

BILL HISTORY FOR ASSEMBLY BILL 592 (LRB -3344)

An Act to amend 49.45 (6u) (am) (intro.), 49.45 (6u) (am) 4. and 49.45 (6u) (am) 5.; and to create 20.435 (4) (wq) of the statutes; relating to: supplemental Medical Assistance payments to county, city, town, or village nursing homes and making an appropriation. (FE)

2003

10-15. A. Introduced by Representatives LeMahieu, Lothian, Kestell, Towns, Grothman, Powers, Wieckert, Gunderson, F. Lasee, Johnsrud, Ladwig, Van Roy, Suder, Gronemus, Schneider, Ainsworth, Musser, W. Wood, Gottlieb, Ziegelbauer, Hundertmark, J. Fitzgerald, McCormick, Townsend, M. Lehman, Van Akkeren, Pocan, Petrowski, Schooff, Hahn and Albers; cosponsored by Senators Leibham, Welch, Zien, Robson, Brown, Kedzie, Breske, Cowles, Reynolds, Stepp, S. Fitzgerald, Schultz, Wirch, A. Lasee and Roessler.

10-15. A. Read first time and referred to joint committee on Finance 429

10-27. A. Assembly amendment 1 offered by Representative LeMahieu (LRB a1525) 460

10-27. A. Assembly amendment 2 offered by Representative LeMahieu (LRB a1526) 460

10-28. A. Executive action taken.

10-28. A. Assembly substitute amendment 1 offered by joint committee on Finance (LRB s0238) 468

10-30. A. Report Assembly Substitute Amendment 1 adoption recommended by joint committee on Finance, Ayes 15, Noes 0 473

10-30. A. Report passage as amended recommended by joint committee on Finance, Ayes 15, Noes 0 473

10-30. A. Referred to committee on Rules 473

10-30. A. Placed on calendar 11-5-2003 by committee on Rules.

11-05. A. Read a second time.

11-05. A. Assembly substitute amendment 1 adopted.

11-05. A. Ordered to a third reading.

11-05. A. Rules suspended.

11-05. A. Read a third time and passed, Ayes 99, Noes 0.

11-05. A. Representatives Gielow, Nass, Weber, Bies, Hebl and Molepske added as coauthors.

11-05. A. Ordered immediately messaged.

11-05. S. Received from Assembly 467

11-05. S. Read first time and referred to committee on Senate Organization 467

11-05. S. Rules suspended to withdraw from committee on Senate Organization and take up 467

11-05. S. Read a second time 467

11-05. S. Ordered to a third reading 467

11-05. S. Rules suspended 468

11-05. S. Senator Moore added as a cosponsor 468

11-05. S. Senator Carpenter added as a cosponsor 468

11-05. S. Senator Darling added as a cosponsor 468

11-05. S. Senator Panzer added as a cosponsor 468

11-05. S. Senator Hansen added as a cosponsor 468

11-05. S. Senator Harsdorf added as a cosponsor 468

11-05. S. Senator Lassa added as a cosponsor 468

11-05. S. Read a third time and concurred in, Ayes 32, Noes 0 468

11-05. S. Ordered immediately messaged 469

11-05. A. Received from Senate concurred in.

**2003
ENROLLED BILL**

03en A-B-392

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 1

03 50238 1

Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic use relaty clause but w/o "and
reducing 9/11"

11/07/03
Date

[Signature]
Enrolling Drafter

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ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2003 ASSEMBLY BILL 592

October 28, 2003 – Offered by JOINT COMMITTEE ON FINANCE.

1 **AN ACT relating to:** supplemental Medical Assistance payments to county, city,
2 town, or village nursing homes.

Analysis by the Legislative Reference Bureau

Under current law, as affected by 2003 Wisconsin Act 33 (the biennial budget act), the amount of Medical Assistance (MA) moneys that the Department of Health and Family Services (DHFS) may pay, under a formula, as supplements to counties, cities, villages, or towns that operate nursing homes, for reduction of operating deficits of the nursing homes, or may pay to care management organizations, is limited to a total of \$37,100,000 in each fiscal year, beginning July 1, 2003.

Also under current law, the MA trust fund (MATF) is composed of all public funds that are related to MA nursing home payments and are transferred to the MATF as the nonfederal share for the purpose of claiming federal MA moneys (commonly called “intergovernmental transfers”); all of the matching moneys received in return under the federal MA program; and, except for specified amounts, all moneys received from monthly assessments on licensed beds of nursing homes and intermediate care facilities for the mentally retarded. Counties, cities, villages, and towns that make intergovernmental transfers for the purpose of claiming federal MA moneys are, in turn, reimbursed by DHFS from the MATF. Remaining amounts in the MATF are expended for numerous purposes related to MA, such as MA benefits, the Badger Care health care program, nursing home rate increases, and supplements to nursing homes operated by counties, cities, villages, or towns to reduce operating deficits.

This substitute amendment requires that, for fiscal years 2003–04 and 2004–05, in addition to the \$37,100,000 MA moneys that DHFS may pay as supplements for nursing homes operated by counties, cities, villages, or towns or as payments to care management organizations, DHFS distribute as nursing home supplements any additional federal MA moneys received as the result of intergovernmental transfers in support of nursing home payments that were not anticipated and budgeted as revenue under the biennial budget act. Further, the substitute amendment prohibits including any of these additional federal MA moneys, if received, in the base of the relevant DHFS appropriation accounts for the purpose of determining the adjusted base funding level for DHFS for fiscal year 2005–06.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1. Nonstatutory provisions.**

2 (1) SUPPLEMENTAL PAYMENTS TO NURSING HOMES. (a) Notwithstanding the
3 limitation under section 49.45 (6u) (am) (intro.) of the statutes on supplemental
4 payments for reduction of operating deficits incurred by nursing homes owned or
5 operated by counties, cities, villages, or towns, in fiscal years 2003–04 and 2004–05,
6 the department of health and family services shall from the appropriation under
7 section 20.435 (4) (w) of the statutes distribute for this purpose, under criteria
8 specified in section 49.45 (6u) (am) 1. to 7. of the statutes, any additional federal
9 Medical Assistance moneys received, based on the funds of counties, cities, villages,
10 and towns that are transferred to the Medical Assistance trust fund, certified under
11 42 CFR 433.51 (b), reimbursed under section 20.435 (4) (wp) of the statutes, and used
12 as the nonfederal share of Medical Assistance funding, that were not anticipated and
13 budgeted as revenue under 2003 Wisconsin Act 33.

14 (b) Any additional federal Medical Assistance moneys received under
15 paragraph (a) may not be included in the base of an appropriation account under
16 section 20.435 (4) of the statutes for the purpose of determining the adjusted base

1 funding level for the department of health and family services for fiscal year
2 2005-06.

3 (END)