

2011 DRAFTING REQUEST

Assembly Amendment (AA-SB380)

Received: **03/06/2012**

Received By: **tdodge**

Wanted: **As time permits**

Companion to LRB:

For: **Dale Kooyenga (608) 266-9180**

By/Representing: **Bill Neville**

May Contact:

Drafter: **tdodge**

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

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kooyenga@legis.wi.gov**

Carbon copy (CC:) to: **tamara.dodge@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Require residency for 10 years to enroll in long-term care program; ensure prospective

Instructions:

Require that a person be a resident for 10 years before receiving a benefit under Family Care, Family Care Partnership, PACE or IRIS

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>
/?	tdodge 03/06/2012	wjackson 03/06/2012		_____			
/1			rschluet 03/06/2012	_____	mbarman 03/06/2012	mbarman 03/06/2012	

FE Sent For:

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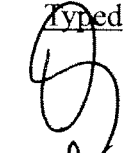
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State of Wisconsin
2011 - 2012 LEGISLATURE



LRB 2550/1

TJD:kjf:jm

+TWLj

RMNR

269511

In 3/6 Due Today - ASAP

ASSEMBLY AMENDMENT ,
TO 2011 SENATE BILL 380

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

2 1. Page 1, line 7: after "programs" insert "and residency requirements for
3 long-term care programs".

4 2. Page 2, line 1: before that line insert:

5 "SECTION 1f. 46.2801 of the statutes is created to read:

6 **46.2801 Residency requirements for long-term care programs. (1)** In
7 this section:

8 (a) "Family care partnership program" means an integrated health and
9 long-term care program operated under an amendment to the state medical
10 assistance plan, as authorized in 42 USC 1396n (i).

11 (b) "Family care program" means the benefit program under s. 46.286.

12 (c) "Long-term care program" means any of the following:

13 1. The family care program.

1 2. The self-directed services option.

2 3. The family care partnership program.

3 4. The program for all-inclusive care for the elderly under 42 USC 1396u-4.

4 (d) "Self-directed services option" means the program operated under a waiver
5 from the secretary of the federal department of health and human services under 42
6 USC 1396n (c) in which an enrolled individual selects his or her own services and
7 service providers.

8 (2) For each program specified in sub. (1) (c) 1. to 4., the department shall
9 request from the federal department of health and human services a waiver of
10 federal law or an amendment to the state medical assistance plan to require an
11 individual to be a resident of the state for 10 years to be eligible for a long-term care
12 program. If the federal department of health and human services grants a waiver
13 or approves an amendment for any program specified in sub. (1) (c) 1. to 4., the
14 department shall require an individual to be a resident of the state for 10 years to
15 be eligible for that long-term care program. [^]

16 **SECTION 1k.** 46.286 (1) (intro.) of the statutes is amended to read:

17 46.286 (1) ELIGIBILITY. (intro.) ~~A~~ Subject to requirements under an approved
18 waiver under s. 46.2801 (2), a person is eligible for, but not necessarily entitled to,
19 the family care benefit if the person is at least 18 years of age; has a physical
20 disability, as defined in s. 15.197 (4) (a) 2., or a developmental disability, as defined
21 in s. 51.01 (5) (a), or is a frail elder; and meets all of the following criteria:".

22 **3.** Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1r".

23 ^(END)

²³ ^{Not} The department may not use the residency requirement under this subsection as a basis to disenroll, or remove from a waiting list, an individual who is enrolled in a long-term care program, or on a waiting list for a long-term care program, on the date the waiver is granted or amendment is approved.