



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 01/28/2015 (Per: CMH & TJD)

☞ Compile Draft – Appendix B **... Part I**

Appendix A ☞ The 2015 drafting file for LRB-0972

Appendix B ☞ The 2015 drafting file for LRB-1035

Appendix C ☞ The 2015 drafting file for LRB-1130

Appendix D ☞ The 2015 drafting file for LRB-1255

has been copied/added to the drafting file for

2015 LRB-1461

2015 DRAFTING REQUEST

Bill

Received: **12/23/2014** Received By: **tdodge**
Wanted: **As time permits** Same as LRB:
For: **Administration-Budget 6-8593** By/Representing: **McElgunn**
May Contact: Drafter: **tdodge**
Subject: **Medical Assistance** Addl. Drafters:
Extra Copies:

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

Pre Topic:

DOA:.....McElgunn, BB0359 -

Topic:

Restructuring of aging and disability resource centers

Instructions:

See attached

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>
/P1	tdodge 1/19/2015	kfollett 1/10/2015	rschluet 1/12/2015	_____	mbarman 1/12/2015		State S&L
/P2	tdodge 1/23/2015	kfollett 1/23/2015	jfrantze 1/24/2015	_____	sbasford 1/22/2015		State S&L
/P3				_____	srose		State

LRB-1035

1/24/2015 3:13:44 PM

Page 2

Vers. Drafted

Reviewed

Typed

Proofed

Submitted

Jacketed

Required

1/24/2015

S&L

FE Sent For:

<END>

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Extra Copies:

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Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov
sbostatlanguage@webapps.wi.gov
sarah.walkenhorstbarber@legis.wisconsin.gov

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/P1	tdodge 1/19/2015	kfollett 1/10/2015	rschluet 1/12/2015	_____	mbarman 1/12/2015		State S&L
/P2		kfollett 1/22/2015	rschluet 1/22/2015	_____	sbasford 1/22/2015		State S&L

FE Sent For:

1/23/15
1/23

<END>

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/P1	tdodge 1/5/2015	kfollett 1/10/2015	rschl 1/12/2015	_____	mbarman 1/12/2015		State S&L

FE Sent For:

Handwritten notes: 1P2/SF, 1/22, END, 24, AET

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sbostatlanguage@webapps.wi.gov ✓
sarah.walkenhorstbarber@legis.wisconsin.gov

Pre Topic:

DOA:.....McElgunn, BB0359 -

Topic:

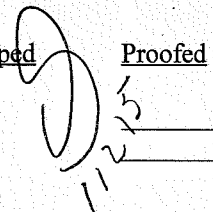
Restructuring of aging and disability resource centers ✓

Instructions:

See attached

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>
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/P1	tdodge	1/11/5F 1/10		3 2			
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FE Sent For:

<END>

Dodge, Tamara

From: CathleneH <cathleneh@gmail.com>
Sent: Tuesday, December 23, 2014 3:44 PM
To: Dodge, Tamara
Subject: Fwd: Statutory Language Drafting Request - BB0359

Sent from my iPhone

Begin forwarded message:

From: <christopher.mcelgunn@wisconsin.gov>
Date: December 23, 2014 at 3:40:09 PM AST
To: <cathlene.hanaman@legis.wisconsin.gov>
Cc: <Jana.Steinmetz@wisconsin.gov>, <christopher.mcelgunn@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>
Subject: Statutory Language Drafting Request - BB0359

Biennial Budget: 2015-17

DOA Tracking Code: BB0359

Topic: Aging and Disability Resource Center Restructuring

SBO Team: HSI

SBO Analyst: McElgunn, Christopher
Phone: 608-266-8593
E-mail: christopher.mcelgunn@wisconsin.gov

Agency Acronym: DHS

Agency Number: 435

Priority: Medium

Intent:

Revise s. 46.283 and s. 20.435(7)(b) to allow DHS to contract for current ADRC functions either through separate vendors, including non-county entities and eliminate the county's right of first refusal to the contract. Allow contracted vendors to provide services statewide or within, DHS designated, specific regions. Eliminate the requirement of an ADRC governing board.

Attachments: False

Please send completed drafts to SBOSatlanguage@webapps.wi.gov



State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1035/P1
TJD: [signature]

In: 1/5/15

DOA:.....McElgunn, BB0359 – Restructuring of aging and disability resource centers

FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION

1/12

Don't Gen

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

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES ✓

MEDICAL ASSISTANCE ✓

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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:

2 SECTION 1. 46.27 (4) (am) of the statutes is repealed. ✓

3 SECTION 2. 46.27 (4) (c) (intro.) of the statutes is amended to read:

4 46.27 (4) (c) (intro.) The planning committee shall develop, or, if the governing
5 ~~board of a resource center has under s. 46.283 (6) (b) 10. assumed the duties of the~~ ✓

1 ~~planning committee, the governing board of the resource center shall recommend a~~
2 ~~community options plan for participation in the program. The plan shall include:~~

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33; 2005 a. 22, 25, 264, 386, 387; 2007 a. 20 ss. 904 to 921, 9121 (6) (a); 2007 a. 141; 2009 a. 2; 2011 a. 32; 2013 a. 20, 92; 2013 a. 165 s. 114.

3 **SECTION 3.** 46.27 (4) (c) 5. of the statutes is amended to read:

4 46.27 (4) (c) 5. A description of the method to be used by the committee ~~or, if~~
5 ~~the governing board of a resource center has under s. 46.283 (6) (b) 10. assumed the~~
6 ~~duties of the planning committee, the governing board of the resource center to~~
7 ~~monitor the implementation of the program.~~

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33; 2005 a. 22, 25, 264, 386, 387; 2007 a. 20 ss. 904 to 921, 9121 (6) (a); 2007 a. 141; 2009 a. 2; 2011 a. 32; 2013 a. 20, 92; 2013 a. 165 s. 114.

8 **SECTION 4.** 46.281 (1n) (d) of the statutes is repealed.

9 **SECTION 5.** 46.2825 of the statutes is repealed.

***NOTE: This draft ^(S) repeals the regional long-term care advisory committees ^v
~~because the governing board of resource centers appoint members to the committees and~~
~~the governing boards are being repealed in this draft in accordance with the request.~~

10 **SECTION 6.** 46.283 (2) (intro.) of the statutes is renumbered 46.283 (2) and
11 amended to read:

12 **46.283 (2) ~~EXCLUSIVE~~ ^(CS) RESOURCE CENTER (intro.)** The department may contract to
13 operate a resource center with counties, long-term care districts, or the governing
14 body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc., under a joint
15 application of any of these, or with a private nonprofit organization if the department
16 determines that the organization has no significant connection to an entity that
17 operates a care management organization and if any of the following applies:

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

***NOTE: Currently, DHS is only authorized to contract with a nonprofit
organization to operate a resource center. Did you intend that DHS be authorized to
contract with for-profit entities also?

18 **SECTION 7.** 46.283 (2) (a) of the statutes is repealed.

19 **SECTION 8.** 46.283 (2) (b) of the statutes is repealed.

Statewide or

1 SECTION 9. 46.283 (4) (a) of the statutes is amended to read:

2 46.283 (4) (a) Provide services within the entire geographic area prescribed for
3 the resource center by the department.

4 History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 981; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.
5 SECTION 10. 46.283 (4) (j) of the statutes is repealed.

6 SECTION 11. 46.283 (6) of the statutes is repealed.

7 SECTION 12. 46.283 (7) (b) of the statutes is amended to read:

8 46.283 (7) (b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45
9 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource center
10 acting under this section may exchange confidential information about a client, as
11 defined in s. 46.287 (1), without the informed consent of the client, under s. 46.21
12 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284 (7), 46.2895 (10), 51.42 (3)
13 (e) or 51.437 (4r) (b) in the county operating area of the resource center, if necessary
14 to enable the resource center to perform its duties or to coordinate the delivery of
15 services to the client.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.
15 (END)

Dodge, Tamara

From: McElgunn, Christopher J - DOA <ChristopherJ.McElgunn@wisconsin.gov>
Sent: Tuesday, January 13, 2015 2:02 PM
To: Dodge, Tamara
Subject: RE: ADRCs - BB0359

Tami,

Sorry for the delay in response. We were waiting on some feedback regarding this request and, like LRB, have 1000 other things going on right now. Here is some updated guidance based on your initial draft:

✓ First, in response to the drafter's note under section 6, we do want authority to contract with a for profit entity if we choose.

Second, the draft leaves largely intact ss. 46.283(3) and (4), which specify what services/activities every resource center should provide. However, the proposal's intent is to provide the Department the flexibility to contract for some of those functions with another entity, separate from the ADRCs, probably a statewide entity. These functions would include those under (3)(b),(d), (g) and (4)(e), (f), (g). Ideally, though, the statute should give DHS flexibility to decide which particular function is provided through the ADRC or through the statewide entity. This gets tricky from a drafting standpoint because the statewide entity would not be "branded" as an ADRC. I recommend revising the intro to (3) to read that the Department may contract with a resource center or another entity for the functions listed, in a way that makes it clear that the Department decides which entity performs which function.. (4)(e),(f),(g) should probably be moved under (3) as well.

Please let me know if this answers your questions, or, creates more questions. I have several meeting this afternoon, but am available most of the day tomorrow if you's like to discuss.

Thank you.

Chris

Christopher J. McElgunn
Division of Executive Budget and Finance
Wisconsin Department of Administration
(608) 267-9546

From: Dodge, Tamara [mailto:Tamara.Dodge@legis.wisconsin.gov]
Sent: Tuesday, December 30, 2014 12:49 PM
To: McElgunn, Christopher J - DOA
Subject: ADRCs - BB0359

Christopher,

I'm working on the Aging and Disability Resource Center draft (BB0359) described below. Since the ADRC governing boards are being eliminated and since the governing boards appoint members to the regional long-term care advisory committee, should those regional long-term care advisory committees (s. 46.2825) be eliminated too? I will start drafting on the assumption that s. 46.2825 will be repealed, so let me know if it shouldn't. If the committees are

eliminated, let me know if any of the functions of the committees should be transferred to DHS. It appears that DHS could perform most of those functions now but might not be specifically required to.

While I've got you on email, I should point out that we draft a request independently of other requests as if the other requests don't exist, so this draft for BB0359 will not reflect the changes to care management organizations and other family care changes requested in BB0315. If it becomes obvious that both of those drafts will be on the "in-list" for the budget, I can combine them and reconcile them at that point, or earlier if you or Cindy would like. Just wanted to let you know

Thanks,
Tami

Tamara J. Dodge

Attorney
Wisconsin Legislative Reference Bureau
P.O. Box 2037
Madison, WI 53701-2037
(608) 267 - 7380
tamara.dodge@legis.wisconsin.gov

Begin forwarded message:

From: <christopher.mcelgunn@wisconsin.gov>
Date: December 23, 2014 at 3:40:09 PM AST
To: <cathlene.hanaman@legis.wisconsin.gov>
Cc: <Jana.Steinmetz@wisconsin.gov>, <christopher.mcelgunn@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>
Subject: **Statutory Language Drafting Request - BB0359**

Biennial Budget: 2015-17

DOA Tracking Code: BB0359

Topic: Aging and Disability Resource Center Restructuring

SBO Team: HSI

SBO Analyst: McElgunn, Christopher
Phone: 608-266-8593
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Attachments: False

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State of Wisconsin
2015 - 2016 LEGISLATURE



LRB-1035/P1
TJD:kjfrs

P2

In: 1/19/15

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MEDICAL ASSISTANCE

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- 5 ~~board of a resource center has under s. 46.283 (6) (b) 10. assumed the duties of the~~

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2 community options plan for participation in the program. The plan shall include:

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5 the governing board of a resource center has under s. 46.283 (6) (b) 10. assumed the
6 duties of the planning committee, the governing board of the resource center to
7 monitor the implementation of the program.

Insert
2-8

8 SECTION 4. 46.281 (1n) (d) of the statutes is repealed.

Insert
2-9

9 SECTION 5. 46.2825 of the statutes is repealed.

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12 46.283 (2) ~~EXCLUSIVE RESOURCE CENTER CONTRACT~~ The department may
13 contract to operate a resource center with counties, long-term care districts, or the
14 governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc., under
15 a joint application of any of these, or with a private nonprofit organization if the
16 department determines that the organization has no significant connection to an
17 entity that operates a care management organization and if any of the following
18 applies:

entity or CONTRACT FOR CERTAIN FUNCTIONS

***NOTE: Currently, DHS is only authorized to contract with a nonprofit organization to operate a resource center. Did you intend that DHS be authorized to contract with for-profit entities also?

Insert
2-21/20

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20 SECTION 8. 46.283 (2) (b) of the statutes is repealed.

21 SECTION 9. 46.283 (4) (a) of the statutes is amended to read:

renumbered
46.283(3)(L)
and

fix component

Insert 3-3

(3) (L)

Provision of

1 46.283 (4) (a) Provide services statewide or within the entire geographic area
2 prescribed for the resource center by the department.

or other entity

as specified in the contract

Insert 3-4

3 SECTION 10. 46.283 (4) (j) of the statutes is repealed.

4 SECTION 11. 46.283 (6) of the statutes is repealed.

Insert 3-5

5 SECTION 12. 46.283 (7) (b) of the statutes is amended to read:

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11 (e) or 51.437 (4r) (b) in the county operating area of the resource center, if necessary

12 to enable the resource center to perform its duties or to coordinate the delivery of

13 services to the client.

or other entity

(END)

or other entity

or other contracted entity under sub. (2)

Insert 3-14

14

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

LRB-1035/P2ins
TJD:.....

1 **INSERT 1-2**

2 **SECTION 1.** 20.435 (4) (b) of the statutes is amended to read:

3 20.435 (4) (b) *Medical Assistance program benefits.* Biennially, the amounts
4 in the schedule to provide a portion of the state share of Medical Assistance program
5 benefits administered under subch. IV of ch. 49, for a portion of the Badger Care
6 health care program under s. 49.665, to provide a portion of the Medical Assistance
7 program benefits administered under subch. IV of ch. 49 that are not also provided
8 under par. (o), to fund the pilot project under s. 46.27 (9) and (10), to provide a portion
9 of the facility payments under 1999 Wisconsin Act 9, section 9123 (9m), to fund
10 services provided by resource centers or other entities under s. 46.283, for services
11 under the family care benefit under s. 46.284 (5), for assisting victims of diseases, as
12 provided in ss. 49.68, 49.683, and 49.685, for distributing grants under s. 146.64, and
13 for reduction of any operating deficits as specified in 2005 Wisconsin Act 15, section
14 3. Notwithstanding s. 20.002 (1), the department may transfer from this
15 appropriation account to the appropriation account under sub. (5) (kc) funds in the
16 amount of and for the purposes specified in s. 46.485. Notwithstanding ss. 20.001
17 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation
18 account and may transfer between fiscal years funds that it transfers from the
19 appropriation account under sub. (5) (kc) for the purposes specified in s. 46.485 (3r).
20 Notwithstanding s. 20.002 (1), the department may transfer from this appropriation
21 account to the appropriation account under sub. (7) (bd) funds in the amount and for
22 the purposes specified in s. 49.45 (6v).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a.

435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20, 92; 2013 a. 116 s. 31; 2013 a. 126, 127, 129, 131, 132, 137; 2013 a. 166 s. 77; 2013 a. 168 s. 21; 2013 a. 195, 203, 246; s. 13.92 (2) (i).

1 SECTION 2. 20.435 (4) (bm) of the statutes is amended to read:

2 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
3 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
4 amounts in the schedule to provide a portion of the state share of administrative
5 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
6 Badger Care health care program under s. 49.665 and to provide the state share of
7 administrative costs for the food stamp program under s. 49.79, other than payments
8 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
9 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
10 outreach activities, for state administration of state supplemental grants to
11 supplemental security income recipients under s. 49.77, and for services of resource
12 centers or other entities under s. 46.283. No state positions may be funded in the
13 department of health services from this appropriation, except positions for the
14 performance of duties under a contract in effect before January 1, 1987, related to
15 the administration of the Medical Assistance program between the subunit of the
16 department primarily responsible for administering the Medical Assistance
17 program and another subunit of the department. Total administrative funding
18 authorized for the program under s. 49.665 may not exceed 10% of the amounts
19 budgeted under pars. (p) and (x).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20, 92; 2013 a. 116 s. 31; 2013 a. 126, 127, 129, 131, 132, 137; 2013 a. 166 s. 77; 2013 a. 168 s. 21; 2013 a. 195, 203, 246; s. 13.92 (2) (i).

1 **SECTION 3.** 20.435 (4) (gm) of the statutes is amended to read:

2 20.435 (4) (gm) *Medical assistance; provider refunds and collections.* All
3 moneys received from provider refunds, third party liability payments, drug rebates,
4 audit recoveries, and other collections related to expenditures made from pars. (b),
5 (jz), and (w), except for those moneys deposited in the appropriation accounts under
6 par. (im) or (in) regardless of the fiscal year in which the expenditure from par. (b),
7 (jz), or (w) is made, to provide a portion of the state share of Medical Assistance
8 program benefits administered under subch. IV of ch. 49; to provide a portion of the
9 Badger Care health care program under s. 49.665; to provide a portion of the Medical
10 Assistance program benefits administered under subch. IV of ch. 49 that are not also
11 provided under par. (o); to fund the pilot project under s. 46.27 (9) and (10); to fund
12 services provided by resource centers or other entities under s. 46.283; to fund
13 services under the family care benefit under s. 46.284 (5); and to assist victims of
14 diseases, as provided in ss. 49.68, 49.683, and 49.685.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20, 92; 2013 a. 116 s. 31; 2013 a. 126, 127, 129, 131, 132, 137; 2013 a. 166 s. 77; 2013 a. 168 s. 21; 2013 a. 195, 203, 246; s. 13.92 (2) (i).

15 **SECTION 4.** 20.435 (4) (pa) of the statutes is amended to read:

16 20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts*
17 *administration.* All federal moneys received for the federal share of the cost of
18 contracting for payment and services administration and reporting, other than
19 moneys received under pars. (nn) and (np), to reimburse 3rd parties for their costs

1 under s. 49.475, for administrative contract costs for the food stamp program under
2 s. 49.79, and for services of resource centers or other entities under s. 46.283.

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112, 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356, 2202 (20) (b), (d), (g); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961; 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5, 9, 32, 52, 84, 103, 109, 113, 133, 185, 186; 2001 a. 16, 69, 103, 105; 2003 a. 33, 139, 186, 318, 320, 326, 327; 2005 a. 15, 22; 2005 a. 25 ss. 299 to 331, 2498 to 2500, 2510; 2005 a. 74, 107, 199, 228, 264, 388, 406, 434; 2007 a. 20 ss. 331 to 422, 9121 (6) (a); 2007 a. 39, 88, 107, 111, 130; 2009 a. 2, 15; 2009 a. 28 ss. 325 to 470, 485, 488, 490; 2009 a. 76, 180, 190, 219, 274, 276, 279, 318, 334; 2011 a. 32, 70, 257; 2013 a. 20, 92; 2013 a. 116 s. 31; 2013 a. 126, 127, 129, 131, 132, 137; 2013 a. 166 s. 77; 2013 a. 168 s. 21; 2013 a. 195, 203, 246; s. 13.92 (2) (i).

3 **SECTION 5. 46.21 (2m) (c) of the statutes is amended to read:**

4 **46.21 (2m) (c) Exchange of information.** Notwithstanding ss. 46.2895 (9), 48.78
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), and 253.07
6 (3) (c), a subunit of a county department of human services or tribal agency acting
7 under this subsection may exchange confidential information about a client, without
8 the informed consent of the client, with any other subunit of the same county
9 department of human services or tribal agency, with a resource center or other
10 contracted entity under s. 46.283 (2), a care management organization, or a
11 long-term care district, with an elder-adult-at-risk agency, an adult-at-risk
12 agency, or any agency to which referral for investigation is made under s. 46.90 (5)
13 (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client under a
14 purchase of services contract with the county department of human services or tribal
15 agency or with a resource center or other contracted entity under s. 46.283 (2), a care
16 management organization, or a long-term care district, if necessary to enable an
17 employee or service provider to perform his or her duties, or to enable the county
18 department of human services or tribal agency to coordinate the delivery of services
19 to the client. An agency that releases information under this paragraph shall

1 document that a request for information was received and what information was
2 provided.

History: 1973 c. 136, 153, 262; 1975 c. 224; 1975 c. 413 s. 18; 1977 c. 271, 272, 449; 1979 c. 34; 1981 c. 217, 329, 391; 1983 a. 27, 239, 368, 524; 1985 a. 29 s. 3202 (23); 1985 a. 120, 176, 332; 1987 a. 399; 1989 a. 31, 112, 319; 1991 a. 274; 1993 a. 27, 186, 213, 446; 1995 a. 27, 77, 201; 1997 a. 27, 79, 164, 237, 283; 1999 a. 9; 2005 a. 264, 388, 443; 2007 a. 20, 45; 2009 a. 28, 180; 2011 a. 32; 2013 a. 20, 203.

3 **SECTION 6. 46.215 (1m)** of the statutes is amended to read:

4 **46.215 (1m) EXCHANGE OF INFORMATION; LONG-TERM CARE.** Notwithstanding ss.
5 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
6 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
7 services or tribal agency acting under this section may exchange confidential
8 information about a client, without the informed consent of the client, with any other
9 subunit of the same county department of social services or tribal agency, with a
10 resource center or other contracted entity under s. 46.283 (2), a care management
11 organization, or a long-term care district, with an elder-adult-at-risk agency, an
12 adult-at-risk agency, or any agency to which referral for investigation is made under
13 s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client
14 under a purchase of services contract with the county department of social services
15 or tribal agency or with a resource center or other contracted entity under s. 46.283
16 (2), a care management organization, or a long-term care district, if necessary to
17 enable an employee or service provider to perform his or her duties, or to enable the
18 county department of social services or tribal agency to coordinate the delivery of
19 services to the client. An agency that releases information under this subsection
20 shall document that a request for information was received and what information
21 was provided.

History: 1971 c. 218; 1973 c. 90, 147, 333, 336; 1975 c. 39, 307, 421; 1977 c. 29, 271, 418; 1979 c. 34; 1981 c. 20 ss. 867m to 870, 2202 (20) (j); 1981 c. 81, 329; 1983 a. 27 ss. 1080, 2202 (20); 1983 a. 190 s. 7; 1983 a. 193; 1985 a. 29, 120; 1985 a. 176 ss. 322 to 332; Stats. 1985 s. 46.215; 1987 a. 27; 1987 a. 403 s. 256; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2063 to 2076, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 225, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33; 2005 a. 25, 264, 388, 406; 2007 a. 20 ss. 848 to 856, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 15, 28, 180, 334; 2011 a. 32; 2013 a. 20.

22 **SECTION 7. 46.22 (1) (dm)** of the statutes is amended to read:

1 46.22 (1) (dm) *Exchange of information; long-term care.* Notwithstanding ss.
2 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
3 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of social
4 services or tribal agency acting under this subsection may exchange confidential
5 information about a client, without the informed consent of the client, with any other
6 subunit of the same county department of social services or tribal agency, with a
7 resource center or other contracted entity under s. 46.283 (2), a care management
8 organization, or a long-term care district, with an elder-adult-at-risk agency, an
9 adult-at-risk agency, or any agency to which referral for investigation is made under
10 s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client
11 under a purchase of services contract with the county department of social services
12 or tribal agency or with a resource center or other contracted entity under s. 46.283
13 (2), a care management organization, or a long-term care district, if necessary to
14 enable an employee or service provider to perform his or her duties, or to enable the
15 county department of social services or tribal agency to coordinate the delivery of
16 services to the client. An agency that releases information under this paragraph
17 shall document that a request for information was received and what information
18 was provided.

History: 1971 c. 164, 218; 1973 c. 90 ss. 226, 560 (3); 1973 c. 147, 333; 1975 c. 39; 1975 c. 189 s. 99 (1), (2); 1975 c. 224 ss. 52p, 146m; 1975 c. 307, 422; 1975 c. 430 s. 78; 1977 c. 29 ss. 560, 1656 (18); 1977 c. 83 s. 26; 1977 c. 418, 449; 1979 c. 34, 221; 1981 c. 20 ss. 759 to 763m, 2202 (20) (j); 1981 c. 329; 1981 c. 390 s. 252; 1983 a. 27 s. 2202 (20); 1983 a. 190 s. 7; 1983 a. 192, 193, 447; 1985 a. 29, 120; 1985 a. 176 ss. 28, 30, 59 to 105; 1985 a. 332; 1987 a. 5, 27; 1989 a. 31, 107, 336, 359; 1991 a. 39, 274; 1993 a. 16; 1995 a. 27 ss. 2077 to 2111, 9126 (19), 9130 (4); 1995 a. 64, 77, 201, 289, 352, 404, 417; 1997 a. 3, 27, 35, 252; 1999 a. 9, 83; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 264, 344, 388, 406; 2007 a. 20 ss. 837 to 877, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 324; 2011 a. 32, 126.

19 **SECTION 8. 46.23 (3) (e) of the statutes is amended to read:**

20 46.23 (3) (e) *Exchange of information; long-term care.* Notwithstanding ss.
21 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82,
22 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a), a subunit of a county department of
23 human services or tribal agency acting under this section may exchange confidential

1 information about a client, without the informed consent of the client, with any other
 2 subunit of the same county department of human services or tribal agency, with a
 3 resource center or other contracted entity under s. 46.283 (2), a care management
 4 organization, or a long-term care district, with an elder-adult-at-risk agency, an
 5 adult-at-risk agency, or any agency to which referral for investigation is made under
 6 s. 46.90 (5) (a) 1. or 55.043 (1r) (a) 1g., or with a person providing services to the client
 7 under a purchase of services contract with the county department of human services
 8 or tribal agency or with a resource center or other contracted entity under s. 46.283
 9 (2), a care management organization, or a long-term care district, if necessary to
 10 enable an employee or service provider to perform his or her duties, or to enable the
 11 county department of human services or tribal agency to coordinate the delivery of
 12 services to the client. An agency that releases information under this paragraph
 13 shall document that a request for information was received and what information
 14 was provided.

History: 1975 c. 39, 224; 1977 c. 29; 1981 c. 20, 93, 291; 1981 c. 329 s. 31; 1983 a. 27 ss. 962, 2202 (20); 1985 a. 29 ss. 844m to 860, 3200 (56) (a); 1985 a. 120, 176, 332; 1987 a. 186; 1987 a. 403 s. 256; 1989 a. 56, 359; 1991 a. 274; 1993 a. 16, 27, 83, 445, 491; 1995 a. 27 ss. 2112 to 2127, 9126 (19), 9130 (4); 1995 a. 64, 201, 352, 417; 1997 a. 3, 164, 268, 283; 1999 a. 9; 2005 a. 264, 388, 406; 2007 a. 20 ss. 878 to 891, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180; 2011 a. 32.

15 **END INSERT 1-2**

16 **INSERT 2-8**

17 **SECTION 9.** 46.2805 (10) of the statutes is amended to read:

18 46.2805 (10) "Resource center" means an entity that meets the standards for
 19 operation under s. 46.283 (3) or, if under contract to provide a portion of the services
 20 specified under s. 46.283 (3), meets the standards for operation with respect to those
 21 services, and fulfills the duties under s. 46.283 (4).

History: 1999 a. 9, 185; 2003 a. 33; 2007 a. 20, 141; 2009 a. 247.

22 **SECTION 10.** 46.281 (1g) (a) of the statutes is amended to read:

1 46.281 (1g) (a) Subject to par. (b), the department may contract with entities
2 or resource centers as provided under s. 46.283 (2) to provide any of the services
3 under s. 46.283 (3) and (4) ~~as resource centers~~ in any geographic area in the state,
4 and may contract with entities as provided under s. 46.284 (2) to administer the
5 family care benefit as care management organizations in any geographic area in the
6 state.

7 History: 1999 a. 9; 2001 a. 103; 2005 a. 25, 386; 2007 a. 20; 2009 a. 28, 247; 2011 a. 32, 127.

7 **END INSERT 2-8**

8 **INSERT 2-9**

9 **SECTION 11.** 46.281 (1n) (e) of the statutes is amended to read:

10 46.281 (1n) (e) Contract with a person to provide the advocacy services
11 described under s. 16.009 (2) (p) 1. to 5. to actual or potential recipients of the family
12 care benefit who are under age 60 or to their families or guardians. The department
13 may not contract under this paragraph with a county or with a person who has a
14 contract with the department to provide services under s. 46.283 (3) ~~and (4)~~ as a
15 resource center or other entity or to administer the family care benefit as a care
16 management organization. The contract under this paragraph shall include as a
17 goal that the provider of advocacy services provide one advocate for every 2,500
18 individuals under age 60 who receive the family care benefit or who participates in
19 the self-directed services option.

20 History: 1999 a. 9; 2001 a. 103; 2005 a. 25, 386; 2007 a. 20; 2009 a. 28, 247; 2011 a. 32, 127.

20 **SECTION 12.** 46.281 (3) of the statutes is amended to read:

21 46.281 (3) DUTY OF THE SECRETARY. The secretary shall certify to each county,
22 hospital, nursing home, community-based residential facility, adult family home,
23 and residential care apartment complex the date on which a resource center or other
24 entity under contract under s. 46.283 (2) that serves the area of the county, hospital,

1 nursing home, community-based residential facility, adult family home, or
2 residential care apartment complex is first available to perform functional
3 screenings and financial and cost-sharing screenings. To facilitate phase-in of
4 services of resource centers, the secretary may certify that the resource center or
5 other entity is available for specified groups of eligible individuals or for specified
6 facilities in the county.

7 History: 1999 a. 9; 2001 a. 103; 2005 a. 25, 386; 2007 a. 20; 2009 a. 28, 247; 2011 a. 32, 127.

END INSERT 2-9

INSERT 2-10

9 **SECTION 13.** 46.283 (title) of the statutes is amended to read:

10 **46.283 (title) Resource centers; resource functions.**

11 History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

END INSERT 2-10

INSERT 2-18

13 The department may contract with an entity other than a resource center to
14 perform certain functions of a resource center.

END INSERT 2-18

INSERT 2-21

17 **SECTION 14.** 46.283 (3) (title) of the statutes is repealed and recreated to read:

18 46.283 (3) (title) RESOURCE FUNCTION DUTIES.

19 **SECTION 15.** 46.283 (3) (intro.) of the statutes is amended to read:

20 46.283 (3) (intro.) The department shall assure that at least all may in a
21 contract with a resource center or other entity specify that the resource center or
22 other entity provide any of the following are available to a person who contacts a
23 resource center for service services or functions:

24 History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

SECTION 16. 46.283 (4) (title) of the statutes is amended to read:

1 46.283 (4) (title) ~~DUTIES; RESOURCE CENTERS.~~

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

2 **END INSERT 2-21**

3 **INSERT 3-3**

4 **SECTION 17.** 46.283 (4) (e) of the statutes is renumbered 46.283 (3) (m) and
5 amended to read:

6 46.283 (3) (m) ~~Provide information~~ Information about the services of the
7 resource center or other entity, including the services specified in sub. (3) (d), about
8 assessments under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c), and about
9 the family care benefit and the self-directed services option to all older persons and
10 adults with a physical or developmental disability who are residents of nursing
11 homes, community-based residential facilities, adult family homes, and residential
12 care apartment complexes in the area of the resource center or other entity when the
13 benefit under s. 46.286 first becomes available in the county where the nursing home,
14 community-based residential facility, adult family home, or residential care
15 apartment complex is located.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

16 **SECTION 18.** 46.283 (4) (f) of the statutes is renumbered 46.283 (3) (n) and
17 amended to read:

18 46.283 (3) (n) ~~Perform~~ Performance of a functional screening and a financial
19 and cost-sharing screening for any resident, as specified in par. (e) (m), who requests
20 a screening and assist any resident who is eligible and chooses to enroll in a care
21 management organization or the self-directed services option to do so.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

22 **SECTION 19.** 46.283 (4) (g) of the statutes is renumbered 46.283 (3) (o) and
23 amended to read:

1 46.283 (3) (o) ~~Perform~~ Performance of a functional screening and a financial
2 and cost-sharing screening for any person seeking admission to a nursing home,
3 community-based residential facility, residential care apartment complex, or adult
4 family home, if the secretary has certified that the resource center or other entity is
5 available to the person and the facility and the person is determined by the resource
6 center or other entity to have a condition that is expected to last at least 90 days that
7 would require care, assistance, or supervision. A resource center or other entity may
8 not require a financial and cost-sharing screening for a person seeking admission
9 or about to be admitted on a private pay basis who waives the requirement for a
10 financial and cost-sharing screening under this paragraph, unless the person is
11 expected to become eligible for medical assistance within 6 months. A resource
12 center or other entity need not perform a functional screening for a person seeking
13 admission or about to be admitted for whom a functional screening was performed
14 within the previous 6 months.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

15 **END INSERT 3-3**

16 **INSERT 3-4**

17 **SECTION 20.** 46.283 (5) of the statutes is amended to read:

18 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
19 (bm), (gm), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
20 organizations ~~that meet standards under sub. (3)~~ for performance of the duties under
21 sub. (4) (3) and shall distribute funds for services provided by resource centers and
22 other entities.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

23 **END INSERT 3-4**

24 **INSERT 3-5**

1 **SECTION 21.** 46.283 (7) (intro.) of the statutes is amended to read:

2 46.283 (7) (intro.) No record, as defined in s. 19.32 (2), of a resource center or
3 other contracted entity under s. 46.283 (2) that contains personally identifiable
4 information, as defined in s. 19.62 (5), concerning an individual who receives services
5 from the resource center may be disclosed by the resource center without the
6 individual's informed consent, except as follows:

7 **SECTION 22.** 46.283 (7) (a) of the statutes is amended to read:

8 46.283 (7) (a) A resource center or other contracted entity under s. 46.283 (2)
9 may provide information as required to comply with s. 16.009 (2) (p) or 49.45 (4) or
10 as necessary for the department to administer the program under ss. 46.2805 to
11 46.2895.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33; 2005 a. 25, 254, 264, 386, 388; 2007 a. 20 ss. 969, 971 to 973, 976, 978 to 991; 2009 a. 2, 28, 180, 247, 249; 2011 a. 32.

12 **END INSERT 3-5**

13 **INSERT 3-14**

14 **SECTION 23.** 46.287 (2) (c) of the statutes is amended to read:

15 46.287 (2) (c) Information regarding the availability of advocacy services and
16 notice of adverse actions taken and appeal rights shall be provided to a client by the
17 resource center or other contracted entity under s. 46.283 (2) or care management
18 organization in a form and manner that is prescribed by the department by rule.

History: 1999 a. 9; 2003 a. 33; 2013 a. 20.

19 **SECTION 24.** 50.034 (5m) of the statutes is amended to read:

20 **50.034 (5m) PROVISION OF INFORMATION REQUIRED.** Subject to sub. (5p), when a
21 residential care apartment complex first provides written material regarding the
22 residential care apartment complex to a prospective resident, the residential care
23 apartment complex shall also provide the prospective resident information specified
24 by the department concerning the services of a resource center or other entity under

1 s. 46.283, the family care benefit under s. 46.286, and the availability of a functional
2 screening and a financial and cost-sharing screening to determine the prospective
3 resident's eligibility for the family care benefit under s. 46.286 (1).

4 **History:** 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33; 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 165 s. 114

SECTION 25. 50.034 (5n) (intro.) of the statutes is amended to read:

5 50.034 (5n) REQUIRED REFERRAL. (intro.) Subject to sub. (5p), when a residential
6 care apartment complex first provides written material regarding the residential
7 care apartment complex to a prospective resident who is at least 65 years of age or
8 has developmental disability or a physical disability and whose disability or
9 condition is expected to last at least 90 days, the residential care apartment complex
10 shall refer the prospective resident to a resource center or other entity under s.
11 46.283, unless any of the following applies:

12 **History:** 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33; 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 165 s. 114

SECTION 26. 50.034 (5n) (a) of the statutes is amended to read:

13 50.034 (5n) (a) For a person for whom a screening for functional eligibility
14 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
15 under this subsection need not include performance of an additional functional
16 screening under s. 46.283 (4) (g) (3) (o).

17 **History:** 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33; 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 165 s. 114

SECTION 27. 50.034 (5n) (d) of the statutes is amended to read:

18 50.034 (5n) (d) For a person who seeks admission or is about to be admitted on
19 a private pay basis and who waives the requirement for a financial and cost-sharing
20 screening under s. 46.283 (4) (g) (3) (o), the referral under this subsection may not
21 include performance of a financial and cost-sharing screening under s. 46.283 (4) (g)
22 (3) (o), unless the person is expected to become eligible for medical assistance within
23 6 months.

History: 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33; 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 165 s. 114

1 **SECTION 28.** 50.034 (5p) of the statutes is amended to read:

2 **50.034 (5p) APPLICABILITY.** Subsections (5m) and (5n) apply only if the secretary
3 has certified under s. 46.281 (3) that a resource center or other entity is available for
4 the residential care apartment complex and for specified groups of eligible
5 individuals that include those persons seeking admission to or the residents of the
6 residential care apartment complex.

7 History: 1995 a. 27; 1997 a. 13, 252; 1999 a. 9, 63, 185; 2001 a. 16; 2003 a. 33; 2005 a. 22; 2007 a. 20; 2009 a. 28; 2013 a. 165 s. 114

7 **SECTION 29.** 50.035 (4m) of the statutes is amended to read:

8 **50.035 (4m) PROVISION OF INFORMATION REQUIRED.** Subject to sub. (4p), when a
9 community-based residential facility first provides written material regarding the
10 community-based residential facility to a prospective resident, the
11 community-based residential facility shall also provide the prospective resident
12 information specified by the department concerning the services of a resource center
13 or other entity under s. 46.283, the family care benefit under s. 46.286, and the
14 availability of a functional screening and a financial and cost-sharing screening to
15 determine the prospective resident's eligibility for the family care benefit under s.
16 46.286 (1).

17 History: 1983 a. 363; 1985 a. 176; 1987 a. 403 ss. 67, 256; 1989 a. 336; 1991 a. 39; 1995 a. 27 ss. 3235 to 3237, 9116 (5); 1997 a. 27, 114, 237; 1999 a. 9, 32, 103, 186; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32.

17 **SECTION 30.** 50.035 (4n) (intro.) of the statutes is amended to read:

18 **50.035 (4n) REQUIRED REFERRAL.** (intro.) When a community-based residential
19 facility first provides written information regarding the community-based
20 residential facility to a prospective resident who is at least 65 years of age or has
21 developmental disability or a physical disability and whose disability or condition is
22 expected to last at least 90 days, the community-based residential facility shall refer
23 the individual to a resource center or other entity under s. 46.283 or, if the secretary
24 has not certified under s. 46.281 (3) that a resource center or other entity is available

1 in the area of the community-based residential facility to serve individuals in an
2 eligibility group to which the prospective resident belongs, to the county department
3 that administers a program under ss. 46.27 or 46.277, unless any of the following
4 applies:

History: 1983 a. 363; 1985 a. 176; 1987 a. 403 ss. 67, 256; 1989 a. 336; 1991 a. 39; 1995 a. 27 ss. 3233 to 3237, 9116 (5); 1997 a. 27, 114, 237; 1999 a. 9, 32, 103, 186; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32.

5 **SECTION 31.** 50.035 (4n) (a) of the statutes is amended to read:

6 50.035 (4n) (a) For a person for whom a screening for functional eligibility
7 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
8 under this subsection need not include performance of an additional functional
9 screening under s. 46.283 (4) ~~(g)~~ (3) (o).

History: 1983 a. 363; 1985 a. 176; 1987 a. 403 ss. 67, 256; 1989 a. 336; 1991 a. 39; 1995 a. 27 ss. 3235 to 3237, 9116 (5); 1997 a. 27, 114, 237; 1999 a. 9, 32, 103, 186; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32.

10 **SECTION 32.** 50.035 (4n) (d) of the statutes is amended to read:

11 50.035 (4n) (d) For a person who seeks admission or is about to be admitted on
12 a private pay basis and who waives the requirement for a financial and cost-sharing
13 screening under s. 46.283 (4) ~~(g)~~ (3) (o), the referral under this subsection may not
14 include performance of a financial and cost-sharing screening under s. 46.283 (4) ~~(g)~~
15 (3) (o), unless the person is expected to become eligible for medical assistance within
16 6 months.

History: 1983 a. 363; 1985 a. 176; 1987 a. 403 ss. 67, 256; 1989 a. 336; 1991 a. 39; 1995 a. 27 ss. 3235 to 3237, 9116 (5); 1997 a. 27, 114, 237; 1999 a. 9, 32, 103, 186; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32.

17 **SECTION 33.** 50.035 (4p) of the statutes is amended to read:

18 50.035 (4p) APPLICABILITY. Subsection (4m) applies only if the secretary has
19 certified under s. 46.281 (3) that a resource center or other entity is available for the
20 community-based residential facility and for specified groups of eligible individuals
21 that include those persons seeking admission to or the residents of the
22 community-based residential facility.

History: 1983 a. 363; 1985 a. 176; 1987 a. 403 ss. 67, 256; 1989 a. 336; 1991 a. 39; 1995 a. 27 ss. 3235 to 3237, 9116 (5); 1997 a. 27, 114, 237; 1999 a. 9, 32, 103, 186; 2001 a. 16; 2003 a. 33; 2007 a. 20; 2009 a. 28; 2011 a. 32.

1 **SECTION 34.** 50.04 (2g) (a) of the statutes is amended to read:

2 50.04 (2g) (a) Subject to sub. (2i), a nursing home shall, within the time period
3 after inquiry by a prospective resident that is prescribed by the department by rule,
4 inform the prospective resident of the services of a resource center or other entity
5 under s. 46.283, the family care benefit under s. 46.286, and the availability of a
6 functional screening and a financial and cost-sharing screening to determine the
7 prospective resident's eligibility for the family care benefit under s. 46.286 (1).

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

8 **SECTION 35.** 50.04 (2h) (a) (intro.) of the statutes is amended to read:

9 50.04 (2h) (a) (intro.) Subject to sub. (2i), a nursing home shall, within the time
10 period prescribed by the department by rule, refer to a resource center or other entity
11 under s. 46.283 a person who is seeking admission, who is at least 65 years of age or
12 has developmental disability or physical disability and whose disability or condition
13 is expected to last at least 90 days, unless any of the following applies:

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

14 **SECTION 36.** 50.04 (2h) (a) 1. of the statutes is amended to read:

15 50.04 (2h) (a) 1. For a person for whom a screening for functional eligibility
16 under s. 46.286 (1) (a) has been performed within the previous 6 months, the referral
17 under this paragraph need not include performance of an additional functional
18 screening under s. 46.283 (4) (g) (3) (o).

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

19 **SECTION 37.** 50.04 (2h) (a) 4. of the statutes is amended to read:

20 50.04 (2h) (a) 4. For a person who seeks admission or is about to be admitted
21 on a private pay basis and who waives the requirement for a financial and
22 cost-sharing screening under s. 46.283 (4) (g) (3) (o), the referral under this
23 subsection may not include performance of a financial and cost-sharing screening

1 under s. 46.283 ~~(4) (g)~~ [✓] (3) (o), unless the person is expected to become eligible for
2 medical assistance within 6 months.

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

3 **SECTION 38.** 50.04 (2i) of the statutes is amended to read:

4 **50.04 (2i) APPLICABILITY.** Subsections (2g) and (2h) apply only if the secretary
5 has certified under s. 46.281 (3) that a resource center or other entity [✓] is available for
6 the nursing home and for specified groups of eligible individuals that include those
7 persons seeking admission to or the residents of the nursing home.

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

8 **SECTION 39.** 50.04 (2m) (b) of the statutes is amended to read:

9 **50.04 (2m) (b)** Paragraph (a) does not apply to those residents for whom the
10 secretary has certified under s. 46.281 (3) that a resource center or other entity [✓] is
11 available.

History: 1977 c. 170 ss. 6, 29; 1977 c. 272; 1979 c. 34; 1981 c. 20, 121, 317, 391; 1983 a. 27 s. 2200 (1); 1985 a. 29; 1985 a. 182 s. 57; 1985 a. 332 s. 251 (1), (7); 1987 a. 27, 127, 399; 1989 a. 31, 336; 1991 a. 39, 269, 315; 1995 a. 27; 1997 a. 27, 114, 237, 252, 280; 1999 a. 9, 32, 103; 2003 a. 33; 2007 a. 20, 153; 2009 a. 28; 2011 a. 70, 126.

12 **SECTION 40.** 50.06 (7) of the statutes is amended to read:

13 **50.06 (7)** An individual who consents to an admission under this section may
14 request that an assessment be conducted for the incapacitated individual under the
15 long-term support community options program under s. 46.27 (6) or, if the secretary
16 has certified under s. 46.281 (3) that a resource center or other entity [✓] is available for
17 the individual, a functional screening and a financial and cost-sharing screening to
18 determine eligibility for the family care benefit under s. 46.286 (1). If admission is
19 sought on behalf of the incapacitated individual or if the incapacitated individual is
20 about to be admitted on a private pay basis, the individual who consents to the
21 admission may waive the requirement for a financial and cost-sharing screening

1 under s. 46.283 (4) ~~(g)~~ ⁽³⁾ (o), unless the incapacitated individual is expected to
2 become eligible for medical assistance within 6 months.

3 History: 1993 a. 187; 1999 a. 9; 2005 a. 264, 387; 2007 a. 20, 45; 2009 a. 28, 319.

3 **SECTION 41.** 51.42 (3) (e) of the statutes is amended to read:

4 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
5 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3)
6 (c), and 938.78 (2) (a), any subunit of a county department of community programs
7 or tribal agency acting under this section may exchange confidential information
8 about a client, without the informed consent of the client, with any other subunit of
9 the same county department of community programs or tribal agency, with a
10 resource center or other contracted entity under s. 46.283 (2), a care management
11 organization, or a long-term care district, or with any person providing services to
12 the client under a purchase of services contract with the county department of
13 community programs or tribal agency or with a resource center or other contracted
14 entity under s. 46.283 (2), care management organization, or long-term care district,
15 if necessary to enable an employee or service provider to perform his or her duties,
16 or to enable the county department of community programs or tribal agency to
17 coordinate the delivery of services to the client. Any agency releasing information
18 under this paragraph shall document that a request was received and what
19 information was provided.

History: 1971 c. 125; 1973 c. 90, 198, 333, 336; 1975 c. 39, 198, 199, 224, 422; 1975 c. 428 s. 16; 1975 c. 430 ss. 24 to 31, 80; 1977 c. 26 ss. 37, 38, 75; 1977 c. 29 ss. 612 to 623p, 1656 (18); 1977 c. 193; 1977 c. 203 s. 106; 1977 c. 272; 1977 c. 354 s. 101; 1977 c. 418, 428, 447; 1979 c. 34, 117, 177, 221, 330, 355; 1981 c. 20 ss. 923 to 942, 2202 (20) (d), (n), (g); 1981 c. 93 ss. 105 to 122, 186; 1981 c. 329; 1983 a. 27 ss. 1106 to 1112, 2202 (20); 1983 a. 189 ss. 44, 329 (5); 1983 a. 192, 239, 365, 375, 524; 1985 a. 29, 120, 176; 1987 a. 3, 27, 199, 339, 366; 1989 a. 31, 122; 1991 a. 39, 274, 315; 1993 a. 16, 437, 445; 1995 a. 27 ss. 3260 to 3262, 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 224, 276, 332, 417; 1997 a. 27, 164, 237, 268; 1999 a. 9; 2001 a. 10, 16, 38; 2003 a. 320; 2005 a. 264, 388, 431, 434; 2007 a. 20 ss. 1819m to 1821, 9121 (6) (a); 2007 a. 45, 97; 2009 a. 28, 180, 276, 334; 2011 a. 32, 126; 2013 a. 203, 251.

20 **SECTION 42.** 51.437 (4r) (b) of the statutes is amended to read:

21 51.437 (4r) (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
22 51.30, 51.45 (14) (a), 55.22 (3), 146.82, 252.11 (7), 253.07 (3) (c), and 938.78 (2) (a),
23 any subunit of a county department of developmental disabilities services or tribal

1 agency acting under this section may exchange confidential information about a
2 client, without the informed consent of the client, with any other subunit of the same
3 county department of developmental disabilities services or tribal agency, with a
4 resource center or other contracted entity under s. 46.283 (2), a care management
5 organization, or a long-term care district, or with any person providing services to
6 the client under a purchase of services contract with the county department of
7 developmental disabilities services or tribal agency or with a resource center or other
8 contracted entity under s. 46.283 (2), a care management organization, or a
9 long-term care district, if necessary to enable an employee or service provider to
10 perform his or her duties, or to enable the county department of developmental
11 disabilities services or tribal agency to coordinate the delivery of services to the
12 client. Any agency releasing information under this paragraph shall document that
13 a request was received and what information was provided.

History: 1971 c. 307, 322; 1973 c. 90, 333; 1975 c. 39, 199, 430; 1977 c. 26 ss. 39, 75; 1977 c. 29; 1977 c. 354 a. 101; 1977 c. 418; 1977 c. 428 s. 85, 86, 115; 1979 c. 32, 117, 221, 330, 355; 1981 c. 20, 93, 329; 1983 a. 27, 365, 375, 524; 1985 a. 29 ss. 1094 to 1105m, 3200 (56) (a); 1985 a. 120, 176, 307, 332; 1987 a. 27; 1989 a. 31, 56, 107, 262; 1991 a. 39, 274, 315; 1993 a. 16, 83; 1995 a. 27 ss. 3266m, 9116 (5), 9126 (19), 9145 (1); 1995 a. 64, 77, 92, 201, 225, 352, 417; 1997 a. 27, 35, 164, 252; 1999 a. 9; 2001 a. 16, 59; 2003 a. 33; 2005 a. 25, 264, 388; 2007 a. 20 ss. 1822 to 1824b, 9121 (6) (a); 2007 a. 45, 96; 2009 a. 28, 180, 334; 2011 a. 32, 126.

14 **END INSERT 3-14**

Dodge, Tamara

From: McElgunn, Christopher J - DOA <ChristopherJ.McElgunn@wisconsin.gov>
Sent: Friday, January 23, 2015 4:49 PM
To: Dodge, Tamara
Cc: Steinmetz, Jana D - DOA
Subject: ADRC Restructuring: BB0359

Hi Tami,

One (hopefully, final) piece of guidance from DHS on the ADRC restructuring draft:

I think the current draft looks good except that I believe we need a change to s. 20.435(7)(b) to reflect the changes in s. 46.283. Here is my suggested change in red below.

s. 20.435(7)(b) *Community aids and Medical Assistance payments.* The amounts in the schedule for human services under s. 46.40, to fund services provided by resource centers or other entities under s. 46.283 (5), for services under the family care benefit under s. 46.284 (5), for Medical Assistance payment adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior year audit adjustments including those resulting from audits of services under s. 46.26, 1993 stats., or s. 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance.

Please let me know if you have any questions.

Thank you.

Chris

Christopher J. McElgunn
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Wisconsin Department of Administration
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