

## 2005 DRAFTING REQUEST

### Bill

Received: **08/25/2004**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Peggy Krusick (608) 266-1733**

By/Representing: **Herself**

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

Drafter: **dkennedy**

May Contact: **Board on Aging and Long-Term Car**

Addl. Drafters:

Subject: **Health - long-term care  
Health - medical assistance  
Health - facility licensure**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to: **robin.ryan@legis.state.wi.us**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Long-term care changes

---

### Instructions:

Combine 05-0029, 05-0030, 05-0032, 05-0034, 05-1701 and -05-2109

---

### 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>
/?				_____			S&L
/1	dkennedy 02/17/2005	wjackson 02/20/2005	rschluet 02/21/2005	_____	lnorthro 02/21/2005		S&L
/2	dkennedy 03/01/2005	wjackson 03/02/2005	rschluet 03/02/2005	_____	lnorthro 03/02/2005		S&L
/3	dkennedy	wjackson	rschluet	_____	sbasford		S&L

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	09/23/2005	09/27/2005	09/27/2005	_____	09/27/2005		
/4	dkennedy 12/01/2005	lkunkel 12/02/2005	pgreensl 12/02/2005	_____	sbasford 12/02/2005	mbarman 03/14/2006	S&L

FE Sent For: 03/02/2005, .

"/2"



old version

<END>

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/3	dkennedy	wjackson	rschluet	_____	sbasford		S&L

*Handwritten signatures and initials:*  
A large signature, possibly "OB", is written over the "Typed" column for version /3.  
Another signature, possibly "RS", is written over the "Proofed" column for version /3.

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	09/23/2005	09/27/2005	09/27/2005	_____	09/27/2005		

4 mks 1 3/2

FE Sent For: **03/02/2005**, .

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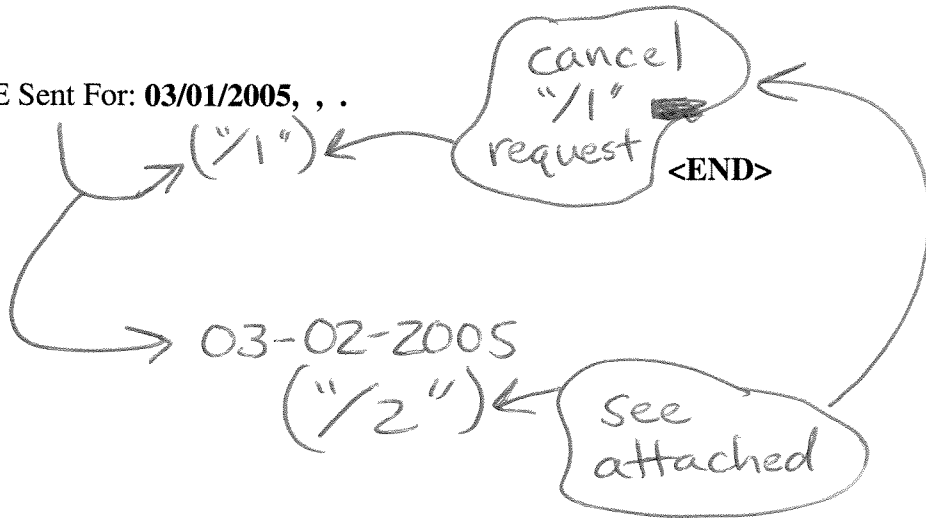
**Drafting History:**

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*13 wj 9/27*

*[Handwritten signature and initials]*  
*P6*

FE Sent For: 03/01/2005, , .





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Received: 08/25/2004

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Herself

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact: Board on Aging and Long-Term Car

Addl. Drafters:

Subject: Health - long-term care
Health - medical assistance
Health - facility licensure

Extra Copies:

Submit via email: YES

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

Carbon copy (CC:) to: robin.ryan@legis.state.wi.us

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Instructions:

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Drafting History:

Table with 8 columns: Vers., Drafted, Reviewed, Typed, Proofed, Submitted, Jacketed, Required. Row 1: /?, /1, dkennedy, wjackson, rschluet, Inorthro, S&L, S&L.

FE Sent For:

Handwritten notes: 4/1", 3/1/05

Handwritten signatures and initials: DP6, 3, 25, <END>

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Health - facility licensure**

Extra Copies: **RLR**

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Long-term care changes

---

**Instructions:**

Combine 05-0029 to 05-0034

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**Drafting History:**

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/?	dkennedy		<i>Compd 2-17-05 eh</i>	<i>Proof 2/17/05</i>			S&L

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Carbon copy (CC:) to:

---

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No specific pre topic given

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**Topic:**

Long-term care changes

---

**Instructions:**

Combine 05-0029 to 05-0034

*Also ; Robin Ryan's 0521*

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	dkennedy			_____			
				_____			

FE Sent For:

<END>

Make effective day after enactment  
of budget act

8/10/04 Mtg. w/ Rep Keneick  
Dick Sweet, George Potvarcke, Tom Frasier, Charlie Morgan, Jessica  
Staller,

① Redraft 03-0290/6

② " 03-0284/2 - NH Staffing ratios

③ - fit & qualified - was amendment  
looks at char. of owners + Pettis'  
fiscal stability bill AB 842  
+ conditional license provision  
George will provide

④ Pope-Roberts Money follows person - was taken out of  
AB 920 - life home  
George - NHs want to be the case managers for the money

⑤ Senior Care for disabled  
under 65 - Charlie: wd cost dozens of millions  
Charlie - Senior Care for 1/2006 - operates under MA waiver  
right now

Medicare - MA benefits will no longer have MA drug coverage -  
will go on Medicare - Part B<sup>D?</sup> as of 1/1/06

CM will do fiscal report on before draft request is  
made

⑥ Reduce deductible for Senior Care to \$650; is now  
~~\$850~~ \$850

~~Add request?~~

~~Report from DHS to legis?~~

⑦ MA discrimination 03-0281

MA certified facil - can be avail to MA or priv. pay  
Medicare-certified beds can only serve Medicare pts

Tom Frasier ⑧ St drivers license <sup>for everyone</sup> 4 yrs. instead of 8 yrs  
(see Wasserman's bill) -  
Group will talk together

⑨ legal services benefit specialist program  
CWAG (Fraser): legal backup for 65/72 cos.  
Need \$ for services  
Supervision

Tom will give Charlie M. a proposal  
Cos now do not have 1 full-time Ben spec  
Perhaps fund

CWAG ⑩ MA - possible \$ from cigarette tax  
Tax on cigs: .85/pack = \$300 mil. Current def is \$215-220 mil.

George ⑪ Expand BOALTC volunteers - 6cos in SE  
Civil monetary penalty fund  
(CMP) Central Fox River Valley

Amnt to AB 8+2 - ~~will~~ introduce as our bill  
(makes assessment avail for BOALTC expand)

Rep Krasick ⑫ 100.13? 100.31 Imp. price discrimination  
Must charge everyone same price, but can have  
volume discounts - need clarifying language  
Dick Sweet familiar w/ this - DATCP putting out white  
paper - Frasier has differing legal opinion on whether can enforce the law

9/3/04 From Rip Krusick

Request concerning elderly benefit specialists and  
legal services should specify:

\$750,000 elderly ben. specs  
250,000 legal services

Krusick proposals

**Kennedy, Debora**

**From:** Rep.Krusick  
**Sent:** Wednesday, September 01, 2004 12:15 PM  
**To:** Kennedy, Debora  
**Subject:** Bill drafting request (long-term care package)

as of 10/3,  
this request  
is on hold.

Debora,

As discussed at our meeting of August 10, please draft the following legislation as one Assembly bill for the 2005-06 session. At this point, the only addition will be a provision relating to the benefit specialists program. Draft language is being prepared.

- ✓-Life Lease (2003 AB 920) -0032
- ✓-Fit and Qualified (AA2 to 2003 AB 842) -0031  
*22459*
- ✓-Nursing Home Staffing (2003 AB 192) - 0030
- ✓-Ombudsmen in Residential Care Apartment Complexes (2003 AB 644) - 0029
- ✓-Medicaid Discrimination (2003 AB 241) -0034
- ✓-Nursing Home Forfeitures (2003 AB 842 as amended by AA1) *22459* - 0516
- ✓-Extending SeniorCare coverage to the disabled (2003 SB 114). Remove cigarette tax increase provision.
- ✓-Reducing SeniorCare deductible from \$850 to \$650. - 0033

RLE

Thanks. Just call with any questions.

Peggy  
6-1733



George: elin J 132

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paper - Frasier has differing legal opinion on whether can enforce the law

## **Krusick 2005 Aging Initiatives**

---

### **Ombudsmen in Residential Care Apartment Complexes (AB 644)**

- \$12 annual fee for each apartment
- RCAC residents get same rights as residents of nursing homes and CBRFs
- Each complex must post these rights in a prominent place and provide appropriate staff training to implement each resident's rights.

### **Nursing Home Staffing (AB 192)**

- Convert from *hours* per resident day to a *ratios* of caregivers to residents for each work shift
- DHFS reports on:
  - (1) methods nursing homes can use to better recruit and retain caregivers;
  - (2) proposed new minimum nursing home staffing ratios that facilitate the highest quality resident care and maximize access to such care;
  - (3) a proposed new nursing home reimbursement formula that advance caregiver wages and benefits.
- Annual Audit Bureau report for each nursing home on wages, benefits, usage of pool help, staff turnover, total revenue and expenses, staff training, code violations and other related information.

### **Fit and Qualified (AA2 to AB 842)**

- All long term care providers would be held to F & Q standards at initial license application and periodically throughout lifetime of license.
- Financial
  - Fiscal reserves should be sufficient to support a facility's needs for one year. (Currently nursing homes must have 6 months of financial reserves).
  - Regulators allowed to identify and follow links between local facilities and any parent corporations.

#### Ownership

- Includes all individual and corporate owners, regardless of where they're located.
- Out-of-state corporate owners must have operating unit located in Wisconsin in order to operate a facility.
- Requirements for owners should be created to ensure that they are of good character and professional competence.

#### Conditional license

- Period of heightened scrutiny increased from 12 to 30 months. Conditional licenses may be extended for only one additional term. (Currently there's no limit on license extensions). Conditional licenses are imposed for quality or fiscal concerns.

#### Pattern of noncompliance

- Exists when more than 25% of facilities owned by a corporation have fiscal problems or provide substandard care.

### **Life Lease (AB 920)**

- Enhanced CIP II (Community Integration Program) funds follow nursing home resident from facility to community.
- Currently these enhanced CIP funds are only available if the program participant's nursing home bed is closed. The bill eliminates this requirement.
- Saves state Medicaid budget (GPR) almost \$700,000 for 2005 b/c community care is about \$33 cheaper a day per recipient.

## Kennedy, Debora

---

**From:** Moran, Christian  
**Sent:** Monday, February 07, 2005 11:54 AM  
**To:** Kennedy, Debora  
**Subject:** Long term care package

Debora,

As we discussed this morning, here are the bill draft numbers that Peggy would like to be included in LRB-0035, the long term care changes bill draft:

LRB--0029/1  
--0030/1  
--0032/1  
--0034/1  
--1701/? (still being drafted by you)

I think Peggy may also want to include a provision that would create a quality improvement grant program for nursing homes, similar to the provision that was in 2003 AB 842. I still need to discuss this issue with her in more detail.

Thanks,

Christian

*2/7/05 Also: from Christian:  
try to make the relating clause broad*

*2/15/05 From Christian:  
add -2109 to the compile*

2/16/05

Caroline :

Could you please compile the  
following bills: under LRB 05-0035

0029

0030

0032

0034

1701

2109

They have differing effective dates and  
the nonstat provisions are not in the  
9000 numbering. I will have to fix after  
the compile is made.

Thanks very much.

DAK

Enter *Latest* Date to retrieve in This Inline Component -> **01/01/2020**

Specify whether you'd like to receive *submitted* proposals only (e.g. **Yes/No**) **No**

---

05-0029

05-0030

05-0032

05-0034

05-1701

05-2109

## Sorted Item List

<u>Store File Name</u>	<u>Text</u>
-0030.1	13.94 (12) of the statutes is created to read:
-0029.1	16.009 (1) (em) 7. of the statutes is created to read:
-0029.2	20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:
-0029.3	20.432 (1) (gt) of the statutes is created to read:
-0034.1	46.27 (11) (c) 9. of the statutes is created to read:
-0034.2	46.275 (5) (b) 8. of the statutes is created to read:
-0032.1	46.277 (1) of the statutes is amended to read:
-0032.2	46.277 (1m) (a) of the statutes is renumbered 46.277 (1m) (ak).
-0032.3	46.277 (1m) (ag) of the statutes is created to read:
-0032.4	46.277 (2) (intro.) of the statutes is amended to read:
-0032.5	46.277 (3) (a) of the statutes is amended to read:
-0032.6	46.277 (3) (b) 1. of the statutes is amended to read:
-0032.7	46.277 (3) (b) 2. of the statutes is amended to read:
-0032.8	46.277 (4) (a) of the statutes is amended to read:
-0032.9	46.277 (4) (b) of the statutes is amended to read:
-0032.10	46.277 (4) (c) of the statutes is created to read:
-0032.11	46.277 (5) (g) of the statutes is amended to read:
-0034.3	46.277 (5) (h) of the statutes is created to read:
-0032.12	46.277 (5g) (a) of the statutes is amended to read:
-1701.1	48.685 (2) (am) 2g. of the statutes is created to read:
-1701.2	48.685 (2) (am) 2r. of the statutes is created to read:
-1701.3	48.685 (2) (b) 1. bg. of the statutes is created to read:
-1701.4	48.685 (2) (b) 1. br. of the statutes is created to read:
-0030.2	49.45 (6m) (a) 3m. of the statutes is created to read:
-0030.3	49.45 (6m) (a) 4m. of the statutes is created to read:
-0030.4	49.45 (6m) (a) 6. of the statutes is created to read:
-0030.5	49.45 (6m) (m) of the statutes is created to read:
-0034.4	49.498 (6) (a) of the statutes is amended to read:
-0034.5	49.498 (7) (a) of the statutes is renumbered 49.498(7) (am).

-0034.6	49.498 (7) (ag) of the statutes is created to read:
-0034.7	49.498 (7) (am) 6. of the statutes is created to read:
-0034.8	49.498 (7) (am) 7. of the statutes is created to read:
-0034.9	49.498 (7) (b) (intro.) of the statutes is amended to read:
-0030.6	50.02 (2) (bn) of the statutes is amended to read:
-0029.4	50.034 (3) (e) of the statutes is created to read:
-0029.5	50.034 (9) of the statutes is created to read:
-0030.7	50.04 (2) (d) of the statutes is repealed.
-0030.8	50.04 (2) (e) of the statutes is created to read:
-1701.5	50.065 (2) (am) 2g. of the statutes is created to read:
-1701.6	50.065 (2) (am) 2r. of the statutes is created to read:
-1701.7	50.065 (2) (b) 1g. of the statutes is created to read:
-1701.8	50.065 (2) (b) 2r. of the statutes is created to read:
-0029.6	50.09 (title) of the statutes is amended to read:
-0029.7	50.09 (1) of the statutes is renumbered 50.09 (1m), and 50.09 (1m) (intro.), (b), (c), (e), (f) 1. and 3., (g), (j) (intro.) and 2. (intro.) and a. and (L), as renumbered, are amended to read:
-0029.8	50.09 (1g) of the statutes is created to read:
-0029.9	50.09 (2), (4) and (5) of the statutes are amended to read:
-0029.10	50.09 (6) (a), (b) and (d) of the statutes are amended to read:
-0030.9	Nonstatutory provisions.
-0030.10	Effective dates. This act takes effect on the day after publication, except as follows:
-0029.11	Nonstatutory provisions; board on aging and long-term care.
-0029.12	Nonstatutory provisions; health and family services.
-0029.13	Initial applicability.
-0029.14	Effective date.
-2109.9121	Nonstatutory provisions; health and family services.



# RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman (or Lynn E. in his absence)

(Request Made By: DAK) (Date: 2 / 21 / 05)



Please transfer the drafting file for  
~~2001~~ <sup>2003</sup> LRB \_\_\_\_\_ to the drafting file  
for **2003 LRB** \_\_\_\_\_

The final version of the 2001 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2001 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2001 draft was incorporated into a 2003 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2003 drafting file. This request form will be inserted into the "guts" of the 2003 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

— OR —

Please copy the drafting file for  
~~2001~~ <sup>2005</sup> LRB \_\_\_\_\_ / \_\_\_\_\_ (include the version) and place it in the

drafting file for **2003 LRB** 0035

For research purposes, because the original 2003 draft was incorporated into another 2003 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2003 drafting file. This request form will be inserted into the "guts" of the new 2003 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

- 0029,  
- 0030,  
- 0032,  
- 0034,  
- 1701, and  
- 2109