

2007 DRAFTING REQUEST**Senate Amendment (SA-SSA1-SB40)**Received: **06/15/2007**Received By: **dkennedy**Wanted: **As time permits**

Identical to LRB:

For: **Alberta Darling (608) 266-5830**By/Representing: **David Volz**This file may be shown to any legislator: **NO**Drafter: **dkennedy**May Contact: **LFB**

Addl. Drafters:

Subject: **Health - medical assistance**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Darling@legis.wisconsin.gov**Carbon copy (CC:) to: **robin.ryan@legis.wisconsin.gov****Pre Topic:**

No specific pre topic given

Topic:

Motion #571; delete increase in nursing home bed assessment but keep 4% MA nursing home rate increase

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 06/21/2007	wjackson 06/21/2007		_____			
/1			nmatzke 06/21/2007	_____	lparisi 06/21/2007	lparisi 06/21/2007	

FE Sent For:

<END>

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB40)

Received: 06/15/2007

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Alberta Darling (608) 266-5830

By/Representing: David Volz

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact: LFB

Addl. Drafters:

Subject: Health - medical assistance

Extra Copies:

Submit via email: YES

Requester's email: Sen.Darling@legis.wisconsin.gov

Carbon copy (CC:) to: robin.ryan@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Motion #571; delete increase in nursing home bed assessment but keep 4% MA nursing home rate increase

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	1 wj 6/21	nwn 6/21	nwn 6/21			

FE Sent For:

<END>

DOA:.....Milioto, BB0025 - ICF-MR bed assessment

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MENTAL ILLNESS AND DEVELOPMENTAL DISABILITIES

Under current law, intermediate care facilities for the mentally retarded (ICF-MRs) must pay the state an assessment on each licensed bed. The assessment is currently \$445 per month per bed. Federal law provides for a reduction in federal funding for MA if the state collects an amount in ICF-MR bed assessments that exceeds a specified portion of the aggregate revenues of all ICF-MRs in the state.

This bill directs DHFS to determine the amount of the ICF-MR bed assessment for each state fiscal year. DHFS must set the monthly per bed assessment amount at 5.5 percent of projected aggregate annual revenues for ICF-MRs in the state divided by the number of licensed ICF-MR beds and by 12 months. The bill authorizes DHFS to reduce the assessment amount during a state fiscal year to avoid collecting an amount during the year that exceeds 5.5 percent of ICF-MR aggregate revenues.

Under current law, nursing homes must pay the state an assessment that may not exceed \$75 on each licensed bed. This bill raises that maximum amount for the nursing home bed assessment to \$127.

Current law provides a procedure under which a nursing home may request, and DHFS may approve, a temporary reduction in the number of beds licensed for the nursing home, if DHFS establishes a minimum per patient day occupancy

standard for nursing homes and the nursing home's occupancy rate falls below that standard. If the nursing home does not resume licensure of the affected beds, DHFS must incrementally revoke licensure for the affected beds. This bill repeals this procedure for reducing a nursing home's number of licensed beds when the nursing home's occupancy rate falls below an occupancy standard established by DHFS.

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:

1 **SECTION 1.** 49.45 (6m) (ap) of the statutes is repealed.

2 **SECTION 2.** 50.14 (2) (intro.) of the statutes is amended to read:

3 50.14 **(2)** (intro.) For the privilege of doing business in this state, there is
4 imposed on all licensed beds of a facility an assessment ~~that may not exceed \$445 per~~
5 ~~calendar month per licensed bed of an intermediate care facility for the mentally~~
6 ~~retarded and an assessment that may not exceed \$75 in the following amount per~~
7 ~~calendar month per licensed bed of a nursing home. the facility:~~

8 **(2g)** The assessment moneys collected under this section shall be deposited in
9 the general fund, except amounts in excess of \$13,800,000 shall be deposited in the
10 Medical Assistance trust fund. ~~In determining the number of licensed beds, all of the~~
11 ~~following apply:~~

12 **SECTION 3.** 50.14 (2) (a) of the statutes is renumbered 50.14 (2r) and amended
13 to read:

14 50.14 **(2r)** ~~If the amount~~ For the purpose of determining the number of beds
15 subject to assessment under sub. (2), if a facility's number of the beds is other than
16 a whole number, the fractional part of the amount that number shall be disregarded
17 unless it equals 50% or more of a whole number, in which case the amount number
18 of beds shall be increased to the next whole number.

1 **SECTION 4.** 50.14 (2) (am) of the statutes is created to read:

2 50.14 (2) (am) For nursing homes, an amount not to exceed \$127.

3 **SECTION 5.** 50.14 (2) (b) of the statutes is repealed.

4 **SECTION 6.** 50.14 (2) (bm) of the statutes is created to read:

5 50.14 (2) (bm) For intermediate care facilities for the mentally retarded, an
6 amount calculated by multiplying the projected annual gross revenues of all
7 intermediate care facilities for the mentally retarded in this state by 0.055, dividing
8 the product by the number of licensed beds of intermediate care facilities in this state
9 and dividing the quotient by 12.

10 **SECTION 7.** 50.14 (2m) of the statutes is created to read:

11 50.14 (2m) Prior to each state fiscal year, the department shall calculate the
12 amount of the assessment under sub. (2) (bm) that shall apply during the fiscal year.
13 The department may reduce the assessment amount during a state fiscal year to
14 avoid collecting for the fiscal year an amount in bed assessment receipts under sub.
15 (2) (bm) that exceeds 5.5 percent of the aggregate gross revenues for intermediate
16 care facilities for the mentally retarded for the fiscal year.

17 **SECTION 8.** 150.31 (5t) of the statutes is repealed.

18 **SECTION 9121. Nonstatutory provisions; Health and Family Services.**

19 (1) BED ASSESSMENT FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY
20 RETARDED. Notwithstanding section 50.14 (2m) of the statutes, as created by this act,
21 the department of health and family services is not required to calculate the amount
22 of the bed assessment for intermediate care facilities for the mentally retarded under
23 section 50.14 (2) (bm) of the statutes, as created by this act, for state fiscal year

1 2007-08 until October 1, 2007, or the first day of the 3rd month beginning after the
2 effective date of this subsection, whichever is later.

3 (END)

Kennedy, Debora

From: Moore, Marlia
Sent: Monday, June 18, 2007 8:49 AM
To: Kennedy, Debora
Subject: Motion 571

Contacts: Debora Kennedy
Attachments: 571.doc

Hi Debora,

Sorry I was out Friday afternoon so I didn't get your message until now. Here it is.

Thanks,

Marlia



571.doc (36 KB)

Marlia K. Moore
Wisconsin Legislative Fiscal Bureau
1 East Main Street, Suite 301
Madison, WI 53703

Marlia.Moore@legis.state.wi.us
266-3847

HEALTH AND FAMILY SERVICES -- MA -- LONG-TERM CARE

[LFB Paper #396]

Motion:

Move to delete the Governor's proposal (-\$7,528,100 SEG, -\$10,218,400 FED, -\$11,716,100 SEG-REV in 2007-08 and -\$14,318,800 SEG and -\$19,903,700 FED, and -\$21,921,300 SEG-REV in 2008-09).

Instead, provide \$13,382,900 GPR and \$18,165,700 FED in 2007-08 and \$12,991,000 GPR and \$17,976,900 FED in 2008-09 to fund a 4% rate increase in nursing home rates, beginning in 2007-08.

In addition, adopt Alternative B-1, which would specify that, beginning in 2007-08, all revenue from the nursing home bed assessment would be deposited to the MA trust fund. Reduce MA benefits funding by \$13.8 million GPR annually and increase MA benefits funding by \$13.8 million SEG annually. Reduce estimates of general fund revenues by \$13.8 million annually and increase estimates of SEG revenues to the MA trust fund by \$13.8 million annually.

Note:

[Change to Bill: -\$1,226,100 GPR, \$6,020,500 FED, \$5,753,100 SEG, -\$27,600,000 GPR-REV, and -\$6,037,400 SEG-REV]

[Change to Base: -\$1,226,100 GPR, \$36,142,600 FED, \$27,600,000 SEG, -\$27,600,000 GPR-REV, -\$6,037,400 SEG-REV]



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0393/71

DAK: /:....

Wlj

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 **√1.** Page 193, line 11: decrease the dollar amount for fiscal year 2007-08 by
3 \$13,800,000 and decrease the dollar amount for fiscal year 2008-09 by \$13,800,000
4 for the purposes for which the appropriation is made.

5 **√2.** Page 193, line 11: increase the dollar amount for fiscal year 2007-08 by
6 \$13,382,900 and increase the dollar amount for fiscal year 2008-09 by \$12,991,000
7 to increase by 4 percent the rates of medical assistance payment for nursing homes.

8 **√3.** Page 196, line 15: decrease the dollar amount for fiscal year 2007-08 by
9 \$7,528,100 and decrease the dollar amount for fiscal year 2008-09 by \$14,318,800
10 for the purposes for which the appropriation is made.

Insert
item
from
p. 2

Please
Move
Item
to
1-7

(STET)

1 ~~4.~~ Page 196, line ~~5~~ increase the dollar amount for fiscal year 2007-08 by
2 \$13,800,000 and increase the dollar amount for fiscal year 2008-09 by \$13,800,000
3 for the purposes for which the appropriation is made.

4 ↓ **5.** Page 805, line 10: delete "the general fund, except amounts in excess of
5 \$13,800,000 shall be deposited in" and substitute "~~the general fund, except amounts~~
6 ~~in excess of \$13,800,000 shall be deposited in~~".

7 √ **6.** Page 805, line 15: delete "\$127" and substitute "\$75".

8 (END)

**SENATE AMENDMENT 6,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

June 26, 2007 – Offered by Senators Darling, Kedzie, Lazich, Cowles, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, A. Lasee, Leibham, Olsen, Roessler and Schultz.

*** AUTHORS SUBJECT TO CHANGE ***

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 193, line 11: decrease the dollar amount for fiscal year 2007–08 by
3 \$13,800,000 and decrease the dollar amount for fiscal year 2008–09 by \$13,800,000
4 for the purposes for which the appropriation is made.

5 **2.** Page 193, line 11: increase the dollar amount for fiscal year 2007–08 by
6 \$13,382,900 and increase the dollar amount for fiscal year 2008–09 by \$12,991,000
7 to increase by 4 percent the rates of medical assistance payment for nursing homes.

8 **3.** Page 196, line 5: increase the dollar amount for fiscal year 2007–08 by
9 \$13,800,000 and increase the dollar amount for fiscal year 2008–09 by \$13,800,000
10 for the purposes for which the appropriation is made.

① **4.** Page 196, line 15: decrease the dollar amount for fiscal year 2007–08 by
2 \$7,528,100 and decrease the dollar amount for fiscal year 2008–09 by \$14,318,800
3 for the purposes for which the appropriation is made.

4 **5.** Page 805, line 10: delete “the general fund, except amounts in excess of
5 \$13,800,000 shall be deposited in” and substitute “~~the general fund, except amounts~~
6 ~~in excess of \$13,800,000 shall be deposited in~~”.

7 **6.** Page 805, line 15: delete “\$127” and substitute “\$75”.

8 (END)

CCC to SA6-SSA1-SB40

Page 2, line 1: delete "line 15" and substitute "line 5"

END

Wlj 6/26



State of Wisconsin
2007-2008 LEGISLATURE

CORRECTIONS IN:

**SENATE AMENDMENT 6,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

Prepared by the Legislative Reference Bureau
(June 26, 2007)

1. Page 2, line 1: delete "line 15" and substitute "line 5".

(END)