 06/02/2003	jfrantze 06/02/2003	_____	sbasford 06/02/2003		

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Extra Copies: RLR

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Pre Topic:

LFB:.....Stoller -

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Nursing home rate increase and bed tax

Instructions:

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/?	dkennedy	1 WLj 6/2	<i>[Signature]</i> 6/2	<i>[Signature]</i> 6/2			

FE Sent For:

<END>

DAK

**Legislative Fiscal Bureau**

One East Main, Suite 301 o Madison, WI 53703 o (608) 266-3847 • Fax: (608) 267-6873

**May 28, 2003**

**DELIVER TO: Debora Kennedy, LRB**

Addressee Fax #:

Addressee Phone #:

# of Pages, Including Cover: 12

**From: Rachel Carabell**

**Phone: (608) 266-3847**

**Fax: (608) 267-6873**

**Email: [rachel.carabell@legis.state.wi.us](mailto:rachel.carabell@legis.state.wi.us)**

---

**Here is Motion #178, the omnibus MA motion. It was the only motion adopted by JFC last night on MA. The Committee has finished its action on all DHFS-related items. The one remaining issue (in our area) is the Patients' Compensation Fund, which technically falls under OCI. Please call if you have questions. Thanks.**

transportation services and school-based services in the PR appropriation that would be created in the bill.

CM

e. Paper #379 (Medical Assistance Trust Fund): Modify the Governor's recommendations by requiring the Department of Administration to submit a report to the Joint Committee on Finance by December 1, 2003, that: (a) compares the amount of funding budgeted for MA benefits under the biennial budget act with projected MA expenditures in the 2003-05 biennium; (b) identifies all federal funding that is available to support MA benefits in the 2003-05 biennium, including any supplemental funding the state may receive as a result of federal legislation, approval of federal waivers or the creation or expansion of intergovernmental transfer programs; and (c) includes proposals and recommendations, including proposed statutory changes, to reduce MA benefits costs if projected expenditures exceed projected revenue.

- 0194  
\*  
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Delete funding and statutory provisions relating to the following items in the Governor's bill: (a) administrative costs of implementing new IGT programs (\$6,510,000 SEG in 2003-04); (b) noninstitutional provider rates (\$3,047,000 SEG and \$4,551,100 FED in 2003-04 and \$3,218,500 SEG and \$4,804,300 FED in 2004-05); (c) reduce use of nursing homes for the provision of long-term care (\$722,400 SEG, \$31,800 PR, and \$1,002,100 FED in 2003-04 and \$1,455,500 SEG, \$73,900 PR and \$2,014,300 FED in 2004-05); (d) CIP IB, CIP II and COP-W slots and rates (\$16,963,900 SEG and \$24,757,300 FED in 2003-04 and \$34,910,000 SEG and \$49,054,600 FED in 2004-05); (e) community-support program (\$872,600 SEG in 2004-05); and (f) Family Care expansion to Kenosha County (\$681,100 SEG and \$3,126,800 FED in 2004-05). Delete the Governor's provision relating to requiring counties to offer CIP II and CIP IB services to certain nursing home residents (LFB Budget Summary, p. 241 Item #3).

\*  
DAK

Correct revenue and funding in the bill relating to supplemental MA payments to school districts and local units of government by: (a) reducing estimated revenue to the MA trust fund by \$17,816,600 SEG in 2003-04 and by \$17,803,600 SEG in 2004-05; and (b) reducing MA benefits funding by \$17,816,600 SEG in 2003-04 to reflect that these revenues would be credited to the federal MA benefits appropriation, rather than deposited to the MA trust fund.

Include session provisions that would express the Legislature's intent to consider funding each of the items described in the previous paragraph, under separate legislation, in the amounts recommended by the Governor, if sufficient federal MA funding is available to support these initiatives.

\*

Specify that, of the funding that is available to the state with the enactment of H.R. 2, the Jobs and Growth Tax Relief Reconciliation Act of 2003, the amounts designated to increase federal cost-sharing for states' MA programs would be budgeted to support MA benefits.

\*

f. Paper #400 (Nursing Home Rate Increase and Bed Tax): Modify the Governor's recommendations by: (a) reducing the monthly assessment on all licensed nursing facility beds to \$75; (b) providing a 3.2% annual rate increase; (c) altering the nursing home reimbursement formula to ensure that the same proportionate share of nursing home funding that is allocated to support the direct care cost center in 2002-03 will be maintained under the proposed reimbursement formula; and (d) requiring DHFS to develop and submit to the Joint Finance Committee, within 60

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days of enactment of the bill: (a) a waiver proposal that would exempt certain facilities with a high proportion of private-pay residents or MA-supported residents from the bed assessment; and (b) a report on the feasibility of exempting private-pay residents from the bed assessment.

Decrease funding by \$12,179,000 (\$2,729,500 GPR, \$3,661,700 FED, -\$19,067,700 SEG, and \$497,500 PR) in 2003-04 and by \$1,316,900 (\$5,229,700 GPR, \$18,659,600 FED, -\$25,828,200 SEG, and \$622,000 PR) in 2004-05 to reflect these modifications. In addition, reduce estimated revenue to the MA trust fund by \$16,629,000 in 2003-04 and by \$16,165,900 in 2004-05 to reflect reestimates of revenue to the MA trust fund. Specify that these provisions would be effective July 1, 2003.

g. Paper #401 (Nursing Homes -- Labor Region Adjustment): Delete the Governor's recommendations and maintain the requirement that DHFS use the Medicare hospital cost index to calculate the labor region adjustment for nursing homes in St. Croix, Douglas, and Pierce Counties. Increase MA benefits funding by \$213,700 SEG and \$300,200 FED annually to restore funding to support labor region adjustments for nursing homes in these counties.

h. Paper #402 (Limit Placement of Individuals with Developmental Disabilities in ICFs-MR and Nursing Homes): Modify the Governor's recommendations by: (a) repealing the statutory requirement that DHFS make payments for services for individuals that were formerly served by the Christian League for the Handicapped; (b) establishing an effective date of January 1, 2005, rather than January 1, 2004, to be consistent with the funding the Governor recommended for this item; and (c) extend from 90 days to 120 days specified periods by which county departments would be required to develop a plan for providing home- and community-based care to individuals in a noninstitutional setting.

In addition, require DHFS to negotiate a contract with a county that participates in CIP IB in a county subject to these provisions and with facilities subject to these provisions that are located in the county regarding long-term planning for residents placed in these facilities from out of state. Specify that a facility subject to these provisions would be an ICF-MR that is licensed as a private nonprofit organization determined by the federal IRS to be exempt from federal income taxation. Specify that a county that is subject to these provisions is a county with a population of less than 100,000 in which is located two or more facilities that are subject to these provisions (Jefferson County). Specify that the contract would define the conditions of admission to the facility, community placement, funding, and possible downsizing of the facilities.

i. Paper #385 (Supplemental MA Payments to School Districts and Local Units of Government): Modify the Governor's recommendations by incorporating the administration's request to include changes that would eliminate the distributional effect of decreasing shared revenue payments and increasing MA payments to municipalities for emergency transportation services and including a provision that would authorize a modification to shared revenue payments to adjust a subsequent year's aid payment to reflect any overpayment or underpayment of the supplemental MA payments:

j. Paper #386 (HMO Assessment and Payments): (Alternative 4). Delete the Governor's provision to create an assessment on the gross revenue of HMOs. Modify funding in the bill by

JLS

JLS

RC

RC

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DAK  
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-0209

DAK  
60055/3

RLR



D-NOTE

LFB:.....Stoller – Nursing home rate increase and bed tax

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,  
TO 2003 SENATE BILL 44**

1 At the locations indicated, amend the bill as follows:

2 1. Page 601, line 10: after that line insert:

3 "SECTION 1333c. 49.45 (6m) (ag) 3t. of the statutes is created to read:

4 49.45 (6m) (ag) 3t. Calculation of total payments and supplementary payments  
5 to facilities that permits an increase in funds allocated under s. 20.435 (4) (b), (gp),  
6 (o), (w) and (wm) for nursing home care provided Medical Assistance recipients over  
7 that paid for services provided in state fiscal year 2002-2003 of no more than 3.2%  
8 during state fiscal year 2003-04 and over that paid for services provided in state  
9 fiscal year 2003-04 of no more than 3.2% during state fiscal year 2004-05.

10 ~~2. Page 601, line 10: after that line insert:~~

11 "SECTION 1333d. 49.45 (6m) (ag) 8. of the statutes is created to read:

1 49.45 (6m) (ag) 8. Maintenance of the identical proportion of payment for direct  
2 care costs, as specified in par. (am) 1., to total payment for all costs specified in par.  
3 (am) as that made in state fiscal year 2002-03.”

4 3. Page 640, line 11: delete “\$116” and substitute “\$75”.

5 4. Page 1078, line 17: after that line insert:

6 <sup>HK</sup>

“(P) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By the

7 date that is 60 days after the effective date of this subsection, ~~revisor inserts date~~,

8 the department of health and family services shall submit to the joint committee on

9 finance, for review and approval, a request to the secretary of the federal department

10 of health and human services, under 42 USC 1396n (c), for any waivers of federal

11 Medical Assistance Program laws necessary to permit exemption of certain facilities

12 with a high proportion of private-pay residents or residents who are recipients of

13 Medical Assistance from the assessment under <sup>section</sup> ~~§~~ 50.14 (2) of the statutes, as affected

14 by this act.”

15 <sup>HP</sup>

“(P) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED

16 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection

17 ~~revisor inserts date~~, the department of health and family services shall submit

18 to the joint committee on finance a report on the feasibility of exempting private-pay

19 residents of facilities from the assessment under <sup>section</sup> ~~§~~ 50.14 (2) of the statutes, as

20 affected by this act.”

21 5. Page 1132, line 14: after “(6m)” insert “(ag) 3t. and 8<sup>g</sup>” and

22 (END)

D-NOTE

NONSTATS

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

LRBb0282/1dn

DAK:.....

WLj

To Jessica Stoller:

This is the draft for Motion 178, item f.

Please review s. 49.45 (6m) (ag) 3t. I assumed <sup>o</sup>th<sub>at</sub> the increase was for each year of the biennium; otherwise, it would increase by 3.2% for every year in the future. Correct?

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**

LRBb0282/1dn  
DAK:wlj:jf

June 2, 2003

To Jessica Stoller:

This is the draft for Motion 178, item f.

Please review s. 49.45 (6m) (ag) 3t. I assumed that the increase was for each year of the biennium; otherwise, it would increase by 3.2% for every year in the future. Correct?

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

## Kennedy, Debora

---

**From:** Stoller, Jessica  
**Sent:** Monday, June 02, 2003 2:11 PM  
**To:** Kennedy, Debora  
**Subject:** RE: LRB Draft: 03b0282/1 Nursing home rate increase and bed tax

Yes, 3.2% in 2003-04 and 3.2% in 2004-05.

Jessica (I accidentally replied to Jean Frantzen at first)

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

**From:** Frantzen, Jean  
**Sent:** Monday, June 02, 2003 12:37 PM  
**To:** Stoller, Jessica  
**Cc:** Morgan, Charlie; Hanaman, Cathlene; Haugen, Caroline; Holten, Vicki  
**Subject:** LRB Draft: 03b0282/1 Nursing home rate increase and bed tax

Following is the PDF version of draft 03b0282/1.

<< File: 03b0282/1 >> << File: 03b0282/1dn >>

**TELEPHONE DRAFTING INSTRUCTIONS**

Drafting instructions received by Debora Kennedy.

**DATE:**

6/03/03

**CONVERSATION  
WITH:**

Jessica Staller

**OF:**

LRB

**TELEPHONE NO:**

**REGARDING LRB #  
OR DRAFT TOPIC:**

60282/1

**INSTRUCTIONS:**

Redraft:

Delete creation of s. 49.45 (6m) (ag) 3t. -  
unnecessary to have rate increase in statutes



LFB:.....Stoller - Nursing home ~~rate increase and~~ bed tax

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,  
TO 2003 SENATE BILL 44**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 601, line 10: after that line insert:

3 ~~“SECTION 1333c. 49.45 (6m) (ag) 3t. of the statutes is created to read:~~

4 ~~49.45 (6m) (ag) 3t. Calculation of total payments and supplementary payments~~  
5 ~~to facilities that permits an increase in funds allocated under s. 20.435 (4) (b), (gp),~~  
6 ~~(o), (w), and (wm) for nursing home care provided Medical Assistance recipients over~~  
7 ~~that paid for services provided in state fiscal year 2002-03 of no more than 3.2%~~  
8 ~~during state fiscal year 2003-04 and over that paid for services provided in state~~  
9 ~~fiscal year 2003-04 of no more than 3.2% during state fiscal year 2004-05.~~

10 <sup>10</sup> SECTION 1333d. 49.45 (6m) (ag) 8. of the statutes is created to read:



1           49.45 (6m) (ag) 8. Maintenance of the identical proportion of payment for direct  
2 care costs, as specified in par. (am) 1., to total payment for all costs specified in par.  
3 (am) as that made in state fiscal year 2002–03.”.

4           **2.** Page 640, line 11: delete “\$116” and substitute “\$75”.

5           **3.** Page 1078, line 17: after that line insert:

6           “(11k) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By  
7 the date that is 60 days after the effective date of this subsection, the department of  
8 health and family services shall submit to the joint committee on finance, for review  
9 and approval, a request to the secretary of the federal department of health and  
10 human services, under 42 USC 1396n (c), for any waivers of federal Medical  
11 Assistance Program laws necessary to permit exemption of certain facilities with a  
12 high proportion of private-pay residents or residents who are recipients of Medical  
13 Assistance from the assessment under section 50.14 (2) of the statutes, as affected  
14 by this act.

15           (11p) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED  
16 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection,  
17 the department of health and family services shall submit to the joint committee on  
18 finance a report on the feasibility of exempting private-pay residents of facilities  
19 from the assessment under section 50.14 (2) of the statutes, as affected by this act.”.

20           **4.** Page 1132, line 14: after “(6m)” insert “(ag) ~~and~~ 8. and”.

## TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

6/6/03

CONVERSATION  
WITH:

Jessica Staller

OF:

LRB

TELEPHONE NO:

REGARDING LRB #  
OR DRAFT TOPIC:

60282/2

INSTRUCTIONS:

Redraft:

Wants initial app changed to  
July 1, 2003 - problem?

9324(4)



D-NOTE

↑ + jld

LFB:.....Stoller – Nursing home bed tax

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION  
SENATE AMENDMENT,  
TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 1. Page 601, line 10: after that line insert:

3 "SECTION 1333d. 49.45<sup>✓</sup> (6m) (ag) 8. of the statutes is created to read:

4 49.45 (6m) (ag) 8. Maintenance of the identical proportion of payment for direct  
5 care costs, as specified in par. (am) 1., to total payment for all costs specified in par.  
6 (am) as that made in state fiscal year 2002-03."

~~Page 640, line 9: after "started" insert "that".~~

7 2. Page 640, line 11: delete "\$116" and substitute "\$75".

8 3. Page 1078, line 17: after that line insert:

9 "(11k) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By  
10 the date that is 60 days after the effective date of this subsection, the department of  
11 health and family services shall submit to the joint committee on finance, for review

1 and approval, a request to the secretary of the federal department of health and  
 2 human services, under 42 USC 1396n (c), for any waivers of federal Medical  
 3 Assistance program laws necessary to permit exemption of certain facilities with a  
 4 high proportion of private-pay residents or residents who are recipients of Medical  
 5 Assistance from the assessment under section 50.14 (2) of the statutes, as affected  
 6 by this act.

7 (11p) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED  
 8 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection,  
 9 the department of health and family services shall submit to the joint committee on  
 10 finance a report on the feasibility of exempting private-pay residents of facilities  
 11 from the assessment under section 50.14 (2) of the statutes, as affected by this act.

✓ (11) INSERT 2-11 →

12 4. Page 1132, line 14: after "(6m)" insert "(ag) 8. and".

INSERT 2-12  
13

(END)

D-NOTE

INS 2-11

Nonstat 11pd  
(\*) ASSESSMENT OF FACILITY LICENSED BEDS! CS

If any facility assessments required under section 50.14(2)(intro.) of the statutes, as affected by this act, that are due on July 1, 2003, and thereafter are paid under the rates specified 50.14 in section 50.14(2)(intro.), 2001 statutes, the department of health and family services shall calculate the amounts owing under section 50.14(2)(intro.) of the statutes, as affected by this act, and require payment by facilities, for deposit in the general fund, or the Medical Assistance trust fund, as applicable, of the increased amounts."

#. Page 1119, line 7: delete lines 7 and 8 and substitute "statutes first apply to assessments that are due on July 1, 2003."

(END INS)

D-NOTE

To Jessica Staller:

Please note that I added a requirement  
for DHFS to recollect, in case the bill's  
publication date is after the assessment  
due dates under current law.

DAK

2003

INSERT 2-12

Nonstat File Sequence: **FFF**

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

**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;** .....

..... This act takes effect on the day after publication, except as follows:  
( #1 ) ( ) ..... The treatment of sections ..... of the statutes takes effect on .....

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.

→ #, Page 132, line 22: after that line insert:

**SECTION 94** ..... **Effective dates;** .....

fra →

(11 pd) ..... (BEDS)

ASSESSMENT OF FACILITY LICENSE The treatment of sections 25.77(3) and 50.14 (title), (1)(a), (3), and (4) of the statutes, the renumbering and amendment of section 50.14 (2) of the statutes, of the statutes takes effect on ..... and the creation of section 50.14 (2)(b)

July 1, 2003

(end ins)

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

LRBb0282/3dn  
DAK:jld:cph

June 9, 2003

To Jessica Stoller:

Please note that I added a requirement for DHFS to recollect, in case the bill's publication date is after the assessment due dates under current law.

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





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0282/3  
DAK:wlj&jld:cph

LFB:.....Stoller – Nursing home bed tax

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 601, line 10: after that line insert:

3 “SECTION 1333d. 49.45 (6m) (ag) 8. of the statutes is created to read:

4 49.45 (6m) (ag) 8. Maintenance of the identical proportion of payment for direct  
5 care costs, as specified in par. (am) 1., to total payment for all costs specified in par.  
6 (am) as that made in state fiscal year 2002-03.”.

7 **2.** Page 640, line 11: delete “\$116” and substitute “\$75”.

8 **3.** Page 1078, line 17: after that line insert:

9 “(11k) MEDICAL ASSISTANCE NURSING HOME BED ASSESSMENT WAIVER REQUEST. By  
10 the date that is 60 days after the effective date of this subsection, the department of  
11 health and family services shall submit to the joint committee on finance, for review

1 and approval, a request to the secretary of the federal department of health and  
2 human services, under 42 USC 1396n (c), for any waivers of federal Medical  
3 Assistance program laws necessary to permit exemption of certain facilities with a  
4 high proportion of private-pay residents or residents who are recipients of Medical  
5 Assistance from the assessment under section 50.14 (2) of the statutes, as affected  
6 by this act.

7 (11p) REPORT ON EXEMPTING PRIVATE-PAY NURSING HOME RESIDENTS FROM BED  
8 ASSESSMENTS. By the date that is 60 days after the effective date of this subsection,  
9 the department of health and family services shall submit to the joint committee on  
10 finance a report on the feasibility of exempting private-pay residents of facilities  
11 from the assessment under section 50.14 (2) of the statutes, as affected by this act.

12 (11pd) ASSESSMENT OF FACILITY LICENSED BEDS. If any facility assessments  
13 required under section 50.14 (2) (intro.) of the statutes, as affected by this act, that  
14 are due on July 1, 2003, and thereafter are paid under the rates specified in section  
15 50.14 (2) (intro.), 2001 statutes, the department of health and family services shall  
16 calculate the amounts owing under section 50.14 (2) (intro.) of the statutes, as  
17 affected by this act, and require payment by facilities, for deposit in the general fund,  
18 or the Medical Assistance trust fund, as applicable, of the increased amounts.”.

19 **4.** Page 1119, line 7: delete lines 7 and 8 and substitute “statutes first apply  
20 to assessments that are due on July 1, 2003.”.

21 **5.** Page 1132, line 14: after “(6m)” insert “(ag) 8. and”.

22 **6.** Page 1132, line 22: after that line insert:

23 “(11pd) ASSESSMENT OF FACILITY LICENSED BEDS. The treatment of sections 25.77  
24 (3) and 50.14 (title), (1) (a), (3), and (4) of the statutes, the renumbering and

1 amendment of section 50.14 (2) of the statutes, and the creation of section 50.14 (2)  
2 (b) of the statutes takes effect on July 1, 2003.”.

3 (END)