



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0724/1
FFK:wlj:rs

DOA:.....Dombrowski, BB0149 – County payments to DHS for the birth to 3 waiver program and locally funded slots in the disabled children’s long-term support program

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

MEDICAL ASSISTANCE

The Birth to 3 waiver program and the disabled children’s long-term support program are Medical Assistance (MA) waiver programs that permit DHS to offer home and community-based services to children under MA. Counties pay the nonfederal share of MA costs for services provided under the Birth to 3 waiver program and for services provided to some of the children in the disabled children’s long-term support program. Currently, counties administer these programs and pay providers who provide services under the programs.

Under this bill, DHS will utilize a private entity to administer the Birth to 3 waiver program and the disabled children’s long-term support program. The private entity will also pay providers for services provided under these programs.

This bill requires counties to pay the following costs by providing funds to DHS, rather than by paying the costs directly:

1. The nonfederal share of services the county provides without state funding under the disabled children’s long-term support program.
2. The nonfederal share of benefits provided under the Birth to 3 waiver program.

3. The administration costs for the Birth to 3 waiver program.

4. The administration costs for services the county provides without state funding under the disabled children's long-term support program for a participant enrolled after January 1, 2011.

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:

SECTION 1. 20.435 (7) (hc) of the statutes is created to read:

20.435 (7) (hc) *Administration of the birth to 3 waiver program and the disabled children's long-term support program.* All monies received from counties under ss. 46.99 (3) and (3m) and 46.995, for an entity to administer and to pay for services provided under the the birth to 3 waiver program under s. 46.99 and the disabled children's long-term support program, as defined in s. 46.011 (1g).

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 46.03 (18) (ar) of the statutes is amended to read:

46.03 (18) (ar) ~~A~~ Subject to s. 46.995, a county may retain fees that it collects under this subsection for services the county provides without state funding under the disabled children's long-term support program.

SECTION 3. 46.99 (3) of the statutes is amended to read:

46.99 (3) If the waiver requested under sub. (2) is granted, counties shall provide to the department the nonfederal share of costs for medical assistance services provided under the waiver. Counties may use moneys appropriated under s. 20.435 (7) (bt) and distributed to counties under s. 51.44 (3) (a) to provide the nonfederal share of medical assistance costs.

SECTION 4. 46.99 (3m) of the statutes is created to read:

46.99 (3m) If the waiver requested under sub. (2) is granted, counties shall provide to the department the nonfederal share of the cost incurred by an entity to administer the waiver program under this section.

SECTION 5. 46.99 (4) of the statutes is amended to read:

46.99 (4) From the appropriation account under s. 20.435 (4) (o), the department shall may distribute to counties that provide services under this section the amount of federal moneys received by the state as the federal share of medical assistance for those services, minus the amount transferred to the appropriation account under s. 20.435 (7) (im) for the department's costs of administering this section. Counties shall use moneys distributed under this section to provide services under this section or s. 51.44.

SECTION 6. 46.995 of the statutes is created to read:

46.995 Disabled children's long-term support program; local funding.

(1) A county shall provide to the department the nonfederal share of the cost incurred by an entity to administer services provided without state funding under the disabled children's long-term support program for a child enrolled in the program after December 31, 2010.

(2) A county shall provide to the department the nonfederal share of the cost of services provided without state funding under the disabled children's long-term support program.

(END)