

**2013 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB(LRBx3648/1))**

Received: 11/14/2013 Received By: tdodge  
Wanted: As time permits Same as LRB: s0175  
For: Jerry Petrowski (608) 266-2502 By/Representing: Lane Oling  
May Contact: Drafter: tdodge  
Subject: Mental Health - miscellaneous Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Petrowski@legis.wisconsin.gov  
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Mental health benefits in medical assistance; redefining telehealth; telehealth providers; and eliminating prior authorization requirements

---

**Instructions:**

Redefine telehealth per DHS definition; Incorporate AA1 (a1071) to AB 458 and AA2 (a1075) into AB 458

---

**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	tdodge 11/14/2013	csicilia 11/18/2013	rschluet 11/18/2013	_____	mbarman 11/18/2013	mbarman 11/18/2013	

FE Sent For:

<END>

2013 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB(LRBx3648/1))

Received: 11/14/2013 Received By: tdodge  
 Wanted: As time permits Same as LRB: s0175  
 For: Jerry Petrowski (608) 266-2502 By/Representing: Lane Oling  
 May Contact: Drafter: tdodge  
 Subject: Mental Health - miscellaneous Addl. Drafters:  
 Extra Copies:

Submit via email: YES  
 Requester's email: Sen.Petrowski@legis.wisconsin.gov  
 Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Mental health benefits in medical assistance; redefining telehealth; telehealth providers; and eliminating prior authorization requirements

Instructions:

Redefine telehealth per DHS definition; Incorporate AA1 (a1071) to AB 458 and AA2 (a1075) into AB 458

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	tdodge	11/18 13		_____			

FE Sent For:

<END>



State of Wisconsin  
2013 - 2014 LEGISLATURE



S0201

LRB 01751

TJD:eev:rs

In 11/14

Due SOON

stays

companion redraft make run

ASSEMBLY SUBSTITUTE AMENDMENT 1,

SENATE

TO ASSEMBLY BILL 458

SENATE

(LRB-3048/1)

companion - NO changes

November 1, 2013 - Offered by Representative SANFELIPPO.

Galcar

SA ✓

1 AN ACT to create 49.45 (29w) of the statutes; relating to: mental health benefits  
2 and reimbursement for mental health services under the Medical Assistance  
3 program.

**Analysis by the Legislative Reference Bureau**

Under current law, the Department of Health Services (DHS) administers the Medical Assistance (MA) program, which is a joint federal and state program that provides health and long-term care services to individuals who have limited resources. The MA program reimburses certified providers for providing services to MA recipients. Among the health benefits provided to MA recipients are mental health services including, among others, mental health day treatment services and alcohol and other drug abuse services; psychiatric services; mental health and psychosocial rehabilitative services and case management services provided by a community support program; psychosocial and case management services provided by a community-based psychosocial service program; and mental health crisis intervention services.

This substitute amendment makes changes to MA program mental health benefits and reimbursement for certain mental health services. The substitute amendment requires DHS to allow a child experiencing a severe emotional disturbance to access in-home therapy without first showing a failure to succeed in outpatient therapy. DHS is required, under the substitute amendment, to allow

certain families to participate in in-home therapy even if one of the children is enrolled in a day treatment program.

The substitute amendment also specifies mental health services provided through telehealth that are reimbursable by the MA program. Telehealth, as defined in the substitute amendment, is a service provided from a remote location using a combination of interactive video, audio, and externally acquired images through a networking environment between an individual at an originating site and a provider at a remote location with the service being of sufficient audio and visual fidelity and clarity as to be functionally equivalent to face-to-face contact. To be eligible for reimbursement by the MA program, the mental health services provided through telehealth must be provided by a provider who is a certified provider of MA in this state, currently holds a credential in his or her profession in this state, and is located in the United States but not necessarily Wisconsin.

---

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

1           SECTION 1. 49.45 (29w) of the statutes is created to read:

2           49.45 (29w) MENTAL HEALTH SERVICES. (a) In providing mental health benefits  
3 under this subchapter, the department shall do all of the following:

4           1. Allow a severely emotionally disturbed child, as defined in sub. (25) (a), to  
5 access in-home therapy without having to show a failure to succeed in outpatient  
6 therapy.

7           2. Allow qualifying families to participate in in-home therapy even if a child  
8 in that family is enrolled in a day treatment program.

9           (b) 1. In this paragraph, “telehealth” is a service provided from a remote  
10 location using a combination of interactive video, audio, and externally acquired  
11 images through a networking environment between an individual at an originating  
12 site and a provider at a remote location with the service being of sufficient audio and  
13 visual fidelity and clarity as to be functionally equivalent to face-to-face contact.  
14 “Telehealth” does not include telephone conversations or Internet-based  
15 communications between providers or between providers and individuals.

