

2005-2006  
2003-2004 LEGISLATURE

2005-2006  
2003-2004 LEGISLATURE

0034/1  
LRB-02871  
DAK/jld/skw

KEEP

## 2003 ASSEMBLY BILL 241

April 8, 2003 – Introduced by Representatives KRUSICK, BALOW, BERCEAU, BLACK, COGGS, COLON, HAHN, MORRIS, SINICKI and YOUNG, cosponsored by Senator CARPENTER. Referred to Committee on Aging and Long-Term Care.

Regen

1 AN ACT *to renumber* 49.498 (7) (a); *to amend* 49.498 (6) (a) and 49.498 (7) (b)  
2 (intro.); and *to create* 46.27 (11) (c) 9., 46.275 (5) (b) 8., 46.277 (5) (g), 49.498  
3 (7) (ag), 49.498 (7) (am) 6. and 49.498 (7) (am) 7. of the statutes; **relating to:**  
4 admission, denial of admission, provision of services, transfer, and discharge  
5 for individuals by nursing facilities and community-board residential facilities  
6 that are providers of Medical Assistance.

### *Analysis by the Legislative Reference Bureau*

\* Under current law, nursing homes that are certified to provide care that is reimbursed by the Medical Assistance Program (MA) must meet numerous requirements and are prohibited from taking certain actions with respect to admissions. Nursing homes also must have identical policies and practices for transfer, discharge, and service provision for all nursing home residents, regardless of payment.

✓ This bill requires MA-certified nursing homes to establish and maintain identical policies and practices for admission of all persons regardless of source of payment. The bill prohibits these nursing homes from considering the available source of payment when deciding to admit or expedite the admission of a person who is or will be entitled to MA. Further, the bill requires that these nursing homes provide notice, in writing, to an applicant or to his or her guardian or agent within five days of deciding to admit or deny or delay the admission of the applicant. If the

**ASSEMBLY BILL 241**

applicant is denied or his or her admission is delayed, the notice must include a statement of the reason for the denial or delay. Lastly, the bill clarifies that a nursing home must establish identical policies and practices concerning transfer, discharge, and provision of services for all persons regardless of the source of their payment.

Under current law, MA may be used to reimburse a community-based residential facility (C-BRF) for services provided to a resident of the facility under the Long-Term Support Community Options Program (COP), under the Community Integration Program for Residents of State Centers (for persons relocated from the State Centers for the Developmentally Disabled), and under the Community Integration Program for Persons Relocated or Meeting Reimbursable Levels of Care (for persons relocated from institutions other than the State Centers for the Developmentally Disabled or who meet MA-reimbursable standards of care). Numerous requirements apply to C-BRFs that receive the MA reimbursement.

The bill prohibits a county, private nonprofit agency, or aging unit from using MA funds under COP or either community integration program to provide services in a C-BRF unless the C-BRF establishes and maintains identical policies and practices for admission, transfer, discharge, and service provision for all individuals regardless of source of payment; refrains from considering an applicant's available source of payment when deciding to admit the applicant or expedite his or her admission; and provides to an applicant, in writing, notice of a decision by the C-BRF to admit, deny, or delay the applicant's admission, within five days of the decision.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

1           **SECTION 1.** 46.27 (11) (c) 9. of the statutes is created to read:

2           46.27 (11) (c) 9. No county, private nonprofit agency, or aging unit may use  
3 funds received under this subsection to provide services in a community-based  
4 residential facility unless the community-based residential facility does all of the  
5 following:

6           a. Establishes and maintains identical policies and practices regarding  
7 admission, transfer, discharge, and service provision for all individuals regardless  
8 of source of payment.

## ASSEMBLY BILL 241

1           b. Refrains from considering an applicant's available source of payment when  
2 deciding to admit or expedite the admission of an applicant who is or will be entitled  
3 to Medical Assistance for services of a community-based residential facility.

4           c. Provides to an applicant or his or her guardian or agent, in writing, within  
5 5 days of a decision by the community-based residential facility to admit, deny, or  
6 delay the admission of the applicant, notice of the decision. If the community-based  
7 residential facility has decided to deny or delay admission of the applicant, the notice  
8 shall include a statement of the reason for the denial or delay.

9           **SECTION 2.** 46.275 (5) (b) 8. of the statutes is created to read:

10           46.275 (5) (b) 8. Provide services in a community-based residential facility  
11 unless the community-based residential facility does all of the following:

12           a. Establishes and maintains identical policies and practices regarding  
13 admission, transfer, discharge, and service provision for all individuals regardless  
14 of source of payment.

15           b. Refrains from considering an applicant's available source of payment when  
16 deciding to admit or expedite the admission of an applicant who is or will be entitled  
17 to Medical Assistance for services of a community-based residential facility.

18           c. Provides to an applicant or his or her guardian or agent, in writing, within  
19 5 days of a decision by the community-based residential facility to admit, deny, or  
20 delay the admission of the applicant, notice of the decision. If the community-based  
21 residential facility has decided to deny or delay admission of the applicant, the notice  
22 shall include a statement of the reason for the denial or delay.

23           **SECTION 3.** 46.277 (5) (h) of the statutes is created to read:

ASSEMBLY BILL 241

1            46.277 (5) <sup>h</sup> (g) No county or private nonprofit agency may use funds received  
 2 under this subsection to provide services in a community-based residential facility  
 3 unless the community-based residential facility does all of the following:

4            1. Establishes and maintains identical policies and practices regarding  
 5 admission, transfer, discharge, and service provision for all individuals regardless  
 6 of source of payment.

7            2. Refrains from considering an applicant's available source of payment when  
 8 deciding to admit or expedite the admission of an applicant who is or will be entitled  
 9 to Medical Assistance for services of a community-based residential facility.

10           3. Provides to an applicant or his or her guardian or agent, in writing, within  
 11 5 days of a decision by the community-based residential facility to admit, deny, or  
 12 delay the admission of the applicant, notice of the decision. If the community-based  
 13 residential facility has decided to deny or delay admission of the applicant, the notice  
 14 shall include a statement of the reason for the denial or delay.

15           **SECTION 4.** 49.498 (6) (a) <sup>X</sup> of the statutes is amended to read:

16           49.498 (6) (a) A nursing facility shall establish and maintain identical policies  
 17 and practices regarding transfer, discharge and the provision of services required  
 18 under the approved state medicaid plan for all individuals regardless of source of  
 19 payment.

20           **SECTION 5.** 49.498 (7) (a) <sup>X</sup> of the statutes is renumbered 49.498(7)(am). <sup>Δ</sup>

21           **SECTION 6.** 49.498 (7) (ag) <sup>X</sup> of the statutes is created to read:

22           49.498 (7) (ag) A nursing facility <sup>✓</sup> shall establish and maintain identical policies  
 23 and practices regarding admission for all individuals regardless of source of  
 24 payment.

25           **SECTION 7.** 49.498 (7) (am) 6. <sup>X</sup> of the statutes is created to read:

**ASSEMBLY BILL 241**

1           49.498 (7) (am) 6. A nursing facility may not consider an applicant's available  
2 source of payment when making a decision to admit or expedite the admission of an  
3 individual who is or will be entitled to Medical Assistance<sup>✓</sup> for nursing facility  
4 services.

5           **SECTION 8.** 49.498 (7) (am) 7.<sup>X</sup> of the statutes is created to read:

6           49.498 (7) (am) 7. A nursing facility that decides to admit or deny or delay the  
7 admission of an applicant shall provide, in writing, notice of the decision to the  
8 applicant or his or her guardian or agent within 5 days of the decision. If the nursing  
9 facility has decided to deny or delay admission of the applicant, the notice shall  
10 include a statement of the reason for the denial or delay.

11           **SECTION 9.** 49.498 (7) (b) (intro.)<sup>X</sup> of the statutes is amended to read:

12           49.498 (7) (b) (intro.) Paragraph ~~(a)~~ (am)<sup>✓</sup> may not be construed to do any of the  
13 following:

14

(END)

PWF



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0034/1  
DAK:jld:pg

## 2005 BILL

1     **AN ACT** *to renumber* 49.498 (7) (a); *to amend* 49.498 (6) (a) and 49.498 (7) (b)  
2             (intro.); and *to create* 46.27 (11) (c) 9., 46.275 (5) (b) 8., 46.277 (5) (h), 49.498  
3             (7) (ag), 49.498 (7) (am) 6. and 49.498 (7) (am) 7. of the statutes; **relating to:**  
4             admission, denial of admission, provision of services, transfer, and discharge  
5             for individuals by nursing facilities and community-board residential facilities  
6             that are providers of Medical Assistance.

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***Analysis by the Legislative Reference Bureau***

Under current law, nursing homes that are certified to provide care that is reimbursed by the Medical Assistance (MA) Program must meet numerous requirements and are prohibited from taking certain actions with respect to admissions. Nursing homes also must have identical policies and practices for transfer, discharge, and service provision for all nursing home residents, regardless of payment.

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**BILL**

applicant is denied or his or her admission is delayed, the notice must include a statement of the reason for the denial or delay. Lastly, the bill clarifies that a nursing home must establish identical policies and practices concerning transfer, discharge, and provision of services for all persons regardless of the source of their payment.

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The bill prohibits a county, private nonprofit agency, or aging unit from using MA funds under COP or either community integration program to provide services in a C-BRF unless the C-BRF establishes and maintains identical policies and practices for admission, transfer, discharge, and service provision for all individuals regardless of source of payment; refrains from considering an applicant's available source of payment when deciding to admit the applicant or expedite his or her admission; and provides to an applicant, in writing, notice of a decision by the C-BRF to admit, deny, or delay the applicant's admission, within five days of the decision.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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1           **SECTION 1.** 46.27 (11) (c) 9. of the statutes is created to read:

2           46.27 (11) (c) 9. No county, private nonprofit agency, or aging unit may use  
3 funds received under this subsection to provide services in a community-based  
4 residential facility unless the community-based residential facility does all of the  
5 following:

6           a. Establishes and maintains identical policies and practices regarding  
7 admission, transfer, discharge, and service provision for all individuals regardless  
8 of source of payment.

**BILL**

1           b. Refrains from considering an applicant's available source of payment when  
2 deciding to admit or expedite the admission of an applicant who is or will be entitled  
3 to Medical Assistance for services of a community-based residential facility.

4           c. Provides to an applicant or his or her guardian or agent, in writing, within  
5 5 days of a decision by the community-based residential facility to admit, deny, or  
6 delay the admission of the applicant, notice of the decision. If the community-based  
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8 shall include a statement of the reason for the denial or delay.

9           **SECTION 2.** 46.275 (5) (b) 8. of the statutes is created to read:

10           46.275 (5) (b) 8. Provide services in a community-based residential facility  
11 unless the community-based residential facility does all of the following:

12           a. Establishes and maintains identical policies and practices regarding  
13 admission, transfer, discharge, and service provision for all individuals regardless  
14 of source of payment.

15           b. Refrains from considering an applicant's available source of payment when  
16 deciding to admit or expedite the admission of an applicant who is or will be entitled  
17 to Medical Assistance for services of a community-based residential facility.

18           c. Provides to an applicant or his or her guardian or agent, in writing, within  
19 5 days of a decision by the community-based residential facility to admit, deny, or  
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21 residential facility has decided to deny or delay admission of the applicant, the notice  
22 shall include a statement of the reason for the denial or delay.

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**BILL**

1           46.277 (5) (h) No county or private nonprofit agency may use funds received  
2 under this subsection to provide services in a community-based residential facility  
3 unless the community-based residential facility does all of the following:

4           1. Establishes and maintains identical policies and practices regarding  
5 admission, transfer, discharge, and service provision for all individuals regardless  
6 of source of payment.

7           2. Refrains from considering an applicant's available source of payment when  
8 deciding to admit or expedite the admission of an applicant who is or will be entitled  
9 to Medical Assistance for services of a community-based residential facility.

10          3. Provides to an applicant or his or her guardian or agent, in writing, within  
11 5 days of a decision by the community-based residential facility to admit, deny, or  
12 delay the admission of the applicant, notice of the decision. If the community-based  
13 residential facility has decided to deny or delay admission of the applicant, the notice  
14 shall include a statement of the reason for the denial or delay.

15           **SECTION 4.** 49.498 (6) (a) of the statutes is amended to read:

16           49.498 (6) (a) A nursing facility shall establish and maintain identical policies  
17 and practices regarding transfer, discharge and the provision of services required  
18 under the approved state medicaid plan for all individuals regardless of source of  
19 payment.

20           **SECTION 5.** 49.498 (7) (a) of the statutes is renumbered 49.498(7) (am).

21           **SECTION 6.** 49.498 (7) (ag) of the statutes is created to read:

22           49.498 (7) (ag) A nursing facility shall establish and maintain identical policies  
23 and practices regarding admission for all individuals regardless of source of  
24 payment.

25           **SECTION 7.** 49.498 (7) (am) 6. of the statutes is created to read:



**2005 DRAFTING REQUEST**

**Bill**

Received: 01/13/2005

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Christian Moran (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - social services

Extra Copies: GMM

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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**Pre Topic:**

No specific pre topic given

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**Topic:**

Caregiver background checks sources of information

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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 02/09/2005	wjackson 02/10/2005		_____			S&L
/1			jfrantze 02/11/2005	_____	sbasford 02/11/2005		

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Bill**

Received: 01/13/2005

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Christian Moran (aide)**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - social services**

Extra Copies: **GMM**

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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**Pre Topic:**

No specific pre topic given

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**Topic:**

Caregiver background checks sources of information


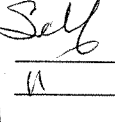
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**Instructions:**

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	1 WJ 2/10					

FE Sent For:

<END>

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**Kennedy, Debora**

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**From:** Moran, Christian  
**Sent:** Thursday, January 13, 2005 12:46 PM  
**To:** Kennedy, Debora  
**Subject:** bill draft request

Debora,

Attached is language Dick Sweet drafted for Peggy to add two more sources that must be checked for caregiver criminal background checks: the sex offender registry and the Wisconsin Circuit Court Access Web site.

Can you please draft this as an Assembly bill.

Thanks,

Christian

-----Original Message-----

**From:** Veum, Rachel  
**Sent:** Monday, December 20, 2004 9:53 AM  
**To:** Rep.Krusick  
**Subject:** Electronic Copy of Memo and Draft From Dick Sweet



15krusick\_rms



0085/1

Rachel A. Veum, Support Staff

Wisconsin Legislative Council Staff  
One East Main Street, Suite 401  
Madison, WI 53703  
(608) 266-1947  
rachel.veum@legis.state.wi.us



## WISCONSIN LEGISLATIVE COUNCIL

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*Terry C. Anderson, Director  
Laura D. Rose, Deputy Director*

TO: REPRESENTATIVE PEGGY KRUSICK  
FROM: Richard Sweet, Senior Staff Attorney  
RE: WLC: 0085/1 (Caregiver Background Checks)  
DATE: December 15, 2004

Attached is a draft prepared at your request--WLC: 0085/1, relating to caregiver background checks.

Under current law, the Department of Health and Family Services (DHFS) and specified entities regulated by DHFS must check five sources of information in conducting background checks on caregivers. The draft adds two more sources that must be checked: (1) the sex offender registry maintained by the Department of Corrections; and (2) the Web site maintained by the Wisconsin court system.

Feel free to contact me if I can be of further assistance.

RNS:rv

Attachment

1     **AN ACT** to create 48.685 (2) (am) 2g. and 2r., 48.685 (2) (b) 1. bg. and br., 50.065 (2)  
 2             (am) 2g. and 2r. and 50.065 (2) (b) 2g. and 2r. of the statutes; **relating to:** caregiver  
 3             background checks.

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

4             **SECTION 1.** 48.685 (2) (am) 2g. and 2r. of the statutes are created to read:  
 5             48.685 (2) (am) 2g. Information maintained by the department of corrections in the  
 6             registry of sex offenders under s. 301.45 (2).

7             2r. Information on persons convicted of crimes maintained by the Wisconsin court  
 8             system on its Internet site.

9             **SECTION 2.** 48.685 (2) (b) 1. bg. and br. of the statutes are created to read:  
 10            48.685 (2) (b) 1. bg. Information maintained by the department of corrections in the  
 11            registry of sex offenders under s. 301.45 (2).

12            br. Information on persons convicted of crimes maintained by the Wisconsin court  
 13            system on its Internet site.

14            **SECTION 3.** 50.065 (2) (am) 2g. and 2r. of the statutes are created to read:  
 15            50.065 (2) (am) 2g. Information maintained by the department of corrections in the  
 16            registry of sex offenders under s. 301.45 (2).

17            2r. Information on persons convicted of crimes maintained by the Wisconsin court  
 18            system on its Internet site.

19            **SECTION 4.** 50.065 (2) (b) 2g. and 2r. of the statutes are created to read:

From Bob Nelson  
 convict. ↓  
 automation  
 info  
 system

under the







SOON - In edit 2/9  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1701/1  
DAK:.....  
Wlj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

1 <sup>Gen</sup> AN ACT ...; relating to: caregiver background checks.

*Analysis by the Legislative Reference Bureau*

Under current law relating to criminal histories and child abuse record searches, the Department of Health and Family Services (DHFS), a county department, a child welfare agency, or a school board must conduct background checks by obtaining certain information with respect to persons who have or are seeking licenses, certifications, or contracts to operate entities, and an entity must obtain the same information with respect to a caregiver of the entity. ("Entity" is defined as a child welfare agency, a licensed foster home or treatment foster home, a group home, a shelter care facility, a day care center, a day care provider, or a temporary employment agency that provides caregivers to another entity.) The information that must be obtained is a criminal history search from records maintained by the Department of Justice; any information in a registry kept by DHFS of persons against whom DHFS has made findings of misappropriation of property, neglect, or abuse; any applicable information maintained by the Department of Regulation and Licensing about the status of the person's credentials; information maintained by DHFS about substantiated reports of the person's child abuse or neglect; and information maintained by DHFS about denial to the person of a license, certification, or certain contracts, employment, or permission to reside at an entity, for specific reasons including conviction for a serious crime. Very similar laws relating to criminal histories and patient abuse record searches apply to persons who have or are seeking a license, certificate, registration, or certificate of approval issued by DHFS to operate a facility, organization, or service (such as a hospital or a personal care worker agency) that is licensed, certified, or registered with DHFS to provide direct care or services to patients.

insert

This bill creates two additional sources of information that must be checked with respect to persons who have or are seeking licenses, certifications, or contracts to operate entities, facilities, organizations, or services: (1) information maintained by the Department of Corrections in the registry of sex offenders; and (2) information on persons convicted of crimes as specified under the circuit court automation information system maintained by the Wisconsin court system on its Internet site.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

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

1           **SECTION 1.** 48.685 (2) (am) 2g. of the statutes is created to read:

2           48.685 (2) (am) 2g. Information maintained by the department of corrections  
3 in the registry of sex offenders under s. 301.45 (2).

4           **SECTION 2.** 48.685 (2) (am) 2r. of the statutes is created to read:

5           48.685 (2) (am) 2r. Information on persons convicted of crimes as specified  
6 under the circuit court automation information system maintained by the Wisconsin  
7 court system on its Internet site.

8           **SECTION 3.** 48.685 (2) (b) 1. bg. of the statutes is created to read:

9           48.685 (2) (b) 1. bg. Information maintained by the department of corrections  
10 in the registry of sex offenders under s. 301.45 (2).

11           **SECTION 4.** 48.685 (2) (b) 1. br. of the statutes is created to read:

12           48.685 (2) (b) 1. br. Information on persons convicted of crimes as specified  
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14 court system on its Internet site.

15           **SECTION 5.** 50.065 (2) (am) 2g. of the statutes is created to read:

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17 in the registry of sex offenders under s. 301.45 (2).

18           **SECTION 6.** 50.065 (2) (am) 2r. of the statutes is created to read:





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-1701/1  
DAK:wlj:jf

2005 BILL

- 1 AN ACT *to create* 48.685 (2) (am) 2g., 48.685 (2) (am) 2r., 48.685 (2) (b) 1. bg.,  
2 48.685 (2) (b) 1. br., 50.065 (2) (am) 2g., 50.065 (2) (am) 2r., 50.065 (2) (b) 1g. and  
3 50.065 (2) (b) 2r. of the statutes; **relating to:** caregiver background checks.

---

*Analysis by the Legislative Reference Bureau*

Under current law relating to criminal histories and child abuse record searches, the Department of Health and Family Services (DHFS), a county department, a child welfare agency, or a school board must conduct background checks by obtaining certain information with respect to persons who have or are seeking licenses, certifications, or contracts to operate entities, and an entity must obtain the same information with respect to a caregiver of the entity. ("Entity" is defined as a child welfare agency, a licensed foster home or treatment foster home, a group home, a shelter care facility, a day care center, a day care provider, or a temporary employment agency that provides caregivers to another entity.) The information that must be obtained is a criminal history search from records maintained by the Department of Justice; any information in a registry kept by DHFS of persons against whom DHFS has made findings of misappropriation of property, neglect, or abuse; any applicable information maintained by the Department of Regulation and Licensing about the status of the person's credentials; information maintained by DHFS about substantiated reports of the person's child abuse or neglect; and information maintained by DHFS about denial to the person of a license, certification, or certain contracts, employment, or permission to reside at an entity, for specific reasons including conviction for a serious crime. Very similar

**BILL**

laws relating to criminal histories and patient abuse record searches apply to persons who have or are seeking a license, certificate, registration, or certificate of approval issued by DHFS to operate a facility, organization, or service (such as a hospital or a personal care worker agency) that is licensed, certified, or registered with DHFS to provide direct care or services to patients.

This bill creates two additional sources of information that must be checked with respect to persons who have or are seeking licenses, certifications, or contracts to operate entities, facilities, organizations, or services: (1) information maintained by the Department of Corrections in the registry of sex offenders; and (2) information on persons convicted of crimes as specified under the circuit court automation information system maintained by the Wisconsin court system on its Internet site.

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9           48.685 (2) (b) 1. bg. Information maintained by the department of corrections  
10 in the registry of sex offenders under s. 301.45 (2).

11           **SECTION 4.** 48.685 (2) (b) 1. br. of the statutes is created to read:

12           48.685 (2) (b) 1. br. Information on persons convicted of crimes as specified  
13 under the circuit court automation information system maintained by the Wisconsin  
14 court system on its Internet site.

15           **SECTION 5.** 50.065 (2) (am) 2g. of the statutes is created to read:



**2005 DRAFTING REQUEST**

**Bill**

Received: 02/14/2005

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Christian Moran (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - long-term care

Extra Copies:

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:**

DHFS proposal for nursing home quality improvement grant program

---

**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 02/14/2005	lkunkel 02/14/2005		_____			State
/P1			rschluet 02/15/2005	_____	sbasford 02/15/2005		

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Bill**

Received: **02/14/2005**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **Christian Moran (aide)**

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

Drafter: **dkennedy**

May Contact:

Addl. Drafters:

Subject: **Health - long-term care**

Extra Copies:

Submit via email: **YES**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

DHFS proposal for nursing home quality improvement grant program ✓

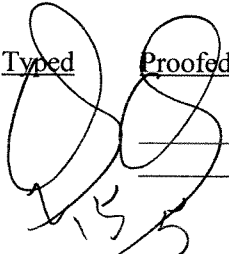
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**Instructions:**

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	/pl lmk 2/14					

FE Sent For:

<END>



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**Kennedy, Debora**

---

**From:** Moran, Christian  
**Sent:** Monday, February 14, 2005 12:45 PM  
**To:** Kennedy, Debora  
**Subject:** FW: Long term care package

Hi Debora--

Thanks for LRB-1701 (relating to caregiver criminal background checks).

As mentioned below, the final provision Peggy would like added to LRB-0035 relates to nursing quality improvement grants.

Basically, she would like the bill to direct DHFS to create a proposal for a program to provide grants to nursing homes to fund quality-of-care improvement projects.

In creating this proposal, DHFS shall consult advocates for nursing home residents, nursing home employees or their representatives, nursing home administrators, and other experts in the field of long-term care.

DHFS' proposal for a nursing home quality improvement grant program must be self-funding (e.g., assessments on nursing home forfeitures). No GPR can be used.

DHFS would have 6 months after enactment of the bill to submit its proposal to the legislature.

Thanks for your help. Just call with any questions.

Christian  
Peggy Krusick's office  
6-1733

-----Original Message-----

**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



By Friday, 02/18, please

**State of Wisconsin**  
**2005 - 2006 LEGISLATURE**

D-NOTE

LRB-2109/9 PI  
 DAK:lnk..

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

GenCat

1 AN ACT ...; relating to: a proposal for a nursing home quality improvement grant  
 2 program. ✓

*Analysis by the Legislative Reference Bureau*

This bill requires the Department of Health and Family Services (DHFS) to submit to the legislature a proposal for legislation to create a program to provide grants to nursing homes for quality-of-care improvement projects. ✓  
 ✓ For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 9121. Nonstatutory provisions; health and family services.  
 4 (1) PROPOSAL FOR NURSING HOME QUALITY IMPROVEMENT GRANT PROGRAM. ✓ By the  
 5 first day of the 7th month beginning after the effective date of this subsection, the  
 6 department of health and family services shall submit to the legislature in the  
 7 manner provided under section 13.172 (2) of the statutes a proposal for legislation  
 8 to create a program to provide grants to nursing homes for quality-of-care

**SECTION 9121**

1 improvement projects. In creating the proposal, the department of health and family  
2 services shall consult with advocates for residents of nursing homes, employees of  
3 or contractors for services with nursing homes or representatives of the employees  
4 or contractors, nursing home administrators, and experts in long-term care issues.  
5 Funding for the proposal required under this subsection must be generated within  
6 the nursing home industry and may not include general purpose revenues.

7

(END)

D - NOTE

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

LRB-2109/4dn P1

DAK:.....

Imk

(date)

To Representative Krusick:

Please review this draft to ensure that you wish to have the proposal submitted to the legislature under s. 13.172<sup>(2)</sup>, stats., rather than s. 13.172<sup>(3)</sup>, stats., and to see if my requirement that the funding be generated within the nursing home industry is what you want. ✓

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**

LRB-2109/P1dn  
DAK:lmk:rs

February 15, 2005

To Representative Krusick:

Please review this draft to ensure that you wish to have the proposal submitted to the legislature under s. 13.172 (2), stats., rather than s. 13.172 (3), stats., and to see if my requirement that the funding be generated within the nursing home industry is what you want.

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



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2109/P1  
DAK:lmk:rs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1     **AN ACT relating to:** a proposal for a nursing home quality improvement grant  
2             program.

---

*Analysis by the Legislative Reference Bureau*

This bill requires the Department of Health and Family Services to submit to the legislature a proposal for legislation to create a program to provide grants to nursing homes for quality-of-care improvement projects.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

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

3             **SECTION 9121. Nonstatutory provisions; health and family services.**

4             (1) PROPOSAL FOR NURSING HOME QUALITY IMPROVEMENT GRANT PROGRAM. By the  
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8             to create a program to provide grants to nursing homes for quality-of-care

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(END)