

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**

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 formula; labor region adjustment

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 05/29/2003	jdye 05/29/2003	jfrantze 05/29/2003	_____	lemery 05/29/2003		

FE Sent For:

<END>

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**

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 formula; labor region adjustment

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>
/?	dkennedy	1 5/29 JLD		==			

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

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 OCL. Please call if you have questions. Thanks.

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.

JLS

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.

DAK
*
60283
-0210

JLS

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.

DAK
*
60284
-0209

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.

RC

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:

RLR
*

RC

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

RLR
*

RC



Soon - Lu edit 5/29

State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0283/1

DAK:.....

Fixed on request sheet

D-NOTE

Stoller

Jld

LFB:..... ~~Swissdorf (CM)~~ - Nursing home formula; labor region adjustment

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 60², line 12: delete the material beginning with that line and ending
3 with page 60³, line 8, and substitute:

4 "SECTION 1346d. 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

5 49.45 (6m) (ar) 1. a. The department shall establish standards for payment of
6 allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily
7 serve the developmentally disabled, that take into account direct care costs for a
8 sample of all of those facilities in this state and separate standards for payment of
9 allowable direct care costs, for facilities that primarily serve the developmentally
10 disabled, that take into account direct care costs for a sample of all of those facilities
11 in this state. The standards shall be adjusted by the department for regional labor
12 cost variations. For facilities in Douglas, Pierce, and St. Croix counties, the

1 department shall perform the adjustment by use of the wage index that is used by
 2 the federal department of health and human services for hospital reimbursement
 3 under 42 USC 1395 to 1395ggg.”

10 ✓

1346 ✓

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. 989 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. 2047 to 3002; 2000 9126 (19), 9130 (4), 9145 (1); 1995 a. 21, 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.

4

2. Page 1132, line ~~12~~: delete “(by SECTION ~~1345~~)”.

5

3. Page 1132, line ~~13~~: delete “(6m) (ar) 1. a. (by SECTION 1345) and”.

6

(END)

D-NOTE

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

LRBb0283/1dn

DAK: 1:...

JK

To Jessica Stoller:

This is the draft for Motion 178, item g.

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**

LRBb0283/1dn
DAK:jld:jf

May 29, 2003

To Jessica Stoller:

This is the draft for Motion 178, item g.

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



State of Wisconsin
2003 - 2004 LEGISLATURE

LRBb0283/1
DAK:jld:jf

LFB:.....Stoller – Nursing home formula; labor region adjustment

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 602, line 12: delete the material beginning with that line and ending
3 with page 603, line 8, and substitute:

4 “SECTION 1346d. 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

5 49.45 (6m) (ar) 1. a. The department shall establish standards for payment of
6 allowable direct care costs under par. (am) 1. bm., for facilities that do not primarily
7 serve the developmentally disabled, that take into account direct care costs for a
8 sample of all of those facilities in this state and separate standards for payment of
9 allowable direct care costs, for facilities that primarily serve the developmentally
10 disabled, that take into account direct care costs for a sample of all of those facilities
11 in this state. The standards shall be adjusted by the department for regional labor
12 cost variations. For facilities in Douglas, Pierce, and St. Croix counties, the

1 department shall perform the adjustment by use of the wage index that is used by
2 the federal department of health and human services for hospital reimbursement
3 under 42 USC 1395 to 1395ggg.”.

4 **2.** Page 1132, line 10: delete “(by SECTION 1346)”.

5 **3.** Page 1132, line 14: delete “(6m) (ar) 1. a. (by SECTION 1345) and”.

6 **(END)**