



P3

Due TODAY D-note

DOA:.....Hutter, BB0207 – Consolidate community mental health funding in one appropriation

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

do not gen

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

*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**

Under current law, DHS is required to distribute moneys for community aids, which includes community social, mental health, developmental disabilities, and alcohol and other drug abuse services; for the Alzheimer’s family and caregiver support program; for the family support program; for the mental health community support program; to county departments of social services, human services, community programs, and developmental disabilities; and to county aging units. The source of these moneys to be distributed is federal revenue and general purpose revenue (GPR). The bill consolidates moneys from other appropriations and allocates moneys for community mental health services to be paid from the GPR appropriation that pays for community aids.

Under current law, if a skilled nursing facility or an intermediate care facility is found to meet the classification of an institution for mental diseases, DHS must pay for care in the community or in that institution for mental diseases for individuals meeting certain criteria. Current law also requires DHS to pay for relocations of certain individuals who have mental illness to the community. The bill eliminates both of these requirements.

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:***

1 SECTION 1. 20.435 (5) (be) of the statutes is amended to read:

2 20.435 (5) (be) *Mental health treatment services*. The amounts in the schedule  
3 for mental health treatment services ~~for individuals who are in or are relocated from~~  
4 ~~institutions for mental diseases under ss. 46.266 and 46.268~~ at a county-operated  
5 institution for mental disease as selected by the department of health services.  
6 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds  
7 between fiscal years under this paragraph. All funds allocated but not encumbered  
8 by December 31 of each year lapse to the general fund on the next January 1 unless  
9 carried forward to the next calendar year by the joint committee on finance.

10 SECTION 2. 20.435 (5) (bL) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

11 SECTION 3. 20.435 (7) (b) of the statutes is amended to read:

12 20.435 (7) (b) *Community aids and Medical Assistance payments*. The  
13 amounts in the schedule for human services and community mental health services  
14 under s. 46.40, to fund services provided by resource <sup>plain → or other entities</sup> centers ~~under s. 46.283 (5)~~, for  
15 services under the family care <sup>program</sup> ~~benefit~~ under s. 46.284 (5), for Medical Assistance  
16 payment adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a)  
17 1., for Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance  
18 payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided  
19 before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may  
20 be made from this appropriation. Refunds received relating to payments made under

(204) to fund activities in support of resource center operations; ^ ← explain

1 s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under  
2 this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001  
3 (3) (a) and 20.002 (1), the department of health services may transfer funds between  
4 fiscal years under this paragraph. The department shall deposit into this  
5 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior  
6 year audit adjustments including those resulting from audits of services under s.  
7 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward  
8 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all  
9 ✓ funds allocated under s. 46.40 and not spent or encumbered by December 31 of each  
10 year shall lapse to the general fund on the succeeding January 1 unless carried  
11 forward to the next calendar year by the joint committee on finance.

12 **SECTION 4.** 20.435 (7) (bc) of the statutes is amended to read:

13 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule  
14 for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3)  
15 (a) and 20.002 (1), the department may transfer funds between fiscal years under  
16 this paragraph. ~~Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department~~  
17 ~~of health services may credit or deposit into this appropriation account funds for the~~  
18 ~~purpose specified in s. 46.48 (13) that the department transfers from the~~  
19 ~~appropriation account under sub. (5) (bL) that are allocated by the department under~~  
20 ~~that appropriation account but unexpended or unencumbered on June 30 of each~~  
21 ~~year. Except for amounts authorized to be carried forward under s. 46.48 and as~~  
22 otherwise provided in this paragraph, all funds allocated but not encumbered by  
23 December 31 of each year lapse to the general fund on the next January 1 unless  
24 carried forward to the next calendar year by the joint committee on finance.

25 **SECTION 5.** 46.266 of the statutes is repealed.

1           **SECTION 6.** 46.268 of the statutes is repealed.

2           **SECTION 7.** 46.27 (6r) (b) 1m. of the statutes is renumbered 46.27 (6r) (b) 1m.  
3 (intro.) and amended to read:

4           46.27 **(6r)** (b) 1m. (intro.) The person meets the requirements under ~~s. 46.266~~  
5 ~~(1) (a), (b) or (e)~~ any of the following for receipt of care in an institution for mental  
6 diseases.:

7           **SECTION 8.** 46.27 (6r) (b) 1m. a. and b. of the statutes are created to read:

8           46.27 **(6r)** (b) 1m. a. A person who resided in the facility on the date of the  
9 finding that a skilled nursing facility or intermediate care facility that provides care  
10 to Medical Assistance recipients to be an institution for mental diseases whose care  
11 in the facility is disallowed for federal financial participation under Medical  
12 Assistance.

13           b. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
14 who would meet the level of care requirements for Medical Assistance  
15 reimbursement in a skilled nursing facility or intermediate care facility but for a  
16 finding that the facility is an institution for mental diseases, and for whom services  
17 would be provided in place of a person specified in subd. 1m. a. who discontinues  
18 services.

19           **SECTION 9.** 46.277 (5g) (b) of the statutes is renumbered 46.277 (5g) (b) (intro.)  
20 and amended to read:

21           46.277 **(5g)** (b) (intro.) This section does not apply to the delicensure of a bed  
22 of an institution for mental diseases of an individual who is aged 21 to 64, who has  
23 a primary diagnosis of mental illness and who otherwise meets any of the following  
24 requirements of ~~s. 46.266 (1) (a), (b) or (e)~~.:

25           **SECTION 10.** 46.277 (5g) (b) 1. and 2. of the statutes are created to read:

1           46.277 (5g) (b) 1. A person who resided in the facility on the date of the finding  
2 that a skilled nursing facility or intermediate care facility that provides care to  
3 Medical Assistance recipients to be an institution for mental diseases whose care in  
4 the facility is disallowed for federal financial participation under Medical  
5 Assistance.

6           2. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
7 who would meet the level of care requirements for Medical Assistance  
8 reimbursement in a skilled nursing facility or intermediate care facility but for a  
9 finding that the facility is an institution for mental diseases, and for whom services  
10 would be provided in place of a person specified in subd. 1. who discontinues services.

11           **SECTION 11.** 46.40 (7m) of the statutes is created to read:

12           46.40 (7m) STATE COMMUNITY MENTAL HEALTH ALLOCATION. For community  
13 mental health services, the department shall distribute not less than \$11,771,230 in  
14 each fiscal year.

✓  
\$11,771,230  
\$24,348,730

15           **SECTION 12.** 49.45 (41) (b) of the statutes is amended to read:

16           49.45 (41) (b) If a county elects to become certified as a provider of mental  
17 health crisis intervention services, the county may provide mental health crisis  
18 intervention services under this subsection in the county to medical assistance  
19 recipients through the medical assistance program. A county that elects to provide  
20 the services shall pay the amount of the allowable charges for the services under the  
21 medical assistance program that is not provided by the federal government. ~~From~~  
22 ~~the appropriation account under s. 20.435 (5) (bL), the~~ The department shall  
23 reimburse the county under this subsection only for the amount of the allowable  
24 charges for those services under the medical assistance program that is provided by  
25 the federal government.



**2015-2016 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0596/P3ins  
TJD:.....

**1            INSERT 3-12**

      \*\*\*NOTE: This is reconciled s. 20.435 (7) (b).<sup>✓</sup> This SECTION has been affected by drafts with the following LRB numbers: -0596/P2 and -1461/P1<sup>✓</sup> (which includes -0972, -1035, and -1130).

**2            END INSERT 3-12**

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0596/P3dn

TJD:.....

*TJD*

*Date*

This draft reconciles LRB-596/P2 and LRB-1461/P1, which includes LRB-0972, LRB-1035, and LRB-1130. All of these drafts should continue to appear in the compiled bill.

In addition, this draft makes the requested change to the community mental health allocation. ✓

Tamara J. Dodge  
Legislative Attorney  
(608) 267-7380  
tamara.dodge@legis.wisconsin.gov



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0596/P3dn  
TJD:jld:rs

January 28, 2015

This draft reconciles LRB-596/P2 and LRB-1461/P1, which includes LRB-0972, LRB-1035, and LRB-1130. All of these drafts should continue to appear in the compiled bill.

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Tamara J. Dodge  
Legislative Attorney  
(608) 267-7380  
tamara.dodge@legis.wisconsin.gov

## Dodge, Tamara

---

**From:** Hutter, Ryan M - DOA <Ryan.Hutter@wisconsin.gov>  
**Sent:** Thursday, January 29, 2015 12:35 PM  
**To:** Dodge, Tamara  
**Cc:** Steinmetz, Jana D - DOA  
**Subject:** RE: Draft 0596 Changes

Hi Tammy,

There is one slight change to the number we gave you yesterday. Sorry for the inconvenience.

Pg. 2, line 13

- Currently the amount in the draft is \$24,348,730. This amount needs to be decreased to **\$24,348,700**.

This is to match the budget available.

Thanks,

Ryan

---

**From:** Hutter, Ryan M - DOA  
**Sent:** Wednesday, January 28, 2015 12:34 PM  
**To:** Dodge, Tamara - LEGIS (Tamara.Dodge@legis.wisconsin.gov)  
**Subject:** RE: Draft 0596 Changes

Hi Tammy,

One additional change has been made regarding this draft.

Pg. 2, line 13

- Currently the amount in the draft is \$11,771,230. This amount needs to be increased to **\$24,348,730**.

If you have any additional questions or concerns please let me know.

Thanks,

Ryan

---

**From:** Hutter, Ryan M - DOA  
**Sent:** Friday, January 16, 2015 12:33 PM  
**To:** Dodge, Tamara - LEGIS  
**Cc:** Steinmetz, Jana D - DOA ([Jana.Steinmetz@wisconsin.gov](mailto:Jana.Steinmetz@wisconsin.gov))  
**Subject:** Draft 0596 Changes

Hi Tammy,

Below are a few remarks the department has made on the Consolidate community mental health funding in one appropriation, 0596. Let me know if wish to discuss or if you have any questions.

**LRB-0596**

Pg. 2, lines 4 and 5

- The Department suggests replacing the language “at the Trempealeau County Health Care Center” with “at a county-operated institution for mental disease as selected by the Department.”
  - This change will allow the Department the flexibility to continue to contract with the Trempealeau County Health Care Center should the Center’s name change in the future or to contract with a different county-operated IMD, should the Department decide to do so.

Pg. 4, LRB drafter’s comment

- The Department is ok with the language as drafted.

Pg. 5, LRB drafter’s comment after line 13

- The Department is ok with the language as drafted.

Pg. 5, LRB drafter’s comment after line 17

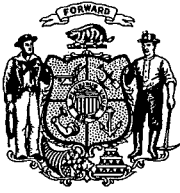
- The Department is ok with the language as drafted.
  - In FY 16, the allocation for mental health services through s. 46.40 (7m) will only be half the statutorily-designated amount because the statute does not take effect until January 1, 2016.

Pg. 6, LRB drafter’s comment

- The Department is ok with the language as drafted.

Thanks,

Ryan Hutter  
Division of Executive Budget & Finance  
Department of Administration  
(608) 266-2214



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0596/P3  
TJD:jld:rs *pu*

*d-note*

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Under current law, if a skilled nursing facility or an intermediate care facility is found to meet the classification of an institution for mental diseases, DHS must pay for care in the community or in that institution for mental diseases for individuals meeting certain criteria. Current law also requires DHS to pay for relocations of certain individuals who have mental illness to the community. The bill eliminates both of these requirements.

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12 (this act), is amended to read:

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15 under s. 46.40, to fund services provided by resource centers or other entities under  
16 s. 46.283 (5), to fund activities in support of resource center operations, for services  
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18 adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for  
19 Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance  
20 payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided

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2 be made from this appropriation. Refunds received relating to payments made under  
3 s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under  
4 this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001  
5 (3) (a) and 20.002 (1), the department of health services may transfer funds between  
6 fiscal years under this paragraph. The department shall deposit into this  
7 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior  
8 year audit adjustments including those resulting from audits of services under s.  
9 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward  
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18 this paragraph. ~~Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department~~  
19 ~~of health services may credit or deposit into this appropriation account funds for the~~  
20 ~~purpose specified in s. 46.48 (13) that the department transfers from the~~  
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22 ~~that appropriation account but unexpended or unencumbered on June 30 of each~~  
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2 December 31 of each year lapse to the general fund on the next January 1 unless  
3 carried forward to the next calendar year by the joint committee on finance.

4 SECTION 5. 46.266 of the statutes is repealed.

5 SECTION 6. 46.268 of the statutes is repealed.

6 SECTION 7. 46.27 (6r) (b) 1m. of the statutes is renumbered 46.27 (6r) (b) 1m.  
7 (intro.) and amended to read:

8 46.27 (6r) (b) 1m. (intro.) The person meets the requirements under s. 46.266  
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10 diseases:

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12 46.27 (6r) (b) 1m. a. A person who resided in the facility on the date of the  
13 finding that a skilled nursing facility or intermediate care facility that provides care  
14 to Medical Assistance recipients to be an institution for mental diseases whose care  
15 in the facility is disallowed for federal financial participation under Medical  
16 Assistance.

17 b. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
18 who would meet the level of care requirements for Medical Assistance  
19 reimbursement in a skilled nursing facility or intermediate care facility but for a  
20 finding that the facility is an institution for mental diseases, and for whom services  
21 would be provided in place of a person specified in subd. 1m. a. who discontinues  
22 services.

23 SECTION 9. 46.277 (5g) (b) of the statutes is renumbered 46.277 (5g) (b) (intro.)  
24 and amended to read:

1           46.277 (5g) (b) (intro.) This section does not apply to the delicensure of a bed  
2 of an institution for mental diseases of an individual who is aged 21 to 64, who has  
3 a primary diagnosis of mental illness and who otherwise meets any of the following  
4 requirements of s. 46.266 (1) (a), (b) or (c).:

5           **SECTION 10.** 46.277 (5g) (b) 1. and 2. of the statutes are created to read:

6           46.277 (5g) (b) 1. A person who resided in the facility on the date of the finding  
7 that a skilled nursing facility or intermediate care facility that provides care to  
8 Medical Assistance recipients to be an institution for mental diseases whose care in  
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11           2. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
12 who would meet the level of care requirements for Medical Assistance  
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15 would be provided in place of a person specified in subd. 1. who discontinues services.

16           **SECTION 11.** 46.40 (7m) of the statutes is created to read:

17           46.40 (7m) STATE COMMUNITY MENTAL HEALTH ALLOCATION. For community  
18 mental health services, the department shall distribute not less than \$24,348,730 in  
19 each fiscal year.

20           **SECTION 12.** 49.45 (41) (b) of the statutes is amended to read:

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22 health crisis intervention services, the county may provide mental health crisis  
23 intervention services under this subsection in the county to medical assistance  
24 recipients through the medical assistance program. A county that elects to provide  
25 the services shall pay the amount of the allowable charges for the services under the

\$24,348,700



1 medical assistance program that is not provided by the federal government. ~~From~~  
2 ~~the appropriation account under s. 20.435 (5) (bL), the~~ The department shall  
3 reimburse the county under this subsection only for the amount of the allowable  
4 charges for those services under the medical assistance program that is provided by  
5 the federal government.

6 **SECTION 13.** 51.42 (5) (a) 13. of the statutes is repealed.

7 **SECTION 14.** 51.42 (6m) (o) of the statutes is repealed.

8 **SECTION 15.** 51.421 (3) (e) of the statutes is repealed.

9 **SECTION 16.** 51.423 (3) of the statutes is repealed.

10 **SECTION 9118. Nonstatutory provisions; Health Services.**

11 (1) COMMUNITY MENTAL HEALTH ALLOCATION. Notwithstanding section 46.40 (7m)  
12 of the statutes, as created by this act, the department of health services may  
13 distribute one-half of the amount allocated for community mental health services in  
14 fiscal year 2015–16 after the effective date of this subsection.

15 **SECTION 9418. Effective dates; Health Services.**

16 (1) COMMUNITY MENTAL HEALTH SERVICES.

17 (a) *Consolidating appropriations; eliminating certain relocation programs.*

18 The treatment of sections 20.435 (5) (be) and (7) (b) and (bc), 46.266, 46.268, 46.40  
19 (7m), 49.45 (41) (b), 51.42 (5) (a) 13. and (6m) (o), 51.421 (3) (e), and 51.423 (3) of the  
20 statutes, the renumbering and amendment of sections 46.27 (6r) (b) 1m. and 46.277  
21 (5g) (b) of the statutes, the creation of sections 46.27 (6r) (b) 1m. a. and b. and 46.277  
22 (5g) (b) 1. and 2. of the statutes, and SECTION 9118 (1) of this act take effect on January  
23 1, 2016.



**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-0596/P4dn

TJD::



*Date*

✓ ✓ ✓  
This draft reconciles LRB-596/P2 and LRB-1461/P1, which includes LRB-0972, LRB-1035, and LRB-1130. All of these drafts should continue to appear in the compiled bill.

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LRB-0596/P4dn  
TJD:kjf:jf

January 29, 2015

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State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0596/P4  
TJD:jld:jf

DOA:.....Hutter, BB0207 – Consolidate community mental health funding in one appropriation

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10          **SECTION 2.** 20.435 (5) (bL) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation, but should not be reflected in the revised schedule in s. 20.005, stats., because of a delayed effective date.

11          **SECTION 3.** 20.435 (7) (b) of the statutes, as affected by 2015 Wisconsin Act ...  
12 (this act), is amended to read:

13          20.435 (7) (b) *Community aids and Medical Assistance payments.* The  
14 amounts in the schedule for human services and community mental health services  
15 under s. 46.40, to fund services provided by resource centers or other entities under  
16 s. 46.283 (5), to fund activities in support of resource center operations, for services  
17 under the family care program under s. 46.284 (5), for Medical Assistance payment  
18 adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for  
19 Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance  
20 payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided

1 before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may  
2 be made from this appropriation. Refunds received relating to payments made under  
3 s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under  
4 this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001  
5 (3) (a) and 20.002 (1), the department of health services may transfer funds between  
6 fiscal years under this paragraph. The department shall deposit into this  
7 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior  
8 year audit adjustments including those resulting from audits of services under s.  
9 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward  
10 under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all  
11 funds allocated under s. 46.40 and not spent or encumbered by December 31 of each  
12 year shall lapse to the general fund on the succeeding January 1 unless carried  
13 forward to the next calendar year by the joint committee on finance.

\*\*\*\*NOTE: This is reconciled s. 20.435 (7) (b). This SECTION has been affected by  
drafts with the following LRB numbers: -0596/P2 and -1461/P1 (which includes -0972,  
-1035, and -1130).

14 SECTION 4. 20.435 (7) (bc) of the statutes is amended to read:

15 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule  
16 for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3)  
17 (a) and 20.002 (1), the department may transfer funds between fiscal years under  
18 this paragraph. ~~Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department~~  
19 ~~of health services may credit or deposit into this appropriation account funds for the~~  
20 ~~purpose specified in s. 46.48 (13) that the department transfers from the~~  
21 ~~appropriation account under sub. (5) (bL) that are allocated by the department under~~  
22 ~~that appropriation account but unexpended or unencumbered on June 30 of each~~  
23 ~~year. Except for amounts authorized to be carried forward under s. 46.48 and as~~

1 otherwise provided in this paragraph, all funds allocated but not encumbered by  
2 December 31 of each year lapse to the general fund on the next January 1 unless  
3 carried forward to the next calendar year by the joint committee on finance.

4 **SECTION 5.** 46.266 of the statutes is repealed.

5 **SECTION 6.** 46.268 of the statutes is repealed.

6 **SECTION 7.** 46.27 (6r) (b) 1m. of the statutes is renumbered 46.27 (6r) (b) 1m.  
7 (intro.) and amended to read:

8 46.27 (6r) (b) 1m. (intro.) The person meets the requirements under s. ~~46.266~~  
9 ~~(1) (a), (b) or (e)~~ any of the following for receipt of care in an institution for mental  
10 diseases:

11 **SECTION 8.** 46.27 (6r) (b) 1m. a. and b. of the statutes are created to read:

12 46.27 (6r) (b) 1m. a. A person who resided in the facility on the date of the  
13 finding that a skilled nursing facility or intermediate care facility that provides care  
14 to Medical Assistance recipients to be an institution for mental diseases whose care  
15 in the facility is disallowed for federal financial participation under Medical  
16 Assistance.

17 b. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
18 who would meet the level of care requirements for Medical Assistance  
19 reimbursement in a skilled nursing facility or intermediate care facility but for a  
20 finding that the facility is an institution for mental diseases, and for whom services  
21 would be provided in place of a person specified in subd. 1m. a. who discontinues  
22 services.

23 **SECTION 9.** 46.277 (5g) (b) of the statutes is renumbered 46.277 (5g) (b) (intro.)  
24 and amended to read:



1           46.277 (5g) (b) (intro.) This section does not apply to the delicensure of a bed  
2 of an institution for mental diseases of an individual who is aged 21 to 64, who has  
3 a primary diagnosis of mental illness and who otherwise meets any of the following  
4 requirements of s. 46.266 (1) (a), (b) or (c):

5           **SECTION 10.** 46.277 (5g) (b) 1. and 2. of the statutes are created to read:

6           46.277 (5g) (b) 1. A person who resided in the facility on the date of the finding  
7 that a skilled nursing facility or intermediate care facility that provides care to  
8 Medical Assistance recipients to be an institution for mental diseases whose care in  
9 the facility is disallowed for federal financial participation under Medical  
10 Assistance.

11           2. A person who is aged 21 to 64, who has a primary diagnosis of mental illness,  
12 who would meet the level of care requirements for Medical Assistance  
13 reimbursement in a skilled nursing facility or intermediate care facility but for a  
14 finding that the facility is an institution for mental diseases, and for whom services  
15 would be provided in place of a person specified in subd. 1. who discontinues services.

16           **SECTION 11.** 46.40 (7m) of the statutes is created to read:

17           46.40 (7m) STATE COMMUNITY MENTAL HEALTH ALLOCATION. For community  
18 mental health services, the department shall distribute not less than \$24,348,700 in  
19 each fiscal year.

20           **SECTION 12.** 49.45 (41) (b) of the statutes is amended to read:

21           49.45 (41) (b) If a county elects to become certified as a provider of mental  
22 health crisis intervention services, the county may provide mental health crisis  
23 intervention services under this subsection in the county to medical assistance  
24 recipients through the medical assistance program. A county that elects to provide  
25 the services shall pay the amount of the allowable charges for the services under the

1 medical assistance program that is not provided by the federal government. ~~From~~  
2 ~~the appropriation account under s. 20.435 (5) (bL), the~~ The department shall  
3 reimburse the county under this subsection only for the amount of the allowable  
4 charges for those services under the medical assistance program that is provided by  
5 the federal government.

6 **SECTION 13.** 51.42 (5) (a) 13. of the statutes is repealed.

7 **SECTION 14.** 51.42 (6m) (o) of the statutes is repealed.

8 **SECTION 15.** 51.421 (3) (e) of the statutes is repealed.

9 **SECTION 16.** 51.423 (3) of the statutes is repealed.

10 **SECTION 9118. Nonstatutory provisions; Health Services.**

11 (1) COMMUNITY MENTAL HEALTH ALLOCATION. Notwithstanding section 46.40 (7m)  
12 of the statutes, as created by this act, the department of health services may  
13 distribute one-half of the amount allocated for community mental health services in  
14 fiscal year 2015–16 after the effective date of this subsection.

15 **SECTION 9418. Effective dates; Health Services.**

16 (1) COMMUNITY MENTAL HEALTH SERVICES.

17 (a) *Consolidating appropriations; eliminating certain relocation programs.*

18 The treatment of sections 20.435 (5) (be) and (7) (b) and (bc), 46.266, 46.268, 46.40  
19 (7m), 49.45 (41) (b), 51.42 (5) (a) 13. and (6m) (o), 51.421 (3) (e), and 51.423 (3) of the  
20 statutes, the renumbering and amendment of sections 46.27 (6r) (b) 1m. and 46.277  
21 (5g) (b) of the statutes, the creation of sections 46.27 (6r) (b) 1m. a. and b. and 46.277  
22 (5g) (b) 1. and 2. of the statutes, and SECTION 9118 (1) of this act take effect on January  
23 1, 2016.

