

2015 DRAFTING REQUEST

Bill

Received: **3/11/2015** Received By: **tdodge**
For: **Terry Moulton (608) 266-7511** Same as LRB: **-4536**
May Contact: By/Representing: **Danielle**
Subject: **Health - facilities** Drafter: **tdodge**
Medical Assistance
Addl. Drafters:
Extra Copies:

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

Pre Topic:

No specific pre topic given

Topic:

Ambulatory surgical center assessment reporting

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 3/23/2015		_____			
/P1	tdodge 9/29/2015	eweiss 10/5/2015	_____	mbarman 3/25/2015		State
/P2	tdodge 1/19/2016		_____	mbarman 10/5/2015		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P3	tdodge 1/21/2016	anienaja 1/21/2016	_____	sbasford 1/20/2016		State
/1			_____	lparisi 1/21/2016	lparisi 1/29/2016	State

FE Sent For:

*at into
2/1/16*

<END>

Dodge, Tamara

From: Walkenhorst Barber, Sarah
Sent: Wednesday, March 11, 2015 11:49 AM
To: Dodge, Tamara
Subject: FW: Drafting Request

This looks like it might be us (at least in part?)—thoughts?

From: Laurent, Danielle
Sent: Wednesday, March 11, 2015 11:47 AM
To: Walkenhorst Barber, Sarah
Subject: Drafting Request

Hi Sarah,

We are looking to have a bill drafted relating to making the ambulatory surgery center assessment more transparent. Please let us know if this doesn't quite fall under the Health subject within LRB and if we should forward this request to a different drafter.

Components of the bill:

- Require DHS to provide a report to JFC once a year, based on the preceding fiscal year, with the following information:
 - The amount each eligible ambulatory surgery center (ASC) paid under the assessment
 - Can be blinded, or be blinded by ASC name but have ASC specialty (e.g. pain, orthopedic, etc.) listed
 - The total amount of funding each HMO received from the assessment
 - The total amount each HMO paid out to ASCs
 - The total amount of revenue collected from eligible ASCs under the assessment
 - The total amount of revenue returned to eligible ASCs under the assessment
- If necessary, require DOR to provide the information necessary for DHS to complete the report

We are looking to have this drafted ASAP, but no specific deadline.

Thanks,

Danielle M. Laurent, MPH

Office of Senator Terry Moulton

Office: 608-266-7511

Toll Free: 888-437-9436



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1958/P
TJD:.....
emw

In: 3/23/15

Due Wednesday
3/25

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

S.A. ✓
X-ref ✓

Gen.

1 **AN ACT ...; relating to: ambulatory surgical center assessment reporting.** ✓

Analysis by the Legislative Reference Bureau

* Under current law, the Department of Revenue (DOR) may impose an assessment on ambulatory surgical centers. The Department of Health Services (DHS) allocates any assessment among the ambulatory surgical centers in proportion to their gross patient revenue. The DOR, if it imposes an assessment, must transfer 99.5 percent of the moneys collected to the Medical Assistance trust fund, which pays some of the costs for the Medical Assistance program. If the federal government does not provide federal financial participation under the federal Medicaid program for amounts collected under this section that (used to make payments from the Medical Assistance trust fund, DHS must, from the fund from which the payment or expenditure was made, refund ambulatory surgical centers the amount for which the federal government does not provide federal financial participation. This bill requires DHS to submit a report to the Joint Committee on Finance annually, based on the preceding fiscal year, with certain information as described in the bill.

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:

2 **SECTION 1.** 146.98 (7) of the statutes is created to read:

On the ambulatory surgical center assessment

1 146.98 (7) (a) Annually, the department of health services shall submit a report
2 to the joint committee on finance containing all of the following information for the
3 immediately preceding fiscal year:

4 1. The total amount of revenue collected from eligible ambulatory surgical
5 centers under ^{the} ~~this~~ assessment under ~~sub. (2)~~ ^{this section}.

6 2. The amount each eligible ambulatory surgical center paid under the
7 assessment under ~~sub. (2)~~ ^{this section}. The department of health services may withhold the
8 name of the ambulatory surgical center paying the assessment but shall ~~provide~~ ^{specify} the
9 specialty of the center paying the assessment. ^{if money was received;}

10 3. The total amount of money ^{received by} each managed care organization ~~that received~~
11 ~~money from the assessment~~ ^{under this section} ~~received from the assessment~~.

12 4. The total amount each managed care organization ~~specified~~ ^{specified} under subd. 3.
13 paid to ambulatory surgical centers.

14 5. The total amount of revenue returned to eligible ambulatory surgical centers
15 under the assessment under ~~this~~ ^{this} section.

16 (b) Upon request ^{of} ~~by~~ the department of health services, the department of
17 revenue shall provide to the department of health services any information in the
18 possession of the department of revenue that is necessary for the department of
19 health services to complete the report under par. (a).

(END)

Dodge, Tamara

From: Kreye, Joseph
Sent: Monday, September 28, 2015 11:33 AM
To: Dodge, Tamara
Subject: FW: Ambulatory Surgical Centers & DOR

Tami,

It looks like you worked on the original request so I'll pass this along to you.

Joe

Joseph T. Kreye
Legal Services Manager
Legislative Reference Bureau
608 266-2263

From: Stollfus, Zachary
Sent: Monday, September 28, 2015 11:06 AM
To: Kreye, Joseph <Joseph.Kreye@legis.wisconsin.gov>
Subject: Ambulatory Surgical Centers & DOR

Joseph,

We've had a few changes in staff, so I am unsure who Senator Moulton worked with on a budget amendment related to the Ambulatory Surgical Centers and DOR reporting, but I thought I would start with you.

Can I get a draft of the original transparency language but add in a line at the end along the lines of:
DOR is not required to provide tax information considered proprietary for individual surgery centers.

Here was the Governor's veto message: In addition, I object to the infringement on taxpayer privacy created by the requirement to include specific information that is subject to restrictions on disclosure of certain tax-related information.

Any thoughts or concerns you have would be appreciated,

Zach Stollfus
Legislative Aide
Office of Senator Terry Moulton
23rd Senate District

Email: Zachary.Stollfus@legis.wisconsin.gov
Direct: (608) 266-7511



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1958P1
TJD:emw

P2

In. 9/29

Due Monday
Oct 5

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

S.A. ✓
Xref ✓

1 **AN ACT to create** 146.98 (7) of the statutes; **relating to:** ambulatory surgical
2 center assessment reporting.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Revenue (DOR) may impose an assessment on ambulatory surgical centers. The Department of Health Services (DHS) allocates any assessment among the ambulatory surgical centers in proportion to their gross patient revenue. DOR, if it imposes an assessment, must transfer 99.5 percent of the moneys collected to the medical assistance trust fund, which pays some of the costs for the Medical Assistance program. If the federal government does not provide federal financial participation under the federal Medicaid program for amounts collected under the assessment that are used to make payments from the medical assistance trust fund, DHS must, from the fund from which the payment or expenditure was made, refund ambulatory surgical centers the amount for which the federal government does not provide federal financial participation. This bill requires DHS to submit a report on the ambulatory surgical center assessment to the Joint Committee on Finance annually, based on the preceding fiscal year, with certain information as described in the bill.

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:

in Medical Assistance payment increases made in connection with the implementation of

1 SECTION 1. 146.98 (7) of the statutes is created to read:

2 146.98 (7) (a) Annually, the department of health services shall submit a report
3 to the joint committee on finance containing all of the following information for the
4 immediately preceding fiscal year:

5 1. The total amount of revenue collected from eligible ambulatory surgical
6 centers under the assessment under this section.

7 2. The amount each eligible ambulatory surgical center paid under the
8 assessment under this section. The department of health services may withhold the
9 name of the ambulatory surgical center paying the assessment but shall specify the
10 specialty of the center paying the assessment.

11 3. The total amount of money received by each managed care organization, if
12 money was received, from the assessment under this section.

13 4. The total amount each managed care organization under subd. 3. paid to
14 ambulatory surgical centers.

15 5. The total amount of revenue returned to eligible ambulatory surgical centers
16 under the assessment under this section.

17 (b) Upon request of the department of health services, the department of
18 revenue shall provide to the department of health services any information in the
19 possession of the department of revenue that is necessary for the department of
20 health services to complete the report under par. (a). The department of

21 (END)

revenue is not required to provide under this paragraph tax information that is considered proprietary to an individual ambulatory surgical center.

Medical Assistance payment increases made in connection with the implementation of the assessment paid to eligible ambulatory surgical centers on a fee-for-service basis

Dodge, Tamara

From: Bradtke, Evan
Sent: Tuesday, January 19, 2016 3:40 PM
To: Dodge, Tamara
Subject: LRB 1958/P2

Tamara,

Can you make the following changes to LRB 1958/P2?

Amend sec. 146.98(7)(b):

(b) Upon request of the department of health services, the department of revenue shall provide to the department of health services any information obtained by the department of revenue under s. 146.98(3)(c) in the possession of the department of revenue that is necessary for the department of health services to complete the report under par. (a). The department of revenue is not required to provide under this paragraph tax information that is considered proprietary to an individual ambulatory surgical center.

Insert in the bill:

Amend sec. 146.98(3)(c):

(c) Require ambulatory surgical centers to provide the department of revenue any data that is required by the department of revenue to determine assessment amounts under this section, including information related to the medical specialty of the center.

Thanks,

Evan Bradtke

Legislative Aide

Office of Senator Terry Moulton

23rd Senate District

Email: Evan.Bradtke@legis.wisconsin.gov

Direct: (608) 266-7511



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1958/P2
TJD:emw

In: 1119

Due Thurs
1/21

ep3

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

S.A. ✓
Xref ✓

regen cat

1 AN ACT *to create* 146.98 (7) of the statutes; relating to: ambulatory surgical
2 center assessment reporting.

Analysis by the Legislative Reference Bureau

MOVE last sentence

Under current law, the Department of Revenue (DOR) may impose an assessment on ambulatory surgical centers. ~~The Department of Health Services (DHS)~~ allocates any assessment among the ambulatory surgical centers in proportion to their gross patient revenue. DOR, if it imposes an assessment, must transfer 99.5 percent of the moneys collected to the medical assistance trust fund, which pays some of the costs for the Medical Assistance program. ~~If the federal government does not provide federal financial participation under the federal Medicaid program for amounts collected under the assessment that are used to make payments from the medical assistance trust fund, DHS must, from the fund from which the payment or expenditure was made, refund ambulatory surgical centers the amount for which the federal government does not provide federal financial participation.~~ This bill requires DHS to submit a report on the ambulatory surgical center assessment to the Joint Committee on Finance annually, based on the preceding fiscal year, with certain information as described in the bill.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

the Department of Health Services

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

Insert 2-1

1 SECTION 1. 146.98 (7) of the statutes is created to read:

2 146.98 (7) (a) Annually, the department of health services shall submit a report
3 to the joint committee on finance containing all of the following information for the
4 immediately preceding fiscal year:

5 1. The total amount of revenue collected from eligible ambulatory surgical
6 centers under the assessment under this section.

7 2. The amount each eligible ambulatory surgical center paid under the
8 assessment under this section. The department of health services may withhold the
9 name of the ambulatory surgical center paying the assessment but shall specify the
10 specialty of the center paying the assessment.

11 3. The total amount of money received by each managed care organization, if
12 money was received, in Medical Assistance payment increases made in connection
13 with the implementation of the assessment under this section.

14 4. The total amount each managed care organization under subd. 3. paid to
15 ambulatory surgical centers.

16 5. The total amount of Medical Assistance payment increases made in
17 connection with the implementation of the assessment paid to eligible ambulatory
18 surgical centers on a fee-for-service basis under the assessment under this section.

19 (b) Upon request of the department of health services, the department of
20 revenue shall provide to the department of health services any information (in the
21 possession of the department of revenue ^{obtained by} that is necessary for the department of
22 health services to complete the report under par. (a). The department of revenue is
23 not required to provide under this paragraph tax information that is considered
24 proprietary to an individual ambulatory surgical center.

Sub. (3)(c)

(END)

2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1958/P3ins
TJD:...

1 INSERT 2-1 X

2 **SECTION 1.** 146.98 (3) (c) of the statutes is amended to read:

3 146.98 (3) (c) Require ambulatory surgical centers to provide the department
4 of revenue any data that is required by the department of revenue to determine
5 assessment amounts under this section, including information regarding the
6 medical specialty of the ambulatory surgical center.

History: 2009 a. 28; 2011 a. 191.

7 **END INSERT 2-1**



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-1958/P3
TJD:emw

In: 1/21

Due Today

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓

Convert to 11-
I made no
changes

- 1 **AN ACT to amend** 146.98 (3) (c); and **to create** 146.98 (7) of the statutes; **relating**
2 **to:** ambulatory surgical center assessment reporting.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to submit a report on the ambulatory surgical center assessment to the Joint Committee on Finance annually, based on the preceding fiscal year, with certain information as described in the bill. Under current law, the Department of Revenue may impose an assessment on ambulatory surgical centers. DHS allocates any assessment among the ambulatory surgical centers in proportion to their gross patient revenue. DOR, if it imposes an assessment, must transfer 99.5 percent of the moneys collected to the medical assistance trust fund, which pays some of the costs for the Medical Assistance program.

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:

- 3 **SECTION 1.** 146.98 (3) (c) of the statutes is amended to read:
4 146.98 (3) (c) Require ambulatory surgical centers to provide the department
5 of revenue any data that is required by the department of revenue to determine

1 assessment amounts under this section, including information regarding the
2 medical specialty of the ambulatory surgical center.

3 **SECTION 2.** 146.98 (7) of the statutes is created to read:

4 146.98 (7) (a) Annually, the department of health services shall submit a report
5 to the joint committee on finance containing all of the following information for the
6 immediately preceding fiscal year:

7 1. The total amount of revenue collected from eligible ambulatory surgical
8 centers under the assessment under this section.

9 2. The amount each eligible ambulatory surgical center paid under the
10 assessment under this section. The department of health services may withhold the
11 name of the ambulatory surgical center paying the assessment but shall specify the
12 specialty of the center paying the assessment.

13 3. The total amount of money received by each managed care organization, if
14 money was received, in Medical Assistance payment increases made in connection
15 with the implementation of the assessment under this section.

16 4. The total amount each managed care organization under subd. 3. paid to
17 ambulatory surgical centers.

18 5. The total amount of Medical Assistance payment increases made in
19 connection with the implementation of the assessment paid to eligible ambulatory
20 surgical centers on a fee-for-service basis under the assessment under this section.

21 (b) Upon request of the department of health services, the department of
22 revenue shall provide to the department of health services any information obtained
23 by the department of revenue under sub. (3) (c). The department of revenue is not

1 required to provide under this paragraph tax information that is considered
2 proprietary to an individual ambulatory surgical center.

3 (END)

Parisi, Lori

From: Bradtke, Evan
Sent: Friday, January 29, 2016 12:00 PM
To: LRB.Legal
Subject: Draft Review: LRB -1958/1

Please Jacket LRB -1958/1 for the SENATE.