



State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

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

Date Transfer Requested: 01/03/2008 (Per: RLR)





Appendix A

 The 2007 drafting file for LRBa1006/2

has been copied/added to the drafting file for

2007 LRBa1016

 The attached 2007 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2007 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 2007 drafting file. The drafting file was then returned, intact, to its folder and filed.

2007 DRAFTING REQUEST

Assembly Amendment (AA-SB283)

Received: 12/19/2007

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Peggy Krusick (608) 266-1733

By/Representing: Jessica Karls (leg. council)

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters:

Subject: Health - facility licensure

Extra Copies:

Submit via email: YES

Requester's email: Rep.Krusick@legis.wisconsin.gov

Carbon copy (CC:) to: jessica.karls@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Care and treatment of patients with Alzheimer's disease

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>
/?							
/1	rryan 12/20/2007	bkraft 12/21/2007	nnatzke 12/21/2007	_____	mbarman 12/21/2007	mbarman 12/21/2007	
	rryan 01/03/2008	bkraft 01/03/2008		_____			
/2			nnatzke 01/03/2008	_____	lparisi 01/03/2008	lparisi 01/03/2008	

LRBa1006

01/03/2008 11:36:03 AM

Page 2

FE Sent For:

<END>

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/?							
/1	rryan 12/20/2007	bkraft 12/21/2007	nmatzke 12/21/2007	_____	mbarman 12/21/2007	mbarman 12/21/2007	

FE Sent For:

1/2 bjk 1/3

nwn
1/3

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1/3

<END>

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/?	rryan	/l bjk 12/21	nwn 12/21	nwn/cd 12/21			

FE Sent For:

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STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341) · Library (608-266-7040) Legal (608-266-3561)

LRB

12/19/07

Call from Jessica Karls, Leg Council

Amendment to SB 283 for Rep. Krusick

- (1) Strike hospices from bill
- (2) specify that Dept. standards on care and treatment for persons w/ Alzheimer's shall include security of the facility training of staff
Staff Levels
- (3) Make 50.095 apply to adult family homes, CBRTs, and residential care apartments and require the department report under sub (3), include info on how facility complies with care and treatment standards for persons with Alzheimer's

Call to Jessica:

Doesn't make sense to require reporting of nurse staffing and nursing levels for facilities that may not provide nursing services - so treat AFHs, RCALs and maybe CBRTs separately from nursing homes - don't require info re nursing services.

→ wanted by 12/28/07

Lbjk

ASSEMBLY AMENDMENT,
TO 2007 SENATE BILL 283

→ (D-N)

bh ✓
SA ✓
X-ref ✓

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 6: before "nursing" insert "or". ✓

3 2. Page 2, line 6: delete the material beginning with "or hospice" and ending
4 with "50.90 (1)," on page 2, line 7. ✓

5 3. Page 2, line 8: after "dementia" insert ", including standards for security at
6 the adult family home, residential care apartment complex, community-based
7 residential facility, or nursing home, staff training, and staffing levels". ✓

staff trainings, staffing levels and

8 4. Page 2, line 13: delete "nursing homes, and" and substitute "and nursing
9 homes". ✓

10 5. Page 2, line 14: delete "hospices". ✓

11 6. Page 2, line 16: delete "nursing homes, and" and substitute "and nursing
12 homes". ✓

1 7. Page 2, line 17: delete "hospices".

2 8. Page 4, line 1: after that line insert:

3 "SECTION 9c. 50.095 (title) of the statutes is amended to read:

4 50.095 (title) Resident's right to know; nursing home facility reports.

History: 1987 a. 27, 127; 1997 a. 11 ss. 20 to 25, 1997 a. 237.

5 SECTION 9f. 50.095 (1) of the statutes is renumbered 50.095 (1r) and amended
6 to read:

7 50.095 (1r) Every resident in or prospective resident of a nursing home facility
8 has the right to know certain information from the nursing home facility which
9 would aid an individual in assessing the quality of care provided by a nursing home

10 facility. the

History: 1987 a. 27, 127; 1997 a. 11 ss. 20 to 25, 1997 a. 237.

11 SECTION 9i. 50.095 (1g) of the statutes is created to read:

12 50.095 (1g) In this subsection: section

13 (a) "Adult family home" means an adult family home under s. 50.01 (1) (b).

14 (b) "Facility" means an adult family home, a community-based residential
15 facility, a nursing home, or a residential care apartment complex.

16 SECTION 9L. 50.095 (2) of the statutes is amended to read:

17 50.095 (2) The department may request from a nursing home facility
18 information necessary for preparation of a report under sub. (3) of (3g), and the
19 nursing home facility, if so requested, shall provide the information. or

20 SECTION 9o. 50.095 (3) (d) of the statutes is created to read:

21 50.095 (3) (d) If the nursing home holds itself out as providing special services
22 for persons with Alzheimer's disease or related dementia, a description of how the
23 nursing home satisfies the standards promulgated by rule under s. 50.02 (6) for the
24 care and treatment of persons with Alzheimer's disease or related dementia.

1 SECTION 9r. 50.095 (3g) of the statutes is created to read:

2 ✓ 50.095 (3g) By July 1 of each year, the department shall provide each adult
3 family home, ✓ community-based residential facility, ✓ and residential care apartment
4 complex and the office of the long-term care ombudsman with a report that includes
5 the following information: ✓

6 (a) Any violations of statutes or rules that the adult family home, ✓ community
7 based-residential facility, ✓ or residential care apartment complex and all other
8 similar facilities in the same geographical area, ✓ as determined by the department, ✓
9 committed in the previous year. ✓

10 (b) If the adult family home, ✓ community based-residential facility, ✓ or
11 residential care apartment complex holds itself out as providing special services for
12 persons with Alzheimer's disease or related dementia, ✓ a description of how the
13 facility satisfies the standards promulgated by rule under s. 50.02 (6) for the care and
14 treatment of persons with Alzheimer's disease or related dementia. ✓

15 SECTION 9u. 50.095 (3m) of the statutes is amended to read:

16 ✓ 50.095 (3m) The department shall prepare a simplified summary of the
17 information required under sub. (3) ~~(am) to (e)~~ for each nursing home and shall
18 prepare a summary of the information required under sub. (3g) for each adult family
19 home, ✓ community-based residential facility, ✓ and residential care apartment
20 complex, ✓ as specified by rule by the department. The ✓ Each summary shall be on one
21 sheet of paper and shall be in language that is easily understood by laypersons. The
22 summary ✓ summaries for nursing homes and community based-residential facilities
23 shall state that a complete copy of the most recent report of inspection of the nursing

1 home or community-based residential facility is available from the department,
2 upon request, for a minimal fee. ✓

History: 1987 a. 27, 127; 1997 a. 11 ✓ ss. 20 to 25, 1997 a. 237.

3 **SECTION 9y. 50.095 (4)** of the statutes is amended to read: ✓

4 ✓ 50.095 (4) Upon receipt of a report under sub. (3), ~~the nursing home or (3g), a~~ ✓
5 facility shall make the report available to any person requesting the report. Upon
6 receipt of a summary under sub. (3m), ~~the nursing home~~ ✓ a facility shall provide a copy
7 of the summary to every resident of the ~~nursing home~~ ✓ facility and his or her
8 guardian, if any, to every prospective resident of the ~~nursing home~~ ✓ facility, if any, and
9 to every person who accompanies a prospective resident or acts as the prospective
10 resident's representative, as defined in s. 655.001 (12), if any." ✓

History: 1987 a. 27, 127; 1997 a. 11 ✓ ss. 20 to 25, 1997 a. 237.

11 **9.** Page 4, line 13 delete the material beginning with that line and ending with
12 page 5, line 3. ✓



13 (END) ✓

D-note

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

LRBa1006/Edn

RLR:.....

Lbjk

Date

✓
Representative Krusick:

This amendment does not require DHFS to report the nurse staffing information required under s. 50.095 (3) (am) and (b) for community-based residential facilities, adult family homes, or residential care apartment complexes, because information will likely not be meaningful for many of the affected facilities. ✓ Adult family homes and residential care apartment complexes are not required to provide nursing care and the number of hours of nursing care that they may provide is capped. ✓ Likewise the number of nursing hours that community-based residential facilities may provide is capped. ✓

The amendment indicates that inspection reports of community-based residential facilities are available from DHFS. ✓ Please verify that this is accurate. ✓

Section 50.095 (3m) requires that the summary reports regarding facilities be on "one sheet". ✓ Do you want to adjust or eliminate the page limitation to allow space for information on care and treatment for people with Alzheimer's disease? ✓

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.wisconsin.gov

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

LRBa1006/1dn
RLR:bjk:nwn

December 21, 2007

Representative Krusick:

This amendment does not require DHFS to report the nurse staffing information required under s. 50.095 (3) (am) and (b) for community-based residential facilities, adult family homes, or residential care apartment complexes, because information will likely not be meaningful for many of the affected facilities. Adult family homes and residential care apartment complexes are not required to provide nursing care and the number of hours of nursing care that they may provide is capped. Likewise the number of nursing hours that community-based residential facilities may provide is capped.

The amendment indicates that inspection reports of community-based residential facilities are available from DHFS. Please verify that this is accurate.

Section 50.095 (3m) requires that the summary reports regarding facilities be on "one sheet". Do you want to adjust or eliminate the page limitation to allow space for information on care and treatment for people with Alzheimer's disease?

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.wisconsin.gov



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1006/0
RLR:bjk:awn

2
e
e

→ Today (ideally by early afternoon)

ASSEMBLY AMENDMENT,
TO 2007 SENATE BILL 283 ✓

RMNYC

bh ✓
SA ✓

- 1 At the locations indicated, amend the bill as follows: ✓
- 2 1. Page 2, line 6: before "nursing" insert "or".
- 3 2. Page 2, line 6: delete the material beginning with "or hospice" and ending
4 with "50.90 (1)," on line 7.
- 5 3. Page 2, line 8: after "dementia" insert ", including staff training, staffing
6 levels and standards for security at the adult family home, residential care
7 apartment complex, community-based residential facility, or nursing home".
- 8 4. Page 2, line 13: delete "nursing homes, and" and substitute "and nursing
9 homes".
- 10 5. Page 2, line 14: delete "hospices".
- 11 6. Page 2, line 16: delete "nursing homes, and" and substitute "and nursing
12 homes".

5
standards for
and

1 **7.** Page 2, line 17: delete "hospices".

2 **8.** Page 4, line 12: after that line insert:

3 [✓]
"SECTION 9c. 50.095 (title) of the statutes is amended to read:

4 **50.095** (title) **Resident's right to know; nursing home facility reports.**

5 [✓]
SECTION 9f. 50.095 (1) of the statutes is renumbered 50.095 (1r) and amended
6 to read:

7 **50.095 (1r)** Every resident in or prospective resident of a nursing home facility
8 has the right to know certain information from the nursing home facility which
9 would aid an individual in assessing the quality of care provided by ~~a nursing home~~
10 the facility.

11 [✓]
SECTION 9i. 50.095 (1g) of the statutes is created to read:

12 **50.095 (1g)** In this section:

13 (a) "Adult family home" means an adult family home under s. 50.01 (1) (b).

14 (b) "Facility" means an adult family home, a community-based residential
15 facility, a nursing home, or a residential care apartment complex.

16 [✓]
SECTION 9L. 50.095 (2) of the statutes is amended to read:

17 **50.095 (2)** The department may request from a nursing home facility
18 information necessary for preparation of a report under sub. (3) or (3g), and the
19 nursing home facility, if so requested, shall provide the information.

20 [✓]
SECTION 9o. 50.095 (3) (d) of the statutes is created to read:

21 **50.095 (3) (d)** If the nursing home holds itself out as providing special services
22 for persons with Alzheimer's disease or related dementia, a description of how the
23 nursing home satisfies the standards promulgated by rule under s. 50.02 (6) for the
24 care and treatment of persons with Alzheimer's disease or related dementia.

1 **SECTION 9r.** 50.095 (3g) of the statutes is created to read:

2 50.095 (3g) By July 1 of each year, the department shall provide each adult
3 family home, community-based residential facility, and residential care apartment
4 complex and the office of the long-term care ombudsman with a report that includes
5 the following information:

6 (a) Any violations of statutes or rules that the adult family home, community
7 based-residential facility, or residential care apartment complex and all other
8 similar facilities in the same geographical area, as determined by the department,
9 committed in the previous year.

10 (b) If the adult family home, community based-residential facility, or
11 residential care apartment complex holds itself out as providing special services for
12 persons with Alzheimer's disease or related dementia, a description of how the
13 facility satisfies the standards promulgated by rule under s. 50.02 (6) for the care and
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18 prepare a summary of the information required under sub. (3g) for each adult family
19 home, community-based residential facility, and residential care apartment
20 complex, as specified by rule by the department. ~~The~~ Each summary shall be on one
21 sheet of paper and shall be in language that is easily understood by laypersons. ~~The~~
22 summary summaries for nursing homes and community based-residential facilities
23 shall state that a complete copy of the most recent report of inspection of the nursing
24 home or community-based residential facility is available from the department,
25 upon request, for a minimal fee.

1 ✓
SECTION 9y. 50.095 (4) of the statutes is amended to read:

2 50.095 (4) Upon receipt of a report under sub. (3), ~~the nursing home or (3g), a~~
3 facility shall make the report available to any person requesting the report. Upon
4 receipt of a summary under sub. (3m), ~~the nursing home a facility~~ shall provide a copy
5 of the summary to every resident of the ~~nursing home~~ facility and his or her
6 guardian, if any, to every prospective resident of the ~~nursing home~~ facility, if any, and
7 to every person who accompanies a prospective resident or acts as the prospective
8 resident's representative, as defined in s. 655.001 (12), if any."

9 **9.** Page 4, line 13: delete the material beginning with that line and ending with
10 page 5, line 3.

11

(END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa1006/2
RLR:bjk:nwn

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3 “**SECTION 9c.** 50.095 (title) of the statutes is amended to read:

4 **50.095 (title) Resident’s right to know; nursing home facility reports.**

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(END)