



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Added To File: 05/05/2004 (Per: DAK)



☞ The 2003 drafting file for LRB 03-4447/5

has been copied/added to the 2003 drafting file for

LRB 03-4537

☞ The attached 2003 draft was incorporated into the new 2003 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2003 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

☞ This cover sheet was added to rear of the original 2003 drafting file. The drafting file was then returned, intact, to its folder and filed.

2003 DRAFTING REQUEST

Bill

Received: 03/05/2004

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: John Gard (608) 266-3387

By/Representing: Ellen Nowak

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact: DHFS, LFB, DOA

Addl. Drafters:

Subject: Health - medical assistance
Public Assistance - comm. aids

Extra Copies: GMM

Submit via email: YES

Requester's email: Rep.Gard@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Community Aids funds used as state matching funds for federal Medicaid funds

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 03/07/2004	kfollett 03/07/2004		_____			
/1			jfrantze 03/08/2004	_____	lemery 03/08/2004		S&L
/2	dkennedy	kfollett	rschluet	_____	lemery		S&L

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	03/09/2004	03/09/2004	03/09/2004	_____	03/09/2004		
/3	dkennedy 04/01/2004	kfollett 04/01/2004	pgreensl 04/01/2004	_____	lemery 04/01/2004		S&L
/4	dkennedy 04/01/2004	kfollett 04/02/2004	pgreensl 04/02/2004	_____	sbasford 04/02/2004		S&L
/5	dkennedy 04/12/2004	kgilfoy 04/12/2004	pgreensl 04/12/2004	_____ _____ _____	sbasford 04/12/2004	sbasford 05/05/2004 sbasford 05/05/2004	

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Bill

Received: **03/05/2004**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Administration 267-7980**

By/Representing: **Robert Blaine**

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Drafter: **dkennedy**

May Contact: **DHFS, LFB**

Addl. Drafters:

Subject: **Health - medical assistance
Public Assistance - comm. aids**

Extra Copies: **GMM**

Submit via email: **YES**

Requester's email: **robert.blaine@doa.state.wi.us**

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Pre Topic:

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Instructions:

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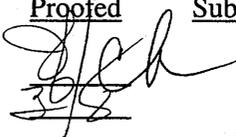
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/?	dkennedy						

FE Sent For:

<END>

Kennedy, Debora

From: Blaine, Robert
Sent: Friday, March 05, 2004 4:12 PM
To: Miller, Steve
Cc: Kennedy, Debora; Johnston, James; Bove, Fredi-Ellen
Subject: Separate legislation drafting request

Importance: High

Director Miller --

Attached are drafting instructions for a piece of separate legislation, which affects Medical Assistance payments for county-provided human services. I recognize that the Reference Bureau is saturated with bill drafts given the nearing end of the session. It is my understanding, however, that LFB is very anxious for this bill to get drafted, that it will likely move very quickly once introduced. Please contact myself or my supervisor, Jim Johnston (266-3420), with any questions or concerns.



NonIGTstatlangonet
ime.doc



nonigtFeb27.doc

Thanks,
Robert Blaine

State Budget Office -- WI Dept. of Administration
608/267-7980
608/267-0372 (fax)
robert.blaine@doa.state.wi.us

**Increasing Federal Medicaid Revenues for Wisconsin:
County Funding Option
Updated February 27, 2004**

Summary: The State of Wisconsin has identified a new option to pay for increased Medicaid payments to certified county-based providers for Medicaid-covered fee-for-service "card" services including personal care, outpatient mental health services, Community Support Program (CSP) services, crisis intervention services, and Prenatal Care Coordination. The increased payments would be provided through an increase in general purpose revenues to the Medicaid appropriation. The State would also decrease Community Aids in 2004 and 2005 to offset the increase in Medicaid payments to counties. The net effect of this option would be budget neutral for each county. State legislation would be required to authorize this option. In addition, the federal position on this option must be determined.

Background:

- ◆ **Status of Pending State Plan Amendment:** The federal Centers for Medicare and Medicaid Services (CMS) has notified Wisconsin that proposed State Plan Amendment (SPA) 03-005 will not be approved as originally proposed because it contained an Intergovernmental Transfer (IGT) provision.
 - The SPA proposed to increase payments through supplemental rates to counties that participate as certified Medicaid providers for community-based covered "card" services, effective Jan. 1, 2003. Under the IGT provision, the State could demand payment from counties if State general purpose revenues (GPR) were not adequate to support the State match for the supplemental rates.
 - CMS has indicated a willingness to approve the amendment if the IGT provision is removed.
 - CMS has also raised concerns regarding the amount of the supplemental rates proposed and the adequacy of documentation maintained by counties.
 - The State "stopped the clock" on the review of this SPA, and has informally proposed a new "non-IGT option."
 - It must be confirmed that CMS will approve this "non-IGT option."
 - CMS has recently clarified that supplemental rate increases must be tied to documented costs, and may not exceed costs.
 - ✓ Based on this guidance, the State now estimates that about \$70 million in additional federal Medicaid revenue may be claimed.
 - ✓ Discussions continue with CMS to assure that the State's proposed methodology to determine and pay cost-based rates would be approved.
 - The State will not seek enabling legislation without written assurance from CMS that all aspects of the new "non-IGT option" will be approved.
- ◆ **Current Source of State Match Remains Unchanged:** Proposed SPA 03-005 would not change the State match requirements currently in place for the base rate for some county-provided Medicaid services. Specifically, local funds would still be required as State match for CSP, crisis intervention, etc.
- ◆ **Changing Federal Policy:** Under federal law, states are permitted to transfer funds between units of government to help support the Medicaid program. Federal law prohibits CMS from limiting states' ability to use IGTs. However, in the last 6 months, CMS has established a new policy to approve no new IGT programs.
- ◆ **Impact on State Budget:** The final 2003-2005 biennial budget assumed that approval of this SPA would result in a net gain to the State of \$66.4 million, resulting from an additional \$83.4 million in federal Medicaid revenue, less \$17.0 million in Community Services Deficit Reduction Benefit (CSDRB) hold harmless payments. The \$17 million CSDRB hold harmless payments (which corresponds to CY03 claims) is a 7% increase over the previous year's CSDRB payments.

Option:

- ◆ If the State wishes to amend its SPA to make receipt of additional federal Medicaid funds possible, it will be necessary to substitute a mechanism for the IGT that provides State match for the federal funds.
- ◆ The State could modify current law to allow for the transfer of funds from Community Aids to the State Medicaid appropriation, as needed, allowing for those transferred funds to be used as State match for supplemental rates paid to counties, and for Medicaid base benefits. The statutory changes would direct the

Department to make supplemental payments to counties. In each county, Community Aids payments would be reduced by an equivalent amount.

- ◆ This approach could be used to achieve a net gain to the State of \$53.3 million (additional federal revenue of \$70.3 million minus \$17 million CSDRB hold harmless payments), which is approximately \$13.1 million less than the budgeted level.
- ◆ How it would work:
 - Under current law, in calendar year (CY) 2004 the State will pay counties approximately \$241.8 million in Community Aids Basic County Allocation (BCA) and \$17 million in CSDRB federal funding, for a total of \$258.8 million. Under the proposal, for CY 2004 and 2005, the State would pay counties \$258.8 million through a combination of Community Aids BCA and Medicaid supplemental payments.
 - Specifically, for calendar years 2004 and 2005 Medicaid supplemental payments to counties would total \$70.4 million and Community Aids BCA payments would equal \$188.4 million, for a total of \$258.8 million per year. If this option were continued in the next biennium, in calendar years 2006 and 2007 Medicaid supplemental payments would total \$47 million, and Community Aids payments would total \$211.8 million, for a total of \$258.8 million per year. The net effect of this option would be budget neutral for each county.
 - If counties billed more services than originally budgeted, their Community Aids allocations would be further reduced to offset the increased Medicaid claims.
 - The Wisconsin Department of Health and Family Services would establish a mechanism to allow for ongoing monitoring and management of fund transfers.
 - Supplemental Medicaid payments would be made to certified county-based Medicaid providers who bill for payments for county-provided services. Base rate payments would be made as they are now, and would be considered interim payments. Final supplemental payments would be made, based on documented and allowable costs for covered services billed, after the State receives final county costs reports as required by the State/ County contract.
 - Supplemental payments would be made for covered services retroactive to Jan. 1, 2003 (the effective date of the SPA). However, counties' Community Aids allocations would not be retroactively adjusted: rather, adjustments would be made in the CY 2004 and 2005 contracts.
 - The current dollar amount of required county match (now set at 9.89% of the Basic Community Allocation) would remain unchanged, and would be defined in a new schedule created by DHFS.
 - State/ Federal requirements for counties would continue to include documentation of counties' expenditures for locally-matched services. However, as a result of heightened federal scrutiny of all government-provided services, CMS has advised the State of its interest in reviewing counties' documentation. It is expected this review will occur regardless of the outcome regarding this SPA.
- ◆ Based on feedback to date from counties, the State would seek to implement this option on a one-time basis this biennium.

Current Statutory Provisions for Funding SPA 03-005

20.435 (4) (hm) *Medical Assistance; supplementary payments to counties.* All moneys received from a county under s. 59.53 (24), to supplement the state share of Medical Assistance Program benefits administered under ss. 46.275, 46.278, and 49.46 (2) (a) 1., 2., and 4.d. and e. and (b) 6. b., c., d., f., fm., j., k., L., and m., 9., 12., 12m., 13., 15., and 16. Notwithstanding s. 20.001 (2) (b) and (3) (b), on dates to be determined by the secretary of administration, amounts equal to amounts received under this paragraph that are in excess of the payments made under this paragraph are transferred to the Medical Assistance trust fund.

25.77 (5) All moneys transferred under s. 20.435 (4) (hm).

59.53 (24) COUNTY PAYMENTS MADE UNDER MEDICAL ASSISTANCE. The board shall, upon demand by the department of health and family services, authorize payment to that department not to exceed any of the following:

(a) *Home and community based services.* For services provided under ss. 46.275 and 46.278 beginning in 2001 and thereafter, any payment made under s. 20.435 (4) (hm), and the portion of the payment made under s. 20.435 (4) (o) for Medical Assistance Program benefits administered under ss. 46.275 and 46.278 that is related to any rates increased for services under s. 46.275 or 46.278 beginning in 2001.

(b) *Alcohol and other drug and mental health prevention and treatment services.* For alcohol and other drug and mental health prevention and treatment services provided under s. 49.46 (2) (a) 1., 2., and 4. d. and e. and (b) 6. b., c., d., f., fm., j., k., L., and m., 9., 12., 12m., 13., 15., and 16. beginning in 2003 and thereafter, any payment made under s. 20.435 (4) (hm), and the portion of the payment made under s. 20.435 (4) (o) as Medical Assistance Program benefits for the services that is related to any rates increased for these services beginning in 2003.

###

**Non-IGT Alternative for Funding SPA 03-005
Proposed Legislation for One-Time Change in 03-05 biennium**

✓ Section 20.435 (4) (hm) is repealed.

20.435(7)(b) is amended to read:

✓ 20.435(7)(b) Community aids. The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22, ~~and~~ for foster care and treatment foster care under s. 49.19 (10) and for Medical Assistance payment adjustments under s. 49.45 (52) and other Medical Assistance payments under s. 49.45. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of

eff. date
of bill?
Yes

services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and family services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

✓ AM; 20.435 (7) (bd)

✓ 25.77 (5) is repealed.
✓ AM; 46.275 (5) (a), (c)
49.45(52) is created to read:

what abt (b) 3-? Emergency transportation (who included in 20.435(4)(hm) off date of bill?

49.45(52) Beginning in 2003, the department may make Medical Assistance payment adjustments to county departments for covered services under s. 49.46 (2) (a) 1., 2., and 4. d. and e. and (b) 6. b., c., d., f., fm., j., k., L., and m., 9., 12., 12m., 13., 15., and 16. Payment adjustments under this subsection, including the state and federal share of such payments, shall be made from the appropriation accounts under s. 20.435 (7) (b) and (bd). The total of any payment adjustments under this subsection and regular Medical Assistance payments may not exceed applicable limitations on payments under 42 USC 1396a (a) (30) (A). A county department under this subsection includes a county department of community programs under s. 51.42 or county department of human services under s. 46.23.

✓ RP; 49.45 (52) 1/1/06
46.40(9)(d) is created to read:

what abt 46.215, 46.22, 51.437 ?

46.40(9)(d) *Payment adjustments for Certain Medicaid Services.* The department may decrease the county's allocation under sub. (2) by the amount of any payment adjustments under s. 49.45 (52) made from the appropriation account under s. 20.435 (7) (b). The total amount of the decrease under this paragraph during any fiscal year may not exceed that part of a county's allocation under sub. (2) that derives from the appropriation under s. 20.435 (7) (b) for that fiscal year.

✓ RP; 46.40 (9) (d) 1/1/06
46.495(1)(d) ~~(d)~~: County Match Requirement
Current language is amended as follows:

"County matching funds are required for the distributions under 46.40(2), (8), and (9)(b). Each county's required match for the distribution under s.46.40(2) shall be set in a schedule established annually by the Department of Health and Family Services. Each county's required match for the distributions under s.46.40(2) and (8) for a year equals 9.89% of the total of the county's distributions under s.46.40(2) and (8) for that year for which match funds are required...."

GMM

✓ AM; 46.495 (1) (d) — Take out changes as of 1/1/06
59.53 (24) is repealed.

Create the following non-statutory language:

Jan 1, 2006

✓ As of ~~December 31, 2005~~, s.49.45(52) and s.46.40(9)(d) are repealed. This provision eliminates the Supplemental MA payments. |

✓ Effective ~~December 31, 2005~~, s.49.45(6t)(b) and Section 9124(8) of 2003 Act 33 are deleted. This provision will require the Department to reinstate payments under s.49.45 (6t)—the Community Services Deficit Reduction Benefit (CSDRB) program— if payments under CSDRB under s.49.45 (6t) have been terminated during any part of the 03-05 biennium.

✗ Funding under s.20.435(7)(b) for the purpose of Community Aids Basic County Allocation under s.46.40(2) for FY06 will be set at half of the FY03 budgeted level and ✓ for FY07 shall be set at the budgeted FY03 level. ?

✓ AM: 46.40(2) + later amend out change 7/1/06

Funding Changes

Will Money be paid directly to MA from (7)(b) unnecessary (NO)

✓ Reduce s.20.435(7)(b) by \$42,906,100 in FY04 and by \$10,436,400 in FY05

✓ Increase s.20.435(4)(b) by \$42,906,100 in FY04 and by \$10,436,400 in FY05.

✓ Increase s. 20.435(4)(o) by \$42,906,100 in FY04 and by \$27,436,400 in FY05

✓ Reduce s.20.435(4)(w) by \$17,000,000 in FY05

3/1 From Freddi Boue: Repeal s.49.45(6tt) and amendment re it that is in s.20.435(4)(w) immediately.

3/6/04 IGT Bill - Questions for Robert Blaine

✓ **yes** ① Eff date for repeal of 20.435(4)(hm)
25.77(5)
59.53(24)?

✓ **Repeal** ② What to do with 46.275(5)(a), (c)?

Delete ②m Why extra language re MA payment in 20.435(7)(b)?

③ 49.45(52) - **Beginning 1/1/03**

NO ④ Why not include 49.46(2)(b)3,
(Emergency transportation); was included
in 20.435(4)(hm)

⑤ Both state + fed share is to be paid
from 20.435(7)(b) **NO** why? Add
(bd)

Include + amend ⑥ Reference to 20.435(7)(bd)(COP) shd
not be included?

Amend (7)(bd)

⑦ County dept - why not include 46.215,
46.22, and (maybe) 51.437? **ok**

⑧ Funding

⑨ 20.435(7)(b) - in FY 06 1/2 of 03
level and in 07 same as 03 level

~~(I don't think I draft this but maybe it needs
to be in new stat)~~

⑩ Why reduce 20.435(7)(b)?
Why increase 20.435(4)(b)?

3/6

Further questions of Robert Blaine

46.495 (1)(d)

① Should ~~the~~ the amt to ~~46.495 (1)(d)~~ be repealed as of 12/31/05?

(Yes)

② s.46.40 (2) amount referred to by DHS to be reduced by 1/2 for FY 05-06: what number is this? The former 02-03 figure or that specified in s.46.40 (2), as affected by 2003 Act 33, for each fiscal year? (Difference is \$2 mill.)

Ans. The number specified under Act 33:

\$242,078,700.



MONDAY 10:00
State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-4447/1
DAK: [Signature]

D-NOTE

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

Ben Reegen

- 1 AN ACT ...; relating to: Medical Assistance Program, Community Aids Program,
- 2 and Long-Term Support Community Options Program funding and programs
- 3 and making appropriations.

Analysis by the Legislative Reference Bureau

Under current law, Medical Assistance (MA) is a joint federal-state program administered by the Department of Health and Family Services under which persons with low income and few assets are provided health care services. The health care service providers are reimbursed for their services by a combination of state general purpose revenues, state segregated revenue from the MA trust fund, and federal Medicaid matching moneys.

up.
comma
stay

Currently, under the Community Aids Program, DHFS distributes to county departments of social services, human services, community programs, and developmental disabilities services moneys for community social, mental health, developmental disabilities, alcohol and other drug abuse services, and other services, including child abuse and neglect and unborn child abuse services and Alzheimer's family and caregiver support services. Moneys for the Community Aids Program are provided from, among other sources, state general purpose revenues, county revenues, and federal moneys under the federal social services block grant, converted Temporary Assistance for Needy Families block grant moneys, and moneys under Title IV-B of the federal Social Security Act.

X

Currently, the Long-Term Support Community Options Program (COP) provides functionality assessments of, and home and community-based care to, among others, elderly and disabled persons as an alternative to institutionalized

care. One part of COP (often referred to as COP-Regular) is funded by state general purpose revenues and the other part (often referred to as COP-Waiver) is funded jointly by federal Medicaid and state Medical Assistance moneys under a waiver of federal Medicaid laws.

Under current law under 2003 Wisconsin Act 33 (the biennial budget act), an appropriation account of program revenue was created to provide supplemental MA program benefits for numerous services and to receive moneys that were required, under the biennial budget act, to be paid by counties as part of intergovernmental transfer claims for federal Medicaid matching moneys.

Also under current law under the biennial budget act, the community services deficit reduction benefit (CSDRB), under which counties and local health departments can claim federal Medicaid matching funds to cover costs for MA services provided that are not fully reimbursed, was made inapplicable if increased federal Medicaid matching funds through the use of intergovernmental transfers were approved before July 1, 2005. Any county or local health department that received a CSDRB distribution after 2002 would be required to return the distribution to DHFS. However, moneys from the MA trust fund were required to provide payments to county departments and local health departments to hold them harmless from the elimination of the CSDRB.

This bill authorizes DHFS, beginning on January 1, 2003, to make, from the general purpose revenue appropriation accounts for the Community Aids Program and COP, MA payment adjustments to county departments of social services, human services, and community programs for MA services. The MA services for which this funding is provided include physician services; early and periodic screening and diagnosis; home health services; laboratory and X-ray services; physician and occupational therapy; speech, hearing, and language disorder services; medical supplies and equipment; medical day treatment services; mental health and alcohol and other drug abuse services; personal care services; respiratory care services; care coordination for high-risk pregnancies; prenatal, postpartum, and young child care coordination; lead poisoning and lead exposure services; mental health crisis intervention services; and certain case management services. The bill decreases the basic county allocation under the Community Aids Program for fiscal year 2005-06, decreases the Community Aids Program general purpose revenues appropriation for fiscal years 2003-04 and 2004-05, and increases the MA general purpose revenues appropriation by like amounts for the same fiscal years. X

The bill eliminates the appropriation account of program revenue created under the biennial budget act to supplement MA program benefits, eliminates the requirements for counties to make payments to DHFS for inclusion in that appropriation account, and eliminates the designation of moneys transferred from that appropriation account to the MA trust fund.

The bill eliminates the allocation of moneys from the MA trust fund to hold county departments and local health department harmless for the loss of moneys under the elimination of the CSDRB and reduces the MA trust fund by \$17,000,000 for fiscal year 2004-05. As of January 1, 2006, the bill also eliminates provisions that would have made the CSDRB inapplicable if increased federal Medicaid matching X

FE-S/L

funds through the use of intergovernmental transfers had been approved, and restores the CSDRB.

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

1 SECTION 1. 20.435 (4) (hm) of the statutes, as created by 2003 Wisconsin Act
2 33, is repealed.

3 SECTION 2. 20.435 (4) (w) of the statutes, as affected by 2003 Wisconsin Act 33,
4 is amended to read:

5 20.435 (4) (w) *Medical Assistance trust fund.* From the Medical Assistance
6 trust fund, biennially, the amounts in the schedule for meeting costs of medical
7 assistance administered under ss. 46.27, 46.275 (5), 46.278 (6), 46.283 (5), 46.284 (5),
8 49.45, and 49.472 (6), ~~for providing distributions under s. 49.45 (6tt)~~, and for
9 administrative costs associated with augmenting the amount of federal moneys
10 received under 42 CFR 433.51.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33.

11 SECTION 3. 20.435 (7) (b) of the statutes is amended to read:

12 20.435 (7) (b) *Community aids and Medical Assistance payment adjustments.*
13 The amounts in the schedule for human services under s. 46.40, to fund services
14 provided by resource centers under s. 46.283 (5), for services under the family care
15 benefit under s. 46.284 (5), for reimbursement to counties having a population of less
16 than 500,000 for the cost of court attached intake services under s. 48.06 (4), for
17 shelter care under ss. 48.58 and 938.22 and, for foster care and treatment foster care
18 under s. 49.19 (10), and for Medical Assistance payment adjustments under s. 49.45

1 (52). Social services disbursements under s. 46.03 (20) (b) may be made from this
 2 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)
 3 for the provision of services for which moneys are appropriated under this paragraph
 4 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and
 5 20.002 (1), the department of health and family services may transfer funds between
 6 fiscal years under this paragraph. The department shall deposit into this
 7 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior
 8 year audit adjustments including those resulting from audits of services under s.
 9 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward
 10 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all
 11 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each
 12 year shall lapse to the general fund on the succeeding January 1 unless carried
 13 forward to the next calendar year by the joint committee on finance.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33.

14 **SECTION 4.** 20.435 (7) (b) of the statutes, as affected by 2003 Wisconsin Act

15 (this act), is amended to read:

16 20.435 (7) (b) *Community aids and Medical Assistance payment adjustments.*

17 The amounts in the schedule for human services under s. 46.40, to fund services
 18 provided by resource centers under s. 46.283 (5), for services under the family care
 19 benefit under s. 46.284 (5), for reimbursement to counties having a population of less
 20 than 500,000 for the cost of court attached intake services under s. 48.06 (4), for
 21 shelter care under ss. 48.58 and 938.22, and for foster care and treatment foster care
 22 under s. 49.19 (10), ~~and for Medical Assistance payment adjustments under s. 49.45~~

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1 (52). Social services disbursements under s. 46.03 (20) (b) may be made from this
 2 appropriation. Refunds received relating to payments made under s. 46.03 (20) (b)
 3 for the provision of services for which moneys are appropriated under this paragraph
 4 shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and
 5 20.002 (1), the department of health and family services may transfer funds between
 6 fiscal years under this paragraph. The department shall deposit into this
 7 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior
 8 year audit adjustments including those resulting from audits of services under s.
 9 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward
 10 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all
 11 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each
 12 year shall lapse to the general fund on the succeeding January 1 unless carried
 13 forward to the next calendar year by the joint committee on finance.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33.

14 SECTION 5. 20.435 (7) (bd) of the statutes is amended to read:

15 20.435 (7) (bd) *Community options program; pilot projects; family care benefit;*
 16 Medical Assistance payment adjustments. The amounts in the schedule for
 17 assessments, case planning, services, administration and risk reserve escrow
 18 accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services
 19 provided by resource centers under s. 46.283 (5), for services under the family care
 20 benefit under s. 46.284 (5) and, for the payment of premiums under s. 49.472 (5), and
 21 for Medical Assistance payment adjustments under s. 49.45 (52). If the department
 22 transfers funds to this appropriation from the appropriation account under sub. (4)

1 (b), the amounts in the schedule for the fiscal year for which the transfer is made are
 2 increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).
 3 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this
 4 paragraph transfer moneys between fiscal years. Except for moneys authorized for
 5 transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under
 6 this appropriation that are allocated under s. 46.27 and are not spent or encumbered
 7 by counties or by the department by December 31 of each year shall lapse to the
 8 general fund on the succeeding January 1 unless transferred to the next calendar
 9 year by the joint committee on finance.

c (7) & B AUTO RES
 History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33.

10 SECTION 6. 20.435 (7) (bd) of the statutes, as affected by 2003 Wisconsin Act

11 (this act), is amended to read:

12 20.435 (7) (bd) *Community options program; pilot projects; family care benefit;*
 13 ~~Medical Assistance payment adjustments.~~ The amounts in the schedule for
 14 assessments, case planning, services, administration and risk reserve escrow
 15 accounts under s. 46.27, for pilot projects under s. 46.271 (1), to fund services
 16 provided by resource centers under s. 46.283 (5), for services under the family care
 17 benefit under s. 46.284 (5), and for the payment of premiums under s. 49.472 (5), ~~and~~
 18 ~~for Medical Assistance payment adjustments under s. 49.45 (52).~~ If the department
 19 transfers funds to this appropriation from the appropriation account under sub. (4)
 20 (b), the amounts in the schedule for the fiscal year for which the transfer is made are
 21 increased by the amount of the transfer for the purposes specified in s. 49.45 (6v).
 22 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may under this

1 paragraph transfer moneys between fiscal years. Except for moneys authorized for
2 transfer under this appropriation or under s. 46.27 (7) (fm) or (g), all moneys under
3 this appropriation that are allocated under s. 46.27 and are not spent or encumbered
4 by counties or by the department by December 31 of each year shall lapse to the
5 general fund on the succeeding January 1 unless transferred to the next calendar
6 year by the joint committee on finance.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33.

7 **SECTION 7.** 25.77 (5) of the statutes, as created by 2003 Wisconsin Act 33, is
8 repealed.

9 **SECTION 8.** 46.275 (5) (a) of the statutes, as affected by 2003 Wisconsin Act 33,
10 is amended to read:

11 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
12 department under sub. (3r), provides under this program is available from the
13 appropriation accounts under s. 20.435 (4) (b), (gp), (~~hm~~), (o), and (w). If 2 or more
14 counties jointly contract to provide services under this program and the department
15 approves the contract, Medical Assistance reimbursement is also available for
16 services provided jointly by these counties.

History: 1983 a. 27; 1985 a. 29 ss. 896b to 896L, 3202 (23); 1985 a. 120, 176; 1987 a. 27; 1987 a. 161 s. 13m; 1987 a. 186; 1989 a. 31; 1993 a. 16; 1995 a. 27, 77; 1997 a. 27, 114; 1999 a. 9; 2001 a. 16; 2003 a. 33.

17 **SECTION 9.** 46.275 (5) (c) of the statutes, as affected by 2003 Wisconsin Act 33,
18 is amended to read:

19 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (gp), (~~hm~~), (o), and (w)
20 to counties and to the department under sub. (3r) for services provided under this
21 section may not exceed the amount approved by the federal department of health and

1 human services. A county may use funds received under this section only to provide
 2 services to persons who meet the requirements under sub. (4) and may not use
 3 unexpended funds received under this section to serve other developmentally
 4 disabled persons residing in the county.

History: 1983 a. 27; 1985 a. 29 ss. 896b to 896L, 3202 (23); 1985 a. 120, 176; 1987 a. 27; 1987 a. 161 s. 13m; 1987 a. 186; 1989 a. 31; 1993 a. 16; 1995 a. 27, 77; 1997 a. 27, 114; 1999 a. 9; 2001 a. 16; 2003 a. 33.

5 **SECTION 10.** 46.40 (2) of the statutes, as affected by 2003 Wisconsin Act 33, is
 6 amended to read:

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D

7 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
 8 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
 9 more than \$242,078,700 in each fiscal year, except that, for fiscal year 2005-06, the
 10 department shall distribute not more than \$121,039,350.

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292; 1999 a. 9, 185; 2001 a. 16; 2003 a. 33.

11 **SECTION 11.** 46.40 (2) of the statutes, as affected by 2003 Wisconsin Act (this
 12 act), is amended to read:

13 46.40 (2) BASIC COUNTY ALLOCATION. Subject to sub. (9), for social services under
 14 s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall distribute not
 15 more than \$242,078,700 in each fiscal year, ~~except that, for fiscal year 2005-06, the~~
 16 ~~department shall distribute not more than \$121,039,350.~~

History: 1987 a. 27, 399, 405; 1989 a. 31, 122, 336; 1991 a. 6, 39, 189, 269, 275, 315; 1993 a. 16, 437, 446; 1995 a. 27, 275, 303, 404; 1997 a. 27, 35, 237, 292; 1999 a. 9, 185; 2001 a. 16; 2003 a. 33.

17 **SECTION 12.** 46.40 (9) (d) of the statutes is created to read:

18 46.40 (9) (d) *Payment adjustments for certain Medical Assistance services.* The
 19 department may decrease a county's allocation under sub. (2) by the amount of any
 20 payment adjustments under s. 49.45 (52) made for that county from the
 21 appropriation account under s. 20.435 (7) (b). The total amount of the decrease for
 22 a county under this paragraph during any fiscal year may not exceed that part of the

1 county's allocation under sub. (2) that derives from the appropriation account under
2 s. 20.435 (7) (b) for that fiscal year.

3 SECTION 13. 46.40 (9) (d) of the statutes, as created by 2003 Wisconsin Act
4 (this act), is repealed.

5 SECTION 14. 46.495 (1) (d) of the statutes is amended to read:

6 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b) and
7 (o), the department shall distribute the funding for social services, including funding
8 for foster care or treatment foster care of a child on whose behalf aid is received under
9 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided
10 under s. 46.40. County matching funds are required for the distributions under s.
11 46.40 (2), (8), and (9) (b). Each county's required match for the ~~distributions~~
12 distribution under s. 46.40 (2) and shall be specified in a schedule established
13 annually by the Department of Health and Family Services. Each county's required
14 match for the distribution under s. 46.40 (8) for a year equals 9.89% of the total of
15 the county's distributions under s. 46.40 (2) and (8) for that year for which matching
16 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
17 stats., to spend for juvenile delinquency-related services from its distribution for
18 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
19 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
20 that year. Matching funds may be from county tax levies, federal and state revenue
21 sharing funds, or private donations to the county that meet the requirements
22 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
23 match. If the county match is less than the amount required to generate the full
24 amount of state and federal funds distributed for this period, the decrease in the

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1 amount of state and federal funds equals the difference between the required and the
2 actual amount of county matching funds.

History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 a. 3, 27, 252; 1999 a. 9; 2001 a. 16.

3 **SECTION 15. 46.495 (1) (d)** of the statutes, as affected by 2003 Wisconsin Act
4 (this act), is amended to read:

5 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b) and
6 (o), the department shall distribute the funding for social services, including funding
7 for foster care or treatment foster care of a child on whose behalf aid is received under
8 s. 46.261, to county departments under ss. 46.215, 46.22, and 46.23 as provided
9 under s. 46.40. County matching funds are required for the distributions under s.
10 46.40 (2), (8), and (9) (b). Each county's required match for the ~~distribution~~
11 ~~distributions~~ under s. 46.40 (2) shall be specified in a schedule established annually
12 by the department of Health and Family Services. Each county's required match for
13 the ~~distribution~~ under s. 46.40 and (8) for a year equals 9.89% of the total of the
14 county's distributions under s. 46.40 (2) and (8) for that year for which matching
15 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
16 stats., to spend for juvenile delinquency-related services from its distribution for
17 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
18 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
19 that year. Matching funds may be from county tax levies, federal and state revenue
20 sharing funds, or private donations to the county that meet the requirements
21 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
22 match. If the county match is less than the amount required to generate the full
23 amount of state and federal funds distributed for this period, the decrease in the

1 amount of state and federal funds equals the difference between the required and the
2 actual amount of county matching funds.

3 History: 1995 a. 27 ss. 3129, 3132, 3135 to 3139; 1995 a. 289, 404; 1997 X 3, 27, 252; 1999 a. 9; 2001 a. 16.

3 SECTION 16. 49.45 (6t) (a) of the statutes, as affected by 2001 Wisconsin Act 16
4 and 2003 Wisconsin Act 33, is renumbered 49.45 (6t).

5 SECTION 17. 49.45 (6t) (b) of the statutes, as created by 2003 Wisconsin Act 33,
6 is repealed.

7 SECTION 18. 49.45 (6tt) of the statutes, as created by 2003 Wisconsin Act 33,
8 is repealed.

9 SECTION 19. 49.45 (52) of the statutes is created to read:

10 49.45 (52) PAYMENT ADJUSTMENTS. Beginning on January 1, 2003, the
11 department may, from the appropriation accounts under s. 20.435 (7) (b) and (bd),
12 make Medical Assistance payment adjustments to county departments under s.
13 46.215, 46.22, 46.23, or 51.42, as appropriate, for covered services under s. 49.46 (2)
14 (a) 1., 2., and 4. d. and e. and (b) 6. b., c., d. f., fm., j., k., L., and m., 9., 12., 12m., 13.,
15 15., and 16. Payment adjustments under this subsection shall include the state
16 share of the payments. The total of any payment adjustments under this subsection
17 and Medical Assistance payments made from appropriation accounts under s. 20.435
18 (4) (b), (gp), (o), and (w) may not exceed applicable limitations on payments under 42
19 USC 1396a (a) (30) (A).

20 SECTION 20. 49.45 (52) of the statutes, as created by 2003 Wisconsin Act (this
21 act), is repealed.

22 SECTION 21. 59.53 (24) of the statutes, as created by 2003 Wisconsin Act 33, is
23 repealed.

24 SECTION 22. 2003 Wisconsin Act 33, section 9124 (8) is repealed.

1 **SECTION 23. Appropriation changes.**

2 (1) ~~COMMUNITY AIDS PROGRAM DECREASE~~ ^{OK}. In the schedule under section 20.005
3 (3) of the statutes for the appropriation to the department of health and family
4 services under section 20.435 (7) (b) of the statutes, as affected by the acts of 2003,
5 the dollar amount is decreased by \$42,906,100 for fiscal year 2003-04 and the dollar
6 amount is decreased by \$10,436,400 for fiscal year 2004-05 for the purposes for
7 which the appropriation is made.

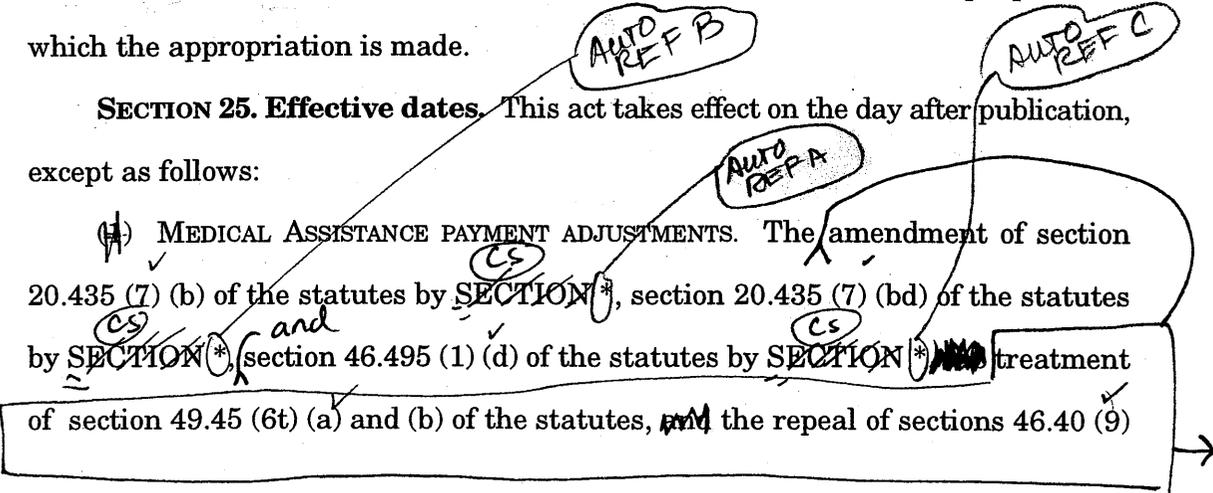
8 (2) ~~MEDICAL ASSISTANCE PROGRAM INCREASE~~. In the schedule under section
9 20.005 (3) of the statutes for the appropriation to the department of health and family
10 services under section 20.435 (4) (b) of the statutes, as affected by the acts of 2003,
11 the dollar amount is increased by \$42,906,100 for fiscal year 2003-04 and the dollar
12 amount is increased by \$10,436,400 for fiscal year 2004-05 for the purposes for which
13 the appropriation is made.

14 ~~**SECTION 24. Appropriation changes.**~~

15 (1) ~~MEDICAL ASSISTANCE TRUST FUND~~. In the schedule under section 20.005 (3)
16 of the statutes for the appropriation to the department of health and family services
17 under section 20.435 (4) (w) of the statutes, as affected by the acts of 2003, the dollar
18 amount is decreased by \$17,000,000 for fiscal year 2004-05 to for the purposes for
19 which the appropriation is made.

20 **SECTION 25. Effective dates.** This act takes effect on the day after publication,
21 except as follows:

22 (1) ~~MEDICAL ASSISTANCE PAYMENT ADJUSTMENTS~~. The amendment of section
23 20.435 (7) (b) of the statutes by ~~SECTION~~ ^{CS}, section 20.435 (7) (bd) of the statutes
24 by ~~SECTION~~ ^{CS} and section 46.495 (1) (d) of the statutes by ~~SECTION~~ ^{CS} ~~and~~ treatment
25 of section 49.45 (6t) (a) and (b) of the statutes, ~~and~~ the repeal of sections 46.40 (9)



and
the
more

1 ← (d) and 49.45 (52) of the statutes and SECTION 9124 (8) of 2003 Wisconsin Act 33
2 take effect on December 31, 2005.

3 (2) BASIC COUNTY ALLOCATION. The amendment of section 46.40 (2) of the
4 statutes by SECTION* takes effect on July 1, 2006.

5 (END)

AUDREF
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