

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB44)**

Received: 06/17/2003

Received By: **dkennedy**

Wanted: As time permits

Identical to LRB:

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

By/Representing: **Morgan**

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: **YES**

Requester's email:

Carbon copy (CC:) to:

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**Pre Topic:**

LFB:.....Morgan -

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**Topic:**

Nursing home rate increases and autism

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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>
/?	dkennedy 06/17/2003	jdyer 06/18/2003		_____			
/1			pgreensl 06/18/2003	_____	sbasford 06/18/2003		
/2	dkennedy	kfollett	chaugen	_____	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>
	06/18/2003	06/18/2003	06/18/2003	_____	06/18/2003		

FE Sent For:

<END>

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6/18

Ch  
Chris  
6/18

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/?	dkennedy	1 6/18 jld	6/18 P8	6/18 P8			

FE Sent For:

<END>

## Kennedy, Debora

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**From:** Carabell, Rachel  
**Sent:** Tuesday, June 17, 2003 5:39 PM  
**To:** Kennedy, Debora  
**Subject:** Intensive, In-Home Autism Services

Here is a text description of the technical amendment related to autism.



autism  
technical.doc

**Intensive, In-Home Autism Services.** This amendment would clarify provisions in current law, that the administering agency for the waivers to redesign of the children's long-term care system could include a human services agency under contract with the Department of Health and Family Services, in addition to county departments. It would specify that the administering agency in counties in which the program is located, rather than county departments, would provide, contract for the provision of, organize, or arrange for the long-term care needs of eligible children. In addition, delete current provisions that would specify that the cost of the children's long-term care program may not exceed the cost of existing community-based waiver programs, the family support program, and the birth-to-three program and delete the provision to blend the costs per child served in these programs.

**TELEPHONE DRAFTING INSTRUCTIONS**

**Drafting instructions received by Debora Kennedy.**

**DATE:**

6/17/03

**CONVERSATION WITH:**

Jessica Staller

**OF:**

LFB

**TELEPHONE NO:**

6-3847

**REGARDING LRB # OR DRAFT TOPIC:**

Budget amdt: LFB technical

**INSTRUCTIONS:**

NH bed tax:

03-04 up  
04-05

(4) (w) \$1,708,800  
3,961,900

To support nursing home rate increases

Rachel Carabell:

Modify 2001 Act 16 9123 (16rr)

add DHFS to def<sup>admin</sup> of agency

(b) 6 Counties Admin agencies in cos in which

RP 9.10.



2003

Date (time) needed TODAY

LRB b 0616/1

**BUDGET AMENDMENT**

**[Not for compile]**

DAK: jld:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

LFB

**SENATE AMENDMENT  
TO SENATE SUBSTITUTE AMENDMENT 1  
TO 2003 SENATE BILL 44**

At the locations indicated, amend the substitute amendment as follows:

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

AMENDMENTS

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

\$\$\$ INCREASE/DECREASE

In the component bar, for a "regular" amendment item:

For the item text, execute: ..... create -> item: -> m: -> \$inc-dec

#. Page 198, line 17: in(de)crease the dollar amount for fiscal year 2003-04 by \$ 1,708,800 and in(de)crease the dollar amount for fiscal year 2004-05 by \$ 3,961,900 to create funding for the [purpose] [purposes] for which the appropriation is made to increase funding for nursing home rate increases.

#. Page ....., line .....: in(de)crease the dollar amount for fiscal year 2003-04 by \$ ..... and in(de)crease the dollar amount for fiscal year 2004-05 by \$ ..... [to ...crease funding for the [purpose] [purposes] for which the appropriation is made] [to ...crease funding for ..... ]\*

In the component bar, for a "frozen" amendment item (used in amendments to amendments):

For the item text, execute: ..... create -> item: -> afterline [or the applicable item]

For the "frozen" item text, execute: create -> item: -> frz: -> m: -> \$inc-dec

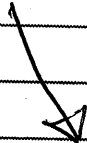
#. Page ....., line .....: in(de)crease the dollar amount for fiscal year 2003-04 by \$ ..... and in(de)crease the dollar amount for fiscal year 2004-05 by \$ ..... [to ...crease funding for the [purpose] [purposes] for which the appropriation is made] [to ...crease funding for ..... ]\*

\* Use the 2nd alternative if the purpose of the increase or decrease is more limited than the purpose or purposes of the appropriation as currently shown in the text of ch. 20, stats.

#. Page 1018, line ~~19~~<sup>11</sup>: ~~that line insert:~~ before

" SECTION 2813r. 2001 Wisconsin Act 16, section

9123 (16rr) (a) 1. is amended to read:



SECTION 28135, 2001 Wisconsin Act 16, Section 9123 (16rr) (b) 6. is amended to read:

[2001 Wisconsin Act 16] Section 9123 (16rr) (b) 2001 WISCONSIN ACT 16

Vetoed In Part

administered within one administrative subunit of the department of health and family services. The subunit that is designated to administer these services shall be the subunit that is administering community-based services for persons with developmental disabilities on the effective date of this paragraph.

(b) Funding under the medical assistance program for institutional services and home and community-based waiver services for persons with developmental disabilities shall be combined into one appropriation to the extent permissible under federal law. The funding in this appropriation may not be tied to any specific program or service setting, but shall be individually tailored to enable the person to live in the most restrictive setting appropriate to his or her needs and preferences.

(16rr) ~~Medical assistance waivers for developmental disabilities services. The department of health and family services shall determine whether any new waivers under the medical assistance program are necessary to administer funding for medical assistance services as described in subsection (16rr) (b). That department shall apply for any waivers of federal medical assistance statutes and regulations from the federal department of health and human services that the department of health and family services determines are necessary to administer funding for medical assistance services as described in subsection (16rr) (b).~~

(16rr) ~~WRITTEN PLANS OF CARE FOR PERSONAL CARE SERVICES; RULES. The department of health and family services shall submit in proposed form the rules required under section 49.45 (2) (a) 24. of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the fourth month beginning after the effective date of this subsection.~~

(16rs) ~~PILOT PROGRAM FOR LONG-TERM CARE OF CHILDREN WITH DISABILITIES~~

(a) In this subsection:

1. "Administering agency" means a county department under section 46.23, 51.42, or 51.437 of the statutes or a human services agency that administers the program under a contract with such a county department.

2. "Program" means a pilot program that provides a system of long-term care for children with disabilities and their families.

(b) The department of health and family services shall, as soon as possible before July 1, 2002, seek waivers of federal medical assistance statutes and regulations from the federal department of health and human services that are necessary to implement, in pilot sites, the program. If the waivers are granted, the program shall have all of the following characteristics:

1. Eligibility under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes shall be expanded to include children with severe disabilities and

~~2. The administration of the program shall be consistent with section 46.985 of the statutes, including a family-centered assessment and planning process.~~

~~3. The program shall operate within rate settings based upon a child's level of care and support needs. The department of health and family services shall promulgate rules that specify rates that are consistent with federal medical assistance home and community-based waiver regulations.~~

~~4. The department of health and family services shall coordinate supports and services under the program with the medical assistance fee-for-service system, including the prior authorization process.~~

~~5. The lead agency for the program shall be an administering agency.~~

6. Counties in which the program is located shall provide, contract for the provision of, organize, or arrange for long-term care supports for eligible children up to age 24 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

Information and assistance services operated under the program shall provide, contract, or arrange for the provision of all of the following:

- a. Information and referral services and other assistance at hours that are convenient for the public.
- b. Within the limits of available funding, prevention and intervention services.
- c. Counseling concerning public and private benefits programs.
- d. Assistance with understanding rights of children and parents within the long-term care system.

8. The administering agency shall determine functional and financial eligibility for the program by coordinating with the department of health and family services in completing all of the following:

- a. A determination of functional eligibility for the children's long-term support benefit.
- b. A determination of financial eligibility and of the maximum amount of cost sharing required for a family who is seeking long-term care services, under standards prescribed by the department of health and family services.
- c. Assistance to a child who is eligible for a long-term support benefit and to the child's family with respect to the choice of whether or not to participate in the waiver pilot, or the department of health and family services who choose to enroll their children.

9. The cost of the program may not exceed the cost of existing services under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes.

Administering agencies  
name

score  
family services

[2001 Wisconsin Act 16] Section 9123 (16rr) (a)

SECTION 2813t. 2001 Wisconsin Act 16, section  
9123 (16rr) (b) 9. and 10.<sup>x</sup> are repealed. " ✓

(End)



NOW  
State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0616/2

DAK:jld:

Kjf

LFB:.....Morgan – Nursing home rate increases and autism

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2003 SENATE BILL 44

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 198, line 17: increase the dollar amount for fiscal year 2003-04 by  
3 \$1,708,800 and increase the dollar amount for fiscal year 2004-05 by \$3,961,900 to  
4 increase funding for nursing home rate increases.

5 2. Page 1018, line 11: before that line insert:

6 "SECTION 2813r. 2001 Wisconsin Act 16, section 9123 (16r) (a) 1. is amended  
7 to read:

16rs

8 [2001 Wisconsin Act 16] Section 9123 (16r) (a) 1. "Administering agency"  
9 means a county department under section 46.23, 51.42, or 51.437 of the statutes or,

16rs

1 a human services agency that administers the program under a contract with such  
2 a county department, or the department of health and family services. (rs)

3 **SECTION 2813s.** 2001 Wisconsin Act 16, section 9123 (16~~ms~~) (b) 6. is amended  
4 to read: (rs)

5 [2001 Wisconsin Act 16] Section 9123 (16~~ms~~) (b) 6. Counties Administering  
6 agencies in which the program is located shall provide, contract for the provision of,  
7 organize, or arrange for long-term care supports for eligible children up to age 24  
8 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

9 **SECTION 2813t.** 2001 Wisconsin Act 16, section 9123 (16~~ms~~) (b) 9. and 10. are  
10 repealed." (rs)

11 (END)

in counties



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBb0616/2  
DAK:jld&kjf:ch

LFB:.....Morgan – Nursing home rate increases and autism

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2003 SENATE BILL 44**

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 198, line 17: increase the dollar amount for fiscal year 2003-04 by  
3           \$1,708,800 and increase the dollar amount for fiscal year 2004-05 by \$3,961,900 to  
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2 a county department, or the department of health and family services.

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8 to age 24 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

9 **SECTION 2813t.** 2001 Wisconsin Act 16, section 9123 (16rs) (b) 9. and 10. are  
10 repealed.”.

11 (END)