

## 2005 ASSEMBLY BILL 122

February 22, 2005 – Introduced by Representatives FRISKE, AINSWORTH, HUNDERTMARK, KERKMAN, GUNDERSON, ALBERS, VOS, HINES, MURSAU, HAHN, MUSSER and BALLWEG, cosponsored by Senators ROESSLER, GROTHMAN and BRESKE. Referred to Committee on Health.

- 1 **AN ACT** *to create* 49.45 (3) (m) of the statutes; **relating to:** Medical Assistance  
2 reimbursement for transportation by specialized medical vehicle.

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### *Analysis by the Legislative Reference Bureau*

Under current law, transportation by specialized medical vehicle (SMV) to obtain medical care is a benefit under Medical Assistance (MA). The benefit is available to MA recipients who have a chronic physical disability that necessitates use of an aid such as a wheelchair, walker, or crutches, to recipients who have a mental impairment that contraindicates transportation by common carrier, and to recipients who are blind. SMV transportation services must be provided in a vehicle that is equipped to accommodate a wheelchair regardless of whether the MA recipient uses a wheelchair.

This bill eliminates the MA requirement that all SMV transportation services be provided in a vehicle that is equipped to accommodate a wheelchair. The bill requires that, to be certified as an MA provider of SMV transportation services, a provider have at least one vehicle that is equipped to accommodate a wheelchair. If an MA-certified provider uses two or more vehicles to provide SMV transportation services, at least two of the vehicles must be equipped to accommodate a wheelchair and any third or additional vehicle must be a vehicle that can be converted to accommodate a wheelchair. The bill requires MA reimbursement for SMV transportation services provided in a vehicle that is not equipped to accommodate a wheelchair if the person being transported does not use a wheelchair. Finally, the bill requires that the MA reimbursement rate for SMV transportation services provided in a vehicle that is not equipped to accommodate a wheelchair be the same as for services provided in a vehicle that is so equipped.

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

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

1           **SECTION 1.** 49.45 (3) (m) of the statutes is created to read:

2           49.45 (3) (m) To be certified under sub. (2) (a) 11. to provide transportation by  
3 specialized medical vehicle, a person must have at least one human service vehicle,  
4 as defined in s. 340.01 (23g), that satisfies the requirements imposed under s. 110.05  
5 for a vehicle that is used to transport a person in a wheelchair. If a certified provider  
6 uses 2 or more vehicles to provide transportation by specialized medical vehicle, at  
7 least 2 of the vehicles must be human service vehicles that satisfy the requirements  
8 imposed under s. 110.05 for a vehicle that is used to transport a person in a  
9 wheelchair, and any 3rd or additional vehicle must be a human service vehicle to  
10 which the equipment required under s. 110.05 for transporting a person in a  
11 wheelchair may be added. The department shall pay for transportation by  
12 specialized medical vehicle under s. 49.46 (2) (b) 3. that is provided in a human  
13 service vehicle that is not equipped to transport a person in a wheelchair if the person  
14 being transported does not use a wheelchair. The reimbursement rate for  
15 transportation by specialized medical vehicle provided in a vehicle that is not  
16 equipped to accommodate a wheelchair shall be the same as for transportation by  
17 specialized medical vehicle provided in a vehicle that is equipped to accommodate a  
18 wheelchair.

19   (END)